

Return To:  
Whispering Oaks Owners Association  
1796 Whispering Oaks Drive  
Ogden, Utah 84403

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
WHISPERING OAKS  
A Planned Residential Unit Development

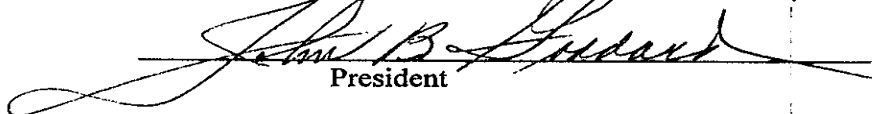
The Declaration Of Covenants, Conditions And Restrictions For Whispering Oaks, A Planned Residential Unit Development, recorded on November 14th, 1984 as Entry No. 923426 in Book 1457, Page 1089 of the Weber County Records (Exhibit A - Legal Description) is amended to include the following paragraph 6.025 under Article VI, Restrictions or Use and amend notice date in Article X - Assessments..

Section 6.025 - Vehicle Parking Restrictions Within Whispering Oaks

- (1) Campers (including those mounted on a pickup), boats, trailers, recreational vehicles larger than a standard sized van, trucks larger than 1/2 or 3/4 ton pickups, and other non-passenger carrying vehicles or equipment will not be parked or stored on Whispering Oaks Drive, upon any vacant lot, upon any common property, upon a homeowners lot or upon any driveway within the confines of Whispering Oaks at any time. Homeowners may park such vehicles only within their garages. The only exceptions are for contractor vehicles and equipment when engaged in building or repairing a home or common property in Whispering Oaks, and the above described vehicles of the temporary guests of a homeowner. Restricted vehicles of temporary guests may be parked within Whispering Oaks for no more than seven days per visit.
- (2) No vehicles of any kind may be parked at any time between the gate on Aztec and the west edge of the driveways of Lots 01 and 28.
- (3) No vehicles of any kind may be parked so as to restrict or block the flow of traffic through the emergency gate on Waco.
- (4) To facilitate snow removal during the winter months, no vehicles of any kind may be parked on Whispering Oaks Drive or on the access spur to the emergency gate when snow removal is necessary.

Article X - Assessments: 9.04 (c) is hereby amended to provide notice of the amount of Regular Assessment for the following year to be given on or before December 31st of each year.

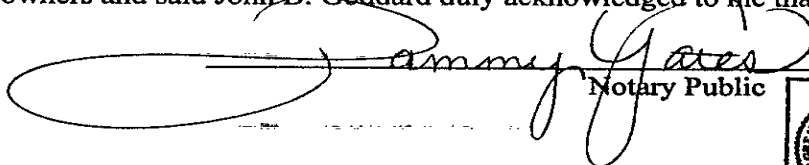
WHISPERING OAKS OWNERS ASSOCIATION, INC.

  
President

E# 1438182 BK1833 PG548  
DOUG CROFTS, WEBER COUNTY RECORDER  
31-OCT-96 425 PM FEE \$21.00 DEP PL  
REC FOR: ASSOCIATED.TITLE

STATE OF UTAH     )  
                          : ss.  
COUNTY OF WEBER)

On the 17th day of October, 1996, personally appeared before me John B. Goddard who did say that he is the President of Whispering Oaks Owners Association, Inc., a Utah non profit corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a majority vote of the owners and said John B. Goddard duly acknowledged to me that said corporation executed the same.

  
Notary Public

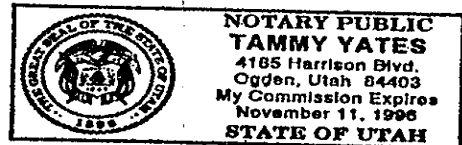


EXHIBIT A - LEGAL DESCRIPTION

0002.  
07-292-0001, 0003.  
07-293-0001-0005

A part of the East Half of Section 15, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point on the Southwesterly boundary of Shadow Valley Estates No. 8, a subdivision in Ogden City, Weber County, Utah said point is 1666.00 feet North 89°57' East; 110.95 feet South; 60.83 feet South 9°27'44" East; 120.00 feet South to the Southwest corner of Lot 5 in said subdivision and along said subdivision boundary the following three courses: 264.89 feet East; 55.92 feet South 83°01'53" East; and 120.03 feet South 34°22'27" East from the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 15; running thence South 34°22'27" East 41.86 feet along the Southwesterly boundary of said Shadow Valley Estates No. 8 Subdivision; thence South 48°15'39" West 137.29 feet; thence Southeasterly along the arc of a 139.62 foot radius curve to the right a distance of 17.95 feet (Central Angle equals 7°21'54" and Long Chord bears South 38°03'24" East 17.94 feet) to a point of tangency; thence South 34°22'27" East 139.98 feet to the Northwesterly line of Aztec Drive; thence South 55°37'33" West 138.41 feet along said Northwesterly line to the most Easterly corner of Lot 61 of Shadow Valley Estates No. 8; thence North 34°22'27" West 128.48 feet along the Northeasterly boundary line and line extended; thence North 57°12'27" East 102.45 feet; thence North 34°22'27" West 14.33 feet to a point of curvature; thence Westerly along the arc of a 103.62 foot radius curve to the left of a distance of 163.09 feet (Central Angle equals 90°10'48" and Long Chord bears North 79°27'51" West 146.77 feet) to a point of tangency; thence South 55°26'45" West 53.65 feet to a point of curvature; thence Southwesterly along the arc of a 458.71 foot radius curve to the left a distance of 143.76 feet (Central Angle equals 17°57'22" and Long Chord bears South 46°28'04" West 143.17 feet) to a point of tangency; thence South 37°29'23" West 48.41 feet; thence South 42°38' East 91.30 feet to a point on the Northwesterly boundary of said Shadow Valley Estates No. 8 Subdivision; thence South 54°25'57" West 15.73 feet along said subdivision boundary to the rear lot corner common to Lots 62 and 63 of said subdivision; thence South 32°30' West 77.79 feet along said subdivision boundary; thence North 42°38' West 97.52 feet; thence Southwesterly along the arc of a 319.14 foot radius curve to the right a distance of 78.62 feet (Central Angle equals 14°06'55" and Long Chord bears South 53°33'40" West 78.43 feet) to a point of reverse curve; thence Southwesterly along the arc of a 190.13 foot radius curve to the left a distance of 64.27 feet (Central Angle equals 19°22'02" and Long Chord bears South 50°56'07" West 63.96 feet); thence South 20°00' East 22.87 feet; thence South 5°00' West 32.00 feet; thence South 53°34'08" East 110.00 feet to a point on the Northwesterly subdivision boundary of said Shadow Valley Estates No. 8; thence along said Northwesterly subdivision boundary the following three courses: South 32°30' West 325.39 feet to the rear lot corner common to Lots 67 and 68; South 61°52'03" West 218.49 feet to the rear lot corner common to Lots 70 and 71; and North 89°53'01" West 35.63 feet; thence North 14°57'31" West 183.92 feet; thence Southwesterly, Westerly and Northwesterly along the arc of a 44.75 foot radius curve to the right a distance of 125.67 feet (Central Angle equals 160°53'53" and Long Chord bears North 59°18'43" West 88.26 feet); thence South 68°51'46" East 4.00 feet; thence Northeasterly, Easterly, and

Southeasterly along the arc of a 40.75 foot radius curve to the right a distance of 78.82 feet (Central Angle equals  $110^{\circ}49'01''$  and Long Chord bears North  $76^{\circ}32'44''$  East 67.09 feet) to a point of reverse curve; thence Easterly along the arc of a 30.00 foot radius curve to the left a distance of 30.61 feet (Central Angle equals  $58^{\circ}28'06''$  and Long Chord bears South  $77^{\circ}16'49''$  East 29.30 feet) to a point of tangency; thence North  $73^{\circ}29'08''$  East 37.41 feet to a point of curvature; thence Northeasterly along the arc of a 245.69 foot radius curve to the left a distance of 133.75 feet (Central Angle equals  $31^{\circ}11'30''$  and Long Chord bears North  $57^{\circ}53'23''$  East 132.11 feet) to a point of tangency; thence North  $42^{\circ}17'38''$  East 64.94 feet to a point of curvature; thence Northerly along the arc of a 19.50 foot radius curve to the left a distance of 31.44 feet (Central Angle equals  $92^{\circ}23'16''$  and Long Chord bears North  $3^{\circ}54'$  West 28.15 feet) to a point of tangency; thence North  $50^{\circ}05'38''$  West 60.95 feet to a point on the Southeasterly boundary of the cul-de-sac of Il Waco Drive; thence Northeasterly along the arc of a 50.00 foot radius curve to the left a distance of 36.86 feet (Central Angle equals  $42^{\circ}14'28''$  and Long Chord bears North  $37^{\circ}26'54''$  East 36.03 feet) along said cul-de-sac; thence South  $50^{\circ}05'38''$  East 65.45 feet to a point of curvature; thence Southeasterly, Easterly, and Northeasterly along the arc of a 15.50 foot radius curve to the left a distance of 23.79 feet (Central Angle equals  $87^{\circ}57'01''$  and Long Chord bears North  $85^{\circ}55'51''$  East 21.53 feet) to a point of change of curvature; thence Northeasterly along the arc of a 278.12 foot radius curve to the left a distance of 72.00 feet (Central Angle equals  $14^{\circ}49'57''$  and Long Chord bears North  $34^{\circ}32'22''$  East 71.80 feet) to a point of reverse curve; thence Northeasterly along the arc of a 226.13 foot radius curve to the right a distance of 132.20 feet (Central Angle equals  $33^{\circ}29'45''$  and Long Chord bears North  $43^{\circ}52'15''$  East 130.32 feet) to a point of reverse curve; thence Northeasterly along the arc of a 283.14 foot radius curve to the left a distance of 114.30 feet (Central Angle equals  $23^{\circ}07'45''$  and Long Chord bears North  $49^{\circ}03'16''$  East 113.52 feet) to a point of tangency; thence North  $37^{\circ}29'23''$  East 89.89 feet to a point of curvature; thence Northeasterly along the arc of a 494.71 foot radius curve to the right a distance of 155.04 feet (Central Angle equals  $17^{\circ}57'22''$  and Long Chord bears North  $46^{\circ}28'04''$  East 154.41 feet) to a point of tangency; thence North  $55^{\circ}26'45''$  East 53.65 feet to a point of curvature; thence Northeasterly along the arc of a 139.62 feet radius curve to the right a distance of 113.46 feet (Central Angle equals  $46^{\circ}33'32''$  and Long Chord bears North  $78^{\circ}43'31''$  East 110.36 feet); thence North  $12^{\circ}00'17''$  East 75.26 feet; thence North  $88^{\circ}52'29''$  East 85.00 feet; thence North  $1^{\circ}07'31''$  West 6.00 feet; thence North  $88^{\circ}52'29''$  East 53.44 feet to the point of BEGINNING.