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ADAM GARDINER
Recorder, Salt Lake County, UT
PROVO LAND TITLE COMPANY
BY: eCASH, DEPUTY - EF 4 P.

**SECOND AMENDMENT TO THE
DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR MOUNTAIN HEIGHTS AT ROSECREST**

This Second Amendment to the Declaration of Easements, Covenants, Conditions, and Restrictions for Mountain Heights at Rosecrest (the "Second Amendment") is executed and adopted by Wasatch Land Company (the "Declarant").

RECITALS

A. The Declaration of Easements, Covenants, Conditions, and Restrictions was recorded on September 9, 2014 as Entry No. 11910505 in the office of the Salt Lake County Recorder (the "Declaration"). The Bylaws of Mountain Heights at Rosecrest ("Bylaws") were attached as Exhibit B to the Declaration.

B. The First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions Mountain Heights at Rosecrest was recorded on July 19, 2016 as Entry No. 12323598 in the office of the Salt Lake County Recorder.

C. This Second Amendment affects the real property located in Salt Lake County, State of Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated herein by reference.

D. The Declarant desires to amend the Declaration and its corresponding Bylaws as set forth in this Second Amendment to clarify the Declarant's authority to amend all of the governing documents of the Association and to modify the Association's quorum requirement.

E. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration and Bylaws.

F. Pursuant to Article XIV, Section 14.3 of the Declaration, the Declarant has the unilateral right to amend the Declaration as the owner of one or more Lots in the Association as of the date of this recording.

AMENDMENTS

NOW, THEREFORE, in consideration of the foregoing Recitals, the Declarant hereby executes this Second Amendment, which shall be effective as of its recording date with the Salt Lake County Recorder's office.

(1) **Amendment No. 1.** The last sentence in Article XIV, Section 14.3 of the Declaration shall be deleted in its entirety and shall be replaced by the following sentence:

As long as Declarant owns any Lot, the Declarant shall have the unilateral right to amend any or all of the governing documents of the Association, including, but not limited to, the Declaration, Bylaws, Plat, Articles, and Rules.

(2) **Amendment No. 2.** Article II, Section 6 of Exhibit B of the Declaration shall be deleted in its entirety and shall be replaced by the following:

6. **Quorum.** At any Owner meeting properly noticed as provided these Bylaws, the number of Owners present, either in person or by proxy shall constitute a quorum for the transaction of business.

(3) **Conflicts.** All remaining provisions of the Declaration and Bylaws and any prior amendments not specifically amended in this Second Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration and Bylaws or any prior amendments, the provisions of this document shall in all respects govern and control.

(4) **Incorporation and Supplementation of Declaration and Bylaws.** This document is supplemental to the Declaration and Bylaws, which by reference are made a part hereof, and all the terms, definitions, covenants, conditions, restrictions, and provisions thereof, unless specifically modified herein, are to apply to this document and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

IN WITNESS WHEREOF, Declarant has executed this Second Amendment this 16th day of July, 2018.

Wasatch Land Company, Inc.
A Utah corporation

By: Steve Maddox

Its: Manager

State of Utah)
) ss.
County of Utah)

On the 16 day of July, 2018, personally appeared before me Steve Maddox who by me being duly sworn, did say that she/he is an authorized representative of Wasatch Land Company, Inc., and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Notary Public Shelley King

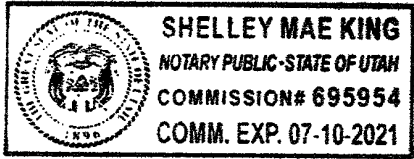


EXHIBIT A
Legal Description

All of **M3 at Rosecrest, Phase 1**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 11899427, in Book 2014P at Page 212.

Including Parcel Numbers:

32122770070000	32122770110000	32122770150000	32122770190000	32122770230000
32122770080000	32122770120000	32122770160000	32122770200000	32122770240000
32122770090000	32122770130000	32122770170000	32122770210000	32122770250000
32122770100000	32122770140000	32122770180000	32122770220000	

All of **Mountain Heights at Rosecrest, Phase 2**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 11944474, in Book 2014P at Page 282.

Including Parcel Numbers:

32122770260000	32122770330000	32122770400000	32122810040000	32122810100000
32122770270000	32122770340000	32122770410000	32122810050000	32122810110000
32122770280000	32122770350000	32122770520000	32122810060000	32122810120000
32122770290000	32122770360000	32122800010000	32122810070000	32122810130000
32122770300000	32122770370000	32122800020000	32122810080000	32122810140000
32122770310000	32122770380000	32122800030000	32122810090000	32122820010000
32122770320000	32122770390000	32122800040000		

All of **Mountain Heights at Rosecrest, Phase 3**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 12032264, in Book 2015P at Page 96.

Including Parcel Numbers:

32122770430000	32122770480000	32122830010000	32122840030000	32122850040000
32122770440000	32122770490000	32122830020000	32122840040000	32122850050000
32122770450000	32122770500000	32122830030000	32122850010000	32122850060000
32122770460000	32122770510000	32122840010000	32122850020000	32122850070000
32122770470000	32122820040000	32122840020000	32122850030000	

All of **Mountain Heights at Rosecrest, Phase 4**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 12130243, in Book 2015P at Page 213.

Including Parcel Numbers:

32122800050000	32122800110000	32122810220000	32122810280000	32122820090000
32122800060000	32122800120000	32122810230000	32122810290000	32122820100000
32122800070000	32122800130000	32122810240000	32122820050000	32122820110000
32122800080000	32122810190000	32122810250000	32122820060000	32122820120000
32122800090000	32122810200000	32122810260000	32122820070000	32122820130000
32122800100000	32122810210000	32122810270000	32122820080000	32122820140000

All of **Mountain Heights at Rosecrest, Phase 5**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 12130244, in Book 2015P at Page 214.

Including Parcel Numbers:

32122800140000	32122800190000	32122800240000	32122820170000	32122820210000
32122800150000	32122800200000	32122800250000	32122820180000	32122820220000
32122800160000	32122800210000	32122800260000	32122820190000	32122820230000
32122800170000	32122800220000	32122820150000	32122820200000	32122820240000
<u>32122800180000</u>	32122800230000	32122820160000		

All of **Mountain Heights at Rosecrest, Phase 6**, according to the official plat on file in the office of the Salt Lake County Recorder, Entry No. 12186671, in Book 2015P at Page 285.

Including Parcel Numbers:

32122800270000	32122800320000	32122800370000	32122840080000	32122840130000
32122800280000	32122800330000	32122800380000	32122840090000	32122840140000
32122800290000	32122800340000	32122840050000	32122840100000	32122840150000
32122800300000	32122800350000	32122840060000	32122840110000	32122840160000
32122800310000	32122800360000	32122840070000	32122840120000	32122840170000