

When Recorded, Mail to:
Courtyard Cove Development, L.L.C.
704 North 1890 West
Provo, UT 84601

ENT 10394:2001 PG 1 of 4
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2001 Feb 07 1:15 pm FEE 27.00 BY SB
RECORDED FOR COURTYARD COVE

Space Above for Recorder's Use Only

FIRST AMENDMENT
TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
COURTYARD COVE

an Expandable Utah Planned Unit Development Project

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF COURTYARD COVE is made and executed by
COURTYARD COVE DEVELOPMENT, L.L.C., a Utah limited liability company (the
"Declarant").

RECITALS

A. By that certain Record of Survey Map of Courtyard Cove Development Phase I (the "Map") recorded March 10, 2000, as Entry No. 19349, and Map Filing No. 8462-97, in the office of the County Recorder of Utah County, Utah, and by that certain Declaration of Covenants, Conditions, and Restrictions of Courtyard Cove an Expandable Planned Unit Development (the "Declaration") recorded concurrently with the Map in said office as Entry No. 19841: 2000, Pages 1 through 36, inclusive, Declarant submitted that certain real property more particularly described on Exhibit A attached hereto and by this reference made a part hereof (the "Property"), to the provisions of the Declaration for Courtyard Cove Planned Unit Development (the "Project"), the defined terms of which Declaration are hereby made a part hereof by this reference.

B. Declarant is still the sole owner of all the Property and all units within the Project as so expanded and, as such, has the power to amend the Map and Declaration.

C. Under the provisions of Article XII, Section 4, Declarant now desires further to amend the Declaration as more particularly hereinafter set forth.

AMENDMENT

NOW, THEREFORE, the Declaration is hereby amended as follows, with such amendment to become effective upon the recording of this First Amendment, in the office of the County Recorder of Utah County, Utah:

1. **Article VI (Architectural Control), Section 2.** Section 2 of Article VI of the Declaration is hereby deleted in its entirety and the following is substituted in its stead:

Section 2. The architectural control committee shall consist of David K. Gardner, George Bills, and Wayne Carlton.

2. **Article VI (Architectural Control), Section 3.** Section 2 of Article VI of the Declaration is hereby deleted in its entirety and the following is substituted in its stead:

Section 3. The Units built in the Project will be located on the tract above-described and all such improvements are described on the Map. The Map indicates the number of Units which are to be contained in the buildings and other significant facts relating to such buildings and Common Areas. The improvements to Plat "A" of the Project will be upon the land described on Exhibit "A" attached hereto. The building will be conventional wood-frame construction with stucco exterior with some rock, brick and occasional vinyl siding accents. Roofing material to be consistent throughout the project using asphalt shingles. The buildings will consist of some one and some two stories above ground and basements where feasible. Units will range from approximately 1000 square feet to approximately 2000 square feet of floor area. Additional parking spaces shall be designated as Common Areas.

3. **Building Elevations.** The elevations that are attached to the original recorded Declaration, but not referred to as exhibits, are superceded by the guidelines contained in this amendment and the Architectural Control Committee will act to ensure quality construction and architectural harmony.

4. **Construction.** From and after the day and time this First Amendment becomes effective, all references in the Map, in the Declaration and in the exhibits to the Declaration shall be deemed to and shall refer to the Map, the Declaration and to the exhibits as amended hereby and not to the form of the same as they existed prior to the time this First Amendment becomes effective. Except as herein otherwise expressly provided, all provisions of the Map, the Declaration and the exhibits to the Declaration shall remain unchanged and in full force and effect.

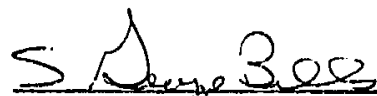
IN WITNESS WHEREOF the undersigned has caused this First Amendment to be executed on its behalf this 29 day of November, 2000.

COURTYARD COVE DEVELOPMENT L.L.C.
a Utah limited liability company

By:


David K. Gardner, Member

By:


S. George Bills, Member

STATE OF UTAH)
)
) :SS.
)
COUNTY OF UTAH)

ENT 10394:2001 PG 3 of 4

The foregoing instrument was acknowledged before me this 29th day of November, 2000, by DAVID K. GARDNER and S. GEORGE BILLS, members of the COURTYARD COVE DEVELOPMENT, L.L.C., a Utah limited liability company.

Angela M. Neuvirth
NOTARY PUBLIC
Residing at: Provo, UTAH

My Commission Expires:
9-1-2001

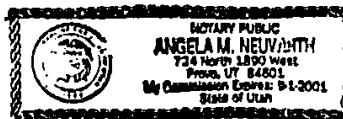


EXHIBIT "A"

ENT 10394:2001 PG 4 of 4

PHASE I

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE MERIDIAN; THENCE S.89°56'53"W. 161.69 FEET ALONG THE SECTION LINE; THENCE SOUTH 1276.30 FEET TO THE REAL POINT OF BEGINNING;

THENCE N.35°55'46"E. 37.51 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY 65.40 FEET ALONG THE ARC OF A 108.00-FOOT RADIUS CURVE, HAVING A CENTRAL ANGLE OF 34°41'39", SUBTENDED BY A CHORD THAT BEARS S. 71°25'03" E. 64.40 FEET; THENCE S.88°45'53"E. 11.55 FEET; THENCE N.10°22'16"E. 98.58 FEET; THENCE N.79°34'43"W. 46.54 FEET; THENCE N.36°42'12"E. 101.05 FEET; THENCE S.53°32'10"E. 41.10 FEET; THENCE N.38°17'33" E. 48.02 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT TO THE RIGHT; THENCE SOUTHEASTERLY 26.02 FEET ALONG THE ARC OF A 174.00-FOOT RADIUS CURVE, HAVING A CENTRAL ANGLE OF 8°34'09", SUBTENDED BY A CHORD THAT BEARS S.48°44'44"E. 26.00 FEET; THENCE N.61°23'07"E. 58.93 FEET; THENCE N.44°33'29"E. 42.48 FEET; THENCE N.35°06'09"E. 106.85 FEET; THENCE S.44°41'18"E. 70.38 FEET; THENCE S.88°52'07"E. 129.49 FEET; THENCE S.01°44'11"W. 177.53 FEET; THENCE N.88°55'01"W. 121.11 FEET; THENCE N.54°43'52"W. 112.04 FEET; THENCE N.88°44'23"W. 44.70 FEET; THENCE S.01°09'28"W. 27.18 FEET; THENCE S.00°30'33"E. 85.93 FEET; THENCE N.88°45'53"W. 266.12 FEET; THENCE N.00°30'40"E. 125.37 FEET TO THE REAL POINT OF BEGINNING. CONTAINING 2.511 ACRES.