

WHEN RECORDED MAIL TO:

BALMORAL L.L.C  
1095 East 2100 South, #291  
Salt Lake City, Utah 84106

6356320  
05/14/96 11:35 AM 16.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
REC BY: J NELSON , DEPUTY - WI

BALMORAL HOMEOWNERS ASSOCIATION

SECOND AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Second Amendment"), is made this 30 day of April 1996, by BALMORAL, L.L.C., a Utah limited liability company ("Balmoral").

W I T N E S S E T H:

WHEREAS, Hamlet Homes Corporation made, executed and caused to be recorded, as Declarant, that certain Declaration of Covenants, Conditions and Restrictions dated March 6, 1996, which is recorded among the Salt Lake County Recorder's Office in Book 7350, page 2318 et seq., on March 13, 1996 ("Declaration"), pursuant to which Hamlet subjected all that property described in the Declaration (the "Property") and that certain First Amendment to Declaration of Covenants, Conditions and Restrictions dated April 2, 1996, which is recorded among the Salt Lake County Recorder's Office in Book 7368, page 1601 et seq. ("First Amendment"), and Declarant formed an association known as, "Balmoral Homeowners Association" ("Association") in connection therewith;

WHEREAS, by virtue of the First Amendment, Balmoral was replaced as the "Declarant" under the Declaration and is deemed to be Declarant for purposes of the Declaration;

WHEREAS, pursuant to Section 11.9 of the Declaration, the Declaration may be amended by an instrument in writing, signed and acknowledged by the Declarant and by the President or Vice-President and Secretary or Assistant Secretary of the Association after approval of the amendment at a meeting of the Association duly called for such purpose; and

WHEREAS, Balmoral and the President and Assistant Secretary of the Association have executed this Second Amendment subsequent to approval thereof and desire to amend the Declaration as hereinafter set forth.

NOW, THEREFORE, Balmoral hereby declares that the Declaration shall be amended as follows:

1. In Exhibit A of the Declaration, on line 3, "119" shall be replaced with "118" and in Exhibit B of the Declaration, on line 2, "119" shall be replaced with "118".

2. Effect of this Second Amendment. The provisions of the Declaration shall for all purposes be, and hereby are, amended in the manner set forth in the provisions of this Second Amendment. Except as set forth herein, the provisions of the Declaration shall hereafter remain in full force and effect, as if this Second Amendment had not been made.

6356320

BK 7398 PG 2649

WITNESS the hands and seals of Balmoral, L.L.C., and the President and Assistant Secretary of Balmoral Homeowners Association on the day herein above first written.

WITNESS/ATTEST:

EALMORAL, L.L.C.

By: HAMLET HOMES CORPORATION, Member

By: *John Aldous* (SEAL)  
John Aldous, President

BALMORAL HOMEOWNERS ASSOCIATION

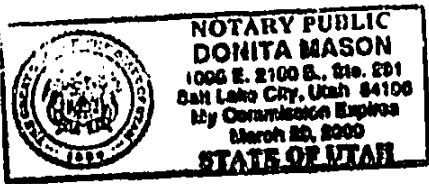
By: *John Aldous* (SEAL)  
John Aldous, President

By: *Gordon S. Etter* (SEAL)  
Gordon S. Etter, Assistant Secretary

STATE OF UTAH, CITY/COUNTY OF Salt Lake, TO WIT:

I HEREBY CERTIFY that on this 30<sup>th</sup> day of April, 1996 before, me, the subscriber, a Notary Public of the State of Utah, personally appeared John Aldous, known to me ~~or suitably proven~~, who acknowledged himself to be President of Hamlet Homes Corporation, Member of Balmoral, L.L.C. and as President of Balmoral Homeowners Association, both entities named in the foregoing instrument, and who, being authorized to do so, in my presence, signed and sealed the same and acknowledged the same to be the act and deed of such entities.

AS WITNESS my hand and seal.



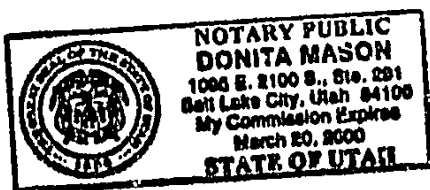
*Donita Mason*  
Notary Public

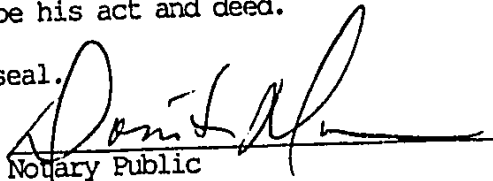
My Commission Expires: 3/20/2000

STATE OF UTAH, CITY/COUNTY OF Salt Lake, TO WIT:

I HEREBY CERTIFY that on this 30 day of April, 1996 before, me, the subscriber, a Notary Public of the State of Utah, personally appeared Gordon S. Etter, known to me ~~ex-suitably proven~~, who acknowledged himself to be Assistant Secretary of Balmoral Homeowners Association named in the foregoing instrument and who, being authorized to do so, in my presence, signed and sealed the same and acknowledged the same to be his act and deed.

AS WITNESS my hand and seal.



  
Notary Public

My Commission Expires: 3/20/2000

**DESCRIPTION**

BALMORAL TOWNHOMES, PHASE 1, according to the official plat thereof, as recorded in the office of the County Recorder of said County.

TOGETHER WITH a non-exclusive right and easement for the use, benefit and enjoyment, in common with others, in and to the Common Area as set forth in the Declaration of Covenants, Conditions and Restrictions recorded March 13, 1996 as Entry No. 6302876 in Book 7350 at page 2318 through 2354 of Official Records.

BK 7398 PG 2652