

13967-11A  
When Recorded Mail To:  
The Boyer Company, Attn: Dick Moffat  
127 South 500 East, #100  
Salt Lake City, Utah 84102

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JAMES ASHAUER, DAVIS CNTY RECORDER  
1997 JUN 9 3:54 PM FEE 77.00 DEP REC  
REC'D FOR WESTERN STATES TITLE COMPANY

01-225-0101  
+ thru  
0166  
101 thru 166  
B+1 Ridges  
#1

**FIRST AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS & RESTRICTIONS  
OF  
BOUNTIFUL RIDGES SUBDIVISION PHASE I**

THIS FIRST AMENDMENT (the "First Amendment") is made and entered into this 5<sup>TH</sup> day of June, 1997, by BOUNTIFUL RIDGE, L.C., a Utah limited liability company (the "Owner").

**RECITALS:**

A. Owner previously executed and recorded the following:

- (i) A Plat for Bountiful Ridges Subdivision Phase 1 recorded May 20, 1997, as entry No. 1324027, in Book 2132, at Page 177 of the official records of the Davis County, State of Utah (the "Plat").
- (ii) A Declaration of Covenants, Conditions and Restrictions of Bountiful Ridges Subdivision Phase 1, dated May 21, 1997, which was recorded May 22, 1997, as entry No. 1324545, in Book 2133, at Page 156, of the officials of Davis County, State of Utah (the "Declaration").

B. Owner 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, Owner agrees as follows:

1. The following sections of the Declaration shall be amended as follows:

(a) The existing Paragraph 19 of the Declaration shall be replaced by an entirely new Paragraph 19, to read as follows:

19. Fences and Walls. Fencing and walls shall be stucco, wood, brick, masonry, stone, vinyl, or wrought iron. Chain link fencing may only be used to enclose dog runs, sports courts, swimming pools, and tennis courts. Fences and walls are to be color coordinated with the approved dwelling colors. Use of landscaped materials for hedges and fencing is encouraged. No structure or fences shall be permitted in any area designated by Bountiful City as non-buildable. Fences, walls, or hedges shall not exceed six (6) feet in height. Fences may exceed six (6) feet in height with prior written approval of the Committee for tennis courts and sports courts. No wall, fence or opaque hedge or screening materials (other than pre-construction natural vegetation) shall be maintained within: (1) a required front yard; (2) in any portion of a rear yard which is

highly visible from any subdivision street or non-adjoining Lot because of the elevation or slope of the portion of the rear yard concerned unless specifically permitted by the Committee. (3) any portion of the Lot having a slope greater than 30°.

On corner Lots, no fence or other similar structure shall be erected in any side yard bordering a street to height in excess of three and on half (3-1/2) feet. All fences and walls require a building permit from Bountiful City and must have prior written approval of the Committee.

- 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 Terms and Amendments portion of the Covenants.

EXECUTED by Owner on this 5<sup>th</sup> day of June, 1997.

"OWNER"

BOUNTIFUL RIDGE, L.C., a Utah limited liability company

By: [Signature]  
Kem C. Gardner  
Member

By: [Signature]  
Walter J. Plumb, III  
Member

NOTARY

STATE OF UTAH )  
 ) ss  
COUNTY OF SALT LAKE )

On this 5<sup>th</sup> day of June, 1997, personally appeared before me KEM C. GARDNER and WALTER J. PLUMB III, who duly acknowledged to me that they executed the foregoing instrument as members of BOUNTIFUL RIDGE, L.C., a Utah limited liability company, and that the statements contained therein are true.

My commission expires Deniese D. Balli  
  
NOTARY PUBLIC - STATE OF UTAH  
2000-1927 SO. 500 E., STE. 100  
SALT LAKE CITY, UTAH 84102  
COMM. EXP. APR. 28, 2001

[Signature]  
NOTARY PUBLIC  
Residing at: Salt Lake County