

Entry 2011001586  
Book 1225 Page 366-~~369~~ \$139.00  
02-MAR-11 03:57  
RANDY SIMMONS  
RECORDER, UINTAH COUNTY, UTAH  
BASIN LAND TITLE AND ABSTRACT INC  
335 W. 50 N. #E-7 VERNAL, UT 84078  
Rec By: HEATHER COON , DEPUTY

Entry 2011001586  
Book 1225 Page 366

---

SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS  
OF  
SUNBURST TERRACE PLANNED UNIT DEVELOPMENT

THIS SECOND AMENDMENT TO THE DECLARATION is made and entered into this 1st day of March, 2011, by Sunburst Terrace Home Owners Association as "Declarant" of the Development.

RECITALS

- A. Whereas, Declarant has heretofore caused to be recorded on November 14, 2005, in Book 950 at Page 397 of the records of the Uintah County Recorder's Office, a Declaration of Covenants Conditions and Restrictions of Sunburst Terrace Planned Unit Development, hereinafter referred to as the "Declaration";
- B. Whereas, The Declaration having been amended by the First Amendment thereto on January 04, 2007, Entry Number 2007000109, Book 1011, Page 1-18;
- C. Whereas, Valley Mortgage, Inc., a Colorado Corporation ("Valley Mortgage"), being the original Declarant, abandoned the Development, and on May 29, 2009, the Honorable Herbert L. Stern III entered an Order appointing a Receiver to take immediate control over the assets of the Valley Entities including Valley Mortgage (Case No. 09CVS332, Denver District Court, and On April 19, 2010, the Valley Entities filed a Chapter 11 petition in the United States Bankruptcy Court for the District of Colorado (Case No. 10-19101-SBB) to obtain bankruptcy protection; and
- D. Whereas, pursuant to the provisions of the Declaration The Association has full authority, as Declarant to Amend the Declaration pursuant to the provisions therein; and

- E. Whereas, the Owners and Members of the Association, through the Board of Directors, desire to amend certain provisions of the Declaration relating to, among other things: (1) provide for a new entity to act as the Association, (2) allow Lot 40 to be sold; (3) accomplish other certain objectives in settlement with Valley Mortgage; and (4) otherwise amend the Declaration in accordance with the Association's goals and objectives as approved by the Owners.

PROPERTY

From and after recording of this Amendment, the Declaration shall remain in full force and effect with respect to the following Property:

*See Exhibit A attached hereto.*

NOW THEREFORE, Declarant hereby amends and declares as follows:

1. Association's Name. Beginning on July 1, 2010, The Association shall mean and refer to the Sunburst Terrace Home Owners Association, a Non-profit Domestic Utah Corporation.
2. Amendment Allowing Sale of Property Without Garage. Article VI, Section 8, Residential Building Site, shall be amended by inserting the following paragraph in place of the last sentence of the Section immediately following "... (2) building sites."
  - a. Each building site shall contain a two (2) car garage, which structure may be attached or detached from the Dwelling Unit except as specifically provided for in subparagraphs (b) below;
  - b. That certain Unit with a property description of Lot 40 of SUNBURST TERRACE PLANNED UNIT DEVELOPMENT ("Exempt Unit") that is currently owned by Rachel Pinkham or is being purchased by the same (hereinafter referred to as "Current Owner") shall be exempt from the restriction and requirement in paragraph 2 (a) above.
3. Full Force and Effect. The Declaration, as amended by this Amendment, shall continue in full force and effect. Any reference to the Declaration in any document shall be deemed to include this Amendment, unless the context clearly requires otherwise.

IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the above effective date.

**DECLARANT:**

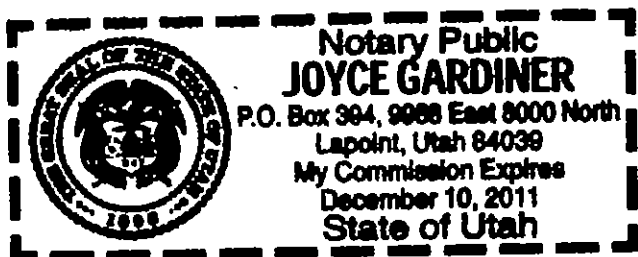
Sunburst Terrace Home Owners Association  
a Utah Non-profit Corporation



By: Claude Corthran  
President

STATE OF UTAH                    )  
                                  ) UTAH                    :ss.  
COUNTY OF ~~SAN JUAN~~        )

On the 1st day of March 2011, personally appeared before me Claude Corthran, whose identity is personally known to me on the basis of satisfactory evidence and who by me duly sworn, did say that said document was signed by him in behalf of the Sunburst Terrace Home Owners Association by authority of its bylaws and said Claude Corthran acknowledged to me that said Association executed the same.



  
\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT A**  
**TO THE**  
**SECOND AMENDMENT TO THE**  
**DECLARATION OF COVENANTS**  
**CONDITIONS AND RESTRICTIONS**  
**OF**  
**SUNBURST TERRACE PLANNED UNIT DEVELOPMENT**

**LEGAL DESCRIPTION OF LAND SUBJECT TO DECLARATION**

Note to recorder, clerk and title examiners: From and after the date of the recording of this Amendment, the following property shall be subject to the Declaration, as amended by this Amendment:

Lots 1 through 122, inclusive, of SUNBURST TERRACE PLANNED UNIT DEVELOPMENT

---

The following Parcel Numbers are being provided as a convenience for the County Recorder's Office only:

05-108-0201	05-108-0226	05-108-0251	05-108-0276	05-108-0301
05-108-0202	05-108-0227	05-108-0252	05-108-0277	05-108-0302
05-108-0203	05-108-0228	05-108-0253	05-108-0278	05-108-0303
05-108-0204	05-108-0229	05-108-0254	05-108-0279	05-108-0304
05-108-0205	05-108-0230	05-108-0255	05-108-0280	05-108-0305
05-108-0206	05-108-0231	05-108-0256	05-108-0281	05-108-0306
05-108-0207	05-108-0232	05-108-0257	05-108-0282	05-108-0307
05-108-0208	05-108-0233	05-108-0258	05-108-0283	05-108-0308
05-108-0209	05-108-0234	05-108-0259	05-108-0284	05-108-0309
05-108-0210	05-108-0235	05-108-0260	05-108-0285	05-108-0310
05-108-0211	05-108-0236	05-108-0261	05-108-0286	05-108-0311
05-108-0212	05-108-0237	05-108-0262	05-108-0287	05-108-0312
05-108-0213	05-108-0238	05-108-0263	05-108-0288	05-108-0313
05-108-0214	05-108-0239	05-108-0264	05-108-0289	05-108-0314
05-108-0215	05-108-0240	05-108-0265	05-108-0290	05-108-0315
05-108-0216	05-108-0241	05-108-0266	05-108-0291	05-108-0316
05-108-0217	05-108-0242	05-108-0267	05-108-0292	05-108-0317
05-108-0218	05-108-0243	05-108-0268	05-108-0293	05-108-0318
05-108-0219	05-108-0244	05-108-0269	05-108-0294	05-108-0319
05-108-0220	05-108-0245	05-108-0270	05-108-0295	05-108-0320
05-108-0221	05-108-0246	05-108-0271	05-108-0296	05-108-0321
05-108-0222	05-108-0247	05-108-0272	05-108-0297	05-108-0322
05-108-0223	05-108-0248	05-108-0273	05-108-0298	
05-108-0224	05-108-0249	05-108-0274	05-108-0299	
05-108-0225	05-108-0250	05-108-0275	05-108-0300	