

WHEN RECORDED RETURN TO:  
The Law Offices of Kirk A. Cullimore  
644 East Union Square  
Sandy, UT 84070

**AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS FOR  
BULL RIVER PLANNED COMMUNITY, A PLANNED UNIT DEVELOPMENT**

This Amendment to the Declaration of Covenants, Conditions, and Restrictions is made this 23 day of April, 2008 by Bull River Property Owners Association (the "Association").

RECITALS

A. The Declaration of Covenants, Conditions, and Restricitons was recorded in the Utah County Recorders Office as Entry 43182:1977, as amended and supplemented (the "Declaration").

B. This amendment shall amend the Declaration as noted below and shall apply to the lands described in Exhibit "A" and shall be binding against all of the property described in the Declaration and any annexation, expansion or supplement thereto;

C. The Association desires to change various provisions in the Declaration to provide a modern and more workable legal environment for the community;

D. Pursuant to Article XV, Section 3 of the Declaration, the Association has obtained the affirmative vote or written consent of at least seventy-five percent (75%) of the Owners.

**NOW, THEREFORE**, the Association hereby amends the following sections of the Declaration, to read as follows:

**Article III, Section K, 1<sup>st</sup> Sentence shall be amended to read as follows, the remainder of the Section shall remain the same:**

K. VOTING RIGHTS: With respect to exercising any and all voting rights in the affairs of the Association or as provided in this Declaration, an Owner of each Lot shall have one (1) vote for each full Lot he owns as reflected upon the records of the Utah County Recorder.

**Article VIII, Section 9 shall be amended in its entirety to read as follows:**

SECTION 9. NOTIFICATION OF ARCHITECTURAL REVIEW. The chairman of the Architectural Committee shall notify owners of adjoining property and property immediately opposite on the same street when building or remodeling plans are submitted to the committee

for approval. Such notification shall be made at least ten days prior to the committee's action on said plans, and the comments and suggestions of neighbors shall be considered by the committee.

**Article X, Section 9, 1<sup>st</sup> Paragraph shall be amended to read as follows, the remainder of the Section shall remain the same:**

SECTION 9. TRASH COLLECTION AND BURNING POLICIES. Open fires are permitted only on county-approved burn days or on days when a permit can be obtained; all fires must be closely monitored by a responsible adult with adequate resources immediately available to put the fire out quickly; no fires are permitted which pose a threat to the property of others or which produce offensive odors or dark clouds of smoke; the burning of wet trash or garbage is prohibited; open fire barbeque pits must be approved by the Architectural Committee; and except in burn areas approved by the Committee, fire debris must be buried or removed within seven days.

**Article X, Section 13, 1<sup>st</sup> Sentence shall be amended to read as follows, the remainder of the Section shall remain the same:**

SECTION 13. LOT ILLUMINATION. Yard or porch lights for illuminating one's own yard, lot or porch all night may not be excessively bright; i.e., may not intrude on the privacy of neighbors or unduly intrude on their views.

**Article X, Section 16, 2<sup>nd</sup> Paragraph shall be amended to read as follows, the remainder of the Section shall remain the same:**

Planting of indigenous trees and shrubs is encouraged. Planting a preponderance of non-indigenous trees and shrubs in areas open to view from roads and common areas must be approved by the Architectural and Landscape Committee.

**Article X, Section 17, 3<sup>rd</sup> Sentence shall be amended to read as follows, the remainder of the Section shall remain the same:**

The Board of Trustees shall be the judge of whether a vehicle is excessively noisy.

**Article XV, Section 1, Paragraph f shall be amended in its entirety to read as follows:**

(f) Penalty for Non-Compliance. After fifteen (15) days' written notice of a violation of the Protective Covenants, a \$50 penalty shall be automatically assessed any property owner who has not remedied the violation.

*[Note: The Amended Declaration Article V (g) also states that after 15 days notice the association may "enter upon any Lot, for the purpose of enforcing by peaceful means the provisions of this Declaration, or for the purpose of maintaining or repairing any such area" and "institute any and all proceedings necessary to enforce this Declaration." ]*

IN WITNESS WHEREOF, the Board of Trustees has executed this Amendment to the

Declaration in accordance with Article XV, Section 3 of the Declaration.

**BULL RIVER PROPERTY OWNERS ASSOCIATION**

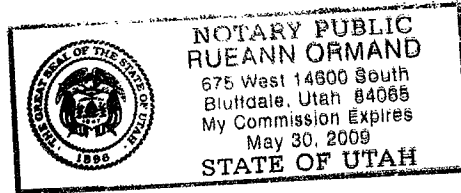
By: Kevin Maag  
Its: President

By: Michael Kasky  
Its: Secretary

STATE OF UTAH            )  
  :SS  
County of Utah            )

On the 23<sup>rd</sup> day of April 2008, personally appeared Kevin Maag and Michael Kasky who, being first duly sworn, did that say that they are the president and secretary of the Association, and that this instrument was signed on behalf of said Association by authority of its Members; and acknowledged said instrument to be their voluntary act and deed.

Rueann Ormand  
Notary Public for Utah



**EXHIBIT A**  
**Legal Description**

All of Lots 1, 3, 4, 5, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 40, 41, 45, 57, 58 Bull River Planned Community PUD as shown on the Plat in the Utah County Recorders Office.

Parcel Nos: 35:052:0001, 35:052:0003, 35:052:0004, 35:052:0005, 35:052:0007, 35:052:0008, 35:052:0009, 35:052:0013, 35:052:0014, 35:052:0015, 35:052:0016, 35:052:0017, 35:052:0018, 35:052:0019, 35:052:0020, 35:052:0021, 35:052:0022, 35:052:0023, 35:052:0024, 35:052:0025, 35:052:0026, 35:052:0027, 35:052:0028, 35:052:0031, 35:052:0032, 35:052:0033, 35:052:0040, 35:052:0041, 35:052:0045, 35:052:0057, 35:052:0058, 35:052:0060

All of Lots 34 A through F Bull River Planned Community PUD, Plat B, as shown on the Plat in the Utah County Recorders Office.

All of Lots 35 A through D Bull River Planned Community PUD, Plat C, as shown on the Plat in the Utah County Recorders Office

All of Lots 12 A through C Bull River Planned Community PUD, Plat D, as shown on the Plat in the Utah County Recorders Office.

All of Lots 1 and 2 Bull River Planned Community PUD, Plat E, as shown on the Plat in the Utah County Recorders Office.

All of Lot 11 Bull River Planned Community PUD, Plat F, as shown on the Plat in the Utah County Recorders Office.