

7787498

**FIRST AMENDMENT
TO
DECLARATION OF ELK RUN VILLAGES HOMEOWNERS ASSOCIATION
COVENANTS CONDITIONS AND RESTRICTIONS
OF
Lamplight Village, Moonlit Meadows, Aspen Village & Oak Meadows
Estates at Elk Run P.U.D.,
A PLANNED UNIT DEVELOPMENT
MAGNA, UTAH**

THIS FIRST AMENDMENT TO DECLARATION OF ELK RUN VILLAGES HOMEOWNERS ASSOCIATION (this "Amendment") is made and executed this 29 day of November, 2000, by ELK RUN, L.C., a Utah limited liability company, for itself, its successors, grantees and assigns ("Developer").

RECITALS:

A. This Amendment modifies that certain document titled Declaration of Elk Run Villages Homeowners Association, Covenants Conditions and Restrictions of Lamplight Village, Moonlit Meadows, Aspen Village & Oak Meadows Estates at Elk Run P.U.D., a Planned Unit Development, Magna, Utah, made and executed by Developer on February 22, 2000 (the "Declaration"), which was recorded on March 22, 2000, as Entry No. 7600559 in Book 8349 at Page 8317 in the office of the Recorder, Salt Lake County, Utah. Capitalized terms that are not defined in this Amendment shall have the same meaning as set forth in the Declaration.

B. Developer desires to amend the Declaration as set forth below.

NOW, THEREFORE, Developer hereby declares as follows.

1. The name "ELK RUN VILLAGES P.U.D., PROPERTY OWNERS ASSOCIATION" set forth in Paragraph C of the Recitals of the Declaration is hereby deleted and shall be replaced with "ELK RUN ESTATES HOMEOWNERS ASSOCIATION, INC."

2. Section 1.8 of the Declaration is hereby deleted in its entirety and shall be replaced with the following:

"1.8 Association shall mean ELK RUN ESTATES HOMEOWNERS ASSOCIATION, INC., a Utah nonprofit corporation."

3. Section 10.4 of the Declaration is hereby deleted in its entirety and shall be replaced with the following:

"10.4 Consent in Lieu of Vote. In any case in which this Declaration requires for authorization or approval of a transaction, the assent or affirmative vote of a stated percentage of the votes present or represented at a meeting, such requirement may

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be fully satisfied by obtaining, with or without a meeting, consents in writing to such transaction from all Members entitled to vote with respect to such transaction."

4. Effect of Amendment. Except as modified by this Amendment, the Declaration is ratified and affirmed.

*{Remainder of page intentionally left blank}
Signature page follows*

IN WITNESS WHEREOF, the parties have executed this Amendment on the date first above written.

"DEVELOPER"

ELK RUN, L.C., a Utah limited liability company, by its Members:

Nu-Team, Inc.

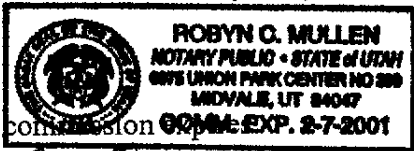
By: [Signature]
Its: [Signature]

Arbor Homes, Inc.

By: [Signature]
Its: Corporate Secretary

STATE OF UTAH)
:SS
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 29th day of November, 2000, by Stephen Howcroft the Secretary of Nu-Team, Inc., which is a Member of ELK RUN, L.C., a Utah limited liability company.

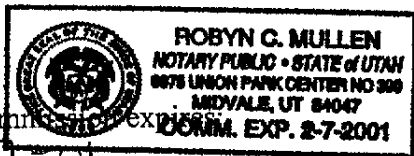


My commission expires 2-7-01

[Signature]
NOTARY PUBLIC
Residing at: Midvale, ut.

STATE OF UTAH)
:SS
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 29th day of November, 2000, by Cory Gust the Secretary of Arbor Homes, Inc., which is a Member of ELK RUN, L.C., a Utah limited liability company.



My commission expires 2-7-01

[Signature]
NOTARY PUBLIC
Residing at: Midvale, utah

**MOONLIT MEADOWS AT ELK RUN
BOUNDARY DESCRIPTION**

Beginning at a point N.89°35'44"W. 695.00 ft. along the section line and S.00°24'16"W. 33.00 ft. from the N 1/4 Corner Section 32, T. 1 S., R. 2 W., S.L.B.&M.; thence S.00°24'16"W. 7.00 ft.; thence S.89°35'44"E. 5.00 ft.; thence Southeasterly 31.42 ft. along the arc of a 20.00 ft radius curve to the right (Note: long chord bears S.44°35'44"E. 28.28 ft. with a central angle of 90°00'00"); thence S.00°24'16"W. 240.00 ft.; thence Southerly 268.04 ft. along the arc of a 355.00 ft. radius curve to the right (Note: long chord bears S.22°02'05" W. 261.72 ft. with a central angle of 43°15'38"); thence S.43°39'54"W. 75.39 ft.; thence Southerly 239.37 ft. along the arc of a 265.00 ft. radius curve to the left (Note: long chord bears S.17°47'17"W. 231.31 ft. with a central angle of 51°45'14"); thence Southwesterly 22.66 ft. along the arc of a 15.00 ft. radius curve to the right (Note: long chord bears S.35°10'47"W. 20.56 ft. with a central angle of 86°32'13"); thence S.11°33'06"E. 60.00 ft.; thence Southwesterly 248.67 ft. along the arc of a 670.00 ft. radius curve to the left (Note: long chord bears S.67°48'57"W 247.24 ft. with a central angle of 21°15'54"); thence N.32°49'00"W. 60.00 ft.; thence Northerly 22.66 ft. along the arc of a 15.00 ft. radius curve to the left (Note: long chord bears N. 13°54 '53"E. 20.56 ft. with a central angle of 86°32 '13 "); thence Northerly 147.06 ft. along the arc of a 283.15 ft. radius curve to the right (Note: long chord bears N. 14°28'29"W. 145.42 ft. with a central angle of 29°45'29"); thence N.00°24'16"E. 718.77 ft.; thence Northwesterly 31.42 ft. along the arc of a 20.00 ft. radius curve to the left (Note: long chord bears N.44°35'44"W. 28.28 ft. with a central angle of 90°00'00"); thence N.89°35'44"W. 5.00 ft.; thence N.00°24'16"E. 7.00 ft.; thence S.89°35'44"E. 510.23 ft. to the point of beginning containing 8.597 acres, 23 lots.

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**OAK MEADOWS ESTATES
BOUNDARY DESCRIPTION**

Beginning at a point on the Southwesterly boundary line of the Utah and Salt Lake Canal, said point being N.89°35'44"W. 2310.43 ft. along the section line and S.00°24'16"W. 1069.42 ft. from the North 1/4 Corner of Section 32, T.1 S.,R.2W., S.L.B.&M. Thence S.43°44'44"W. 369.13 ft. to the railroad right of way line; thence S.72°36'17"W. 110.86 ft. along said right of way line; thence Northwesterly 252.04 ft. along the arc of a 4251.15 ft. radius curve to the right (Note: Long chord bears N.40°56'55"W. 252.00 ft.) along said right of way line; thence N.39°15'00"W. 426.28 ft. along said right of way line; thence N.00°20'28"E. 820.84 ft. to the south right of way line of 3500 South Street; thence S.89°39'59"E. 21.39 ft. along said south right of way line; thence Southeasterly 129.69 ft. along the arc of a 540.13 ft. radius curve to the right and along said canal boundary line (Note: Long chord bears S.38°01'44"E. 129.38 ft.); thence S.31°09'00"E. 547.85 ft. along said canal boundary line; thence Southeasterly 449.04 ft. along the arc of a 1703.36 ft. radius curve to the left and along said canal boundary line (Note: Long chord bears S.38°42'08"E. 447.75 ft.); thence S.46°15'16"E. 175.19 ft. along said canal right of way to the point of beginning, containing 10.875 acres

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**LAMPLIGHT VILLAGE
BOUNDARY DESCRIPTION**

Beginning at a point on the south right of way line of Elk Point Drive, said point being N.89°35'44"W. 1114.82 ft. along the section line and S.00°24'16"W. 989.49 ft. from the North 1/4 Corner of Section 32, T. 1 S., R. 2 W., S.L.B.& M.; thence S.57°11'00"W. 214.87 ft.; thence Southwesterly 74.63 ft. along the arc of a 570.00 ft. radius curve to the left (Note: long chord bears S.53°25'57"W. 74.58 ft. with a central angle of 7°30'06"); thence S.33°27'30"E. 248.83 ft.; thence S.07°35'20"W. 137.22 ft. to the Northerly boundary line of the Utah and Salt Lake Canal; thence N.82°24'40"W. 159.29 ft.; thence Northwesterly 846.49 ft. along the arc of a 1341.39 ft. radius curve to the right (Note: long chord bears N.64°19'58"W. 832.51 ft. with a central angle of 36°09'24"); thence N.46°15'16"W. 285.22 ft.; thence N.00°24'16"E. 225.02 ft.; thence S.89°52'30"E. 608.43 ft.; thence S.49°03'22"E. 443.76 ft., thence N.57°11'00"E. 275.47 ft.; thence Southerly 92.10 ft. along the arc of a 283.15 ft. radius curve to the left (Note: long chord bears S.20°02'08"E. 91.69 ft. with a central angle of 18°38'10"); thence Southerly 22.66 ft. along the arc of a 15.00 ft. radius curve to the right (Note: long chord bears S.1354'53"W. 20.56 ft. with a central angle of 86°32'13"); thence S.32°49'00"E. 60.00 ft. to the point of beginning containing 13.633 acres, 54 lots.

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**ASPEN VILLAGE
BOUNDARY DESCRIPTION**

Beginning at a point on the southwesterly boundary one of the Utah and Salt Lake Canal, said point being N.89°35'44"W. 2310.43 ft. along the section line and S.00°24'16"W. 1069.42 ft. from the North 1/4 Corner of Section 32, T. 1 S., R. 2 W., S.L.B.& M.; thence along said canal boundary S.46°15'16"E. 155.79 ft. to the point of tangency of a 1419.39 ft. radius curve to the left; thence Southeasterly 600.72 ft. along said curve to the northwesterly corner of The Cottages at Elk Run, a P.U.D., Phase 2 (Note: long chord bears S.58°22'44"E. 596.25 ft. with a central angle of 24°15'56"); thence along the boundary line of said P.U.D. as follows: S.19°29'48"W. 214.99 ft.; S.28°22'38"W. 256.79 ft. to the southwesterly boundary line of the railroad; thence Northwesterly 898.28 ft. along the arc of a 4151.15 ft. radius curve to the right (Note: long chord bears N.49°29'56"W. 896.53 ft. with a central angle of 1223'54"); thence N.43°44'44"E. 369.13 ft. to the point of beginning containing 7.697 acres, 26 lots.

Excluding all presently existing or to be constructed or installed sewer lines, water mains, gas lines, electrical conduits, telephone lines, and related facilities to the extent they are located outside the Lots included within the above-described tract.

Reserving unto Developer its employees, agents, and successors, however, such easements and rights of ingress and egress over, across, through, and under the above-described tract and any improvements now or hereafter constructed thereon as may be reasonably necessary for the Developer, its employees, agents and successors (in a manner not inconsistent with the provisions of this Declaration) to engage in construction upon or to improve the roadways with

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| RXLP B FLG | MOONLIT BLK/BLDG | MDWS IND | AT FLG | ELK LOT/QUAR | RUN PARCEL | BLK, LOT-QUAR NUMBER | OBSOLETE? |
|---------------|---------------------|-------------|-----------|-----------------|---------------|-------------------------|-----------|
| | | | L | A | | 14-32-128-001-0000 | NO |
| | | | L | 1 | | 14-32-128-002-0000 | NO |
| | | | L | 2 | | 14-32-128-003-0000 | NO |
| | | | L | 3 | | 14-32-128-004-0000 | NO |
| | | | L | 4 | | 14-32-128-005-0000 | NO |
| | | | L | 5 | | 14-32-128-008-0000 | NO |
| | | | L | 6 | | 14-32-128-007-0000 | NO |
| | | | L | 7 | | 14-32-128-006-0000 | NO |
| | | | L | 8 | | 14-32-128-009-0000 | NO |
| | | | L | 9 | | 14-32-128-010-0000 | NO |
| | | | L | 10 | | 14-32-128-011-0000 | NO |
| | | | L | 11 | | 14-32-128-012-0000 | NO |
| | | | L | 12 | | 14-32-128-013-0000 | NO |
| | | | L | 13 | | 14-32-128-014-0000 | NO |
| | | | L | 14 | | 14-32-128-015-0000 | NO |
| | | | L | 15 | | 14-32-128-016-0000 | NO |
| | | | L | 16 | | 14-32-128-017-0000 | NO |
| | | | L | 17 | | 14-32-128-018-0000 | NO |
| | | | L | 18 | | 14-32-128-019-0000 | NO |
| | | | L | 19 | | 14-32-129-004-0000 | NO |

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN

| RXLP | MOONLIT | MDWS | AT | ELK | RUN | BLK, LOT-QUAR | | |
|------|---------|----------|-----|-----|----------|--------------------|--------|-----------|
| B | FLG | BLK/BLDG | IND | FLG | LOT/QUAR | PARCEL | NUMBER | OBSOLETE? |
| | | | L | | 20 | 14-32-129-003-0000 | | NO |
| | | | L | | 21 | 14-32-129-002-0000 | | NO |
| | | | L | | 22 | 14-32-129-001-0000 | | NO |
| | | | L | | 23 | 14-32-129-005-0000 | | NO |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN

| B FLG | BLK/BLDG | IND FLG | LOT/QUAR | BLK, LOT-QUAR PARCEL NUMBER | OBSOLETE? |
|-------|----------|---------|----------|--------------------------------|-----------|
| | | L | 1 | 14-32-130-004-0000 | NO |
| | | L | 2 | 14-32-130-003-0000 | NO |
| | | L | 3 | 14-32-130-002-0000 | NO |
| | | L | 4 | 14-32-130-001-0000 | NO |
| | | L | 5 | 14-32-102-014-0000 | NO |
| | | L | 6 | 14-32-102-013-0000 | NO |
| | | L | 7 | 14-32-102-012-0000 | NO |
| | | L | 8 | 14-32-102-011-0000 | NO |
| | | L | 9 | 14-32-102-010-0000 | NO |
| | | L | 10 | 14-32-102-009-0000 | NO |
| | | L | 11 | 14-32-102-008-0000 | NO |
| | | L | 12 | 14-32-102-007-0000 | NO |
| | | L | 13 | 14-32-102-006-0000 | NO |
| | | L | 14 | 14-32-102-005-0000 | NO |
| | | L | 15 | 14-32-102-004-0000 | NO |
| | | L | 16 | 14-32-102-003-0000 | NO |
| | | L | 17 | 14-32-102-002-0000 | NO |
| | | L | 18 | 14-32-102-001-0000 | NO |
| | | L | 19 | 14-32-103-001-0000 | NO |
| | | L | 20 | 14-32-103-002-0000 | NO |

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN

| RXLP B FLG | LAMPLIGHT BLK/BLDG | VLGE IND FLG | AT LOT/QUAR | ELK PARCEL | RUN NUMBER | BLK, LOT-QUAR | OBSOLETE? |
|---------------|-----------------------|-----------------|----------------|--------------------|---------------|---------------|-----------|
| | L | | 21 | 14-32-103-003-0000 | | | NO |
| | L | | 22 | 14-32-103-004-0000 | | | NO |
| | L | | 23 | 14-32-103-005-0000 | | | NO |
| | L | | 24 | 14-32-103-006-0000 | | | NO |
| | L | | 25 | 14-32-103-007-0000 | | | NO |
| | L | | 26 | 14-32-103-008-0000 | | | NO |
| | L | | 27 | 14-32-103-009-0000 | | | NO |
| | L | | 28 | 14-32-103-010-0000 | | | NO |
| | L | | 29 | 14-32-103-011-0000 | | | NO |
| | L | | 30 | 14-32-103-012-0000 | | | NO |
| | L | | 31 | 14-32-103-013-0000 | | | NO |
| | L | | 32 | 14-32-103-014-0000 | | | NO |
| | L | | 33 | 14-32-103-015-0000 | | | NO |
| | L | | 34 | 14-32-103-016-0000 | | | NO |
| | L | | 35 | 14-32-103-017-0000 | | | NO |
| | L | | 36 | 14-32-103-018-0000 | | | NO |
| | L | | 37 | 14-32-103-019-0000 | | | NO |
| | L | | 38 | 14-32-103-020-0000 | | | NO |
| | L | | 39 | 14-32-103-021-0000 | | | NO |
| | L | | 40 | 14-32-103-022-0000 | | | NO |

PF1=VTDI PF5=RXXP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN

| B FLG | BLK/BLDG | IND FLG | LOT/QUAR | BLK, LOT-QUAR PARCEL NUMBER | OBSOLETE? |
|-------|----------|---------|----------|--------------------------------|-----------|
| | | L | 41 | 14-32-103-023-0000 | NO |
| | | L | 42 | 14-32-103-024-0000 | NO |
| | | L | 43 | 14-32-103-025-0000 | NO |
| | | L | 44 | 14-32-103-026-0000 | NO |
| | | L | 45 | 14-32-103-027-0000 | NO |
| | | L | 46 | 14-32-103-028-0000 | NO |
| | | L | 47 | 14-32-103-029-0000 | NO |
| | | L | 48 | 14-32-103-030-0000 | NO |
| | | L | 49 | 14-32-103-031-0000 | NO |
| | | L | 50 | 14-32-103-032-0000 | NO |
| | | L | 51 | 14-32-103-033-0000 | NO |
| | | L | 52 | 14-32-103-034-0000 | NO |
| | | L | 53 | 14-32-103-035-0000 | NO |
| | | L | 54 | 14-32-104-001-0000 | NO |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN

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12/26/2000 05:00 PM 113.00
Book - 8410 Pg - 7186-7195
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
PARR MADDUPS BROWN GEE &
185 S STATE #1300 LOVELESS
SLC UT 84111-1536
BY: SLH, DEPUTY - WI 10 P.

Date: 12/26/2000 Time: 04:40:32 PM

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