

AMENDED DECLARATION OF COVENANTS.  
CONDITIONS AND RESTRICTIONS

The Declaration of Covenants, Conditions and Restrictions previously submitted in relation to Canyon Place Condominiums, Phase I and Phase II are amended to reflect the changes to the unit numbers as evidenced on the Amended Appendix C.

This amendment is made pursuant to Paragraph 25 of the original Declaration of Covenants, Conditions and Restrictions and is approved by the following representing at least two-thirds of the unit owners of Phase I and II as well as the undivided interests and the common areas in facilities.

Dated this 12<sup>th</sup> day of December, 1997

*Mark Fernandes*  
MARK FERNANDES

*Tami Fernandes*  
TAMI FERNANDES

By their signatures below, MARK and TAMI FERNANDES, dba MTK Development and BRETL. BOGGESS and SHELDON PALMER and JAMES M. SARGENT hereby submit and convey their ownership being all of the owners of the property described as Phase II of said development hereby submit and convey all ownership in said property to be included in the Canyon Place Condominium as reflected in amendment to the Appendices to said CCR's.

*Mark Fernandes*  
MARK FERNANDES

*Tami Fernandes*  
TAMI FERNANDES

*Bret L. Bogges*  
BRET L. BOGGESS

*Sheldon Palmer*  
SHELDON PALMER

*James M. Sargent*  
JAMES M. SARGENT

E 1510369 BK 1897 PG351  
OUG CROFTS, WESER COUNTY RECORDER  
16-DEC-97 1117 AH FEE \$25.00 DEP tIB  
REC ForR: !!ARK.FERNANDES

SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF CANYON PLACE CONDOMINIUMS  
(Phase Two)

(An Amendment to Declaration of Canyon Place Condominiums Phase)  
One, recorded

This Declaration is made and executed in Weber County, Utah this 12<sup>th</sup> day of December, 1997 by MARK and TAMI FERNANDES, dba MTK Development, BRET L. BOGGESS, SHELDON PALMER and JAMES M. SARGENT hereinafter referred to as Declarant pursuant to the provisions of the Utah Condominium Ownership Act. BRET L. BOGGESS, SHELDON PALMER and JAMES M. SARGENT are added as Declarants because they have purchased a portion of the property which is the subject of Phase II.

W I T N E S S E T H

WHEREAS, Declarants are the owner of the real property in Weber County, State of Utah described as Canyon Place Condominiums Phase Two, which Phase Two is a portion of the property heretofore included as a part of an expandable condominium heretofore filed and known as Canyon Place Condominiums Phase One which has heretofore been filed with the County Recorder's Office, Weber County, Utah which is located in the Northeast Quarter of Section 21, Township 6 North, Range 1 West, SLB&M. Which Phase I was recorded in the records of Weber County on-----at Book \_\_\_\_\_, Page \_\_\_\_\_

WHEREAS, the Declarants have heretofore in the filing of Canyon Place Condominiums Phase One declared that the Condominium is an expandable Condominium and,

WHEREAS, the Declarants have deemed it desirable to expand the condominium and to impose a general plan for the improvement and development of all the property described therein and the adoption and establishment of Covenants, Conditions, and Restrictions upon said real property that each and every unit and portion thereof together with the use, occupancy and enjoyment thereof shall be for the purpose of enhancing and protecting the value, desirability and attractiveness of said tract and,

WHEREAS, Declarants will convey title to Units 5 through 12 of the attached record of Survey Map, Canyon Place Condominiums, Phase Two, which condominium shall be subject to those protective covenants, conditions and restrictions as set forth in the original Declaration of Covenants, Conditions and Restrictions heretofore filed with the Weber, County Recorder's Office, Weber County, Utah and

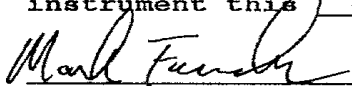
WHEREAS, the following real property was included within the real property for possible expansion by Canyon Place Condominium Declaration as originally filed with the Weber County

Recorder's Office and that said real property is to be subject to the general plan of improvement for the benefit of all of said condominiums and owners thereof. Appendix A of the original Declaration is amended as attached to include the legal description of the added property for Units 5 through 12.


WHEREAS, the expansion of the Canyon Place Condominiums Project is expanded as provided in Sections 57-8-13.6, Utah Condominium Ownership Act, 1953 as amended and enacted by the laws of the State of Utah, 1975, Chapter 173, Section 8. Such expansion shall be deemed to have occurred at the time of the recordation of the record of Survey Map as originally filed with the Weber County Recorder's Office and that by this filing the undivided interest in the common areas and facilities shall be reallocated in accordance with Subsection 57-8-13.10 (2) Utah Code Annotated.

NOW THEREFORE, Declarants do hereby publicly declare that all the property described in this Supplemental Declaration is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and approved subject to the covenants, conditions, restrictions, uses, limitations and obligations, all of which were declared and set forth in the original Declaration of Covenant, Conditions and Restrictions of the Canyon Place Condominium and that the Condominium is expanded to include Units 5 through 12 and that all covenants, conditions, restrictions and easements are hereby declared to be for the benefit of the whole tract and all other property described in Phase One and Phase Two and the owners thereof, their successors and assigns, The covenants, conditions, restrictions and easements shall run with the said real property and shall be binding on all parties having or acquiring any right, title or interest in the described real property or any part thereof, and shall inure to the benefit of each owner thereof, as a servitude in :favor of each and every parcel thereof as the dominant tenant or tenements. The covenants as wherein mentioned shall be as binding on all units of the Canyon Place Condominium as on all other units of the Canyon Place Condominium included herein. Said Canyon Place Condominium, Phase two shall have all right and/or access including right of ways as enjoyed by Phase 1. Appendix C attached is also amended to show the total percentage of ownership in the common area of the owners of each of the units including Phase I and Phase II.


IN WITNESS WHEREOF, Declarant have executed this instrument this 12<sup>TH</sup> day of December, 1997.

  
MARK FERNANDES

  
TAMI FERNANDES

  
BRET L. BOGGESS

  
SHELDON PALMER

  
JAMES M. SARGENT

STATE OF UTAH     )  
                              : S  
COUNTY OF WEBER)

MARK FERNANDES, TAMI FERNANDES, BRETL. BOGGESE, SHELDON  
PALMER and JAMES M. SARGENT personally appeared before me  
this 12th day of December, 1997 as the signers of  
the above and foregoing instrument, who duly  
acknowledged- to me that they  
executed the same.

  
Notary Public



APPENDIX C  
CANYON PLACE CONDOMINIUMS

<u>Building No.</u>	<u>Unit Number</u>	<u>Percent Ownership in Common Area*</u>
1	1	8 1/3%
1	2	8 1/3%
1	3	8 1/3%
1	<b>4</b>	8 1/3%
2	<b>5</b>	8 1/3%
2	<b>6</b>	8 1/3%
2	<b>7</b>	8 1/3%
2	<b>8</b>	8 1/3%
3	<b>9</b>	8 1/3%
3	10	8 1/3%
3	11	8 1/3%
3	12	8 1/3%