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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
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9033 ENCHANTED OAK LN  
SANDY UT 84094  
BY: ZJM, DEPUTY - WI 5 P.

AMENDMENTS TO DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
ENCHANTED COVE, P.U.D., A PLANNED UNIT DEVELOPMENT IN  
SALT LAKE COUNTY, UTAH

AMENDMENT 2: Option One

Notwithstanding any provisions herein to the contrary, an owner is prohibited from raising, breeding or keeping animals, livestock or poultry in or on the property or in any residence, subject to the following specific exceptions:

- (A) Species and limitations: An owner may have domesticated dogs, cats or birds, provided the owner abides by the following rules and regulations pertaining to the maintenance and care of the pets. No person or persons at any residence within Enchanted Cove shall at any one time own more than two (2) dogs.<sup>1</sup>
  - (i) Dog: A dog may not weigh more than thirty five (35) pounds.
  - (ii) Bird: Must not be livestock variety; (e.g. chickens, peacocks, pheasants)

The dog, cat or bird must not have a propensity for violence<sup>2</sup>. Any owner or person having charge of an animal or animals causing a nuisance shall be subject to the penalties provided in Enchanted Cove C.C. & R's<sup>3</sup> and or Sandy City Title 3 Animal Control<sup>4</sup>. No enclosure shall be erected, placed or permitted to remain on any portion of the Common Property, nor shall any dog or cat be tied to any structure outside of the home without the owner present. Dogs must be on leash and under control at all times said animal is outside of the home or fenced backyard.

- (B) Non-conforming animals: Current owners<sup>5</sup> are permitted to own non-conforming animals until that animal dies. When the animal dies, the footnoted homeowners revert to the amended covenant.
- (C) Health and odors: The owner of any animal shall immediately remove any feces left upon the Common Property by his or her pet. The owner must keep his or her property free of odor and clean of animal feces.

<sup>1</sup> Regulations adhere to Sandy City Animal Control section 3-1-6 (f)

<sup>2</sup> Regulations adhere to Sandy City Animal Control section 3-1-15

<sup>3</sup> Enchanted Cove Covenants, Conditions, and Restrictions Sec. VIII paragraph 8.3

<sup>4</sup> Regulations adhere to Sandy City Animal Control section 3-1-16

<sup>5</sup> Current owners of non-conforming pets, Winter 9086 two (2) dogs and Fry 9063 one (1) dog.

**AMENDMENTS TO DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
ENCHANTED COVE, P.U.D., A PLANNED UNIT DEVELOPMENT IN  
SALT LAKE COUNTY, UTAH**

**AMENDMENT 2: Option Two**

Notwithstanding any provisions herein to the contrary, an owner is prohibited from raising, breeding or keeping animals, livestock or poultry in or on the property or in any residence, subject to the following specific exceptions:

(A) Species and limitations: An owner may have domesticated dogs, cats or birds, provided the owner abides by the following rules and regulations pertaining to the maintenance and care of the pets. No person or persons at any residence within Enchanted Cove shall at any one time own more than two (2) dogs.<sup>1</sup>

(i) Dog: A dog may not weigh more than thirty five (35) pounds.

(ii) Bird: Must not be livestock variety; (e.g. chickens, peacocks, pheasants)

The dog, cat or bird must not have a propensity for violence<sup>2</sup>. Any owner or person having charge of an animal or animals causing a nuisance shall be subject to the penalties provided in Enchanted Cove C.C. & R's<sup>3</sup> and or Sandy City Title 3 Animal Control<sup>4</sup>. No enclosure shall be erected, placed or permitted to remain on any portion of the Common Property, nor shall any dog or cat be tied to any structure outside of the home without the owner present. Dogs must be on leash and under control at all times said animal is outside of the home or fenced backyard.

(B) Non-conforming animals: Current owners<sup>5</sup> are permitted to own non-conforming animals as long as they own the footnoted properties. When the animal dies, the footnoted owners have 30 days to replace the non-conforming animal. Should the non-conforming animal not be replaced in 30 days, the footnoted homeowners revert to the amended covenant.

(C) Health and odors: The owner of any animal shall immediately remove any feces left upon the Common Property by his or her pet. The owner must keep his or her property free of odor and clean of animal feces.

<sup>1</sup> Regulations on dogs adhere to Sandy City Animal Control section 3-1-6 (f)

<sup>2</sup> Regulations adhere to Sandy City Animal Control section 3-1-15

<sup>3</sup> Enchanted Cove Covenants, Conditions, and Restrictions Sec. VIII paragraph 8.3

<sup>4</sup> Regulations adhere to Sandy City Animal Control section 3-1-16

<sup>5</sup> Current owners of non-conforming pets, Winter 9086 two (2) dogs and Fry 9063 one (1) dog.

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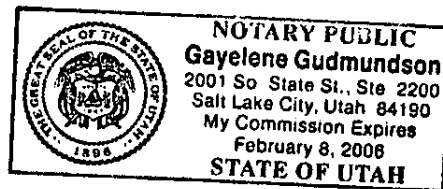
STATE OF UTAH

ACKNOWLEDGMENT

Mont Watson ASSOC. PRES

COUNTY OF SALT LAKE  
ON THIS 7<sup>th</sup> DAY OF JULY IN THE YEAR  
2003 BEFORE A NOTARY PUBLIC,  
PERSONALLY APPEARED Mont Watson PROVEN  
ON THE BASIS OF SATISFACTORY EVIDENCE  
TO BE THE PERSON WHOSE NAME IS  
SUBSCRIBED TO THIS INSTRUMENT, AND  
ACKNOWLEDGED HE EXECUTED THE  
SAME, WITNESS MY

Gayelene Gudmundson  
NOTARY PUBLIC



**AMENDMENTS TO  
DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
ENCHANTED COVE, P.U.D.,  
A PLANNED UNIT DEVELOPMENT IN  
SALT LAKE COUNTY, UTAH**

**AMENDMENT 1:**

**Notwithstanding** any provisions herein to the contrary, an owner is prohibited from leasing, renting, or allowing other individuals to occupy the owner's residence subject to the following specific exceptions:

- (A) **Immediate Family Members**: An owner may lease, rent, or allow residence to be occupied by an immediate family member. Immediate family members for the purpose of this Amendment is defined as: the owner's or the owner's spouse's sibling, child, or grandchild; and
  
- (B) **Medical Hardship**: An owner (or the owner's representative) may apply with the Enchanted Cove PUD Homeowner's Association Board for a Medical Hardship exception to the general prohibition on leasing, renting, or occupying if due to medical or psychological condition the owner feels it is necessary to vacate the residence and lease, rent, or allow others to occupy residence. The application for Medical Hardship will be presented to the Homeowner's Association Board, and such application will only be granted upon a majority vote in favor of the application. The Homeowner's Association Board reserves the right to require the applicant to produce documentation supporting the applicant's medical or psychological condition.
  - (i) **Application Process**: Owners wishing to apply for the Medical Hardship should submit a statement indicating why they are applying for the exception. Documentation verifying their medical or psychological condition should accompany the statement. The Homeowner's Association Board will review the application at the next regularly scheduled meeting. The Board will have 30 days from the date the application is submitted to render a decision. The decision shall be issued in writing. If the Board denies an application, the Board is required to issue an explanation detailing the reasons for such denial. The Board is obligated to establish criteria for determining whether a Medical Hardship application is accepted. This same criteria is to be used in an exact consistent manner with each applicant, thus to avoid discrimination or treating owners differently.

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STATE OF UTAH

ACKNOWLEDGEMENT  
Meritt Nelson ASSOC. PRES

COUNTY OF SALT LAKE

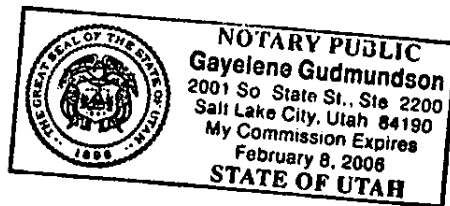
ON THIS 7<sup>th</sup> DAY OF JULY IN THE YEAR 2003

BEFORE A NOTARY PUBLIC, PERSONALLY APPEARED

Meritt Nelson, PROVEN ON THE BASIS OF SATISFACTORY  
EVIDENCE TO BE THE PERSON WHOSE NAME IS  
SUBSCRIBED TO THIS INSTRUMENT, AND  
ACKNOWLEDGED HE EXECUTED THE SAME.

WITNES MY

Gaylene Gudmundson  
NOTARY PUBLIC



28-05-326