

AMENDMENT TO THE
DECLARATION, OF COVENANTS, CONDITIONS &
RESTRICTIONS OF VISTA DEL SOL HOMEOWNERS
ASSOCIATION (A Planned Unit Development)

Pursuant to the rights of the Association and pursuant to Section 4. of Article XI which provides for amendments to the Covenants, Conditions & Restrictions of the Vista Del Sol Homeowners Association which also requires a vote of 2/3 of the membership of the Association in the affirmative to make amendments to the CC&Rs and which voting was positive which is in hand as of this date and effective with the recording of this Amendment, this hereby amends the Declaration of said Articles to add:

ARTICLE XIII-SENIOR COMMUNITY.

Section 1. Age Restrictions. Vista Del Sol is hereby designated as a participant in the Housing for Older persons Act of The Department of Housing And Urban Development. In Accordance with this act 90% of the dwelling units within Vista Del Sol must be occupied by at least one person 55 years of age or older. The remaining 10% of the units must have at least on resident 45 years of age or older. All new leases or purchase agreements regarding any unit must contain a provision, directly above the signatory lines, asserting that the new occupants are in compliance with the above age restrictions. A copy of such leases, purchase agreements shall immediately be provided to the Vista Del Sol Board of Trustees.

Section 2. Children. Vista Del Sol shall prohibit occupancy by persons under age 18, as well as all others falling within the defined term of Familial status under federal law; except that persons under age 18 may reside with any resident but not for more than 30 consecutive days nor more than 90 days in any calendar year.

Section 3. Every other year, the President of the Association, or such persons designated by the Board of Trustees, shall conduct a survey of the persons in the community to determine if at least one person residing in each unit conforms to the age restrictions listed above. For each unit, the surveyor shall record the person's name, unit number, date of birth, and the method of reliable identification. Such reliable identification includes: drivers license, birth certificates, passport, immigration cards, military ID, or certification of age. Each person questioned shall sign the survey as to the truth of his or her response, and the surveyor shall affirm under oath that he has inspected the identifications provided, and that the information in the survey accurately reflects those documents.

Section 4. Initial Survey. An initial survey of the community must be conducted within 180 days of the adoption of this amendment.

Section 5. Uncooperative Members. If any persons in the community refuse to comply with these procedures, the surveyor may, if there is sufficient evidence consider the unit to be in compliance with the age restrictions as outlined in Section 1. Such evidence may include: Government records or documents, prior forms or applications, a statement from individuals who has personal knowledge of the age of the inhabitant, setting forth basis of knowledge that the unit is occupied by a person complying with the age restrictions as outlined in Section I.

Section 6. New Residents. All persons intending to purchase or lease an interest in any unit must provide verification that at least one intended resident of the unit is in compliance with the age restrictions listed in Section 1 of this amendment to the Vista Del Sol Board of Trustees or such person designated by them. Such verification shall include reliable identification as described above.

Section 7. Availability of Survey. The survey must be available for inspection by any person upon reasonable notice.

Section 8. Exceptions. Any owner may apply for relief or exception from the provisions as outlined in this Amendment or in the Vista Del Sol Policies, Procedures, and Rules, which cover this Amendment due to circumstances, not covered in the HOPA of 1999.

DATED this 06 day of June 2003

VISTA DEL SOL HOMEOWNERS ASSOCIATION

By: [Signature]
Its: President

By: [Signature]
Its: Secretary

STATE OF UTAH)
)ss.
COUNTY OF WASHINGTON)

On the 06 day of June, 2003, personally appeared before me Edward H. Southwick, the President and Sharlene Lyman, the Secretary of VISTA DEL SOL HOMEOWNERS ASSOCIATION, the signers of the foregoing document, who acknowledged to me that they executed the same pursuant to the authority granted by a vote of more than 2/3 of the membership of the Association in the affirmative out of a total of 105 units.

[Signature]
Notary Public

