

J. L. ADAMSON & SONS
140 N. WISE
AMERICAN FORK, UT 84003

21143

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS AND
RESERVATION OF EASEMENTS FOR HIDDEN OAKS, INC.

THIS Amendment is made this 27th day of June, 1981, by J. L. ADAMSON & SONS, INC. (hereinafter referred to as "Declarant") and HIDDEN OAKS HOMEOWNERS ASSOCIATION (sometimes also referred to as "Hidden Oaks, Inc."), a Utah nonprofit corporation (hereinafter referred to as the "Association"), and has reference to the following facts:

A. Declarant, as the owner of certain real property located in Utah County, State of Utah (which property is more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein), caused a certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Hidden Oaks, Inc. (hereinafter referred to as the "Declaration") to be prepared, executed and recorded June 11, 1979, as Entry No. 22330 in Book 1751 at Page 271 of the Official Records of Utah County. It was intended that said Declaration, in addition to establishing, covenants, conditions and restrictions for Phase 1 of Hidden Oaks, Inc., a planned unit development, would also permit Declarant to add additional phases to Hidden Oaks, Inc., without obtaining the prior consent of the Association, its board of directors or members. Through a clerical error, however, the legal descriptions of the additional phases to be so added by Declarant were omitted from said Declaration.

B. Declarant and the Association now desire to amend said Declaration so that it will describe the additional phases which may be added by Declarant to Hidden Oaks, Inc., and to further facilitate the addition of said phases.

NOW, THEREFORE, the parties hereto do hereby agree to amend said Declaration, and said Declaration is hereby amended, as follows:

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1. The second sentence of Recital D on Page 1 of the Declaration, recorded in Book 1751 at Page 271 of the Official Records of Utah County, is amended to read as follows:

"Declarant may execute, acknowledge and record one or more Supplemental Declarations affecting solely a "Phase" (as such term is hereinafter defined), so long as owners of the affected Phase or any portion thereof join with Declarant in such Supplemental Declaration.

2. The last two lines of Page 6 of said Declaration, recorded in Book 1751 at Page 276 of the Official Records of Utah County, are amended to read as follows: "Section 1. Owners' Easements of Enjoyment. Every owner, including owners of lots in real property annexed within the general plan and scheme of this Declaration pursuant to Article XV hereof, shall have a right and easement of ingress and egress and of . . ."

3. The first sentence of Subsection (e) of Section 12, Article X of the Declaration, which appears on Page 29 thereof, recorded in Book 1751 at Page 299 of the Official Records of Utah County, is amended by deleting therefrom the words "at any time prior to acquisition of title to a lot in a Phase by a purchaser from Declarant, to establish on that Phase . . ." and substituting therefor the words "from establishing on a Phase . . ."

4. Section 1(a) of Article XV of the Declaration, which appears on Pages 39 and 40 of the Declaration, or Book 1751, Pages 309 and 310 of the Official Records of Utah County, is amended to read as follows:

Section 1.(a) Additions by Developer. If Declarant, its successors or assigns, shall develop, or cause to be developed additional real property (Annexed Property) within the area located in the County of Utah, State of Utah, which is more particularly described in Schedules I(A) or I(B), which are attached hereto and by this reference incorporated herein, declarant or its successors or assigns shall have the right from time to time to add such Annexed Property or any portion or portions thereof to the Properties and to bring such Annexed Property within the general plan and scheme of this Declaration without the approval of the Association, its Board of Directors, or Members; provided that such a right of Declarant and its successors

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and assigns shall terminate five (5) years from date of recording this Declaration.

5. The Declaration is further amended by adding thereto as Schedule I(A) the legal description attached hereto as Exhibit "B", and by adding thereto as Schedule I(B) the legal description attached hereto as Exhibit "C".

The Association hereby represents and certifies that this Amendment has been approved by the affirmative vote or written consent of the owners holding not less than seventy-five percent (75%) of the voting power of each class of members of the Association and has received the prior written approval of at least seventy-five percent (75%) of all first mortgagees, as required by Section 5 of Article XVI of the Declaration.

The Association further represents and certifies that any approval of the FHA or VA required for this Amendment of the Declaration has been obtained. This Amendment has also been approved by the City of Highland, as evidenced by the attached certificate which is incorporated herein.

IN WITNESS WHEREOF, the Declarant and Association have caused this Amendment to be executed the day and year first above written.

J. L. ADAMSON & SONS, INC.

By Mac J. Adamson

HIDDEN OAKS HOMEOWNERS ASSOCIATION

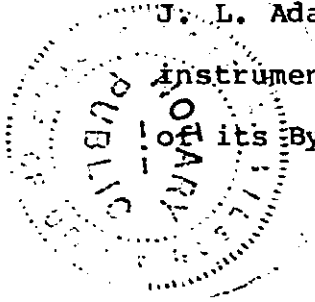
By Stephen L. Adamson
Director

By Eric K. Adamson
Director

By Lorraine C. Fackell
Director

STATE OF UTAH)
) ss.
COUNTY OF Utah)

On the 29th day of June, 1981 personally appeared before me Mac J. Adamson, who being by me duly sworn did say that he is the President of J. L. Adamson & Sons, Inc. and that the within and foregoing instrument was signed in behalf of said corporation by authority of its Bylaws and that said corporation executed the same.



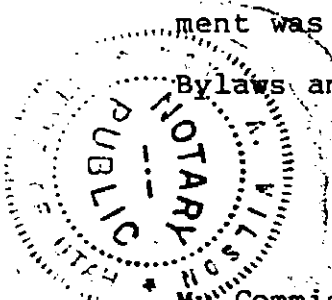
Boyd A. Wilson
Notary Public
Residing in Highland, Utah

My Commission Expires:

11-30-82

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On the 29th day of June, 1981, personally appeared before me Stephen L. Adamson, Eric B. Adamson and Lorraine C. Fackrell, who being by me duly sworn did say, each for himself, that he is a director of Hidden Oaks Homeowners Association and that the within and foregoing instrument was signed in behalf of said corporation by authority of its Bylaws and that said corporation executed the same.



Boyd A. Wilson
Notary Public
Residing in Highland, Utah

My Commission Expires:

11-30-82

EXHIBIT "A"

Commencing North 34.03 feet and East 2460.39 feet from the Northwest corner of Section 1, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence as follows: North 47°19'15" East 627.43 feet; thence North 56°10'10" East 93.95 feet; thence South 30°12' East 135.31 feet; thence South 23°12' East 54.00 feet; thence South 66°43' West 100.83 feet; thence along a curve to the left 62.76 feet, delta = 3°39'40", radius = 931.77 feet, chord = 62.75 feet, chord bearing = South 64°58'15" West; thence along a curve to the left 18.29 feet, delta = 73°41'59", radius = 15.00 feet, chord = 17.99 feet, chord bearing = South 25°17'40" West; thence South 10°33' East 53.44 feet; thence along a curve to the right 55.82 feet, delta = 11°33'14", radius = 274.93 feet, chord = 55.72 feet, chord bearing = South 4°43'53" East; thence along a curve to the left 44.78 feet, delta = 11°33'14", radius = 220.93 feet, chord = 44.78 feet, chord bearing = South 4°43'53" East; thence South 10°33' East 251.70 feet; thence along a curve to the left 23.56 feet, delta = 90°00'00", radius = 15.00 feet, chord = 21.21 feet, chord bearing = South 55°33' East; thence North 70°27' East 130.04 feet; thence North 10°33' West 170.00 feet; thence North 74°42'50" East 361.22 feet; thence South 6°03'49" East 219.37 feet; thence South 23°33' East 54.00 feet; thence South 43°00' East 225.00 feet; thence South 40°36' West 170.00 feet; thence along a curve to the left 173.09 feet, delta = 42°47'00", radius = 238.49 feet, chord = 173.02 feet, chord bearing = South 61°54'32" East; thence along a curve to the left 71.60 feet, delta = 32°03', radius = 50.00 feet, chord = 65.64 feet, chord bearing = North 55°40'41" East; thence along a curve to the right 105.42 feet, delta = 120°49'06", radius = 50.00 feet, chord = 36.95 feet, chord bearing = North 75°03'27" East; thence North 45°27'50" East 213.37 feet; thence South 0°02'33" East 661.60 feet; thence South 40°00' West 168.00 feet; thence South 60°11'44" West 129.37 feet; thence South 31°07'24" West 291.33 feet; thence North 00°50'24" West 664.40 feet; thence North 61°00'45" East 155.15 feet; thence North 12°04'20" East 159.27 feet; thence North 35°13' East 503.02 feet; thence North 62°27' West 483.33 feet; thence along a curve to the right 100.53 feet, delta = 25°52'30", radius = 231.59 feet, chord = 107.59 feet, chord bearing = North 23°59'14" West; thence North 10°33' West 524.90 feet; thence along a curve to the right 55.82 feet, delta = 11°33'14", radius = 274.93 feet, chord = 55.72 feet, chord bearing = North 4°43'53" West; thence along a curve to the left 44.78 feet, delta = 11°33'14", radius = 220.93 feet, chord = 44.78 feet, chord bearing = North 4°43'53" West; thence North 10°33' West 24.12 feet; thence along a curve to the left 29.24 feet, delta = 11°56'15", radius = 15.00 feet; chord = 24.71 feet, chord bearing = North 66°01'14" West; thence along a curve to the left 41.01 feet, delta = 2°23'30", radius = 661.77 feet, chord = 41.01 feet, chord bearing = South 57°10'22" West; thence South 56°06' West 92.53 feet; thence North 11°17' West 10.07 feet; thence South 56°00' West 256.63 feet; thence West 34.67 feet to the point of beginning.

Re (W274) 59

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EXHIBIT "B"

SCHEDULE I (A)

Beginning at a point which is North 34.03 feet and East 2552.96 feet from the Northwest Corner of Section 1, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence along a portion of the boundary of Hidden Oaks Inc. Subdivision, Plat "A", as recorded with the Utah County Recorder, the following courses and distances: N 56°06' E 256.63 feet; thence S 11°17' E 10.87 feet; thence N 56°06' E 80.53 feet; thence along a curve to the right 41.01 feet, with Delta = 2°23'36", Radius = 981.77 feet, Chord = 41.01 feet, and Chord Bearing = N 57°18'22" E; thence along a curve to the right 29.04 feet, with Delta = 110°56'15", Radius = 15.00 feet, Chord = 24.71 feet, and Chord Bearing = S 66°01'44"E; thence S 10°33' E 24.12 feet; thence along a curve to the right 44.85 feet, with Delta = 11°38'14", Radius = 220.83 feet, Chord = 44.78 feet, and Chord Bearing = S 4°43'53" E; thence along a curve to the left 55.82 feet, with Delta = 11°38'14", Radius = 274.83 feet, Chord = 55.72 feet, and Chord Bearing = S 4°43'53" E; thence S 10°33' E 524.98 feet; thence along a curve to the left 108.58 feet, with Delta = 26°52'30", Radius = 231.50 feet, Chord = 107.59 feet, and Chord Bearing = S 23°59'14" E; thence along the common boundary line of Hidden Oaks Inc. Subdivisions, Plats "A" and "B", as recorded with the Utah County Recorder, the following courses and distances: S 62°27' E 488.88 feet; thence S 35°13' W 503.02 feet; thence S 12°04'29" W 160.20 feet; thence S 61°04'45" W 155.15 feet (end of common boundary); thence S 89°58'41" W 288.37 feet; thence N 89°48'40" W 95.61 feet; thence N 2°39' W 412.24 feet (end of Plat "B" Boundary); thence N 2°19'06" W 607.25 feet; thence N 2°29' W 399.14 feet; thence West 20.80 feet to the point of beginning.

Contains: 18.65 Acres

EXHIBIT "C"

SCHEDULE I (B)

Beginning at a point on a fenceline, said point being North 511.67 feet and East 3007.70 feet from the Northwest Corner of Section 1, Township 5 South, Range 1 East, Salt Lake Base and Meridian; Thence along said fence N 56°10'10" E 46.40 feet; thence along a fence N 53°00'06" E 224.16 feet; thence along a fence N 59°44'53" E 345.15 feet to a fence corner; thence along a fence S 59°38'58" E 297.71 feet to a fence corner; thence along a fence N 56°51'48" E 722.31 feet; thence S 38°40'30" E 183.31 feet to a point on a fenceline; thence S 3°31'50" W 467.55 feet to a fence corner; thence along a fence S 45°00'13" W 675.44 feet to a fence corner; thence along a fence S 0°02'33" E 283.05 feet; thence along a portion of the boundary of the Hidden Oaks Inc. Subdivision, Plat "A", as recorded with the Utah County Recorder, the following courses and distances: S 45°27'50" W 218.87 feet; thence along a curve to the left 105.42 feet, with a Delta = 120°48'06", Radius = 50.00 feet, Chord = 86.95 feet, and Chord Bearing = S 75°03'27" W; thence along a curve to the right 71.60 feet, with Delta = 82°03', Radius = 50.00 feet, Chord = 65.64 feet, and Chord Bearing = S 55°40'41" W; thence along a curve to the right 178.09 feet, with Delta = 42°47'08", Radius = 238.49 feet, Chord = 173.98 feet, and Chord Bearing = N 61°54'38" W; thence N 46°36' E 170.03 feet; thence N 43°00' W 225.00 feet; thence N 28°33' W 54.00 feet; thence N 6°08'49" W 219.37 feet; thence S 74°42'58" W 361.22 feet; thence S 10°33' E 170.00 feet; thence S 79°27' W 130.04 feet; thence along a curve to the right 23.56 feet, with Delta = 90°, Radius = 15.00 feet, Chord = 21.21 feet, and Chord Bearing = N 55°33' W; thence N 10°33' W 251.76 feet; thence along a curve to the right 44.85 feet, with Delta = 11°38'14", Radius = 220.83 feet, Chord = 44.78 feet, and Chord Bearing = N 4°43'53" W; thence along a curve to the left 55.82 feet, with Delta = 11°38'14", Radius = 274.83 feet, Chord = 55.72 feet, and Chord Bearing = N 4°43'53" W; thence N 10°33' W 53.44 feet; thence along a curve to the right 19.29 feet, with Delta = 73°41'59", Radius = 15.00 feet, Chord = 17.99 feet, and Chord Bearing = N 26°17'40" E; thence along a curve to the right 62.76 feet, with Delta = 3°39'46", Radius = 981.77 feet, Chord = 62.75 feet, and Chord Bearing = N 64°58'15" E; thence N 66°48' E 100.88 feet; thence N 23°12' W 54.00 feet; thence N 30°12' W 135.81 feet to the point of beginning.

Contains: 28.70

RECORDED AT THE REQUEST OF
WESTERN STATES TITLE CO.

1981 JUL 21 PM 2:16

UTAH COUNTY RECORDER
DEPUTY RECORDER
PR. ABS. 20.50

*J. S. Edmonson
& Son
see top of page.*

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