

E 190267 B 794 P 786
Date 4-NOV-2002 9:50am
Fee: 60.00 Check
CALLEEN PESHELL, Recorder
Filed By RGL
For THE OAKES AT DEER HOLLOW
TOOELE COUNTY CORPORATION

**AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS OF**

**THE OAKS AT DEER HOLLOW, PHASE I
A PLANNED UNIT DEVELOPMENT**

THIS AMENDMENT is made and executed by not less than ninety percent (90%) of the forty-four (44) total lot owners of the "The Oaks at Deer Hollow, Phase I, a Planned Unit Development", Tooele City, according to the official subdivision plat map thereof on file in the office of the County Recorder, Tooele County, State of Utah and recorded as Entry 062658 in Book 393, at pages 735 through 752 and amended by Entry 073164 in Book 393 at pages 363 and 364:

And which is more particularly described in Exhibit "A" attached hereto, which Exhibit by reference is made a part hereof.

I. ARTICLE II Section 2 of the above described Declaration of Covenants, Conditions and Restrictions is hereby amended to read as follows:

ARTICLE II

MEMBERSHIP AND VOTING RIGHTS

Section 2. Voting Rights. The Association shall have two classes of voting membership:

Class A. Class A Members shall be all those Owners with the exception of the Declarant. Class A Members shall be entitled to one (1) vote for each Lot in which they hold the interests required for membership by Section 1. When more than one person holds such interests in any Lot, all such persons shall be Members, and the vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any such lot.

Class B. The Class B Member shall be the Declarant. The Class B Member shall be entitled to three (3) votes for each Lot in which it holds the interest required for Membership by Section 1, provided that the Class B Membership shall cease and become converted to Class A Membership on the happening of any of the following events:

(a) When the total votes outstanding in the Class A Membership equal the total votes outstanding in the Class B Membership; or

(b) On November 1, 2002.

From and after the happening of these events, whichever occurs earlier, the Class B Member shall be deemed to be a Class A Member entitled to one vote for each Lot in which it holds the interests required for Membership under Section 1, with 1/44 ownership in the Common Area.

II. ARTICLE III, Section 2 of the above described Declaration of Covenants, Conditions and Restrictions is hereby amended to read as follows:

ARTICLE III

PROPERTY RIGHTS

Section 2. Title to Common Area. The Declarant shall retain the legal title to the Common Area of each phase of this Planned Unit Development until such time as it has completed all of the required common area improvements and has completed all of the dwelling units designated for that phase. When the Common Area improvements and dwelling units of a phase have been completed, Declarant shall immediately transfer legal title of all of the common areas of that phase to the Association.

III. The other provisions of the original Declaration of Covenants, Conditions and Restrictions of the "Oaks at Deer Hollow, Phase I," as previously amended, shall remain in full force and effect.

IV. This amendment shall take effect upon execution by the required number of lot owners and upon recording.

In witness whereof, the undersigned, being the Declarant and Owners of the "Oaks at Deer Hollow, Phase I," hereunto have set their hands on the date indicated.

NAME OF LOT OWNER

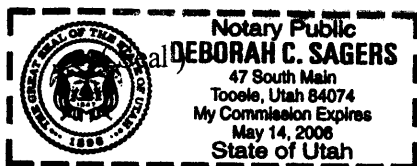
LOT NUMBER (s)

KDAB, LLC A Utah
Limited Liability Company

M. R. Arbshay 11/1/2002
By Matthew Arbshay (Date)
Manager - Member

1 thru 44

Deborah C. Sagers 11-1-02
Attest (Date)

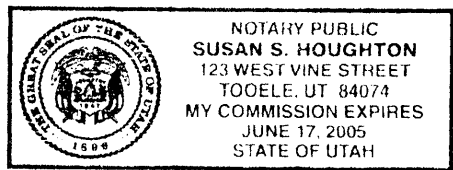


STATE OF UTAH)
 :SS
COUNTY OF TOOELE)

On the dates stated on the third page of this document, personally appeared before me the following persons who being first duly sworn acknowledged to me that they are the owner(s) of the above stated lots of the Oaks at Deer Hollow and that they executed the within and foregoing instrument for its stated purpose. Said persons who executed this document in my presence are listed.

Peter G. Karabats and Stella D. Karabats	10-8-G-42
Margaret W. Evans, Trustee	10-8-G-26
Virginia D. Gray, Trustee	10-8-G-25
Geraldine W. Peck, Trustee	10-8-G-1
Donna J. Chriss, Trustee	10-8-G-14
Joseph Elich and Carletta J. Elich	10-8-G-11
Richard Byron Pitt and Dorothy Marie Pitt	10-8-G-43
William E. Pitt and Delpha L. Pitt, Trustees	10-8-G-7
Donald D. Wickham and Jeanette C. Wickham	10-8-G-2
Duane M. Yates and Cynthia G. Yates	10-8-G-3
Charles A. Ralston and Joan Ralston	10-8-G-15
Michael T. Lagueux	10-8-G-5
Darlene F. Allen, Trustee	10-8-G-41
Darren S. Hendricks	10-8-G-10
Carol B. Done	10-8-G-4
Dwain M. White and Kathleen M. White	10-8-G-3
Leonard McFarland, Trustee	10-8-G-9
Keith L. Jones and Karalee Jones, Trustees	10-8-G-8
Carolyn Forbes	10-8-G-12

Susan S. Houghton
Notary Public
Residing in Tooele, Utah



STATE OF UTAH)
 :SS
COUNTY OF TOOELE)

On the dates stated on the third page of this document, personally appeared before me the following persons who being first duly sworn acknowledged to me that they are the owner(s) of the above stated lots of the Oaks at Deer Hollow and that they executed the within and foregoing instrument for its stated purpose. Said persons who executed this document in my presence are listed.

Jerry M. Houghton and Susan S. Houghton

10-8-G-16

Janna Roberts
Notary Public
Residing in Tooele, Utah

