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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
BY: SBM, DEPUTY - WL 5 P.

SECOND AMENDMENT TO
RESTRICTIVE COVENANTS OF
KOPPER VIEW MOBILE HOME PARK

THIS SECOND AMENDMENT TO RESTRICTIVE COVENANTS OF KOPPER VIEW MOBILE HOME PARK is made and executed this 16 day of June, 2004, by KOPPER VIEW MOBILE HOME PARK HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation (hereinafter referred to as "Association").

RECITALS:

A. On the 23rd day of February, 1981, Bradley E. Brimhall made and executed that certain "RESTRICTIVE COVENANTS" of KOPPER VIEW MOBILE HOME PARK, with Articles of Association attached with respect to the certain real property located in Salt Lake County, State of Utah, more particularly described on Exhibit "A" attached hereto (herein the "Declaration"), which Declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the 25th day of February, 1981, as Entry No. 3537626, in Book 5217, beginning at page 783.

B. The Association amended the Declaration by the filing of an Amendment to the Restrictive Covenants of Kopper View Mobile Home Park dated the 26th day of February, 1998, and recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the 26th day of February, 1998, as Entry No. 6876324, in Book 7893, beginning at page 0423.

C. The Association desires to make a further amendment to the Declaration to confirm: (i) that the Common Areas of the Association consist of the Private Streets conveyed to the Association (or its predecessor) by that certain Quit-claim Deed executed by D. David Magana, Gary L. Murrock, and Bradley E. Brimhall, as Grantors, in favor of The Kopper View Mobile Home Park Homeowners Association, as Grantee, dated December 31, 1980 and recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the ___ day of January, 1981, as Entry No. 3521156, in Book 5189, beginning at page 528; and (ii) that each owner of a Lot within Kopper View Mobile Home Park shall have an easement for ingress and egress over such Private Streets to his or her lot from 7200 South Street, a publicly dedicated street.

NOW, THEREFORE, in consideration of the recitals set forth herein above, the Declarant hereby declares and certifies as follows:

1. Section 9. Section 9 is added to the Declaration as follows:

9.1. Common Areas shall mean and refer to that part of the Property which is not included with the Lots which is owned by the Association for the common use and enjoyment of the Owners, together with all improvements thereon and all easements appurtenant thereto including but not limited to private utility lines and personal property owned by the Association when the context so requires.

9.2. Private Streets shall mean and refer to all of the undedicated roads and streets within Kopper View Mobile Home Park as designated upon a Plat which are reserved as an easement for ingress and egress for pedestrian and vehicular traffic for the use, in common, of Owners of Lots, and their guests and invitees. Private Streets shall for all purposes be deemed to be Common Areas

9.3. Owner shall mean and refer to the person who is the Owner of record (in the office of the County Recorder of Salt Lake County, Utah) of a fee or an undivided interest in any Lot. Notwithstanding any applicable theory relating to a mortgage, deed of trust or like instrument, the term "Owner" shall not mean or include a mortgagee or a beneficiary or trustee under a deed of trust unless and until such party has acquired title pursuant to foreclosure or any arrangement or proceeding in lieu thereof. In accordance with the terms of the Declaration, one (1) vote shall be cast with respect to each Lot, as described on the Plat for Kopper View Mobil Home Park; provided, however that any Lot held by a public authority shall not be entitled to a vote.

9.4. Easement of Enjoyment. Each Owner shall have a right and easement of use and enjoyment in and to the Common Areas and the Private Streets for the purposes of which such

Common Areas are intended. Such right and easement shall be appurtenant to and shall pass with title to each Lot and in no event shall be separated therefrom. Any Owner may delegate the right and easement of use and enjoyment described herein to any family member, tenant, lessee or contract purchaser who resides on such Owner's Lot.

9.5. Limitation on Easement. A Member's right and easement of use and enjoyment concerning the Common Areas and Private Streets shall be subject to the following:

(a) The right of the Association to impose reasonable limitations on the number of guests per Member who at any given time are permitted to use the Common Areas;

(b) The right of Salt Lake County, an City in which the Property is located, and any other governmental or quasi-governmental body having jurisdiction over the Property to access and rights of ingress and egress over and across any street, parking area, walkway, or open area contained within the Property for purposes of providing police and fire protection, transporting school children, and providing any other governmental or municipal service; and

(c) The right of the Association to dedicate or transfer all or any part of the Common Areas, the Private Streets and any sewer, water and storm drain trunk lines to any public agency or authority for such purposes and subject to such conditions as may be agreed to by the Association. Any such dedication or transfer must, however, be assented to by two-thirds (2/3) of the Owners.

2. Re-Incorporation of Association. The Owners confirm that the Association was previously incorporated as "Kopper View Mobile Home Park Homeowners Association," a Utah nonprofit corporation, and its status expired August 28, 2001, as a result of its failure to file appropriate renewals. By this amendment, the Owners have approved and are deemed to have ratified the re-incorporation of the Association in the State of Utah consistent with the terms of the Declaration and the prior acts of the Owners.

3. Owner Approvals. By their execution of Exhibit "B" attached hereto, Owners owning two-thirds (2/3) of the Lots, excluding Owners of those Lots owned by a public authority who are not entitled to vote according to the terms and conditions of the Declaration, hereby grant their consent to this Amendment and the terms contained herein.

4. Effective Date. This Amendment to Declaration shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, Utah.

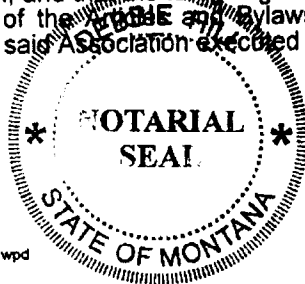
EXECUTED the day and year first above written.

KOPPER VIEW MOBILE HOME PARK HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation

By: William J. Shaw
William J. Shaw
Its President

STATE OF Montana)
COUNTY OF Missoula) ss.

On the 16th day of June, 2004, personally appeared before me William J. Shaw, who being by me duly sworn, did say that he is the President of Kopper View Mobile Home Park Homeowners Association, a Utah nonprofit corporation, and that the foregoing Amendment to Declaration was signed on behalf of said Association by authority of the ~~Board~~ Board and Bylaws of the Association, and the said William J. Shaw acknowledged to me that said Association executed the same.



Debbie Hill
Debbie Hill
NOTARY PUBLIC

Exhibit "A"
to
Second Amendment to Declaration of
KOPPER VIEW MOBILE HOME PARK

Beginning at a point South 89°57'53" East 40.00 feet from the Southwest corner of Section 22, Township 1 South, Range 2 West, Salt Lake Base and Meridian, and running thence South 89°57'53" East 1552.38 feet; thence North 0°09'06" West 1039.50 feet; thence South 89°58'11" West 272.38 feet; thence South 0°08'56" East 758.28 feet; thence North 89°58'57" West 1279.88 feet; thence South 0°08'06" East 280.51 feet to the point of beginning.

Exhibit "B"

Owner Consents

The Owners listed below owning sixty-one (61) Lots, representing not less than two-thirds of the Owner of Lots which are eligible to vote (as of this date, a total of seventy-nine (79) Lots), fourteen (14) being owned by West Valley City), have consented to the Second Amendment as contained herein above.

Owner:

Lots Owned:

William J. Shaw and Emma Kathleen Shaw

Lots 10-22, 36-72 and 87-97

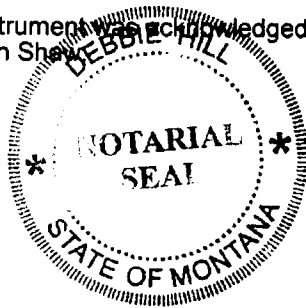
Consent given this 16 day of June, 2003

William J Shaw
WILLIAM J. SHAW

Emma Kathleen Shaw
EMMA KATHLEEN SHAW

STATE OF Montana)
COUNTY OF Missoula) ss.

The foregoing instrument was acknowledged before me this 16th day of June, 2004, by William J. Shaw and Emma Kathleen Shaw.



Debbie Hill Debbie Hill
NOTARY PUBLIC

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