

Entry 2021011887
Book 1753 Pages 957-965 \$164.00
10-Dec-21 12:05
BRENDA MCDONALD
RECORDER, Uintah County, Utah
COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120
SALT LAKE CITY, UT 84121
Rec By: Dana Brown, Deputy Recorder
Electronic Recording

WHEN RECORDED, MAIL TO:

Melanie R. Clark
Stoel Rives LLP
201 S. Main, Suite 1100
Salt Lake City, UT 84111

Ent 2021011887
Book 1753 Pg 957

APNs: 05-053-0601 through 05-053-0672

CTIA 143004-CAU

**SECOND AMENDMENT TO
AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
OF
SILVER PINES CONDOMINIUMS**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF SILVER PINES CONDOMINIUMS (“**Amendment**”), is made as of this 10 day of DECEMBER 2021, by the Silver Pines Condominiums Home Owners Association, a Utah nonprofit corporation (the “**Association**”).

RECITALS

A. On November 18, 2011 Silver Pines Condominiums, LLC, a Utah limited liability company (“**Declarant**”) and certain owners of condominium units within the Silver Pines Condominiums, located in Vernal, Utah recorded that certain Amended and Restated Declaration of Condominium of Silver Pines Condominiums, an Expandable Condominium Community as Entry No. 2011008297 in the Official Records of Uintah County, Utah, which was amended by that certain Amendment to Amended and Restated Declaration of Condominium recorded on May 14, 2013 as Entry No. 2013004733 in the Official Records of Uintah County, Utah (together, the “**Declaration**”), which encumbers the real property situated in Uintah County, Utah and more particularly described in Exhibit “A,” which is attached hereto and incorporated herein by this reference. Capitalized terms not otherwise defined herein shall have the meaning set forth in the Declaration.

B. Pursuant to Section 27 thereof, the Declaration may be amended by the approval of not less than sixty-seven percent of the undivided interest in the Common Areas and Facilities. An amendment so authorized may be accomplished by the recording of an instrument executed by the Management Committee.

C. By executing this Amendment, the Management Committee, on behalf of the Association, hereby certifies that it has conducted a vote of the Owners and obtained the required consent for approval of this Amendment.

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

1. Recitals. The Recitals set forth above shall constitute a portion of the terms of this Amendment.

2. Mortgagee Protections. The following provisions are hereby added to Section 20.c of the Declaration:

(9) Changing any restrictions on the use of Condominium Units.

(10) Revising Section 33 of this Declaration or otherwise adding or changing any restrictions on the leasing of Condominium Units.

3. Property Insurance. The final sentence of Section 18.a(5) is hereby deleted in its entirety.

4. Future Amendments. Section 27 of the Declaration is hereby amended and restated in its entirety and replaced with the following:

27. Amendment. Subject to the terms of Section 20, the provisions of this Declaration and/or the Plat may be amended by the affirmative vote of at least fifty-one percent (51%) of the total votes held by all Owners, which votes may be cast at a meeting duly called, at which meeting Owners may either vote in person or by proxy, or may be cast without a meeting by means of written ballot delivered to the Owners. Any amendment, whether approved at a meeting or by ballot, shall be evidenced by an instrument executed by an officer of the Management Committee and containing a certification from an officer of the Management Committee that the appropriate Owner consent has been obtained and shall be duly recorded in the office of the Uintah County Recorder. The percentage of votes necessary to amend a specific clause or section in this Declaration shall not be less than the percentage of affirmative votes or written assents required for action to be taken under that clause or section.

5. Voting Percentage. The Declaration and Bylaws are further amended such that any other action previously required by the Declaration or Bylaws to be approved by the vote of Owners holding sixty-seven (67%) or more of the total votes held by all Owners may be taken by the affirmative vote of fifty-one percent (51%) of the total votes held by all Owners, which votes may be cast at a meeting duly called, at which meeting Owners may either vote in person or by proxy, or may be cast without a meeting by means of written ballot delivered to the Owners. Any provision in the Declaration, Articles, or Bylaws of the Association in conflict with the foregoing is amended by this Amendment to be consistent herewith. Actions not requiring a specific voting percentage by the Declaration or Bylaws may be taken by the affirmative vote of fifty-one percent (51%) of the votes cast at a meeting (in person or by proxy) or by written ballot.

6. Declaration Remains in Effect. This Amendment shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Amendment. In the event of a conflict or inconsistency between the terms of this Amendment and the provisions of the Declaration, the provisions of this Amendment shall control.

7. Declarant Rights. Declarant shall retain all rights of Declarant as set forth in the Declaration, and this Amendment shall neither amend nor abrogate such rights.

8. Authority. The Management Committee hereby certifies that it may execute this Amendment on behalf of the Owners and Association without the signature of any other party pursuant to its rights under Sections 12(a)(2) and 27 of the Declaration.

9. Counterparts. This Amendment may be executed in any number of counterparts, each of which when executed and delivered shall be an original, but all such counterparts shall constitute one and the same agreement.

[Signature on Following Page]

IN WITNESS WHEREOF, this Second Amendment to Amended and Restated Declaration of Condominium of Silver Pines Condominiums is hereby executed as of the date first set forth above.

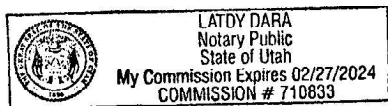
Silver Pines Condominiums Home Owners Association, a Utah nonprofit corporation

By: *[Signature]*
HAROLD IRVING, Director

STATE OF UTAH)
) :SS.
COUNTY OF Salt Lake)

On this 24 day of November, 2021, personally appeared before me Harold Irving, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that s/he is the Director of Silver Pines Condominiums Home Owners Association and that said document was signed in behalf of said entity and acknowledged to me that said entity executed the same.

Witness my hand and official seal.



[Signature]
NOTARY SIGNATURE
Residing at: Salt Lake
My Commission Expires: 2-27-2024

IN WITNESS WHEREOF, this Second Amendment to Amended and Restated Declaration of Condominium of Silver Pines Condominiums is hereby executed as of the date first set forth above.

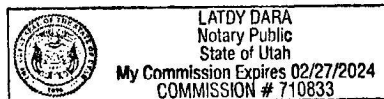
Silver Pines Condominiums Home Owners Association, a Utah nonprofit corporation

By: Jordan Sheffield
JORDAN SAEFFIELD, Director

STATE OF UTAH)
)
) :SS.
COUNTY OF Utah)

On this 26 day of November, 2021, personally appeared before me Jordan Sheffield, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that s/he is the Director of Silver Pines Condominiums Home Owners Association and that said document was signed in behalf of said entity and acknowledged to me that said entity executed the same.

Witness my hand and official seal.



Lady Dara
NOTARY SIGNATURE
Residing at: Salt Lake
My Commission Expires: 2-27-2024

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1:

05:053:0601 → 05:053:0612

UNITS A101, A102, A103, A104, A201, A202, A203, A204, A301, A302, A303 AND A304, IN BUILDING A, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

PARCEL 2:

05:053:0613 → 05:053:0624

UNITS B101, B102, B103, B104, B201, B202, B203, B204, B301, B302, B303 AND B304, IN BUILDING B, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

PARCEL 3:

05:053:0625 → 05:053:0636

UNITS C101, C102, C103, C104, C201, C202, C203, C204, C301, C302, C303 AND C304, IN BUILDING C, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY

HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

PARCEL 4:

05:053:0037 → 05:053:0048

UNITS D101, D102, D103, D104, D201, D202, D203, D204, D301, D302, D303, AND D304 IN BUILDING D, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

PARCEL 5:

05:053:0049 → 05:053:0060

UNITS E101, E102, E103, E104, E201, E202, E203, E204, E301, E302, E303, AND E304 IN BUILDING E, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

PARCEL 6:

09:053:0601 → 09:053:0672

UNITS F101, F102, F103, F104, F201, F202, F203, F204, F301, F302, F303, AND F304 IN BUILDING F, CONTAINED WITHIN THE SILVER PINES CONDOMINIUMS PHASE 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003609 IN BOOK 1085 AT PAGE 692 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION RECORDED ON APRIL 14, 2008 IN UTAH COUNTY, AS ENTRY NO. 2008003610 IN BOOK 1085 AT PAGE 693 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED.)

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

ALL OF THE FOREGOING PARCELS TOGETHER WITH THE RIGHTS SET FORTH IN THAT CERTAIN CROSS ACCESS/CROSS PARKING EASEMENT RECORDED ON NOVEMBER 18, 2011 AS ENTRY NO. 2011008302 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER.