

9149

AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND

RESTRICTIONS FOR TODD TOWN HOUSES PLANNED UNIT DEVELOPMENT

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This Amended Declaration of Covenants, Conditions, and Restrictions hereinafter called "Amended Declaration," is made and executed in Utah County, State of Utah, this 16th day of May, 1973, by Ralph Britsch, general partner of Todd Town Houses, a partnership, hereinafter called "Declarant," pursuant to the provisions of the Utah Condominium Ownership Act and the Rules and Regulations of Orem City, Utah County, Utah.

This Amended Declaration hereby amends the original Declaration of Todd Town Houses recorded on the 4th day of February, 1972, in book 1528, page 216-237-2 recorded at the Utah County Recorder's office in Provo, Utah County, Utah, except as herein amended, the terms contained in the original Declaration shall still remain in full force and effect.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Utah County, State of Utah, and more particularly described as follows:

Commencing at a point 2020.60 feet North and 29.22 feet East from the South Quarter Corner of Section 11, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 0°19' West along the East boundary of 400 East Street, Orem, Utah, 543.25 feet; thence South 89°28' East 322.26 feet; thence South 543.22 feet; thence North 89°38' West 319.26 feet to the point of beginning. Area = 4.00 acres of Todd Town Houses Planned Unit Development.

and

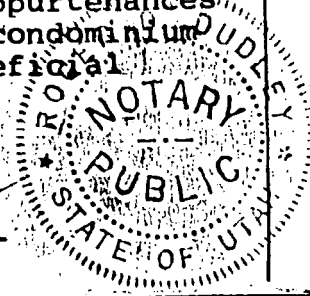
WHEREAS, Declarant is the owner of certain Townhouse buildings and certain other improvements heretofore constructed upon the aforesaid premises which property constitutes a "Condominium Project" under the terms of the provisions of the Utah Condominium Ownership Act, (Title 57, Chapter 8, Utah Code Annotated, 1953), and it is the desire and the intention of the Declarant to divide the project into condominiums and to sell and convey the same to various purchasers, subject to the covenants, conditions, and restrictions herein reserved to be kept and observed; and

WHEREAS, on the 4th day of February, 1972, Declarant filed for record in the office of the County Recorder of Utah County, State of Utah, a certain instrument entitled "Record of Todd Town Houses Plat "A", hereinafter referred to as "Map," which Map is filed of record herewith; and on the 16th day of May, 1973, Declarant filed an Amended Record of Todd Town Houses hereinafter referred to as "Amended Map;" and

WHEREAS, Declarant desires and intends by filing this Declaration and the aforesaid Map to submit the above described property and the Townhouse buildings and other improvements constructed thereon, together with all appurtenances thereto, to the provisions of the aforesaid act as a condominium project and to impose upon said property mutually beneficial restrictions under

Ralph A. Britsch
Ralph A. Britsch

Roger D. Dudley
NOTARY PUBLIC



BOOK 1328 PAGE 231



9149

AMENDED DECLARATION OF COVENANTS, CONDITIONS,

RESTRICTIONS FOR TODD TOWN HOUSES PLANNED UNIT DEVELOPMENT

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This Amended Declaration hereby amends the original Declaration of Todd Town Houses recorded on the 4th day of February, 1972, in book 1528, page 216-237-2 recorded at the Utah County Recorder's office in Provo, Utah County, Utah, except as herein amended, the terms contained in the original Declaration shall still remain in full force and effect.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Utah County, State of Utah, and more particularly described as follows:

Commencing at a point 2020.60 feet North and 29.22 feet East from the South Quarter Corner of Section 11, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 0°19' West along the East boundary of 400 East Street, Orem, Utah, 543.25 feet; thence South 89°28' East 322.26 feet; thence South 543.22 feet; thence North 89°38' West 319.26 feet to the point of beginning. Area = 4.00 acres of Todd Town Houses Planned Unit Development.

and

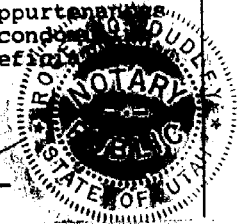
WHEREAS, Declarant is the owner of certain Townhouse buildings and certain other improvements heretofore constructed upon the aforesaid premises which property constitutes a "Condominium Project" under the terms of the provisions of the Utah Condominium Ownership Act, (Title 57, Chapter 8, Utah Code Annotated, 1953), and it is the desire and the intention of the Declarant to divide the project into condominiums and to sell and convey the same to various purchasers, subject to the covenants, conditions, and restrictions herein reserved to be kept and observed; and

WHEREAS, on the 4th day of February, 1972, Declarant filed for record in the office of the County Recorder of Utah County, State of Utah, a certain instrument entitled "Record of Todd Town Houses Plat "A"," hereinafter referred to as "Map," which Map is filed of record herewith; and on the 16th day of May, 1973, Declarant filed an Amended Record of Todd Town Houses hereinafter referred to as "Amended Map;" and

WHEREAS, Declarant desires and intends by filing this Declaration and the aforesaid Map to submit the above described property and the Townhouse buildings and other improvements constructed thereon, together with all appurtenances thereto, to the provisions of the aforesaid act as a condominium project and to impose upon said property mutually beneficial restrictions under

Ralph A. Britsch
Ralph A. Britsch

Roger D. Dudley
NOTARY PUBLIC



BOOK 1328 PAGE 231

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents Ralph A. Britsch, president and Dorothy C. Britsch, secretary respectively of Todd Town Houses, a Utah Partnership, and Connie J. Bethers, Elsie L. Wahlquist, Ralph A. Britsch, Florence T. Britsch, Helen P. Kingdon, Clement W. Martin, and Vera M. Martin, which are the owners of Units A, B, C, D, E, F, G, H, I, J, of The Todd Town Houses Amended Plat "A", A Condominium Project, and said owners have consented to the amending AND recording of the AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TODD TOWN HOUSES PLANNED UNIT DEVELOPMENT.

In witness whereof: we have hereunto set our hands

this 23rd day of May, A.D. 1973.

Ralph A. Britsch, Pres.
Dorothy C. Britsch, Sec.
Connie Bethers
Elsie L. Wahlquist
Ralph A. Britsch

Florence T. Britsch
Clement W. Martin
Vera M. Martin

ACKNOWLEDGMENT

STATE OF UTAH) SS
COUNTY OF UTAH)

ON THE 23rd day of May A.D., 1973, personally appeared before me, the undersigned notary public in and for said State of Utah and County of Utah, Ralph A. Britsch, Florence T. Britsch, Connie J. Bethers, Elsie L. Wahlquist, Helen P. Kingdon, Clement W. Martin, Vera M. Martin, and Dorothy C. Britsch, who being by me duly sworn did say that they are the owners of Todd Town Houses Amended Plat "A" and that the within and foregoing owners of said certificate of consent to record was signed by them.

My Commission expires
March 1, 1976
Date

Roger D. Dudley
Notary Public
Residing in Utah County, State
of Utah

BOOK 1328
PAGE 232

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents Ralph A. Britsch, president and Dorothy C. Britsch, secretary respectively of Todd Town Houses, a Utah Partnership, and Connie J. Bethers, Elsie L. Wahlquist, Ralph A. Britsch, Florence T. Britsch, Helen P. Kingdon, Clement W. Martin, and Vera M. Martin, which are the owners of Units A, B, C, D, E, F, G, H, I, J, of The Todd Town Houses Amended Plat "A", A Condominium Project, and said owners have consented to the amending AND recording of the AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TODD TOWN HOUSES PLANNED UNIT DEVELOPMENT.

In witness whereof: we have hereunto set our hands this 29th day of May, A.D. 1973.

Ralph A. Britsch, Pres.
Dorothy C. Britsch, Sec.
Connie Bethers
Elsie L. Wahlquist
Ralph A. Britsch

Florence T. Britsch
Clement W. Martin
Vera M. Martin

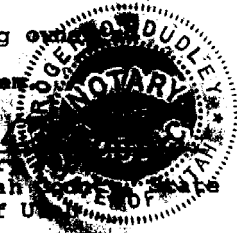
ACKNOWLEDGMENT

STATE OF UTAH) SS
COUNTY OF UTAH)

ON THE 23rd day of May A.D., 1973, personally appeared before me, the undersigned notary public in and for said State of Utah and County of Utah, Ralph A. Britsch, Florence T. Britsch, Connie J. Bethers, Elsie L. Wahlquist, Helen P. Kingdon, Clement W. Martin, Vera M. Martin, and Dorothy C. Britsch, who being by me duly sworn did say that they are the owners of Todd Town Houses Amended Plat "A" and that the within and foregoing certificate of consent to record was signed by them.

My Commission expires
March 1, 1976
Date

Ralph A. Britsch
Notary
Residing in Utah
of Utah

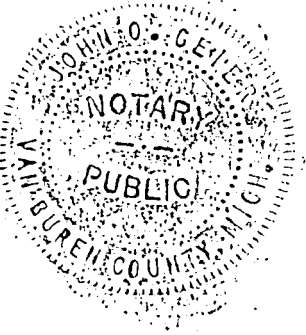


BOOK 1328 PAGE 232

May 21, 1973

I approve the amendment of covenants, conditions
and restrictions for the Todd Townhouse planned
unit development which was amended 16 May 1973.

Signed Helen P. Kingdon

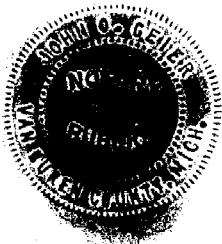


Notarized by John O. Geier
JOHN O. GEIER
Notary Public, Van Buren Co., Mich.
My commission expires Aug. 25, 1978

May 21, 1973

I approve the amendment of covenants, conditions
and restrictions for the Todd Townhouse planned
unit development which was amended 15 May 1973.

Signed Helen P. Kingdon



Notarized by John O. Geier

JOHN O. GEIER
Notary Public, Van Buren Co., Mich.
My commission expires Aug. 25, 1978

BOOK 1328 PAGE 233

AMENDED

DEED

TODD TOWN HOUSES, a partnership, GRANTOR, hereby conveys
and warrants to _____

_____ GRANTEE(S),
of _____,

FOR THE SUM OF Ten and No/100 Dollars, and other good and valuable
consideration, Apartment _____, Building _____ of TODD TOWN
HOUSES, a condominium project under the Condominium Ownership
Act of the State of Utah, as the same is shown by the Record
of Survey Map duly recorded in the office of the Recorder in
and for Utah County, Utah on the _____ day of _____, 197 _____,
and which condominium project is located upon the following
described real property situate in Utah County, Utah:

Commencing at a point 2020.60 feet North and 29.22 feet
East from the South Quarter Corner of Section 11,
Township 6 South, Range 2 East, Salt Lake Base and
Meridian; thence North 0°19' West along the East boundary
of 400 East Street, Orem, Utah, 543.25 feet; thence
South 89°38' East 322.26 feet; thence South 543.22
feet; thence North 89°38' West 319.26 feet to the
point of beginning. Area = 4.00 acres of Todd Town
Houses Planned Unit Development.

TOGETHER WITH the exclusive use of limited common areas
and facilities appurtenant to said apartment, and together with
an undivided _____ percent (____%) interest in and to the
common areas and facilities of said condominium project.

SUBJECT TO the Declaration and By-Laws pertaining to
said condominium project, recorded in Book _____, pages _____
in the office of the Utah County Recorder on the _____ day of
_____, 197 _____, and subject further to such change or changes
in ownership interests in common areas and facilities as may
occur from the addition of other land and apartment units to
the condominium project pursuant to said Declaration.

SUBJECT ALSO to current taxes, assessments, and
easements, and also to the following mortgages and/or encumbrances:

The benefits and obligations hereunder shall inure
to and be binding upon the heirs, executors, administrators,
successors, and assigns of the respective parties hereto.

AMENDED

DEED

TODD TOWN HOUSES, a partnership, GRANTOR, hereby conveys and warrants to _____ GRANTEE(S), of _____, FOR THE SUM OF Ten and No/100 Dollars, and other good and valuable consideration, Apartment _____, Building _____ of TODD TOWN HOUSES, a condominium project under the Condominium Ownership Act of the State of Utah, as the same is shown by the Record of Survey Map duly recorded in the office of the Recorder in and for Utah County, Utah on the _____ day of _____, 197 , and which condominium project is located upon the following described real property situate in Utah County, Utah:

Commencing at a point 2020.60 feet North and 29.22 feet East from the South Quarter Corner of Section 11, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 00°19' West along the East boundary of 400 East Street, Orem, Utah, 543.25 feet; thence South 89°38' East 322.26 feet; thence South 543.22 feet; thence North 89°38' West 319.26 feet to the point of beginning. Area = 4.00 acres of Todd Town Houses Planned Unit Development.

TOGETHER WITH the exclusive use of limited common areas and facilities appurtenant to said apartment, and together with an undivided _____ percent (____%) interest in and to the common areas and facilities of said condominium project.

SUBJECT TO the Declaration and By-Laws pertaining to said condominium project, recorded in Book _____, pages _____ in the office of the Utah County Recorder on the _____ day of _____, 197 , and subject further to such change or changes in ownership interests in common areas and facilities as may occur from the addition of other land and apartment units to the condominium project pursuant to said Declaration.

SUBJECT ALSO to current taxes, assessments, and easements, and also to the following mortgages and/or encumbrances:

The benefits and obligations hereunder shall inure to and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties hereto.

Unit Designation	Carport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "A" Unit A	A	1206	5	3.57%	Ground floor, see Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "A" Unit B	B	1206	5	3.57%	Ground floor, See Map.	Same as above.
Plat "A" Unit C	C	1206	5	3.57%	Ground floor, See Map.	Same as above.
Plat "A" Unit D	D	1206	5	3.57%	Ground floor, See Map.	Same as above.
Plat "A" Unit E	E	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit F	F	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit G	G	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit H	H	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.

Unit Designation	Carport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "A" Unit A	A	1206	5	3.57%	Ground floor, see Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "A" Unit B	B	1206	5	3.57%	Ground floor, see Map.	Same as above.
Plat "A" Unit C	C	1206	5	3.57%	Ground floor, see Map.	Same as above.
Plat "A" Unit D	D	1206	5	3.57%	Ground floor, see Map.	Same as above.
Plat "A" Unit E	E	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit F	F	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit G	G	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.
Plat "A" Unit H	H	1206	5	3.57%	Ground floor, including basement and balcony, see Map.	Same as above.

Unit Designation	Carport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "A" Unit I	I	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "A" Unit J	J	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "B" Unit A	A	1260	5	3.57%	Ground floor with basement. See Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "B" Unit B	B	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "B" Unit C	C	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.
Plat "F" Unit D	D	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "B" Unit E	E	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.

AMENDED
EXHIBIT "A"

BOOK 1328 PAGE 236

Unit Designation	Carport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "A" Unit I	I	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "A" Unit J	J	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "B" Unit A	A	1260	5	3.57%	Ground floor with basement. See Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "B" Unit B	B	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "B" Unit C	C	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.
Plat "F" Unit D	D	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "F" Unit E	E	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.

AMENDED
EXHIBIT "A"

BOOK 1328 PAGE 207

Unit Designation	Carpport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "B" Unit F	F	1260	5	3.57%	Top floor with basement. See Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "B" Unit G	G	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.
Plat "B" Unit H	H	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "C" Unit A	A	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "C" Unit B	B	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit C	C	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit D	D	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit E	E	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.

Unit Designation	Carpport Number	Approximate Number of Square Feet	Number of Rooms and Facilities	Percentage of Ownership in Common Area	Location	General Description
Plat "B" Unit F	F	1260	5	3.57%	Top floor with basement. See Map.	One family apt. home residence, including exclusive use of carport, patio, storage area as shown on Map.
Plat "B" Unit G	G	1260	5	3.57%	Ground floor with basement. See Map.	Same as above.
Plat "B" Unit H	H	1260	5	3.57%	Top floor with basement. See Map.	Same as above.
Plat "C" Unit A	A	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "C" Unit B	B	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit C	C	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit D	D	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit E	E	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.

AMENDED
EXHIBIT "A"

Unit Designation	Carpport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "C" Unit F	F	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "C" Unit G	G	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit H	H	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit I	I	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit J	J	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.

9149

APPROVED AND REQUEST BY
Judd Lowm...

BOOK 1328 PAGE 231-8

1973 MAY 24 PM 4:13

NOTARIAL PUBLIC
NIPPA G. FRENZ
STATE OF ARIZONA
FR 1 ARS INV 10220
583 E 3400 Rd
Grows, Ariz

AMENDED
EXHIBIT "A"

BOOK 1328 PAGE 238

Unit Designation	Carpport Number	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
Plat "C" Unit F	F	1120	5	3.57%	Ground floor with full basement. See Map.	One family apt. home residence, including exclusive use of double carport, patio, storage area as shown on Map.
Plat "C" Unit G	G	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit H	H	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit I	I	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.
Plat "C" Unit J	J	1120	5	3.57%	Ground floor with full basement. See Map.	Same as above.

9149

RECORDED AT THE REQUEST OF
John J. ...

1973 MAY 24 PM 4:13

RECORDED AT THE REQUEST OF
NINA E. ...
UTAH COUNTY RECORDERS
DEPUTY ...
PR ...
583 E 3400 Rd
Ogden, Utah