

WHEN RECORDED, RETURN TO:

PARK SHADOWS, L.C.  
Stanley M. Smoot  
200 West 400 North  
Centerville, Utah 84014

**RETURNED**

**JAN - 8 2001**

E 1632849 B 2734 P 133  
SHERYL L. WHITE, DAVIS CNTY RECORDER  
2001 JAN 8 10:06 AM FEE 68.00 DEP DJW  
REC'D FOR SMOOT DEVELOPMENT L.C.

This Space For Recorder's Uses Only

**THIRD AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS  
AND RESTRICTIONS AND RESERVATIONS OF EASEMENTS  
OF PARK SHADOWS CONDOMINIUMS**

This Third Amendment to Declaration of Covenants and Restrictions of Easements, Conditions and Restrictions of Park Shadows Condominiums ("Amendment") is effective this 1<sup>st</sup> day of December, 1999 by the **PARK SHADOWS OWNERS ASSOCIATION**, a Utah nonprofit corporation (the "Owners Association").

**RECITALS**

WHEREAS, on or about September 24, 1996, the original Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of Park Shadows Condominiums ("Original Declaration") was recorded as Entry No. 1275913, Book 2046, Pages 918-959, in the office of the Davis County Recorder; and

WHEREAS, on or about July 22, 1997, an Amended Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of Park Shadows Condominiums ("First Amended Declaration") was recorded as Entry No. 1336171, Book 2154, at Page 288, in the office of the Davis County Recorder; and

WHEREAS, on or about December 9, 1999, a Second Amended Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of Park Shadows Condominiums (referred to hereinafter, collectively with the Original Declaration and the First Amended Declaration, as the "Declaration") was recorded as Entry No. 1563216, Book 2591, at Page 470, in the office of the Davis County Recorder; and

WHEREAS, the Owners Association now desires to amend the Declaration to provide that the terms and provisions of the Declaration shall benefit and bind the lots in Phase 3 and Phase 4.

WHEREAS, the Owners Association has provided the notice of meeting and the ballot required by Section 6 of the Bylaws; and

WHEREAS, more than the required 67% of the total votes of the Owners Association were voted in favor of the proposed Amendment to the Declarations pursuant to Article XII, subsection 3 of the Declaration; and

WHEREAS, approval of the proposed Amendment has been given by the Declarant pursuant to Article XII, subsection 3 of the Declaration.

68/5  
03-022-0085  
03-159-0001 thru 0017  
03-164-0014 thru 0023, 0032 thru 0047  
03-182-0025 thru 0031, 0047 thru 0050  
03-196-0007 + 0008  
Lot 2 Blk 9 Off NMC  
Park Shadows  
Park Shadows  
Park Shadows  
Unit 7

NOW THEREFORE, it is hereby declared that the Property, as defined below, shall be held, sold, conveyed, leased, rented, encumbered and used subject to the Declaration, as amended, and its covenants, restrictions, limitations and conditions of which shall constitute covenants which run with the land and shall be binding on and be for the benefit of the Declarant, its successors and assigns and all owners of all or any part of the Property, together with their grantees, successors, heirs, executors, administrators, devisees and assigns, all as set forth herein.

1. All capitalized words used herein shall have the same meaning as set forth in the Declaration. E 1632849 B 2734 P 134

2. The Property associated with the project which is, and shall be held, transferred, sold, conveyed and occupied subject to the provisions of this amended Declaration consist of the following described real property situated in Davis County, State of Utah.

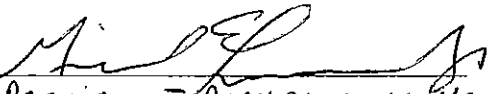
BEGINNING AT THE NORTHWEST CORNER OF CHAPEL SUBDIVISION, PLAT "A" IN BOUNTIFUL CITY, DAVIS COUNTY, UTAH, WHICH POINT IS NORTH 89°33'29" WEST 1,141.76 FEET ALONG THE SOUTH LINE OF 1000 NORTH STREET (A 66 FT. WIDE ROAD) FROM THE NORTHEAST CORNER OF BLOCK 9, NORTH MILL CREEK PLAT, BOUNTIFUL TOWNSITE SURVEY, SAID POINT OF BEGINNING BEING ALSO SOUTH 89°33'29" EAST 620.33 FEET ALONG SAID SOUTH LINE OF 1000 NORTH STREET FROM THE NORTHWEST CORNER OF LOT 2 OF SAID BLOCK 9 AND RUNNING THENCE SOUTH 15°01'31" WEST 1,093.17 FEET ALONG THE EXTENDED WEST BOUNDARY OF SAID CHAPEL SUBDIVISION PLAT "A" AND THE HOLBROOK SUBDIVISION SAID LINE BEING ALSO THE EAST LINE OF THE OLD BAMBERGER RAILROAD RIGHT-OF-WAY; THENCE NORTH 89°33'29" WEST 183.50 FEET; THENCE NORTH 0°07'52" WEST 596.00 FEET; THENCE NORTH 89°33'29" WEST 151.00 FEET; THENCE NORTH 0°07'52" WEST 175.00 FEET ALONG THE EAST LINE OF 200 WEST STREET (A 66 FT. WIDE ROAD) TO A POINT WHICH IS SOUTH 0°07'52" EAST 287.00 FEET ALONG SAID EAST LINE OF 200 WEST STREET FROM SAID NORTHWEST CORNER OF LOT 2; THENCE SOUTH 89°33'29" EAST 474.59 FEET; THENCE NORTH 15°01'31" EAST 296.54 FEET ALONG THE WEST LINE OF SAID OLD BAMBERGER RAILROAD RIGHT-OF-WAY; THENCE SOUTH 89°33'29" EAST 68.20 FEET ALONG SAID SOUTH LINE OF 1000 NORTH STREET TO THE POINT OF BEGINNING. CONTAINING 6.1469 ACRES.

3. The Property described above includes Phases 3 and 4, in addition to Phases 1 and 2. Phase 3 includes lots 25 through 31 and lots 47 through 49. Phase 4 includes lot 17 (also known as "Building 7").

4. Exhibit "A" of the Declaration is hereby amended as set forth on the Exhibit "A" attached hereto.

5. Except as specifically set forth herein; the terms of the Declaration shall remain unchanged.

**PARK SHADOWS OWNERS ASSOCIATION**  
a Utah nonprofit corporation

By:   
Its: PRESIDENT PARK SHADOWS HOA

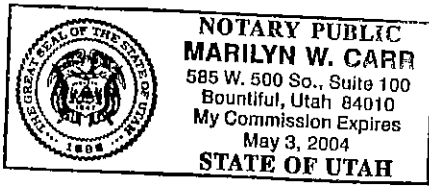
STATE OF UTAH )

: ss.

E 1632849 B 2734 P 135

COUNTY OF DAVIS )

On this 5<sup>th</sup> day of ~~December, 1999~~ <sup>January, 2001</sup>, personally appeared before me MICHAEL SUMMERHAYES who being by me duly sworn, did say that he is the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in his authorized capacity as President of PARK SHADOWS OWNERS ASSOCIATION, a Utah nonprofit corporation.



[SEAL]

Marilyn W. Carr  
NOTARY PUBLIC

## EXHIBIT "A"

List of Units, Votes and Assessment Percentages  
 (After Sale of Unit by Developer)

<u>Units</u>	<u>Votes</u>	<u>Assessment Percentages</u>
1	1	2.1276%
2	1	2.1276%
3	1	2.1276%
4	1	2.1276%
5	1	2.1276%
6	1	2.1276%
7	1	2.1276%
8	1	2.1276%
9	1	2.1276%
10	1	2.1276%
11	1	2.1276%
12	1	2.1276%
13	1	2.1276%
14	1	2.1276%
15	1	2.1276%
16	1	2.1276%
17	1	2.1276%
Reserved	0	0.0000%
19	1	2.1276%
20	1	2.1276%
21	1	2.1276%
22	1	2.1276%
23	1	2.1276%
Reserved	0	0.0000%
25	1	2.1276%
26	1	2.1276%
27	1	2.1276%
28	1	2.1276%
29	1	2.1276%

30	1	2.1276%
31	1	2.1276%
32	1	2.1276%
33	1	2.1276%
34	1	2.1276%
35	1	2.1276%
36	1	2.1276%
37	1	2.1276%
38	1	2.1276%
39	1	2.1276%
40	1	2.1276%
41	1	2.1276%
42	1	2.1276%
43	1	2.1276%
44	1	2.1276%
45	1	2.1276%
46	1	2.1276%
47	1	2.1276%
48	1	2.1276%
49	1	2.1276%