

#31198

**ADDENDUM TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
BROOKWOOD ESTATES SOUTH SUBDIVISION**

WHEREAS, **MATTHEW A. MECHAM**, is the Declarant (by assignment) described in that certain Declaration of Covenants, Conditions and Restrictions of Brookwood Estates South Subdivision, Dated 3/29/1996, Recorded 3/4/1997, as Entry No. 16095, in Book 4206, at Page 20, of Official Records, and that the following described real property located in Utah County, Utah, to-wit:

**All of Lots 9 through 19 (inclusive), Plat "G", BROOKWOOD ESTATES SOUTH SUBDIVISION, Springville, Utah, according to the official plat thereof on file in the office of the Recorder of Utah County, Utah.**

was platted and recorded in the official records to comprise a portion of said subdivision and is designated as expandable area in said Declaration,

THEREFORE, said real property shall be held, transferred, sold, conveyed, occupied and used subject to the covenants, restrictions, conditions, easements, charges, assessments, obligations and lien set forth in said Declaration with the following amendment of paragraph 7.4 (v) as it applies to the above lots only:

**Building Features and Materials/Size of Living Unit.**

**PLAT "G": For Lots 9-19, Plat "G":** Each Living Unit shall have a "minimum square foot print" of not less than: (1) 2,000 square feet for a one level structure or (2) 1,200 square feet for a one and one-half or two level structure with a "total minimum" square footage of 2,400 square feet. The balance of the paragraph 7.4 (v) of the original declaration (as it applies) is unchanged.

ENT 85502:2005 PG 1 of 2  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2005 Aug 05 11:16 am FEE 22.00 BY SN  
RECORDED FOR SPRINGVILLE CITY CORPORATIO  
RECORDED FOR SPRINGVILLE CITY CORPORATIO

Also paragraph 7.4 (a) is hereby replaced in its entirety as follows:

**Building Location.** Each building shall be located such that it meets or exceeds the minimum standards appearing in the Springville City Ordinances as Title 11 - Development Code, Chapter 4 - Zoning District Regulations, Article 4 - Residential Site Development Regulations, and more specifically as Paragraph 11-4-404: Configuration Requirements for the R1-10 Residential Zone.

**Also, For Lots 11 through 16, Plat "G"**, the following restrictions shall apply: 1. Declarant conveys said lots subject to that portion abutting and contained within the channel known as "Hobble Creek", which is a natural hazard. Declarant does not warrant against flooding, erosion or any other negative circumstance related thereto. 2. In addition to any utility or storm drain easements or other restrictions as shown on the official plat, Declarant also does not warrant against the rights of others, including the public, to access, use, repair or maintain said channel as described in Section 11-7-403 of Springville City Code. 3. No owner or his contractor shall remove any existing tree in excess of 6 feet high or make any major changes in the natural grade or elevation of the lot without written permission of the Declarant and the Architectural Control Committee. 4. Hobble Creek is a protected creek corridor and falls under the jurisdiction of the State of Utah and any modifications to the banks or bed thereof may require a stream alteration permit. Activities that could potentially modify the bed or banks of Hobble Creek include but are not limited to construction of decks and patios, vegetation removal, retaining wall construction and bank re-contouring.

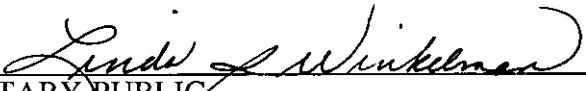
Also as per the official plat all lots are subject to following plat restriction: "Note: No Basements will be allowed below the 100 year flood plain elevation" as required by Springville City.

Dated this 22<sup>nd</sup> day of July, 2005.

  
MATTHEW A. MECHAM

STATE OF UTAH                    )  
  : ss.  
COUNTY OF UTAH                )

On the 22<sup>nd</sup> day of July, 2005, personally appeared before me **MATTHEW A. MECHAM**, the signer of the within instrument, who duly acknowledged to me that he executed the same.

  
NOTARY PUBLIC

My Comm Expires: 3/3/2006 Residing at: Provo, Utah

