## 10528260

When recorded return to: Jon C. Heaton, Esq. 175 East 400 South, #900 Salt Lake City, UT 84111 10528260
09/25/2008 02:36 PM \$14.00
Book - 9645 Ps - 7354-7356
GARY W. DITT
RECORDER, SALT LAKE COUNTY, UTAH
PRINCE YEATES & GELDZAHLER
175 E 4TH S STE.900
SLC UT 84111
BY: HNP, DEPUTY - WI 3 P.

## THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR REDFEATHER ESTATES, P.U.D.

Pursuant to the provisions of Section 11.3 of the Declaration of Covenants, Conditions and Restrictions for Redfeather Estates, P.U.D. (the "Declaration"), and applicable law, the Redfeather Estates Homeowners Association, Inc. (the "Association") does hereby amend, supersede in part and supplement the Declaration as follows:

- A. The Declaration was executed on August 9, 2001, and was recorded as Entry No. 7997509, at Book 8498, Pages 2526-2548, in the Records of the Salt Lake County Recorder, on September 7, 2001; and
- B. The Declaration was amended by the first Amendment thereto dated August 16, 2002, and recorded on August 21, 2002, as Entry No. 8327904, at Book 8635, Pages 6603-6608, in the Records of the Salt Lake County Recorder (the "First Amendment"); and
- C. The Declaration was amended by the second Amendment thereto dated August 5, 2003, and recorded on August 13, 2003, as Entry No. 8772258, at Book 8861, Pages 9031-9038, in the Records of the Salt Lake County Recorder (the "Second Amendment"); and
- D. Effective as of August 11, 2008, consistent with Section 11.3 of the Declaration, and applicable law, this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Redfeather Estates, P.U.D. (the "Third Amendment") was approved by more than the required two-thirds (2/3) of the Class A membership votes of Class A Members who were voting in person or by proxy at the meeting duly called that date for such purpose and at which a quorum of Members was present; and
- E. Section 11.3 requires that amendment be accomplished through, among other requirements, the recordation of an instrument executed by the Association in the property records of Salt Lake County, State of Utah.

NOW, THEREFORE, by the required consent and approval of the Members of the Association, the following amendment to the Declaration is hereby adopted and approved, effective August 11, 2008 and thereafter, unless and until subsequently amended, and accordingly the Property described in the Declaration is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration, as amended and as supplemented by the following Third Amendment. It is specifically and expressly acknowledged that, in the event of a conflict between the Declaration, as previously amended, and this Third Amendment, the provisions of this Third Amendment shall supersede and/or prevail. In all other respects, the provisions of the said Declaration as previously amended and/or here amended shall remain in full force and effect.

The Declaration is accordingly amended and supplemented as follows:

The Second Amendment to the Declaration as more specifically referred to in the recitals of this Third Amendment is deleted in its entirety, fully and completely from any effect or utility upon the REDFEATHER ESTATES, P.U.D. such that there be no age restriction in the REDFEATHER ESTATES, P.U.D. and all references to age restrictions or minimum age are removed.

The President of the Association by his signature hereafter certifies that all of the requirements for amendment of the Declaration as such requirements are set out in Section 11.3 of the Declaration were met in accomplishing the proper passage by the Association of this Third Amendment and in the recordation thereof.

DATED as of this 11<sup>th</sup> day of August, 2008.

BY THE ASSOCIATION:

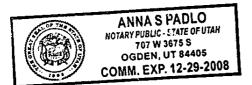
REDFEATHER ESTATES

HOMEOWNERS ASSOCIATION, INC.

BY: <u>Alfanan</u> Mervin Housley

Trustee and President

| STATE OF UTAH       | )    |
|---------------------|------|
|                     | : ss |
| COUNTY OF SALT LAKE | )    |



Notary Public

Imme D. Sadh

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