

8
10
1-37

When Recorded Return To:

Heath H. Snow, Esq.
BINGHAM SNOW & CALDWELL, LLP
253 West St. George Blvd., Suite 100
St. George, Utah 84770

DOC # 20120042916

Amended Restrictive Covenants (Page 1 of 10)
Russell Shirts Washington County Recorder
12/14/2012 04:19:26 PM Fee \$ 65.00
By VIAL FOTHERINGHAM



**NEIGHBORHOOD AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
SUN RIVER ST. GEORGE
RE: Neighborhood Designation**

This Neighborhood Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George has been approved and is hereby made by SUN RIVER ST. GEORGE DEVELOPMENT, L.C., a Utah limited liability company (the "Declarant") and is submitted for recording in the official records of the Washington County, Utah Recorder.

RECITALS

1. Declarant caused to be recorded the Declaration of Covenants, Conditions and Restrictions of Sun River St. George recorded in the records of the Washington County Recorder on March 10, 1998, as Entry No. 00594446, in Book 1187, Pages 294-365 (the "Declaration");
2. The Declaration has been amended from time to time as follows:
 - a. First Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George recorded in the records of the Washington County Records as Entry No. 683971 on May 2, 2000;
 - b. Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George recorded in the records of the Washington County Recorder as Document No. 20060034475 on August 3, 2006;
 - c. Third Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George recorded in the records of the Washington County Recorder as Document No. 20110037135 on December 5, 2011; and
 - d. Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George recorded in the records of the Washington County Recorder as Document No. 20110037261 on December 6, 2011.
 - e. A Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions of Sun River St. George ("Fifth Amendment") is undertaken pursuant to

Neighborhood Amendment to Declaration of Covenants, Conditions and Restrictions of Sun River St. George
Re: Neighborhood Designation

Article XVI, Section 16.2, of the Declaration, and was approved by an affirmative vote by at least sixty-seven percent (67%) of the total vote in the Sun River St. George Community Association, Inc. ("Association") by way of mail-in ballots. The vote has been acknowledged by the President of the Association, Don Stricklin and the Board of Trustees of the Association. The Fifth Amendment amends Article II, Section 2.7, Article XIV, Section 14.2, and Article VIII, Section 8.14 of the Declaration.

3. The Declaration is also supplemented by:
 - a. Supplemental Declaration for Sun River St. George Phases 1A, 1B, 1C, 1D, 1E, 2A, 3A, and 5B recorded in the records of the Washington County Records as Entry No. 00876279 on April 23, 2004;
 - b. Supplemental Declaration for Sun River St. George Phases 1A-1E, 2A-2B, 3A-3B, 5A-5B, 6, 7, 8, 9, 10 recorded in the records of the Washington County Records as Entry No. 00876280 on April 23, 2004;
 - c. Supplemental Declaration for Sun River St. George Phases 1-3 and 5-10 recorded in the records of the Washington County Records as Entry No. 00886676 on June 24, 2004;
 - d. Supplemental Declaration for Sun River St. George Phase 1, Plat 1A, Amended recorded in the records of the Washington County Records as Entry No. 00730700 on August 7, 2001;
 - e. Supplemental Declaration for Sun River St. George Phase 1, Plat 1C recorded in the records of the Washington County Records as Entry No. 00808236 on March 12, 2003;
 - f. Supplemental Declaration for Sun River St. George Phase 2B recorded in the records of the Washington County Records as Entry No. 00687617 on June 8, 2000;
 - g. Supplemental Declaration for Sun River St. George Phase 2B recorded in the records of the Washington County Records as Entry No. 00729444 on July 30, 2001;
 - h. Supplemental Declaration for Sun River St. George Phase 3B recorded in the records of the Washington County Records as Entry No. 00680701 on March 31, 2000;
 - i. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 4 recorded in the records of the Washington County Records as Entry No. 00907299 on October 22, 2004;
 - j. Supplemental Declaration for Sun River St. George Phase 5A recorded in the records of the Washington County Records as Entry No. 00705604 on December 26, 2000;

- k. Supplemental Declaration for Sun River St. George Phase 5B recorded in the records of the Washington County Records as Entry No. 00716511 on April 2, 2001;
- l. Supplemental Declaration for Sun River St. George Phase 6 recorded in the records of the Washington County Records as Entry No. 00768934 on June 13, 2002;
- m. Supplemental Declaration for Sun River St. George Phase 7 recorded in the records of the Washington County Records as Entry No. 00764340 on May 10, 2002;
- n. Supplemental Declaration for Sun River St. George Phase 8 recorded in the records of the Washington County Records as Entry No. 00862429 on January 28, 2004;
- o. Supplemental Declaration for Sun River St. George Phase 9 recorded in the records of the Washington County Records as Entry No. 00866073 on February 23, 2004;
- p. Supplemental Declaration for Sun River St. George Phase 10 recorded in the records of the Washington County Records as Entry No. 00869109 on March 11, 2004;
- q. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 11 recorded in the records of the Washington County Records as Entry No. 00915428 on December 9, 2004;
- r. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 12 recorded in the records of the Washington County Records as Entry No. 00915430 on December 9, 2004;
- s. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 13 recorded in the records of the Washington County Records as Entry No. 00986523 on November 21, 2005;
- t. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 14 recorded in the records of the Washington County Records as Entry No. 00986525 on November 21, 2005;
- u. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 15 recorded in the records of the Washington County Records as Entry No. 00933543 on March 22, 2005;
- v. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 16 recorded in the records of the Washington County Records as Entry No. 20060006443 on March 6, 2006;

w. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 17(a) recorded in the records of the Washington County Records as Entry No. 00984536 on November 10, 2005;

x. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 17(b) recorded in the records of the Washington County Records as Entry No. 00984538 on November 10, 2005;

y. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 20 recorded in the records of the Washington County Records as Entry No. 20070015452 on March 28, 2007;

z. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 21 recorded in the records of the Washington County Records as Entry No. 20060044954 on September 28, 2006;

aa. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 22 recorded in the records of the Washington County Records as Entry No. 20060027157 on June 22, 2006;

bb. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 23 recorded in the records of the Washington County Records as Entry No. 20060027155 on June 22, 2006;

cc. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 24 recorded in the records of the Washington County Records as Entry No. 20070003055 on January 19, 2007;

dd. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 26 recorded in the records of the Washington County Records as Entry No. 20080025795 on June 24, 2008;

ee. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 27 recorded in the records of the Washington County Records as Entry No. 20070020471 on April 23, 2007;

ff. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 28 recorded in the records of the Washington County Records as Entry No. 20070030068 on June 11, 2007;

gg. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 29 recorded in the records of the Washington County Records as Entry No. 20090026598 on July 9, 2009;

hh. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 30 and Tract Declaration for Church recorded in the records of the

Washington County Records as Entry No. 20080013564 on April 2, 2008;

ii. Amended Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 30 and Tract Declaration for Church recorded in the records of the Washington County Records as Entry No. 20080030169 on July 29, 2008;

jj. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 31 recorded in the records of the Washington County Records as Entry No. 20110016700 on June 1, 2011;

kk. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 33 recorded in the records of the Washington County Records as Entry No. 20120001752 on January 19, 2012; and

ll. Supplemental Declaration for Sun River St. George and Neighborhood Designation Phase 34 recorded in the records of the Washington County Records as Entry No. 20120031170 on September 17, 2012.

(Collectively, "Supplemental Declarations").

4. Article XVI, Section 16.2, of the Declaration vests the Declarant with the right to amend the Declaration as may be reasonably necessary or desirable. Article III, Section 3.4 of the Declaration provides that during the Development Period, Declarant may unilaterally amend the Declaration or any Supplemental Declaration to redesignate Neighborhood boundaries. This Amendment to the Declaration was approved and will be recorded within the Development Period and is recorded for the purpose of redesignating the Neighborhood boundaries.

5. Prior to September 2003 no official Neighborhood designation had occurred and by default the Project consisted of a single Neighborhood. There were, however, unofficial delineations of the Project into "Areas". This Amendment resolves any misconceptions in relation to the unofficial Project "Areas" and "Area Representatives" and properly designates the Neighborhoods in connection with the functions of Neighborhood Representatives as more fully provided for in the Declaration.

6. This Amendment shall apply to and be recorded against the following real property, all located in Washington County, State of Utah:

See Exhibit "A" attached hereto and incorporated herein by this reference.

AMENDMENT

NOW, THEREFORE, the Declarant amends the Declaration as follows:

1. Phases 1A-1E, 2A, 2B, 3A, 3B, 4, 5A, 5B, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17A, 17B, 18, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 33, 34 of Sun River St. George are hereby divided into six (6) Neighborhoods (N1, N2, N3, N4, N5 and N6) according to the map attached hereto and incorporated herein as Exhibit "B".

2. Upon the recording of any future Phase within the area identified in Exhibit A or Exhibit B of the Declaration, said Phase, or any portion thereof, shall be deemed automatically included in the Neighborhood identified in the map attached hereto and incorporated herein as Exhibit "B"

Declarant hereby reserves all rights granted to it in the Declaration, including without limitation, the unilateral right to redesignate Neighborhood boundaries during the Development Period as more fully provided for in Section 3.4 of the Declaration.

DATED this 20 day of November, 2012.

DECLARANT:

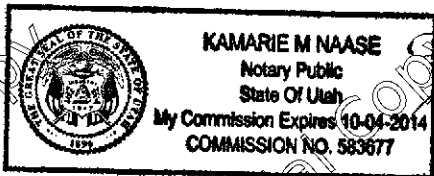
SUN RIVER ST. GEORGE DEVELOPMENT,
L.C., a Utah limited liability company

By: [Signature]
Darcy Stewart, Manager

STATE OF UTAH)

COUNTY OF WASHINGTON) ss:

On the 20th day of November, 2012, Darcy Stewart, being first duly sworn, deposes and says that he is a Manager of Sun River St. George Development, L.C., a Utah limited liability company; that he has read the foregoing Amendment and knows the contents thereof and that he signed the said document for its intended purpose under the authority given him by the operating agreement of such company or by special resolution of the members of such company.



[Signature]
Notary Public

EXHIBIT "A"

Legal Description

This Sixth Amendment to the Declaration of Covenants, Conditions, and Restrictions for Sun River St. George affects the following real property, all located in Washington County, State of Utah.

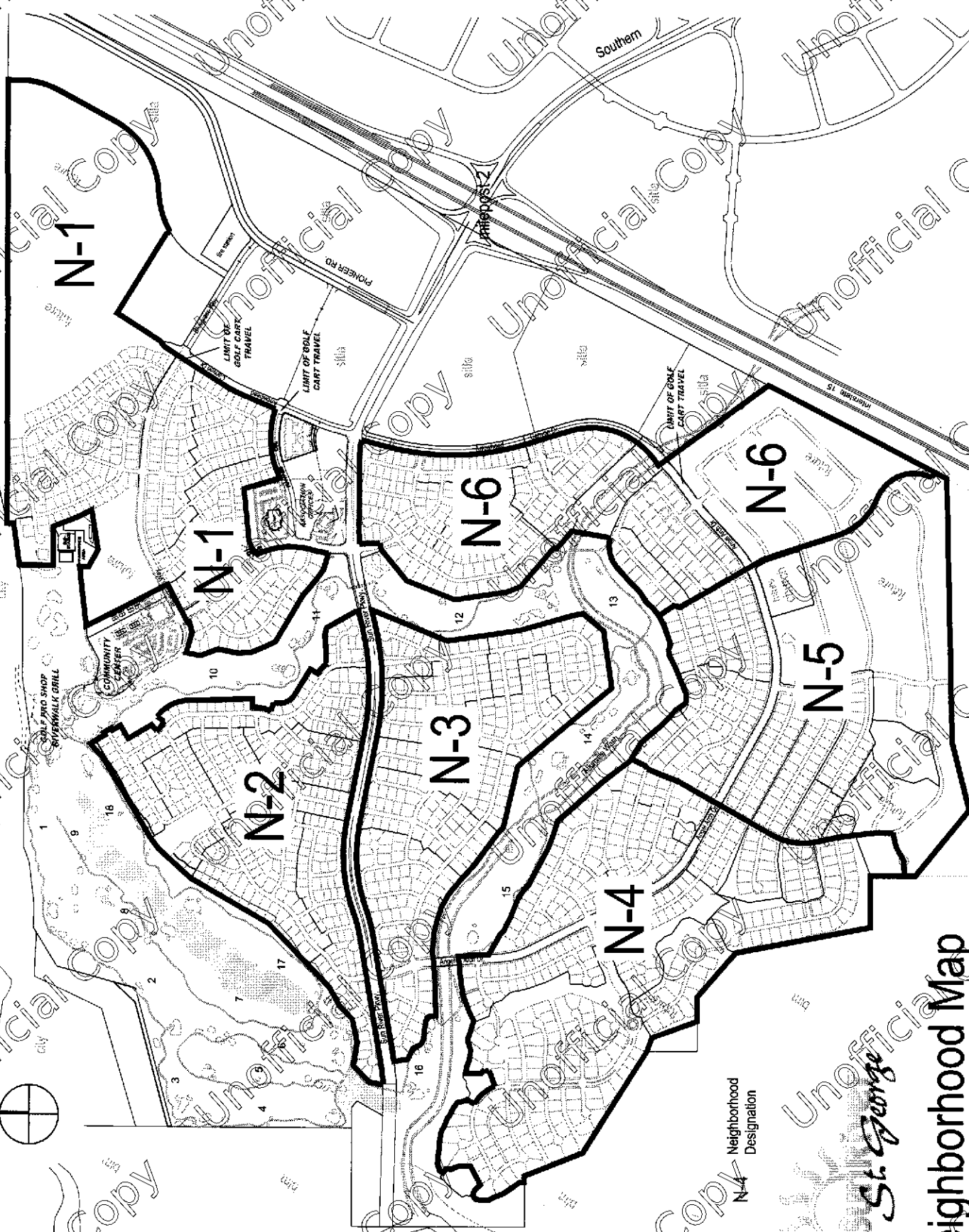
All of Phases 1 through 18, Phases 20 through 24, Phases 26 through 31, Phases 33 & 34 including any and all Common Area, as shown on the Official Plats, according to the official records of the Washington County Recorder.

<u>Phase</u>	<u>Lots</u>	<u>Tax ID Nos.</u>
1A	1-12	SG-SUR-1-1A-1-12
1B	14/15; 16-A-17-A 18-24; 25-A 27-80; 81-A 83-84; 85-A 86-87; 88-A-101-A 102-107	SG-SUR-1-1B-14/15; SG-SUR-1-1B-16-A-17A SG-SUR-1-1B-18-24; SG-SUR-1-1B-25-A SG-SUR-1-1B-27-80; SG-SUR-1-1B-81-A SG-SUR-1-1B-83-84; SG-SUR-1-1B-85-A SG-SUR-1-1B-86-87; SG-SUR-1-1B-88-A-101-A SG-SUR-1-1B-102-107
1C	252-293-295-296	SG-SUR-1-1C-252-293; SG-SUR-1-1C-295-296
1D	194-251	SG-SUR-1-1D-194-251
1E	108-146	SG-SUR-1-1E-108-146
2A	147-193	SG-SUR-2A-147-193
2B	442-449	SG-SUR-2B-442-449
3A	297-367; 368A; 370-371	SG-SUR-3A-297-367; SG-SUR-1-3A-368A; SG-SUR-3A-370-371
3B	372-441	SG-SUR-3B-372-441
4	450-497; 808-828	SG-SUR-4-450-497; SG-SUR-4-808-828
5A	498-513	SG-SUR-5A-498-513
5B	514-562	SG-SUR-5B-514-562
6	563-609	SG-SUR-6-563-609
7	610-650	SG-SUR-7-610-650
8	651-695	SG-SUR-8-651-695
9	696-739	SG-SUR-9-696-739
10	740-807	SG-SUR-10-740-807
11	829-875	SG-SUR-11-829-875
12	876-929	SG-SUR-12-876-929
13	1129-1155; 1157-1165 1167-1172; 1186-1188 1209-1211; 1226-1227 1232, 1235-1245	SG-SUR-13-1129-1155; SG-SUR-13-1157-1165 SG-SUR-13-1167-1172; SG-SUR-13-1186-1188 SG-SUR-13-1209-1211; SG-SUR-13-1226-1227 SG-SUR-13-1232; SG-SUR-13-1235-1245
14	1110-1128; 1166 1173-1185; 1189-1208 1212-1225; 1228-1231	SG-SUR-14-1110-1128; SG-SUR-14-1166 SG-SUR-14-1173-1185; SG-SUR-14-1189-1208 SG-SUR-14-1212-1225; SG-SUR-14-1228-1231

<u>Phase</u>	<u>Lots</u>	<u>Tax ID Nos.</u>
15	1233-1234	SG-SUR-14-1233-1234
16	930-1013	SG-SUR-15-930-1013
17A	1014-1109; 1019B	SG-SUR-16-1014-1109; SG-SUR-16-1019B
17B	1251-1285	SG-SUR-17A-12-51-1285
18	1286-1313	SG-SUR-17B-1286-1313
20	1314-1346	SG-SUR-18-1314-1346
21	1396-1437	SG-SUR-20-1396-1437
22	1347-1395	SG-SUR-21-1347-1395
23	1516-1530; 1531-A	SG-SUR-22-1516-1530; SG-SUR-22-1531-A
24	1532-1555	SG-SUR-22-1532-1555
25	1556-1586	SG-SUR-23-1556-1586
26	1587-1627	SG-SUR-24-1587-1627
27	1628-1666	SG-SUR-26-1628-1666
28	1246-1250	SG-SUR-27-1246-1250
29	1438-1479	SG-SUR-28-1438-1479
30	1726-1741	SG-SUR-29-1726-1741
31	A; 1480-1515	SG-SUR-30-A; SG-SUR-30-1480-1515
32	1722-1725	SG-SUR-30-1711-1725
33	1742-787	SG-SUR-31-1742-1787
34	1788-1808	SG-SUR-33-1788-1808
	1809-1826	SG-SUR-34-1809-1826

EXHIBIT "B"

Neighborhoods Map



Neighborhood Designation



Neighborhood Map

11-21-12