

FIRST AMENDMENT TO
SECOND AMENDED, RESTATED AND CONFIRMATORY DECLARATION OF
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR BEAR HOLLOW VILLAGE

THIS FIRST AMENDMENT TO SECOND AMENDED, RESTATED AND CONFIRMATORY DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR BEAR HOLLOW VILLAGE ("First Amendment"), is made this _____ day of _____, 2004.

WITNESSETH:

WHEREAS, that certain Second Amended, Restated and Confirmatory Declaration of Protective Covenants, Conditions and Restrictions for Bear Hollow ("Second Amended Declaration") of Bear Hollow Village Association ("Association"), was recorded in the office of the Summit County Recorder as Entry No. 00693542 on March 31, 2004; and

WHEREAS, pursuant to Article V of the Declaration, the Second Amended Declaration may be amended with the affirmative vote of fifty-one percent (51%) or more of the Members in good standing of the Association; and

WHEREAS, the required affirmative vote has been obtained for amendment to the Second Amended Declaration and the Members of the Association desire to amend the Second Amended Declaration, as described below.

NOW, THEREFORE, the Second Amended Declaration is amended as follows:

1. Section 3.9.2. is revised by adding the following sentence at the end of this Section: "Notwithstanding the foregoing provisions, fifty-three (53) parking spaces of the total of sixty-one (61) parking spaces which are located around the Office Building shall be used exclusively by the Owner, tenants and business invitees of the Office Building and by those persons authorized to use the Clubhouse under this Section 3.9.2. and the remaining eight (8) parking spaces shall be used exclusively by Owners of the Live/Work Units."

2. Section 4.1 (k) is hereby revised by adding the following sentence at the end: "The sixty-one (61) parking spaces surrounding the Office Building shall only be used by the Owner, tenants and business invitees of the Office Building, as well as those persons permitted to use the Clubhouse under the provisions of Section 3.9.2. of this Second Amended Declaration and the Owners of the Live/Work Units."

3. In all other respects, the Second Amended Declaration remains unchanged.

IN WITNESS WHEREOF, the Members of the Association, by and through their Trustees and President have signed this instrument below.

WITNESS/ATTEST:

BEAR HOLLOW VILLAGE
HOMEOWNERS ASSOCIATION
By its Trustees and President, on behalf
of its Members

Angela M. Caponi

Howard Butt
Howard Butt, Trustee and President

Harold Gabel

Terry Mischler
Terry Mischler, Trustee

Mark Lords
Mark Lords, Trustee

STATE OF NEW JERSEY
: ss.
COUNTY OF MERCER

On the 12 day of NOV, 2004, personally appeared before me, Howard Butt, whose identity is personally known to me or has been proven on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he was duly authorized to execute the foregoing instrument on behalf of Bear Hollow Village Homeowners Association, and that he did so for his own voluntary act.

Angela M. Caponi
Notary Public
Residing at: ANGELA M. CAPONI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 10/16/2006

My Commission Expires: 10/16/06

STATE OF Vermont
: ss.
COUNTY OF Chittenden

On the 04th day of Nov, 2004, personally appeared before me, Mark Lords, whose identity is personally known to me or has been proven on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he/she was duly authorized to execute the foregoing instrument on behalf of Bear Hollow Village Homeowners Association, and that he/she did so for his/her own voluntary act.

Lindsay Eaton
Notary Public
Residing at: Colchester, VT

My Commission Expires: 2/10/07

STATE OF (Utah)
COUNTY OF Summit : ss.

On the 21 day of Nov, 2004, personally appeared before me, ^{TERRE W. MISOHLER} ~~Mark Lewis~~, whose identity is personally known to me or has been proven on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he was duly authorized to execute the foregoing instrument on behalf of Bear Hollow Village Homeowners Association, and that he did so for his own voluntary act.

Notary Public
Residing at: _____

My Commission Expires:

