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 02/24/2005 04:30 PM \$38.00
 Book - 9097 Pg - 9845-9859
 GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 CONNIE B WHITE
 6060 S 2180 E
 SLC UT 84121
 BY: SBM, DEPUTY - WI 15 P.

WHEN RECORDED
 RETURN TO:
 Connie B. White
 6060 S. 2180 East
 Salt Lake City, UT 84121

AMENDMENT TO CERTIFICATE OF USE RESTRICTIONS

THIS AMENDMENT TO CERTIFICATE OF USE RESTRICTIONS dated to be effective as of the 3rd day of April, 2004, is entered into by and among the owners of property located within the Charleston Place Subdivision which is located in Salt Lake County, Utah and is intended to modify certain restrictions encumbering Lot 11, Charleston Place Subdivision, Salt Lake County, Utah (Tax ID #22-16-429-001),

WITNESSETH

THAT WHEREAS, by that certain Certificate of Use Restrictions (hereinafter referred to as the "Certificate") dated July 23, 1954, and recorded July 23, 1954, as Entry No. 1382411 at Book 11008, Page 438, in the records of Salt Lake County Recorders Office, Salt Lake County, State of Utah, certain restrictive covenants were imposed on owners of eleven subdivided lots in Charleston Place Subdivision located in Salt Lake County, State of Utah, Charleston Place Subdivision being more particularly described as follows:

Beginning at a point which is 389.43 feet South and 241.63 feet West from the Northeast corner of the Southeast ¼ of Section 16, Township 2 South, Range 1 East, Salt Lake Base & Meridian, and running thence South 0°23'30" West 164.90 feet; thence North 85°03'48" West 311.23 feet; thence South 149.27 feet; thence North 86°22'25" West 1285.35 feet; thence North 1°30'20" East 338.50 feet; thence South 85°13'45" East 1590.60 feet, to the Point of Beginning (hereinafter referred to as the "Subdivision")'

AND WHEREAS, the Certificate provides that the covenants and restrictions set forth therein are to run with the land and be binding upon the parties and all parties claiming under them until August 1, 1979, after which time the covenants and restrictions set forth in the Certificate can be changed by a written instrument signed by a majority of the owners of lots within the Subdivision and duly recorded;

AND WHEREAS, a majority of the owners of the lots within the Subdivision have heretofore allowed certain other Lots within the Subdivision to re-subdivided;

AND WHEREAS, a majority of the owners of the lots within the Subdivision desire to change and amend certain of the covenants and restrictions of the Certificate as set forth hereinafter to allow Lot 11 of the Subdivision to be re-subdivided;

NOW, THEREFORE, the undersigned owners of lots within the Subdivision do hereby certify that they are the owners of a majority of the lots within the subdivision and that they do hereby amend and modify the Certificate as follows:

1. Notwithstanding anything to the contrary in the Certificate, including, but not limited to, the provisions of paragraphs (3) and (10), the real property known as Lot 11, Charleston Place, according to the official plat thereof as recorded in the office of the County Recorder of Salt Lake County, Utah, can be subdivided into two lots, provided that neither lot shall have a width of less than 140 feet at the minimum set back line and each of the lots shall have an area of not less than 14000 square feet including in the calculation of such area, the street upon which the lot abuts to the center line thereof.
2. To the extent necessary to allow the lot split referred to in paragraph 1 above, the Certificate, and in particular, paragraphs (3) and (10) thereof, shall be and are amended and modified by this document.
3. Except as modified and amended by this document the Certificate shall remain in full force and effect. In particular paragraph (1) of the Certificate shall remain in force. Each of the two lots created from Lot 11, Charleston Place shall be known and described as residential lots. No structure shall be erected, altered, placed, or permitted to remain on each of the subdivided lots other than one single-family one story dwelling and a private garage, which garage shall be limited to the storage of passenger cars unless the architectural committee referred to in the Certificate shall in writing otherwise permit.
4. This document affects only the property known as Lot 11, Charleston Place Subdivision, according to the official plat thereof.
5. This Amendment may be executed in any number of counterparts. Each such counterpart hereof shall be deemed to be an original instrument, but all counterparts together shall constitute but one Amendment to the Certificate of Use Restrictions. Once Counterparts have been executed by a majority of the lot owners within the subdivision, those counterparts may be recorded in the office of the Salt Lake County Recorder and shall be effective from and after the date of such recordation even though additional counterparts may be recorded thereafter.
6. The individuals signing their names below represent and hereby warrant that they are, at the time of execution, owners of lots within Charleston Place.

IN WITNESS WHEREOF, the following have set their hand on the date indicated.

[Balance of Page Intentionally Left Blank]

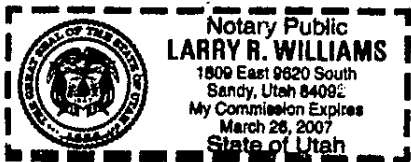
Lot 1, Charleston Place Subdivision
Tax ID #22-16-428-014

Dated: Geniel K. Hanson Jan 15th 05
Geniel K. Hanson

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 15th day of January, 2004, by Geniel K. Hanson.



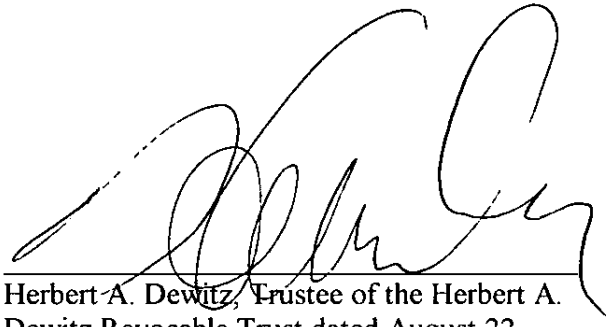
Larry R. Williams
Notary Public

My Commission Expires: 3/26/07

Residing: Salt Lake County, Utah

Lot 2, Charleston Place Subdivision
Tax ID #22-16-428-013

Dated: 4/8/04

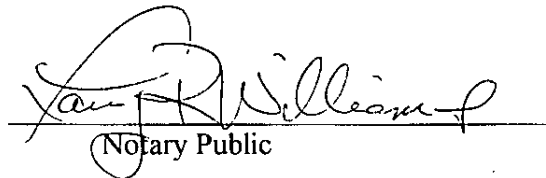
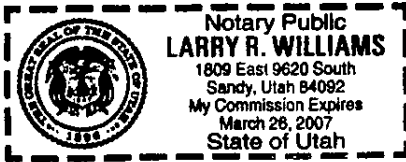


Herbert A. Dewitz, Trustee of the Herbert A. Dewitz Revocable Trust dated August 22, 2003

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 8th day of April, 2004, by Herbert A. Dewitz as Trustee of the Herbert A. Dewitz Revocable Trust dated August 22, 2003.



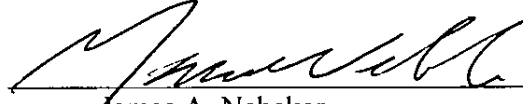
Notary Public

My Commission Expires: 3/26/07

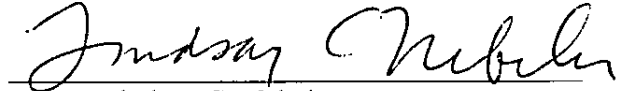
Residing: Salt Lake County, Utah

Lot 3, Charleston Place Subdivision
Tax ID #22-16-428-012

Dated: 1-15-05


James A. Nebeker

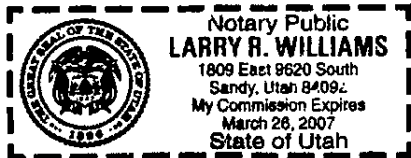
Dated: 1-15-05

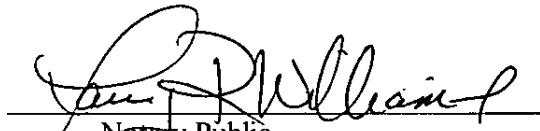

Lindsay C. Nebeker

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 15th day of January 2004, by James A. Nebeker and Lindsay C. Nebeker.




Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: 3/26/07

Lot 4 (partial), Charleston Place
Subdivision
Tax ID #22-16-426-009

Dated: _____
Loni F. Deland

Dated: _____
Krista L. Pickens

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Loni F. Deland and Krista L. Pickens.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 4 and 5 (Partial), Charleston Place
Subdivision
Tax ID #22-16-426-015

Dated: _____

Tamara C. Banks, Trustee of the Tamara C.
Banks Family Trust created under Amended
Declaration of Trust dated April 25, 2002

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Tamara C. Banks, Trustee of the Tamara C. Banks Family Trust created under Amended Declaration of Trust dated April 25, 2002.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 5 (Partial), Charleston Place
Subdivision
Tax ID #22-16-426-014

Dated: _____
Kelene C. Rosenberg

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Kelene C. Rosenberg.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 6, Charleston Place Subdivision
Tax ID #22-16-426-006

Dated: _____
Janice R. Campbell

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Janice R. Campbell.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 7 (North Part), Charleston Place
Subdivision
Tax ID #22-16-405-010

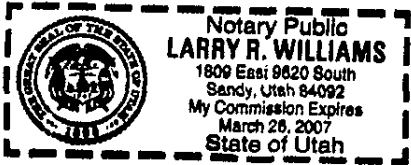
Dated: 4/7/04

Miles A. Williams
Miles A. Williams

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 7 day of April, 2004, by Miles A. Williams.



Larry R. Williams
Notary Public

My Commission Expires: 3/26/07

Residing: Salt Lake County, Utah

Lot 7 (South Part), Charleston Place
Subdivision
Tax ID #22-16-405-008

Dated: _____

Tamara Ann Smith

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____,
2004, by Tamara Ann Smith.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 8, Charleston Place Subdivision
Tax ID #22-16-406-001

Dated: _____
Joseph A. Roberts

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Joseph A. Roberts.

Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: _____

Lot 9 (Partial), Charleston Place
Subdivision
Tax ID #22-16-406-011

Dated: 1/15/05

Lloyd Ned Kohler

Lloyd Ned Kohler, Trustee of the Ned and
Joan Kohler Family Trust dated December 30,
1996

Dated: 1-15-05

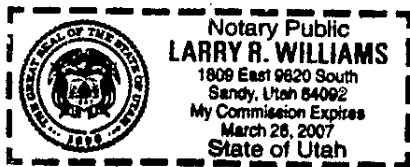
Joan M. Kohler

Joan Manion Kohler, Trustee of the Ned and
Joan Kohler Family Trust dated December 30,
1996

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 15th day of January,
2004, by Lloyd Ned Kohler as Trustee of the Ned and Joan Kohler Family Trust dated December
30, 1996 and Joan Manion Kohler as Trustee of the Ned and Joan Kohler Family Trust dated
Deceber 30, 1996.



Larry R. Williams
Notary Public

My Commission Expires: 3/26/07

Residing: Salt Lake County, Utah

Lot 9 (Partial) and Lot 10, Charleston
Place Subdivision
Tax ID #22-16-406-014
Tax ID #22-16-406-003

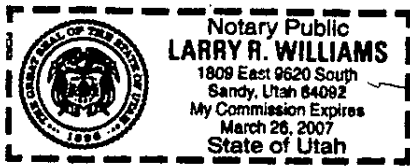
Dated: 1/15/05 A. Lloyd Peterson
A. Lloyd Peterson

Dated: 1/15/05 Marjorie J. Peterson
Marjorie J. Peterson

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 15th day of January, 2004, by A. Lloyd Peterson and Marjorie J. Peterson.



Larry R. Williams
Notary Public

My Commission Expires: 3/26/07

Residing: Salt Lake County, Utah

Lot 11, Charleston Place Subdivision
Tax ID #22-162429-001

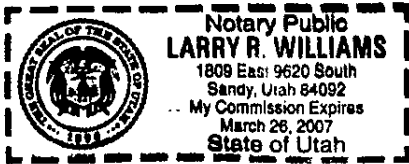
Dated: April 6, 04

Connie B. White
Connie B. White

ACKNOWLEDGEMENT

STATE OF UTAH }
 } ss.
County of Salt Lake }

The foregoing instrument was acknowledged before me this 6 day of April, 2004, by Connie B. White.



Larry R. Williams
Notary Public

Residing: Salt Lake County, Utah

My Commission Expires: 3/26/07