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Book - 9939 Pg - 6827-6829
Gary W. Ott
Recorder, Salt Lake County, UT
HOBBS & OLSON
BY: eCASH, DEPUTY - EF 3 P.

AMENDMENT NO. 1 TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GARDEN PARK VILLAGE

THIS AMENDMENT NO. 1 TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GARDEN PARK VILLAGE (this "Amendment") dated 100 28, 2011 is made and executed by KENNECOTT LAND COMPANY, a Delaware corporation (the "Declarant").

RECITALS

- A. The Declaration of Covenants, Conditions and Restrictions for Garden Park Village (the "Declaration") was recorded in the office of the Salt Lake County Recorder by the Declarant, Kennecott Land Company, on October 16, 2009, as Entry No. 10818988, in Book No. 9771, beginning at page 6207.
- B. Declarant is still in control of the Garden Park Village Association, Inc. (the "Association"), as none of the events outlined in Article IV, Section 2 (defining the "Declarant Control Period") of the Bylaws of the Association has occurred.
- C. Section 16.5 (Amendment) of the Declaration provides the Declarant the right to unilaterally amend the Declaration for any purpose during the Declarant Control Period. Accordingly, the Declarant desires to amend the Declaration as set forth herein.
- D. From and after the recording of this Amendment, the Declaration, as Amended by this and other Amendments, shall remain in full force and effect with respect to the property described in Exhibit "A" attached hereto. Any reference to the Declaration in any document shall include this Amendment.
- E. The purpose of this Amendment is to revise the maintenance responsibility of the Association relating to seasonal/holiday exterior lighting on the buildings in the Association.

NOW, THEREFORE, the Declaration is amended as follows:

Section 5.1(a)(iii) of the Declaration, which currently reads as follows:

(iii) All seasonal/holiday exterior lighting on the Buildings and detached Residential Units;

is hereby deleted from the Declaration and such subsection (iii) shall no longer be contained in the Declaration.

IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the Effective Date.

DECLARANT:

KENNECOTT LAND COMPANY,

A Delaware corporation

- -

Name: M MCCUTCHEON

Title: VICE PRESIDENT DYBREAK

STATE OF UTAH

:ss.

)

COUNTY OF SALT LAKE)

On July 28, 2011, personally appeared before me, a Notary Public, TY MCCUTCHEON, the VICE PRESIDENT of KENNECOTT LAND COMPANY, a Delaware corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of KENNECOTT LAND COMPANY, a Delaware corporation.

WITNESS my hand and official Seal.

Notary Public ERIN KUHN Commission Number 576229

My Commission Expires October 3, 2012 State of Utah NOTARY PUBLIC

EXHIBIT A LEGAL DESCRIPTION OF THE "GARDEN VILLAGE PARK PROJECT"

Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, and 122 of Kennecott Daybreak Village 4A Plat 1 Subdivision Amending Lot V2 of the Kennecott Master Subdivision #1 Amended" recorded on February 25, 2009, as Entry No. 10631230, Book 2009P, at Page 27 of the Official Records of Salt Lake County, Utah.

Lots 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, and 141 of "Amended Kennecott Daybreak Village 4A Plat 2 Subdivision" recorded on June 22, 2009, as Entry No. 10735633, Book 2009P, at Page 82 of the Official Records of Salt Lake County, Utah.

Kennecott Daybreak Village 4A Plat 1 tax parcel nos.

101	26-24-226-002-0000	115	26-24-227-011-0000
102	26-24-226-003-0000	116	26-24-227-012-0000
103	26-24-226-004-0000	117	26-24-227-013-0000
104	26-24-226-005-0000 .	118	26-24-227-014-0000
105	26-24-227-020-0000	119	26-24-227-015-0000
106	26-24-227-019-0000	120	26-24-227-015-0000
107	26-24-227-002-0000	121	
108	26-24-227-003-0000	122	26-24-227-017-0000
		122	26-24-227-018-0000
109	26-24-227-004-0000		
110	26-24-227-005-0000		
111	26-24-227-006-0000		
112	26-24-227-007-0000		
113	26-24-227-008-0000		
114	26-24-227-010-0000		

Kennecott Daybreak Village 4A Plat 2 tax parcel nos.

123	26-24-229-032-0000	133	26-24-229-021-0000
124	26-24-229-031-0000	134	26-24-229-019-0000
125	26-24-229-030-0000	135	26-24-229-018-0000
126	26-24-229-029-0000	136	26-24-229-017-0000
127	26-24-229-028-0000	137	26-24-228-007-0000
128	26-24-229-022-0000	138	26-24-228-008-0000
129	26-24-229-023-0000	139	26-24-228-009-0000
130	26-24-229-024-0000	140	26-24-228-011-0000
131	26-24-229-025-0000	141	26-24-228-012-0000
132	26-24-229-026-0000		4000

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IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the Effective Date.

DECLARANT:	KENNECOTT LAND COMPANY, A Delaware corporation
	By: Thord Name: TH MCCUTCHEON
	Name: 14 MCCUTCHEON
	Title: VICE PRESIDENT DEUBREME
STATE OF UTAH):	S.
COUNTY OF SALT LAKE)	
Delaware corporation personal subscribed to the above instrum	, 2011, personally appeared before me, a Notary Public, <u>PRESIDENT</u> of KENNECOTT LAND COMPANY, known or proved to me to be the person whose name is not who acknowledged to me that he executed the above COTT LAND COMPANY, a Delaware corporation.

a

WITNESS my hand and official Seal.

Notary Public ERIN KUHN Commission Number 576229 My Commission Expires October 3, 2012 State of Utah

Page 2 of 2

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102	26-24-226-003-0000	116	26-24-227-012-0000
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107	26-24-227-002-0000	121	26-24-227-017-0000
108	26-24-227-003-0000	122	26-24-227-018-0000
109	26-24-227-004-0000		
110	26-24-227-005-0000		
111	26-24-227-006-0000		
112	26-24-227-007-0000		
113	26-24-227-008-0000		
114	26-24-227-010-0000		

Kennecott Daybreak Village 4A Plat 2 tax parcel nos.

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123	26-24-229-032-0000	133	26-24-229-021-0000
124	26-24-229-031-0000	134	26-24-229-019-0000
125	26-24-229-030-0000	135	26-24-229-018-0000
126	26-24-229-029-0000	136	26-24-229-017-0000
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