RED NOTE AB 311312

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FIRST AMENDMENT TO DECLARATION

This First Amendment to the Declaration of Covenants, REC'D BY______Conditions and Restrictions of Racquet Club Village No. 1

Subdivision, with notation regarding the Declarations of Racquet Club Village No. 2 Subdivision and Racquet Club Village No. 3 Subdivision, all Planned Residential Developments, is executed this _____ day of July, 1989, with regard to the following:

- 1. The undersigned signator is the President of The Racquet Club Village Homeowners Association, a Utah non-profit corporation, and successor by merger of the Racquet Club Village No. 1 Homeowners Association, the Racquet Club Village No. 2 Homeowners Association and the Racquet Club Village No. 3 Homeowners Association.
- 2. The undersignd certifies, pursuant to Article X, Section 3, that the Amendments hereinafter set forth are the result of motions made, seconded and unanimously approved at a duly called meeting of the members of the Association held January 19, 1989, and that all of the procedures and the vote required by the said Article X Section 3 regarding amendment and all of the procedures of the individual Declarations regarding amendment were achieved. The Class B membership does not now exist. This First Amendment shall be immediately recorded amending the Declarations, which Declarations are recorded in Book M89 beginning at Page 400, Book M109 beginning

at Page 546 and Book M120 beginning at Page 367, all in the Official Records of Summit County, State of Utah.

3. The first approved Amendment to which the undersigned as President of the Association certifies herein, applies only to the Declaration of Racquet Club Vilage No. 1 above referred and is as follows:

Article V, regarding Assessments, Section 9 thereof, entitled Effect of Nonpayment — Remedies, is amended to provide that in the 11th line of the said Section 9, the phrase Twelve Percent (12%) per annum is replaced and superseded by the phrase Eighteen Percent (18%) per annum, as the interest rate for overdue assessments during the period of delinquency.

- 4. The second approved Amendment to which the undersigned, as President of the Association, certifies herein, applies to the Declaration of all three Racquet Club Villages, that is No. 1, No. 2, and No. 3, and is as follows: Article V, Section 5 of the said Declarations, entitled Quorum Requirements, is replaced and superseded by the following Article V, Section 5:
 - 5. Quorum Requirements. The quorum required for any action authorized under this Declaration shall be as follows: At the first meeting called the presence of Members or of proxies entitled to cast fifty (50%) of all the votes of each clss of membership shall constitute a quorum. If a quorum is not present at the first meeting or any subsequent meeting, another meeting may be called (subject to the notice requirements set forth in Sections 3 and 4) at which a quorum shall be one-half of the quorum which was required at the immediately preceding meeting. No such subsequent

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meeting shall be held more than forty-five (45) days following the immediately preceding meeting.

Further, that Section of this Declaration entitled "Amendment", which is Article X, is amended to likewise delete reference to a requirement of sixty percent (60%) of the Members as a quorum at a meeting to amend the Declaration and replace that requirement for a quorum to be identical to the language hereinbefore set forth, requiring as a quorum the presence of Members at the initial meeting entitled to cast fifty percent (50%) of all of the votes, with the identical provisions for subsequent meetings as aforesaid.

As specifically amended hereby the Declaration remains in full force and effect.

RACQUET CLUB VILLAGE HOMEOWNERS

Tto Proceeding

STATE OF UTAH

ss.

COUNTY OF SUMMIT

On the 3/ day of July, 1989, personally appeared before me Chis Fleria, who being by me duly sworn, did say that she is the President of Racquet Club Village Homeowners Association, a corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws and said Chio Eber/ein acknowledged to me that said corporation executed the same, and the said Chie Eberlein certified that the vote required by Article X Section 3 of the Declarations, for amendment thereof, has occurred.

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MOTARY PUBLIC 335 W. HUD NO

JOAN D De FRIEZ Notary Public STATE OF UTAH

Heber, U. 8403

My Commission Expires: 22-93

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