

FIRST AMENDMENT
TO THE
DECLARATION
OF

COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
ALPINE RIDGE SUBDIVISION
(Utah County, Utah)

ENT 65468 BK 3779 PG 456
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
1995 SEP 29 10:22 AM FEE 28.00 BY MB
RECORDED FOR FIRST AMERICAN TITLE CO

Pursuant to the authority granted in Article XI, Section 4 of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ALPINE RIDGE SUBDIVISION - PHASE I, recorded as entry #42742, et book 3449, pages 413 to 429 of the Utah County Recorder on May 20, 1994 (the "Declaration"), this "First Amendment" is hereby adopted effective on the date set forth below, and made to the Declaration, by the Declarant, as the owner of sixteen of twenty Lots, therefore representing the majority of the membership entitled to vote. Accordingly, the provisions referred to herein are superseded and replaced in their entirety to read as set forth in this Amendment. To the extent that any of the provisions of the original Declaration are inconsistent with the provisions of this Amendment, the provisions of this Amendment shall control. Otherwise, all other provisions of the original Declaration shall remain in full force and effect.

A. Sections 1 and 2 of Article II shall be hereby superseded in their entirety, and amended to read as follows. The provisions of Sections 3 and 4 of the said Article II, as written, are not directly amended.

ARTICLE II - ANNEXATION OF ADDITIONAL PROPERTY

Any real property which is contiguous with the Alpine Ridge subdivision or which is separated from the Alpine Ridge subdivision only by a dedicated road or other public property, may be annexed to the Alpine Ridge subdivision and become subject to this Declaration by any of the methods set forth hereinafter in this Article:

Section 1 - Annexation Without Approval and Pursuant to General Plan.

It is acknowledged that all real property which was part of the general plan has, as of the date of this First Amendment been annexed to the Alpine Ridge Subdivision. It is accordingly made up of the property in Phases I through II. Therefore, after the date of this amendment, no other real property shall be annexed to the Alpine Ridge Subdivision without the approval of the members.

Section 2 - Annexation Pursuant to Approval. Should one or more of the Owners of Lots in the Alpine Ridge Subdivision desire to annex additional real property as

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Lots or as common area of, or to be added to existing Lots in the Alpine Ridge Subdivision, the said persons shall make a written, detailed application for annexation to the Association. At a meeting which is duly called for that purpose, which purpose shall be set forth in writing in the notice of the meeting, the matter may be considered. Prior to the meeting, for at least two (2) business days, the subject application shall be submitted to or otherwise made available for public inspection by the Owners. The annexation may be approved by a vote of at least two-thirds of those Owners entitled to vote at such a meeting, including written proxies. If approved, the documents which shall serve to add such property to the plan of this Declaration shall be signed by at least two-thirds (2/3) of the Owners eligible to vote, or their duly authorized representatives, and be filed in the office of the Utah County Recorder.

B. Article X - Use Restrictions shall be superseded and amended in relevant part, as indicated below to read as follows. The numbered sections which are not specifically amended shall remain without change.

ARTICLE X - USE RESTRICTIONS

Section 2 - Land Use and Building Type.

(a) No Lot shall be used for purposes other than single family residential purposes. No buildings or structures shall be erected, altered, placed or permitted to remain on any Lot other than: one detached single family dwelling which shall not exceed two stories above grade in height; and, subject to specific approval by the Architectural Control Committee, one additional detached non-residential structure "associated building" which shall be in size, design, finish, etc., architecturally and aesthetically consistent with the design, etc., with the residential structure. The Architectural Control Committee shall not unreasonably deny approval, but may make the approval conditional upon the satisfaction of appropriate conditions. The associated building shall be for no purpose other than that of a barn for authorized animals, a parking garage for up to three (3) motor and/or recreational vehicles, or other appropriate storage structure. Any associated building which has been approved according to the foregoing shall be governed by the provisions of Section 3. Building Location, of this Article X in the same manner as is or would be a single family dwelling. Any improvements which require approval by the city of Alpine shall be approved accordingly, as well.

(b) No single story dwelling shall be erected or placed on any Lot in the subdivision wherein the ground floor space in the said dwelling contains less than 1800 square feet, excluding the garage, porch, balcony, patio, and deck. Further, no combination of structures, if an associated building is authorized pursuant to (a) above, shall consume, in surface space of the lot, more than thirty-five percent (35%) of the total surface area of the lot.

(c) Two-story family dwellings shall have at least 1450 square feet on the ground floor level, exclusive of garage, porch, balcony, patio, and deck, with the combined square footage for both floors being not less than 2450 square feet.

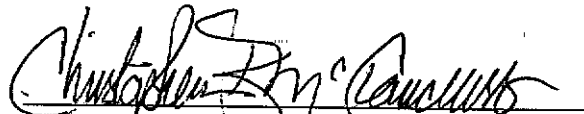
Section 4 - Height Requirements. No single family dwelling, nor any other approved, non-residential structure (associated building) shall be erected to a height which, at its highest point, is greater than thirty-five (35) feet above a point representing the average grade at the front set back line.

Section 8 - Overnight Parking and Storage of Vehicles. The storage of any automobiles, trucks, buses, tractors, trailers, camping vehicles, boats, boat trailers, snow mobiles, mobile homes, two and three wheeled motor vehicles, horse trailers or other wheeled vehicles shall be forbidden unless such vehicles are fully or mostly obscured from the view of the general public, the common areas and/or vehicular traffic which is within or outside of the subdivision. For purposes of this Section, storage of any of the foregoing shall be the act of keeping such wheeled vehicles in a forbidden area overnight on any day of the year. For purposes of this Section, it shall be presumed that a vehicle is properly obscured from view if it is in a garage or storage facility, or is parked on a driveway surface which is adjacent to a structure properly constructed on the subject property, and no part of the subject vehicle is closer to the front border of the lot than is the closest portion of the structure which is situated on the said lot, excluding the porch, balcony, patio, and/or deck.

C. None of the other Sections or sub-sections, except those specifically referred to herein, shall be amended or superseded by the foregoing, except to the extent that the same might be inconsistent therewith.

IN WITNESS WHEREOF, the undersigned Declarant, consistent with the authority reserved in Article XI, Section 4, does hereby adopt the foregoing First Amendment to the Declaration of Covenants, Conditions and Restrictions, effective this ___ day of September, 1995.

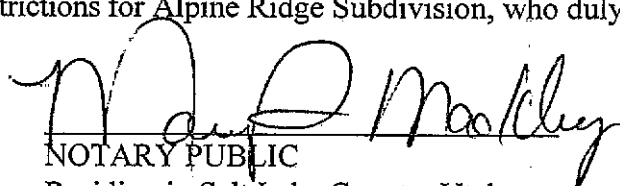
ALPINE RIDGE LIMITED PARTNERSHIP



By: Christopher K. McCandless
Managing General Partner of
OMN Development Corporation

STATE OF UTAH)
)ss
COUNTY OF UTAH)

On the 27th day of September, 1995, personally appeared before me, Christopher K. McCandless, known to me to be the President of OMN Development Corporation, the Managing General Partner of Alpine Ridge Limited Partnership, signer of the foregoing First Amendment to the Declaration of Covenants, Conditions and Restrictions for Alpine Ridge Subdivision, who duly acknowledged to me that he executed the same.


NOTARY PUBLIC
Residing in Salt Lake County, Utah

My Commission Expires:
3-13-97

