

**AMENDMENT to the
AMENDED AND RESTATED
DECLARATION of COVENANTS, CONDITIONS, & RESTRICTIONS
OF HIGHLAND COVE CONDOMINIUM *AMD.***

Pursuant to the affirmative vote in writing of more than sixty-seven *AMD.* percent (67%) of the Unit Owners of Highland Cove Condominiums ("Unit Owners") and in compliance with Paragraphs 22 and 23 of the Amended Declarations of Covenants, Conditions, and Restrictions of Highland Cove Condominiums (the Declaration) which is dated June 25, 2003 and recorded on June 30, 2003 in the office of the Salt Lake County Recorder in Book 8829, Pages 3747-3789, Article III of the Amended and Restated Declaration of Highland Cove Condominium is hereby amended to add a new Section 15A as follows:

15A. Owner/Occupant Lease Restrictions:

- (a) The use of the 48 units of Highland Cove Condominium is restricted to owner occupants and a limited number of lessees of owner occupants, subject to the conditions set forth below. For the purpose of this Section, "owner" is defined as the owner of record with the Salt Lake County Recorder's office or the spouse, children, or parents of the owner. If the owner of record is an entity and not an individual, the owner is the shareholder, partner or member holding a legal or beneficial interest of at least 50% in the entity. If the owner of record is a trust, then the owner is a trustor of the trust or a beneficiary entitled to receive at least 50% of the final distribution of the trust.
- (b) A lessee is defined for the purpose of this section as person(s) occupying a unit by someone other than the owner, whether for pay or not.
- (c) The initial number of non-owner occupied units shall be nine and are allocated to unit numbers 113, 123, 211, 214, 220, 310, 316, 318, and 319, which represent all units not owner occupied at the time of the adoption of this amendment. The listed units shall remain eligible as non-owner occupied units until such time as the ownership thereof changes, the owner dies, or, where applicable, the owner ceases to be an entity in good standing with the State of Utah. At such time, the unit shall become subject to the restrictions set forth in this section.

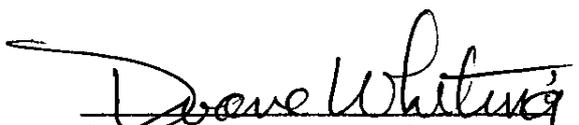
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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SUE BOWLIN
1460 HIGHLAND COVE LN#222
SLC UT 84106
BY: ZJM, DEPUTY - WI 3 P.

- (d) Five of the 48 units of Highland Cove Condominiums shall perpetually be eligible for non-owner occupancy or lease. Those units shall be allocated by the Management committee on a first come, first serve basis when the number of initial non-owner occupied units falls below five. The Management committee shall adopt reasonable rules and regulations governing applications for and allocation of the non-owner occupied units.
- (e) In addition to the aforementioned non-owner occupied units, the Management Committee may allow up to two other units at any one time to be non-owner occupied in hardship situations. The Management Committee shall, in its sole discretion, determine what facts or circumstances constitute a hardship justifying a temporary exception.
- (f) All non-owner occupants must comply with the Declaration (including the age 55 or-older restriction set forth in Article III, Section 15 (a)) as well as the Rules and Regulations of Highland Cove Condominiums. In addition, the following rules apply to owner and non-owner occupants as well:
- (1) All units to be used exclusively as a year-round single family dwelling or residence (No seasonal rentals allowed);
 - (2) A Unit can not be rented out until the owner has lived in the Unit for at least one year;
 - (3) The identity of all occupants shall be provided to the Management Committee;
 - (4) Any lease agreement shall be in writing for a duration of no less than six months for the entire unit. A lease agreement shall obligate the non-owner occupant to abide by the terms of the Declaration, By-Laws and Rules and Regulations of Highland Cove. A copy of the lease shall be provided to the Management Committee upon request;
 - (5) The right of a non-owner occupant to reside in a unit shall not be subject to assignment or sublease.

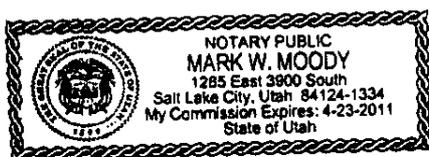
DATED this 20 day of May, 2008

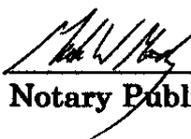

Lynn Daw, Chairperson

DATED this 20 day of May, 2008


Duane Whiting, Vice Chairperson

Personally appeared before me Lynn Daw and Duane Whiting on this 20 day of May, 2008, who after being duly sworn and upon oath acknowledged that they are the Chairperson and Vice Chairperson respectively of the Highland Cove Condominium Management Committee and that they are authorized to and did sign the foregoing Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Highland Cove Condominium.




Notary Public

Residing in Salt Lake County UTAH

My Commission Expires: 4-23-2011

16-33-154