When recorded mail to:
Richard Moffat
The Boyer Company
90 South 400 West, Suite 200
Salt Lake City, Utah 84101

## FIRST AMENDMENT TO DECLARATION OF PROTECTIVE

## COVENANTS, CONDITIONS & RESTRICTIONS

**FOR** 

## HIGHLAND HEIGHTS SUBDIVISION

FANDALL A. COVINGTON UTAH COUNTY RECORDER 2003 Jul 23 10:21 am FEE 47.00 BY SFS RECORDED FOR SECURITY TITLE AND ABSTRACT

THIS FIRST AMENDMENT (the "First Amendment") is made and entered into this 15th day of 1004, 2003, by HIGHLAND HEIGHTS, L.C. (the "Declarant").

## RECITALS:

- A. Declarant previously executed and recorded the following as part of the entire project:
  - (i) Plat "A" Highland Heights Subdivision recorded February 4, 2003 as entry No. 17242:2003, Map #9885 of the official records of the Utah County, State of Utah (the "Plat").
  - (ii) A Declaration of Protective Covenants, Conditions and Restrictions for Plat "A" Highland Heights Subdivision, dated January 9, 2003, which was recorded February 4, 2003, as entry No. 17243:2003, at Pages 1-13, of the officials of Utah County, State of Utah (the "Declaration").
- B. Declarant desires to amend the Declaration in certain respects.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant agrees as follows:

- 1. The following sections of the Declaration shall be amended as follows:
  - (a) The existing Paragraph 2.3 of the Declaration shall replace the sentence that reads: "pitched roofs shall be at least 6/12 pitch and no greater than 10/12" with an entirely new sentence to read as follows: "pitched roofs shall be at least 6/12 pitch and no greater than 12/12".
- 2. In all other respects, the Declaration and Plat are ratified and affirmed.
- 3. The vote required for amendment of the Declaration of Covenants has occurred, in accordance with the Amendments portion of the Declaration.

EXECUTED by Declarant on this 1574 day of JULY, 2003.

"DECLARANT"

BOYER HIGHLAND HEIGHTS, L.C.

By: Kem C. Gardner

Manager

**NOTARY** 

STATE OF UTAH

) ss

COUNTY OF SALT LAKE

On this 15 day of 14/2, 2003, personally appeared before me KEM C. GARDNER who duly acknowledged to me that he executed the foregoing instrument as members of BOYER HIGHLAND HEIGHTS, L.C., a Utah limited liability company, and that statements contained therein are true.

My Commission Expires:

\\BOYER\_FILE\WORD

Notary Public BETTY A. DRAGE 90 S. 400 W. Ste. 200 Salt Lake City, UT 84101 My Commission Expires April 15, 2005 State of Utah

Notary Public

Residing at