

**AMENDED DECLARATION OF PROTECTIVE COVENANTS**

AND

**RATIFICATION OF RESOLUTIONS**

**COMES NOW** THE UNDERSIGNED WHICH REPRESENT MORE THAN 2/3RDS OF THE NOW EXISTING CLASS A MEMBERSHIP AND MORE THAN 2/3RDS OF THE NOW EXISTING CLASS B MEMBERSHIP OF THE **KIRKLAND ESTATES HOMEOWNERS ASSOCIATION, INC.**, A UTAH NONPROFIT CORPORATION, and

**BY THESE PRESENTS, KNOW ALL MEN THAT:**

1. PURSUANT TO PARAGRAPH 2(f) OF THAT CERTAIN DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS RESTRICTIONS, EASEMENTS, EQUITABLE SERVITUDES AND LIENS AND PROVISIONS RELATING TO THE MAINTENANCE OF ROADS, UTILITIES AND COMMON AREAS APPLYING TO THE KIRKLAND ESTATES PLANNED RESIDENTIAL UNIT DEVELOPMENT, UTAH COUNTY, STATE OF UTAH, WHICH DECLARATION WAS RECORDED 23 NOVEMBER 1981 AND RE-RECORDED 11 DECEMBER 1981 AS ENTRY #35037, IN BOOK 1953, PAGES 536-558, THE UNDERSIGNED DO HEREBY ACKNOWLEDGE THAT MORE THAN 60 DAYS HAVE LAPSED SINCE RECIEPT OF A WRITTEN NOTICE RELATIVE TO A GENERAL MEETING OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION, AND

2. THAT THE UNDERSIGNED DO HEREBY WAIVE ANY AND ALL OTHER WRITTEN NOTICES AS MAY HAVE HERETOFORE BEEN REQUIRED, AND

3. THAT THE UNDERSIGNED DO HEREBY WAIVE ANY OTHER REQUIREMENT AS TO A 60 DAY LAPSE OF TIME PRIOR TO THE EXECUTION OF THIS WRITTEN DOCUMENT, AND

4. THAT THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT A GOOD AND SUFFICIENT PETITION AND VOTE OF MORE THAN 2/3RDS MAJORITY OF EACH OF THE MEMBERSHIP CLASSES OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION HAS INSTRUCTED THE OFFICERS OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION TO DO ALL THINGS WHATSOEVER NECESSARY AND REQUISITE TO EFFECUTATE THIS ACTION, AND

5. THAT THE UNDERSIGNED DO HEREBY AUTHORIZE, INSTRUCT, DIRECT, RATIFY, AND COMMAND THE OFFICERS OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION TO EXECUTE AND DELIVER TO LINDON CITY AS GRANTEE A GOOD AND SUFFICIENT WARRANTY DEED FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES WHATSOEVER, WHICH DEED DELIVERS OWNERSHIP OF ALL OF THE COMMON AREAS OF THIS ASSOCIATION. SAID COMMON AREAS BEING ALL THE DEDICATED STREETS, EASEMENTS, AND RIGHTS OF WAY WITHIN THE BOUNDS OF THE KIRKLAND ESTATES PLATS A THRU F, AND

6. THAT THE UNDERSIGNED DO HEREBY RELEASE DECLARANT, THEIR HEIRS, ADMINISTRATORS, DEVISEES, SUCCESSORS, OR ASSIGNS OF THE ABOVE SAID DECLARATION TO EXECUTE, DELIVER, INSTALL AND CONVEY ANY LANDS FOR THE PURPOSE OF ESTABLISHING A NEIGHBORHOOD PARK WITHIN THE BOUNDS OF THE KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, AND

7. THAT THE UNDERSIGNED BY THEIR SIGNATURES BELOW, AND BY THE RECORDING OF THIS DOCUMENT AT THE UTAH COUNTY RECORDERS OFFICE DO HEREBY RESCIND, CANCEL, AND TERMINATE THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION, AND

8. THAT THE UNDERSIGNED DO HEREBY RESCIND, CANCEL, AND TERMINATE ARTICLES I THRU VI, AND ARTICLES VIII THRU XI OF THE ABOVE SAID DECLARATION, LEAVING ONLY ARTICLE VII, WHICH ARTICLE VII IS RELATIVE TO THE ARCHITECTURAL CONTROL COMMITTEE, AND NOT WITHSTANDING ANY TEXT FOUND THEREIN DO HEREBY APPOINT MR. HAROLD J. HAWKINS OF 1538 SOUTH 850 EAST, OREM, UTAH, 84058, TELEPHONE: 801-226-1938 TO SERVE AS CHAIRMAN OF SAID COMMITTEE FOR A PERIOD OF TWENTY YEARS FROM THE DATE OF RECORDING HEREON, AFTERWHICH THE ARCHITECTURAL CONTROL COMMITTEE SHALL CEASE TO EXIST, AND THE UNDERSIGNED DO HEREBY INSTRUCT THE CHAIRMAN TO SELECT TWO ADDITIONAL PERSONS TO SERVE AS COMMITTEE MEMBERS AS PROVIDED IN ARTICLE VII, AND

9. THAT THE UNDERSIGNED CLASS B MEMBERSHIP, REPRESENTING 100% PERCENT OF THE HERETOFORE SAID CLASS B MEMBERSHIP, AND BEING ALL THE FEE SIMPLE OWNERS OF ALL OF THE REMAINING LANDS OF THE UNDEVELOPED PORTIONS OF THE KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT DO HEREBY WITHDRAW SAID LANDS FROM THE KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT AND DO HEREBY RESCIND AND TERMINATE ALL THE ARTICLES OF THE ABOVESAIID DECLARATIONS. SEE EXHIBIT "XX" WHICH BY THIS REFERENCE IS ATTACHED HERETO AND MADE A PART HEREOF AND DOES DESCRIBE THE LANDS BEING WITHDRAWN FROM THE KIRKLAND ESTATES PLANNED UNIT DEVELOPMENTS.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE VALUE AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE UNDERSIGNED DO HEREBY SET THEIR HANDS AND SEALS TO THIS DOCUMENT ON THE DAY OF THE ACKNOWLEDGEMENT THERETO AND DO HEREBY CONFIRM AND RATIFY ALL OF THE ABOVE.

\*\* SEE ATTACHED LEGAL DESCRIPTIONS\*\*

\*\*SEE ATTACHED SIGNATURE PAGES OF CLASS "A" AND CLASS "B" MEMBERSHIP.

**LEGAL DESCRIPTIONS**

ENT24146 BK 2804 PG 702

THE LOTS OF KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, LINDON,  
UTAH, ACCORDING TO THE OFFICIAL PLATS NOW OF RECORD WITH THE UTAH  
COUNTY RECORDERS OFFICE, TO WIT:

ALL OF LOTS 01-07, PLAT A  
ALL OF LOTS 11-17, PLAT C  
ALL OF LOTS 61-64, PLAT C  
ALL OF LOTS 80-87, PLAT C  
ALL OF LOTS 88-93, PLAT D  
ALL OF LOT 57---, PLAT G  
ALL OF LOT 80---, PLAT H  
ALL OF LOTS 58-60, PLAT F

CLASS "B" SIGNATURE PAGE, AND:

FEE SIMPLE OWNERS  
FEE SIMPLE OWNERS OF LOT 06, PLAT "B"

ENT24146 BK 2804 PG 703

THE LEE K. KIRK FAMILY LIMITED PARTNERSHIP

Lee K. Kirk  
LEE K. KIRK  
STATE OF IDAHO

Larue M. Kirk  
LARUE M. KIRK

COUNTY OF ADA }  
SS

On the 5/14/90, personally appeared before me LEE K. KIRK and LARUE M. KIRK, General Partners of the Lee K. Kirk Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and that they do by these presents CONFIRM and RATIFY all of the above.

Margaret A. Sewel  
NOTARY PUBLIC

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THE GLEN W. CHUGG FAMILY LIMITED PARTNERSHIP

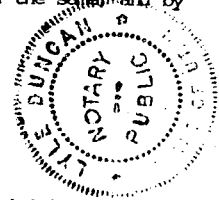
Glen W. Chugg  
GLEN W. CHUGG  
STATE OF UTAH

Elna Dawn Chugg  
ELNA DAWN CHUGG

COUNTY OF DAVIS }  
SS

On the 5/19/90, personally appeared before me GLEN W. CHUGG and ELNA DAWN CHUGG, General Partners of the GLEN W. CHUGG Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and by these presents CONFIRM and RATIFY all of the above.

[Signature]  
NOTARY PUBLIC  
6-1-90  
PROVO, UTAH



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THE HAROLD J. HAWKINS FAMILY LIMITED PARTNERSHIP

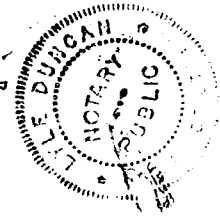
Harold J. Hawkins  
HAROLD J. HAWKINS

Larue K. Hawkins  
LARUE K. HAWKINS

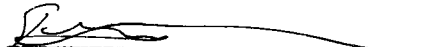
STATE OF UTAH )  
COUNTY OF UTAH )  
SS


On the 5/16/90, personally appeared before me HAROLD J. HAWKINS and LARUE K. HAWKINS, General Partners of the Harold J. Hawkins Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and by these presents do CONFIRM and RATIFY all of the above.

[Signature]  
NOTARY PUBLIC  
6-1-90  
PROVO, UTAH




FEE SIMPLE OWNERS OF LOT 1, PLAT A:

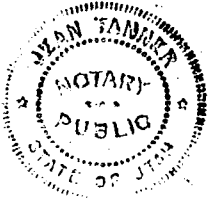
  
TED BURTON

  
MELODY BURTON

STATE OF UTAH            )  
                                  )  ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me TED BURTON AND MELODY BURTON, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 1, Plat A, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that TED BURTON and MELODY BURTON executed the same.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 2, PLAT A:

David R. Cox  
DAVID R. COX

Joann M. Cox  
JOANN M. COX

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me DAVID R. COX AND JOANN M. COX, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 2, Plat A, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that DAVID R. COX and JOANN M. COX executed the same.

Jean Tanner  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Drem, UT.



FEE SIMPLE OWNERS OF LOT 3, PLAT A:

T.E. Madden  
T.E. MADDEN

Colleen U. Madden  
COLLEEN U. MADDEN

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me **T.E. MADDEN AND COLLEEN U. MADDEN**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 3, Plat A, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that T.E. MADDEN and COLLEEN U. MADDEN executed the same.

Jean Jamm  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, UT.



FEE SIMPLE OWNERS OF LOT 4, PLAT :A

*Eugene Johnson*  
EUGENE JOHNSON

*Vivian I. Johnson*  
VIVIAN I. JOHNSON

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me EUGENE JOHNSON AND VIVIAN I. JOHNSON, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 4, PlatA, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that EUGENE JOHNSON and VIVIAN I. JOHNSON executed the same.

*Kan Janne*  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, Utah





FEE SIMPLE OWNERS OF LOT 5 & 6, PLAT A:

*Steven L. Jackson*

STEVEN L. JACKSON  
GENERAL PARTNER OF S.D.J. PARTNERSHIP

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 6th May 1990, personally appeared before me STEVEN L. JACKSON, GENERAL PARTNER OF S.D.J. PARTNERSHIP, the signer of the foregoing instrument, who duly acknowledged to me that he IS the fee simple owner of Lot 5 & 6, Plat A, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he does by these presents CONFIRM and RATIFY all of the above, and that STEVEN L. JACKSON as General Partner of the S.D.J. PARTNERSHIP has executed the same.

*Jean Tanner*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, UT.



FEE SIMPLE OWNERS OF LOT 11, PLAT C:

Kip Apostol  
KIP APOSTAL

Sandy Apostol  
SANDY APOSTAL

STATE OF UTAH )  
                  ) ss  
COUNTY OF UTAH )

On the 5th May 1990, personally appeared before me KIP APOSTAL AND SANDY APOSTAL, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 11, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that KIP APOSTAL and SANDY APOSTAL executed the same.

Jean Anne  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDENCE IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 12, PLAT C:

*Kevin P. Thomas*  
\_\_\_\_\_

KEVIN P. THOMAS

*Heather L. Thomas*  
\_\_\_\_\_

HEATHER L. THOMAS

STATE OF UTAH            )  
                              ) ss  
COUNTY OF UTAH        )

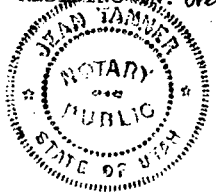
On the 5th May 1990, personally appeared before me KEVIN P. THOMAS AND HEATHER L. THOMAS, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 12, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that KEVIN P. THOMAS and HEATHER L. THOMAS executed the same.

*Jean Yanner*  
\_\_\_\_\_

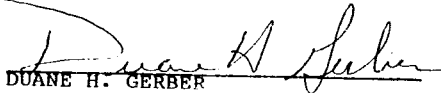
NOTARY PUBLIC

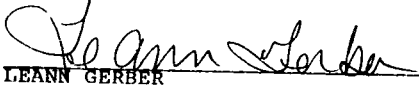
MY COMMISSION EXPIRES: 6-12-91

RESIDENCE: Orem, UT.



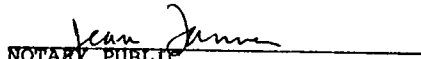
FEE SIMPLE OWNERS OF LOT 13, PLAT C:

  
DUANE H. GERBER

  
LEANN GERBER

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me **DUANE H. GERBER AND LEANN GERBER**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 13, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that DUANE H. GERBER and LEANN GERBER executed the same.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 14, PLAT C:

*Thomas O. Moore*  
THOMAS O. MOORE

*Angela S. Moore*  
ANGELA S. MOORE

STATE OF UTAH            )  
                                  )  ss  
COUNTY OF UTAH        )

On the 5th may 1996, personally appeared before me **THOMAS O. MOORE AND ANGELA S. MOORE**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 14, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that THOMAS O. MOORE and ANGELA S. MOORE executed the same.

*Jean Tanabe*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-01  
RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 15, PLAT C:

*Paul T. Clegg*  
PAUL T. CLEGG

*Linda C. Clegg*  
LINDA C. CLEGG

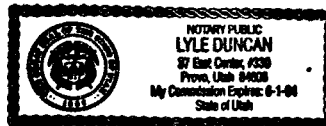
STATE OF UTAH     )  
                          ) SS  
COUNT OF UTAH    )

ON THE 16 Aug 90 PERSONALLY APPEARED BEFORE ME PAUL T. CLEGG AND LINDA C. CLEGG THE SIGNERS OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE/THEY ARE THE FEE SIMPLE OWNERS OF LOT 15, PLAT C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, AND THAT HE/SHE/THEY DO BY THESE PRESENTS CONFIRM AND RATIFY ALL OF THE ABOVE, AND THAT PAUL T. CLEGG AND LINDA C. CLEGG EXECUTED THE SAME.

*[Signature]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6-1-94

RESIDING IN: Provo, Utah



FEE SIMPLE OWNERS OF LOT 17, PLAT C:

Robert S. Cummings  
ROBERT S. CUMMINGS

Lorri P. Cummings  
LORRI P. CUMMINGS

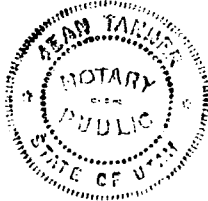
STATE OF UTAH     )  
                          ) SS  
COUNT OF UTAH    )

ON THE 5th May 1990 PERSONALLY APPEARED BEFORE ME ROBERT C. CUMMINGS AND LORRI P. CUMMINGS THE SIGNERS OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE/THEY ARE THE FEE SIMPLE OWNERS OF LOT 17, PLAT C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, AND THAT HE/SHE/THEY DO BY THESE PRESENTS CONFIRM AND RATIFY ALL OF THE ABOVE, AND THAT ROBERT C. CUMMINGS AND LORRI P. CUMMINGS EXECUTED THE SAME.

Alan Jann  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem Utah



FEE SIMPLE OWNER OF LOT 60, PLAT F:

Sheila D. Sorensen  
SHEILA D. SORENSEN

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th of May 1990, personally appeared before me **SHEILA D. SORENSEN**, the signer of the foregoing instrument, who duly acknowledged to me that she IS the fee simple owner of Lot 60, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that she does by these presents CONFIRM and RATIFY all of the above, and that SHEILA D. SORENSEN has executed the same.

Jean Tanner  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, UT.

**JEAN TANNER**  
NOTARY PUBLIC - STATE OF UTAH  
62 S. 360 W. • OREM, UT  
84058  
COMM EXP 8-13-91



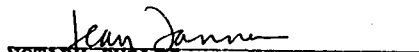
FEE SIMPLE OWNERS OF LOT 62, PLAT C:

  
RICK L. CHRISTENSEN

  
LISA F. CHRISTENSEN

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th day 1990, personally appeared before me RICK L. CHRISTENSEN AND LISA F. CHRISTENSEN, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 62, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that RICK L. CHRISTENSEN and LISA F. CHRISTENSEN executed the same.


  
NOTARY PUBLIC

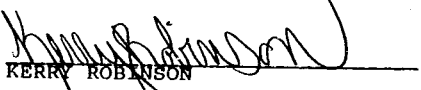
MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, UT.




FEE SIMPLE OWNERS OF LOT 63, PLAT C:

  
RORY ROBINSON

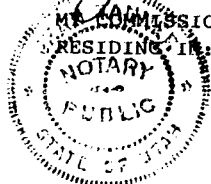
  
KERRY ROBINSON

STATE OF UTAH            )  
                                  )  SS  
COUNTY OF UTAH        )

On the May 5th 1990, personally appeared before me RORY ROBINSON AND KERRY ROBINSON, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 63, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that RORY ROBINSON and KERRY ROBINSON executed the same.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Drem, UT.



FEE SIMPLE OWNERS OF LOT 64, PLAT C:

THE MERALDA B. MACKAY TRUST, RICHARD B. MACKAY, ITS TRUSTEE

*Richard B. Mackay*  
RICHARD B. MACKAY, TRUSTEE

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the MAY 8<sup>TH</sup>, 1990, personally appeared before me RICHARD B. MACKAY, TRUSTEE OF THE MERALDA B. MACKAY TRUST, the signer of the foregoing instrument, who duly acknowledged to me that he is the fee simple owner of Lot 64, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he does by these presents CONFIRM and RATIFY all of the above, and that RICHARD B. MACKAY TRUSTEE OF THE MERALDA B. MACKAY TRUST has executed the same.

*David A. Deindw*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/28/90  
RESIDING IN:            SLC. UT. 84108

FEE SIMPLE OWNERS OF LOT 69, PLAT C:

*Joseph W. Carrick*  
JOSEPH W. CARRICK

*Deborah K. Carrick*  
*Deborah K. Carrick*  
DEBORAH K. CARRICK

STATE OF UTAH )  
                  ) ss  
COUNTY OF UTAH )

On the 5th May 1990, personally appeared before me JOSEPH W. CARRICK AND DEBORAH K. CARRICK, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 69, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that JOSEPH W. CARRICK and DEBORAH K. CARRICK executed the same.

*Jean Tanner*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-12-91  
RESIDING IN: Drem, ut.



FEE SIMPLE OWNERS OF LOT 70, PLAT C:

Kevin T. Pedersen  
KEVIN T. PEDERSON

Amy L. Pedersen  
AMBY L. PEDERSON

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me KEVIN T. PEDERSON AND AMBY L. PEDERSON, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 70, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that KEVIN T. PEDERSON and AMBY L. PEDERSON executed the same.

Jean Tanner  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 71, PLAT C:

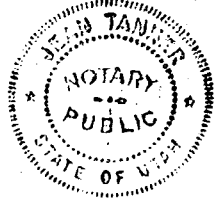
*Jerry W. Young*  
JERRY W. YOUNG

*Kimberly C. Young*  
KIMBERLY C. YOUNG

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me JERRY W. YOUNG AND KIMBERLY C. YOUNG, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 71, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that JERRY W. YOUNG and KIMBERLY C. YOUNG executed the same.

*Jean Tanner*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 72, PLAT C:

*Ross W. Jardine*  
ROSS W. JARDINE

*Jamie Jardine*  
JAMIE JARDINE

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th day of May 1990, personally appeared before me ROSS W. JARDINE AND JAMIE JARDINE, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 72, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that ROSS W. JARDINE and JAMIE JARDINE executed the same.

*Jane Tanner*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6-13-91

RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 73, PLAT C:

*Stanton K. Akana*  
STANTON K. AKANA

*Joleen H. Akana*  
JOLEEN H. AKANA

STATE OF UTAH )  
                          ) ss  
COUNTY OF UTAH )

On the 5th of May 1990, personally appeared before me STANTON K. AKANA AND JOLEEN H. AKANA, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 73, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that STANTON K. AKANA and JOLEEN H. AKANA executed the same.

*Karen J. Finer*  
NOTARY PUBLIC


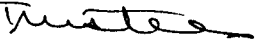
MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, Utah

JEAN F. FINER  
NOTARY PUBLIC - STATE OF UTAH  
62 S. 360 W. • OREM, UT  
84058  
COMM. EXP. 8-13-91



FEE SIMPLE OWNERS OF LOT 74, PLAT C:

  
JOHN R. SWANSON  


TRUSTEE OF THE ELLEN N. SWANSON TRUST AGREEMENT

STATE OF California )  
                                  ) SS  
COUNT OF Los Angeles )

ON THE 21<sup>st</sup> of July, 1990 PERSONALLY APPEARED BEFORE ME JOHN R. SWANSON, TRUSTEE OF THE ELLEN N. SWANSON TRUST AGREEMENT THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/~~SHE~~/~~THEY~~ ARE THE FEE SIMPLE OWNERS OF LOT 74, PLAT C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, AND THAT HE/~~SHE~~/~~THEY~~ DO BY THESE PRESENTS CONFIRM AND RATIFY ALL OF THE ABOVE, AND THAT JOHN R. SWANSON, TRUSTEE OF THE ELLEN N. SWANSON TRUST AGREEMENT EXECUTED THE SAME.

  
NOTARY PUBLIC



MY COMMISSION EXPIRES: April 17, 1992

RESIDING IN: Northridge

FEE SIMPLE OWNERS OF LOT 75, PLAT C:

Roy J. Despain  
ROY J. DESPAIN

Deanne L. Despain  
DEANNE L. DESPAIN

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me ROY J. DESPAIN AND DEANNE L. DESPAIN, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 75, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that ROY J. DESPAIN and DEANNE L. DESPAIN executed the same.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDENCE: Drem, ut.



FEE SIMPLE OWNERS OF LOT 76, PLAT C:

*Ken A. Cozzens*  
KEN A. COZZENS

*Vickie Cozzens*  
VICKIE B. COZZENS

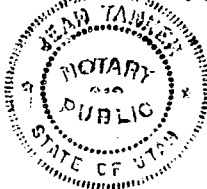
STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 4th May 1990, personally appeared before me KEN A. COZZENS AND VICKIE B. COZZENS, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 76, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that KEN A. COZZENS and VICKIE B. COZZENS executed the same.

*Jan Juma*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6-13-90

RESIDING IN: Orem, UT.



FEE SIMPLE OWNERS OF LOT 81,82,83, and 84, PLAT C:

*Steven L. Jackson*

STEVEN L. JACKSON

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )


On the 5th May 1990, personally appeared before me **STEVEN L. JACKSON**, GENERAL PARTNER OF S.D.J. PARTNERSHIP, the signer of the foregoing instrument, who duly acknowledged to me that he IS the fee simple owner of Lot 81,82,83, and 84, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he does by these presents CONFIRM and RATIFY all of the above, and that STEVEN L. JACKSON as General Partner of the S.D.J. PARTNERSHIP has executed the same.

*Jean Tanner*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: (6-13-91)  
RESIDING IN: *Orem, Ut.*



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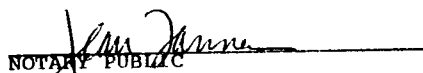
FEE SIMPLE OWNERS OF LOT 85, PLAT C:

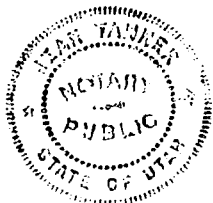
  
PAUL J. TRUNNELL

  
BARBARA S. TRUNNELL

STATE OF UTAH            )  
                                  )  ss  
COUNTY OF UTAH        )

On the 9th July 1940, personally appeared before me PAUL J. TRUNNELL AND BARBARA S. TRUNNELL, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 85, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that PAUL J. TRUNNELL and BARBARA S. TRUNNELL executed the same.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:  
RESIDING IN:



FEE SIMPLE OWNERS OF LOT 86, PLAT C:

Clarence A. Webber  
CLARENCE A. WEBBER

Irene M. Webber  
IRENE M. WEBBER

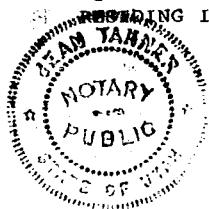
STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me  
**CLARENCE A. WEBBER AND IRENE M. WEBBER**, the signers of the  
foregoing instrument, who duly acknowledged to me that  
he/she/they are the fee simple owners of Lot 86, Plat C, KIRKLAND  
ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by  
these presents CONFIRM and RATIFY all of the above, and that  
CLARENCE A. WEBBER and IRENE M. WEBBER executed the same.

John Janne  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91

RESIDING IN: Orem, ut.




FEE SIMPLE OWNERS OF LOT 87, PLAT C:

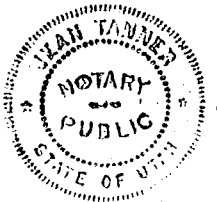
  
ROBERT L. INKLEY

  
ALYSSA D. INKLEY


STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )


On the 5th May 1990, personally appeared before me **ROBERT L. INKLEY AND ALYSSA D. INKLEY**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 87, Plat C, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that ROBERT L. INKLEY and ALYSSA D. INKLEY executed the same.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem UT



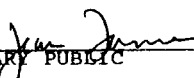
FEE SIMPLE OWNERS OF LOT 88, PLAT D:

  
LINDSAY N. MILLER

  
GERALDINE R. MILLER

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me LINDSAY N. MILLER AND GERALDINE R. MILLER, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 88, Plat D, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that LINDSAY N. MILLER and GERALDINE R. MILLER executed the same.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.





RATIFICATION OF RESOLUTIONS

COMES NOW THE UNDERSIGNED WHICH REPRESENTS MORE THAN 2/3RDS OF THE NOW EXISTING CLASS A MEMBERSHIP AND MORE THAN 2/3RDS OF THE NOW EXISTING CLASS B MEMBERSHIP OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION, and

BY THESE PRESENTS, KNOW ALL MEN THAT:

THE UNDERSIGNED DO HEREBY AUTHORIZE, INSTRUCT, DIRECT, RATIFY, AND COMMAND THE OFFICERS OF THE KIRKLAND ESTATES HOMEOWNERS ASSOCIATION TO EXECUTE AND DELIVER TO LINDON CITY AS GRANTEE A GOOD AND SUFFICIENT WARRANTY DEED FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES WHATSOEVER, WHICH DEED DELIVERS OWNERSHIP OF ALL OF THE COMMON AREAS OF THE ASSOCIATION. SAID COMMON AREAS BEING ALL THE DEDICATED STREETS, EASEMENTS, AND RIGHTS OF WAY WITHIN THE BOUNDS OF THE KIRKLAND ESTATES PLATS A THROUGH F. SEE EXHIBIT "XX".

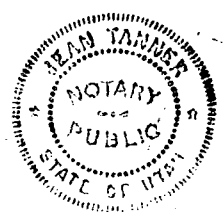
NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE VALUE AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE UNDERSIGNED DO HEREBY SET THEIR HANDS AND SEALS TO THIS DOCUMENT ON THE DAY OF THE ACKNOWLEDGEMENT THERETO AND DO HEREBY CONFIRM AND RATIFY ALL OF THE ABOVE.

*Steven Overson*      7/2/90  
STEVEN OVERSON      DATE

*Lorri Overson*      7/2/90  
LORRI OVERSON      DATE

*Jan Tanner*      \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES 8-13-91  
RESIDING IN OREM, UTAH



FEE SIMPLE OWNERS OF LOT 90, PLAT D:

Mark D. Bassett  
Mark D. Bassett

Kimberly Bassett  
Kimberly Bassett

STATE OF UTAH )

COUNTY OF UTAH )

On the 18th day of May, 1990, personally appeared before me MARK D. BASSETT and KIMBERLY BASSETT, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 90, Plat "D", KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do hereby presents CONFIRM and RATIFY all of the above, and that MARK D. BASSETT and KIMBERLY BASSETT executed the same.



Jean Tanner  
JEAN TANNER, Notary Public

Commission Expires: 8-21-92  
Residing at: Orem, Utah

ENT24146 BK 2804 PG 734

FEE SIMPLE OWNERS OF 92, PLAT D:

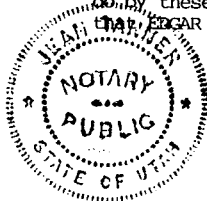
Edgar B. Sorenson  
Edgar B. Sorenson

Elva O. Sorenson  
Elva O. Sorenson

STATE OF UTAH )

COUNTY OF UTAH )

On the 30th of July 1940 , personally appeared before me  
EDGAR B. SORENSON and ELVA O. SORENSON, the signers of the  
foregoing instrument, who duly acknowledged to me that  
he/she/they are the fee simple owners of Lot 92, Plat "A",  
KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they  
do by these presents CONFIRM and RATIFY all of the above, and  
that EDGAR B. SORENSON and ELVA B. SORENSON executed the same.



Jean Gunn  
Notary Public

My Commission Expires: 8-13-41  
Residing at: Orem, Utah

FEE SIMPLE OWNERS OF LOT 58, PLAT F:

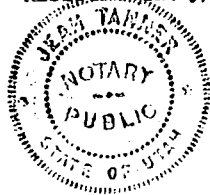
David V. Clare  
DAVID V. CLARE

Jayne H. Clare  
JAYNE H. CLARE

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me DAVID V. CLARE AND JAYNE H. CLARE, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 58, Plat F, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that DAVID V. CLARE and JAYNE H. CLARE executed the same.

Ken James  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Drem, ut.



FEE SIMPLE OWNERS OF LOT 59, PLAT F:

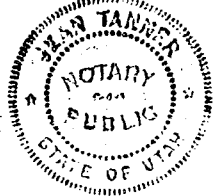
*Greg H. Scott*  
GREG H. SCOTT

*Kim H. Scott*  
KIM/H. SCOTT

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me **GREG H. SCOTT AND KIM H. SCOTT**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 59, Plat F, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that GREG H. SCOTT and KIM H. SCOTT executed the same.

*Jean Tanner*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 6-13-91  
RESIDING IN: Drem, UT.




FEE SIMPLE OWNERS OF LOT 57, PLAT G:

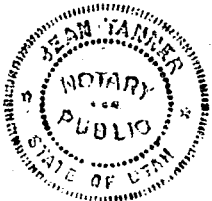
  
\_\_\_\_\_  
LONNY RICHARDSON

  
\_\_\_\_\_  
BIRGITTA RICHARDSON

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 26th June 1990, personally appeared before me **LONNY RICHARDSON AND BIRGITTA RICHARDSON**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 57, Plat G, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that LONNY RICHARDSON and BIRGITTA RICHARDSON executed the same.

  
\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Crem, Utah



FEE SIMPLE OWNERS OF LOT 93, PLAT D:

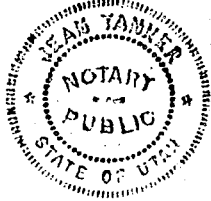
*Grant H. Bangert*  
GRANT H. BANGERTER

*Cleadonna Bangert*  
CLEADONNA BANGERTER

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me GRANT H. BANGERTER AND CLEADONNA BANGERTER, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 93, Plat D, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that GRANT H. BANGERTER and CLEADONNA BANGERTER executed the same.

*Jan Janner*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, Utah



FEE SIMPLE OWNERS OF LOT 91, PLAT D:

*Jim Carson*  
\_\_\_\_\_  
JIM T. CARSON

*Jamie L. Carson*  
\_\_\_\_\_  
JAMIE L. CARSON

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me **JIM T. CARSON AND JAMIE L. CARSON**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 91, Plat D, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that JIM T. CARSON and JAMIE L. CARSON executed the same.

*Jean Anne*  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.





FEE SIMPLE OWNERS OF LOT 7, PLAT A:

Roland S. Weinle  
ROLAND S. WEINLE

Sharon Weinle  
SHARON WEINLE

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF UTAH        )

On the 5th May 1990, personally appeared before me **ROLAND S. WEINLE AND SHARON WEINLE**, the signers of the foregoing instrument, who duly acknowledged to me that he/she/they are the fee simple owners of Lot 7, Plat A, KIRKLAND ESTATES PLANNED UNIT DEVELOPMENT, and that he/she/they do by these presents CONFIRM and RATIFY all of the above, and that ROLAND S. WEINLE and SHARON WEINLE executed the same.

Kan Janna  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-13-91  
RESIDING IN: Orem, ut.



FEE SIMPLE OWNERS OF LOT 61, PLAT C:

Gary W. Gardner  
GARY W. GARDNER

Valerie J. Gardner  
VALERIE J. GARDNER

STATE OF California  
COUNTY OF Los Angeles } ss. (INDIVIDUAL)  
On this 8th day of May, 1990, before me, the undersigned, a Notary Public in and for said  
County, personally appeared \* \* Gary W. Gardner and Valerie J. Gardner \* \*

personally known to me, or proved to me on the basis of satisfactory evidence  
to be the persons(s) whose name(s) is/are subscribed to the within instrument,  
and acknowledged to me that they executed the same.  
Witness my hand and official seal.

J. B. Nehem  
Notary Public In and for said County and State  
J. B. Nehem  
Name (Typed or Printed)



(This area for official notarial seal)

3403 (R9-87)2

RESIDING IN: