

SECOND AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
MILL POND PUD "G"

THIS SECOND AMENDMENT to Declaration of Covenants, Conditions  
and Restrictions is made and executed this 11th day of  
April, 1978.

WITNESSETH:

WHEREAS, a Declaration of Covenants, Conditions and Restrictions,  
Mill Pond PUD "G" (A Planned Unit Development of Stansbury Park, Utah),  
hereinafter referred to as the "Declaration," which concerned the following-  
described real property, was dated August 28, 1972 and was recorded in the  
Office of the County Recorder, Tooele County, State of Utah, on September 15,  
1972. The Declaration concerned the following real property which was located  
in Tooele County, State of Utah:

Mill Pond PUD "G", Planned Unit  
Development, Stansbury Park,  
according to the official subdivision  
plat map thereof on file in the Office  
of the County Recorder, Tooele County,  
State of Utah;

and which is more particularly described as:

Beginning on the southwesterly line  
of Mill Pond Boulevard at a point  
N 10° .04'51" E 927.38 ft. from the  
west quarter corner of Section T2S,  
R4W, Salt Lake Base and Meridian,  
Tooele County, Utah; which point  
is a 40 ft. perpendicular distance  
from the centerline of said Boulevard,  
and running thence S 45°13' E 296.00  
ft. to point of curvature to a 915 ft.  
radius curve to the left. thence south-  
easterly along said curve for an arc  
distance of 305.65 ft. (central angle =  
19°08'22"), thence S 44°47' W 516 ft.,

No. 329398  
RECORDED AT THE REQUEST OF Jensen  
DATE MAR 1 1979 TIME 8:40 a.m.  
BOOK 169 OF RECORDS PAGE 103 FEE 116.50  
DONNA S. MCKENDRICK, TOOELE COUNTY RECORDER  
Tooele County Recorder  
DONNA S. MCKENDRICK

more or less to the meander line of the Mill Pond, thence northwesterly along the meander line of the Mill Pond, thence northwesterly along the meander line 640 ft. more or less to a point S 44°47' W of point of beginning, thence N 44°47' E 635 ft. more or less to point of beginning, containing 7.7 acres, more or less

; and,

WHEREAS, such Declaration was amended by the recording of an Amendment to Declaration of Covenants, Conditions and Restrictions, Mill Pond PUD "G" (A Planned Unit Development of Stansbury Park, Utah), herein after referred to as the "Amendment," dated March 8, 1973, and recorded on March 27, 1973 in the Office of the County Recorder, Tooele County, State of Utah, which Amendment, in part, modified the description of the above-described real property to read as follows:

Mill Pond PUD "G" Amended, Planned Unit Development, Stansbury Park, Utah, according to the Official plat map thereof on file in the office of the County Recorder, Tooele County, Utah,

(the more particularly described metes and bounds description remaining unchanged); and,

WHEREAS, it is the desire of the parties which presently own such above-described real property to amend further the Declaration and the Amendment pursuant to the provisions of Article X, Section 3 of the Declaration, which provisions provide for the amendment of the Declaration during its first twenty (20) year period by the recording of "an instrument signed by not less than ninety percent (90%) of the Lot Owners;" and,

WHEREAS, there are attached to this Second Amendment to the Declaration the notarized signatures of at least ninety percent (90%) of the present Mill Pond PUD "G" lot owners,

NOW THEREFORE, pursuant to the provisions of Article X, Section 3, of the Declaration of Covenants, Conditions and Restrictions, Mill Pond PUD "G" (A Planned Unit Development of Stansbury Park, Utah), such Declaration is hereby amended to read as follows:

1. The first Recital Clause of said Declaration is hereby amended to read as follows:

WHEREAS, Declarant is the owner of certain real property in the County of Tooele, State of Utah, which is described as:

Mill Pond PUD "G", Second Amendment, Planned Unit Development, Stansbury Park, Utah, according to the official plat map thereof on file in the Office of the County Recorder, Tooele County, Utah,

and which is more particularly described as:

Beginning on the southwesterly line of Stansbury Parkway at a point  $N10^{\circ}04'51''E$ , 927.38 ft. from the west quarter corner of Section 15, T.2S., R.4W., S.L.B. & M., Tooele County, Utah; which point is a 40 ft. perpendicular distance from the centerline of Stansbury Parkway, and running thence  $S45^{\circ}13'E$ , 296.00 ft. to point of curvature to a 915 ft. radius curve to the left; thence southeasterly along said curve for an arc distance of 305.65 ft. (central angle =  $19^{\circ}08'22''$ ); thence  $S44^{\circ}47'W$ , 380.74 ft.; thence  $S45^{\circ}13'E$ , 50.00 ft.; thence  $S44^{\circ}47'W$ , 115.00 ft. more or less to the meander line of the Mill Pond; thence northwesterly along the meander line 720 ft. more or less; thence  $N44^{\circ}47'E$ , 210.00 ft. more or less; thence  $S45^{\circ}13'E$ , 30.00 ft.; thence  $N44^{\circ}47'E$ , 423.36 ft. to point of beginning (containing approximately 7.9 acres).

2. Article I, Section 3, of said Declaration is hereby amended to read as follows:

Section 3. "Common Area" shall mean and refer to all areas of real property shown on the recorded plat map of the Properties and intended for and dedicated to the common use and enjoyment of the homeowners therein, which common area is more particularly described as:

Mill Pond PUD "G", Second Amendment, Planned Unit Development, Stansbury Park, according to the official subdivision plat map thereof on file in the Office of the County Recorder, Tooele County, State of Utah, but excepting therefrom those lots identified as Numbers 1 through 68 inclusive and all street areas dedicated to said Tooele County according to said official plat map.

3. All provisions of the Declaration of Covenants, Conditions and Restrictions not specifically amended herein shall remain as presently stated in said Declaration or as amended in the Amendment to the Declaration of Covenants, Conditions and Restrictions, if therein amended.

4. This Second Amendment to the Declaration of Covenants, Conditions and Restrictions may be executed in multiple counterparts by the attachment hereto of signed and notarized Attachments A, which Attachments are hereby incorporated by reference; the execution of such Attachments A shall be deemed to be the execution of this Second Amendment of Protective Covenants. Attachments A attached hereto, having the notarized signatures of the owners of at least sixty-two (62) townhome and quadrominium units (of the total of sixty-eight (68) units) shall be sufficient to meet the amendment signature requirement of Article X, Section 3 of the Declaration.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date first above written.

*April 11*, 1978  
APPROVED AS TO FORM  
TERRACON LEGAL DEPARTMENT  
BY *[Signature]*





































ATTACHMENT A

(Individual)

STATE OF UTAH )  
                  ) : ss.  
COUNTY OF TOOELE )

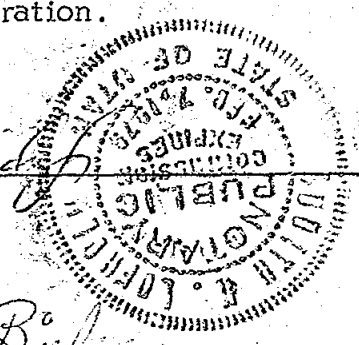
On the 3<sup>rd</sup> day of Feb, 1978,

personally appeared before me John S Bird and  
Sarah Bird, who, as owner(s) of Lot 62,

Mill Pond PUD "G" Amended, stated that he is/are authorized to execute  
this Attachment A in behalf of all owners of said lot and hereby consent(s)  
to the Second Amendment to the Declaration of Covenants, Conditions and  
Restrictions to which this instrument is attached, and that he is/are  
hereby executing said Second Amendment to the Declaration.

John S Bird

Sarah A. Bird



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal this 3<sup>rd</sup> day of Feb, 1978.

Judith K Lofholm  
Notary Public

My Commission Expires:  
Feb 7, 1979

Residing At:  
Starbury Park





































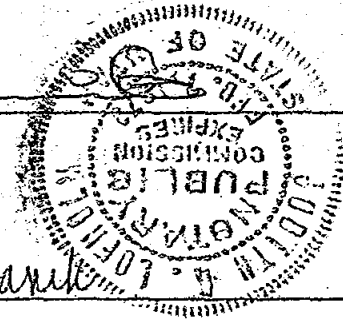
ATTACHMENT A

(Individual)

STATE OF UTAH )  
: ss.  
COUNTY OF TOOELE )

On the 4<sup>th</sup> day of Feb, 1978,  
personally appeared before me Joe Urbanik and  
Vicky Urbanik, who, as owner(s) of Lot 9,  
Mill Pond PUD "G" Amended, stated that ~~they is~~ are authorized to execute  
this Attachment A in behalf of all owners of said lot and hereby consent(s)  
to the Second Amendment to the Declaration of Covenants, Conditions and  
Restrictions to which this instrument is attached, and that ~~they is~~ are  
hereby executing said Second Amendment to the Declaration.

[Signature]  
Victoria Urbanik



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal this 4<sup>th</sup> day of Feb, 1978.

Judith K Walsh  
Notary Public

My Commission Expires:  
Feb 7, 1979

Residing At:  
Starobay Park































