

Upon recording please return to:
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SunCor Development Company
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00729062 Bk 1418 Ps 2768
RUSSELL SHIRTS * WASHINGTON CO RECORDER
2001 JUL 25 13:55 PM FEE \$14.00 BY RS
FOR: SUNCOR DEVELOPMENT CO

Cross-reference: Book 1396
Page 1623

**AMENDMENT TO THE
DECLARATION OF ANNEXATION
PETROGLYPHS OF CORAL CANYON PHASE 1**

THIS AMENDMENT TO THE DECLARATION OF ANNEXATION is made this 25
day of July 2001, by SUNCOR DEVELOPMENT COMPANY, an Arizona corporation
and the STATE OF UTAH, acting through the SCHOOL AND INSTITUTIONAL TRUST
LANDS ADMINISTRATION ("Declarant"), with reference to the following:

WITNESSETH

WHEREAS, Declarant executed and caused to be recorded that certain Residential
Declaration of Covenants, Conditions and Restrictions for Coral Canyon dated Mach 1, 2000 and
recorded on March 21, 2000 as Instrument No. 00679603, in Book 1363, Page 1079, *et seq.* in
the records of the Washington County Recorder, Utah (the "Declaration"); and

WHEREAS, pursuant to the terms of such Declaration, Declarant executed and caused to
be recorded that certain Declaration of Annexation Petroglyphs of Coral Canyon dated February
20, 2001 and recorded on February 22, 2001 as Instrument No. 00711819, in Book 1396, Page
1623, *et seq.* in the records of the Washington County Recorder, Utah (the "Petroglyphs
Declaration"); and

WHEREAS, the Pertoglyphs Declaration is a Tract Declaration, as defined in the
Declaration; and

WHEREAS, pursuant to Section 3 of the Petroglyphs Declaration, the Petroglyphs
Declaration may only be amended as provided in Article 11, Sections 11.2 of the Declaration,
and

WHEREAS, pursuant to Section 11.2 of the Declaration, at any time, Declarant shall
have the right to amend any Tract Declaration to correct any error or inconsistency if the
amendment does not adversely affect the rights of any Owner (as defined in the Declaration); and

WHEREAS, the Petroglyphs Declaration was recorded without listing any land use
classifications, as required in the Declaration; and

WHEREAS, Declarant desires to amend the Petroglyphs Declaration to add land use

classifications to make it consistent with the terms of Section 3.2 of the Declaration; and

WHEREAS, such amendment does not adversely affect the rights of any Owner.

NOW THEREFORE, pursuant to the powers retained by the Declarant under the Declaration, the Petroglyphs Declaration is hereby amended by appending the following new Section 5:

5. Land Use Classification. The permitted land use classification within the Property is **Cluster Residential**. However, that certain portion of the Property identified as "Common Area" on that certain Final Plat for Petroglyphs of Coral Canyon recorded as Entry No. 711818 on February 22, 2001 in Book 1396, Page 1622 and 1623 in the office of the Washington County Recorder, Utah shall be designated as **Subsidiary Common Area** for the benefit of the owners of Lots (as defined in the Declaration) within the Property.

IN WITNESS WHEREOF, the Declarant hereby executes this Amendment, as evidenced by the signatures below.

Declarant: SUNCOR DEVELOPMENT COMPANY,
an Arizona corporation

By: *DSB*

Its: V.P.

Declarant: THE STATE OF UTAH, ACTING THROUGH
THE SCHOOL AND INSTITUTIONAL TRUST
LANDS ADMINISTRATION

Approved as to Form
Mark L. Shurtleff
ATTORNEY GENERAL

By: *[Signature]*

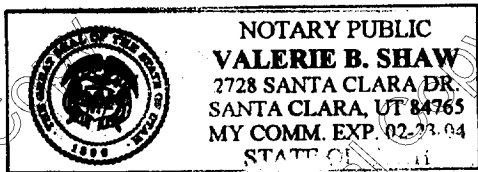
By: *[Signature]*

Its: Acting Director

STATE OF UTAH)
) ss.
County of Washington)

The foregoing instrument was acknowledged before me this 25 day of July, 2001, by Duane Black the V. P. of SUNCOR DEVELOPMENT COMPANY, an Arizona corporation, for and on behalf of the corporation.

Valerie B. Shaw
Notary Public



My commission expires: _____

[Acknowledgment follows on next page]

STATE OF UTAH)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 20 day of July, 2001, by Kevin Carter the Acting Director of THE STATE OF UTAH, ACTING THROUGH THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION, for and on behalf of the State of Utah, School and Institutional Trust Lands Administration.

Peggy L. Critchlow
Notary Public

My commission expires: 5-1-2004

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