

AFTER RECORDING, PLEASE RETURN TO:

Cypress Point Condominium Association, Inc.
20151 SW Birth St., Ste. 200
Newport Beach, CA 92660

13343724
7/29/2020 3:45:00 PM \$52.00
Book - 10988 Pg - 7194-7198
RASHELLE HOBBS
Recorder, Salt Lake County, UT
PROVO LAND TITLE COMPANY
BY: eCASH, DEPUTY - EF 5 P.

Restated First Amendment to
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
AND RESERVATION OF EASEMENT
OF
CYPRESS POINT CONDOMINIUMS
Salt Lake City, Salt Lake County, Utah

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENT (hereinafter "the First Amendment") is made this 23 day of July, 2020 by Cypress Point Condominium Association, Inc., and the Association of Unit Owners of Cypress Point Condominiums (jointly, hereinafter "Declarant"), pursuant to the provisions of 57-8-1 *et seq.* of the Utah Code (1953), as amended, known as the Condominium Ownership Act (the "Act").

RECITALS:

1. All defined terms as used in the First Amendment shall have the meanings ascribed to them herein or, as the case may be, in the Declarant's Declaration of Covenants, Conditions and Restrictions (the "CCRs") recorded on 7 July 2007 as Entry No. 10472222, Book 9624 and Page 5034-5071 in the Records of the Salt Lake County Recorder, State of Utah.
2. Declarant is the ownership association described in the aforementioned CCRs, as recorded.
3. Pursuant to a meeting of the Association and its accompanying minutes, Declarant amends the CCRs as follows:
 - a. Article III.2 of the Association's CCRs, is amended to fix the Transfer Assessment called for in said Article to \$100.00.
 - b. Article X.1 of the Association's CCRs is amended in its entirety to read as follows:

Section 1. Single Family Residences, Business or Commercial Activity. Each Unit shall be used as a residence for a single family. No part of the Property shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or other such non-residential purpose, other than a home office permitted under applicable zoning ordinances, without the vote of seventy-five percent (75%) of the

votes eligible to be cast by Members of the Association. Provided, further, however, the Association shall never be permitted to allow more than seven (7) of the sixteen (16) Units within the Association to be used as non-owner occupied residences. Members are individually and solely responsible and liable for researching and investigating the legally permitted uses of their Unit(s) and for compliance thereto, and indemnify the Association for any liability or damages related thereto. No outbuildings shall be constructed on any Unit and nothing shall be placed upon or attached to the roof of any home constructed on a Unit.

4. Except as amended by the provisions of this First Amendment, the CCRs shall remain unchanged and shall constitute the entire CCRs for the Association and the attendant properties located in Salt Lake County, State of Utah, described and attached hereto as Exhibit "A".
5. This First Amendment shall be recorded in the office of the Salt Lake County Recorder.

EXECUTED BY



Ken Thayer
President, Cypress Point Condominium Association, Inc.
President, the Association of Unit Owners of Cypress Point Condominiums
Chair, Board of Directors

STATE OF _____

COUNTY OF _____

California
Acknowledgment
Attached

The foregoing instrument was acknowledged before me this ____ day of July, 2020, by Ken Thayer, as President of the Cypress Point Condominium Association, Inc., and President of the Association of Cypress Point Condominiums and Chair of its Board of Directors, in the capacities indicated, and affirmed to me that said entities executed the same by the authority of their bylaws and governing documents.

Notary Public

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

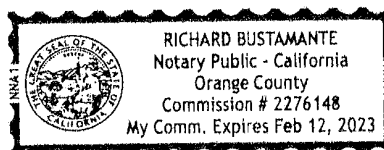
State of California
County of Orange

On July 23, 2020 before me, Richard Bustamante, Notary Public
(insert name and title of the officer)

personally appeared Kenan C. Thayer
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____ (Seal)

Exhibit "A"
Property Description

UNIT NOS. A, B, C, D, E, F, G, H, I, J, K, L, M, N, O AND P, ALONG WITH CORRESPONDING GARAGE UNIT CONTAINED WITHIN THE CYPRESS POINT CONDOMINIUMS, AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SALT LAKE COUNTY AS ENTRY NO. 10472221 IN BOOK 2008P AT PAGE 175 OF OFFICIAL RECORDS AND IN THE CYPRESS POINT CONDOMINIUMS DECLARATION OF CONDOMINIUM, COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SALT LAKE COUNTY, UTAH AS ENTRY NO. 10472222 IN BOOK 9624 AT PAGE 5304 OF OFFICIAL RECORDS (AS SAID DECLARATION AND RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED).

TOGETHER WITH THE UNDIVIDED OWNERSHIP INTEREST IN THE COMMON AREAS THAT ARE APPURTENANT TO EACH UNIT AS MORE PARTICULARLY DESCRIBED IN SAID DECLARATION AND AS SITUATED ON THE FOLLOWING DESCRIBED LAND:

PART OF LOT 9, BLOCK 29, 10 ACRE PLAT "A", BIG FIELD SURVEY (ALSO BEING A PART OF THE SOUTHWEST 6 OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 700 EAST STREET (A STATE ROAD) WHICH POINT IS 200.27 FEET SOUTH $00^{\circ}11'38''$ WEST ALONG THE MONUMENT LINE OF 700 EAST STREET (ALSO KNOWN AS THE WEST LINE OF SAID BLOCK 29) AND 33.08 FEET SOUTH $89^{\circ}48'22''$ EAST PERPENDICULARLY DISTANT FROM SAID MONUMENT LINE (SAID POINT ALSO BEING 165.00 FEET SOUTH $00^{\circ}11'35''$ WEST ALONG SAID EAST LINE OF 700 EAST STREET FROM THE NORTHWEST CORNER OF LOT 9 OF SAID BLOCK 29); AND RUNNING THENCE NORTH $89^{\circ}51'05''$ EAST 170.00 FEET; THENCE NORTH $00^{\circ}11'35''$ EAST 35.00 FEET ; THENCE NORTH $89^{\circ}51'05''$ EAST 159.51 FEET; THENCE SOUTH $00^{\circ}11'35''$ WEST 137.00 FEET TO THE NORTHWEST CORNER OF LOT 55, SUNSHINE ACRES SUBDIVISION, RECORDED AS ENTRY #880942 IN BOOK "J" OF PLATS AT PAGE 25 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE SOUTH $00^{\circ}09'20''$ WEST 96.00 FEET ALONG THE WEST LINE OF SAID SUNSHINE ACRES SUBDIVISION TO THE SOUTHWEST CORNER OF LOT 54 OF SAID SUNSHINE ACRES SUBDIVISION; THENCE SOUTH $89^{\circ}51'05''$ WEST 153.62 FEET ALONG A NORTHERLY LINE OF SAID SUNSHINE ACRES SUBDIVISION TO A POINT ON THE NORTHERLY LINE OF LOT 2, SCHULZ SUBDIVISION, RECORDED AS ENTRY #6710864 IN BOOK 97-8P AT PAGE 245 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE NORTH

00°11'35" EAST 114.00 FEET; THENCE SOUTH 89°51'05" WEST 175.95 FEET TO THE EAST RIGHT OF WAY LINE OF 700 EAST STREET; THENCE NORTH 00°11'35" EAST 84.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

Parcel Serial Nos.

16-20-359-001, 16-20-359-002, 16-20-359-003, 16-20-359-004, 16-20-359-005, 16-20-359-006, 16-20-359-007, 16-20-359-008, 16-20-359-009, 16-20-359-010, 16-20-359-011, 16-20-359-012, 16-20-359-013, 16-20-359-014, 16-20-359-015, 16-20-359-016, 16-20-359-017