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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
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BY: ZJM, DEPUTY - WI 3 P.

# AMENDMENTS TO AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENT FOR WHITE PINES TOWNHOMES, P.U.D., PHASES I&II

#### - CORRECTED and RESTATED -

THE AMENDMENT dated the 15<sup>th</sup> day of October, 2005, recorded at Book 9205 beginning with Page 8577, which amended the original Declaration recorded on September 23, 2003 recorded in Book 8885 beginning with Page 7474 in the official records of the office of the County Recorder of Salt Lake County, State of Utah, is hereby corrected and restated to insert the proper name of the signer in the notary language and to set forth the vote of the members by which said amendment was approved. This clerical oversight does not affect the substance of said Amendment. Otherwise, said Amendment remains the same, as originally recorded.

#### **RECITALS**

WHEREAS, WHITE PINES TOWNHOMES, P.U.D., PHASES I&II, (the original Declarant) located in Salt lake County, State of Utah as more particularly described in that certain plat map entitled WHITE PINES TOWNHOMES, P.U.D., PHASES I&II, a Planned Unit Development, recorded on (1) February 25, 1997, and (2) March 27, 1998 as Entries 6578979 and 6942125 in the official records of the office of the County Recorder of Salt Lake County, State of Utah (the "Plat Map"); and

WHEREAS, WHITE PINES TOWNHOMES, P.U.D., PHASES I&II, pursuant to the provisions of the original Declaration, created a homeowners association to which was to be delegated and assigned the powers of owning, maintaining and administering the common areas, private roadways and certain other improvements in the Property and administering and enforcing the covenants, conditions and restrictions ("CC&R's"), and collecting and disbursing the assessments and charges thereinafter created; and

WHEREAS, the original Declarant may execute, acknowledge, and record "Amendments" to the CC&R's so long as the Declarant owns all the real property to be affected by such; and

WHEREAS, all of the Property shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the following Amendments, and the original CC&R's, all of which are for the purpose of uniformly enhancing and protecting the value, attractiveness and desirability of the Property, in furtherance of a general plan for the protection, maintenance, subdivision, improvement and sale of the Property, or any portion thereof and each and all of which is and are for the benefit of and shall pass with the Property, and each and every parcel and Lot thereof, and shall apply to and bind the successors in interest, and any Owner thereof; and

WHEREAS, pursuant to the required vote of the White Pines Townhomes, P.U.D., Phases I&II Member homeowners at the White Pines Homeowners Association annual meeting held on September 13, 2005, it is hereby certified that the Member homeowners voted 29 to 4, i.e., 87% (eighty-seven percent), in favor of amending the White Pines Townhomes, P.U.D., Phases I&II, CC&R's as stated in Exhibit "A" attached hereto.

NOW THEREFORE, the following Amendments to the Declaration of Covenants, Conditions and Restrictions, along with the original CC&R's of WHITE PINES TOWNHOMES, P.U.D., PHASES I&II, shall govern the rights and obligations of the present and future Owners of the Lots and homes in WHITE PINES TOWNHOMES, P.U.D., PHASES I&II, and of the Association and its Board and the original Declarant, and; the Amended Declaration recorded on September 23, 2003 recorded in Book 8885 beginning with Page 7474 in the official records of the office of the County Recorder of Salt Lake County, State of Utah are hereby amended, effective as of the 15th day of October 2005, as follows:

### **SEE EXHIBIT "A" ATTACHED HERETO**

WHITE PINES TOWNHOMES, P.U.D., PHASES I&II:

Except as specifically amended as set forth in Exhibit "A" attached hereto, all terms, covenants, conditions and restrictions set forth in the original Declaration shall remain in full force and effect.

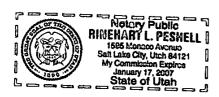
So corrected and restated this  $\underline{11}$  day of August, 2006, and effective the 15<sup>th</sup> day of October 2005.

Marty Cocozza, P	
STATE OF UTAH	)
	: SS
COUNTY OF SALT LAKE	)
by me duly sworn; and the s TOWNHOMES, P.U.D., PHA	August 2006, personally appeared before me Marty Cocozza, being aid individual did say that he is the President of the WHITE PINES ASES I&II, and that the within and foregoing Amendments, attached ent, were signed in behalf of the said Association.

NOTARY PUBLIC

Residing at: Salt Lake County, Utah

My Commission Expires:



## **III. COVENANTS CONDITIONS AND RESTRICTIONS**

Paragraph 6. Leases

No Unit may be leased, rented or occupied if the lease, rental or occupancy of that Unit, in the aggregate with all other Units in the Project, would amount to more than <u>10%</u> of the Units being classified as non-owner occupied.