

1-46
Unofficial Copy
DOC # 20190039230

Amended Restrictive Covenants
Russell Shirts Washington County Recorder
09/26/2019 10:05:30 AM Fee \$ 132.00
By JENKINS & BAGLEY

Page 1 of 5



Recorded at the request of:
Sun River St. George Community Association, Inc.

Record against the Property
described in Exhibit A

After Recording mail to:
JENKINS BAGLEY, PLLC
Attn: Bruce C. Jenkins
285 W. Tabernacle, Ste. 301
St. George, UT 84770

**FIRST AMENDMENT TO THE CORRECTED SECOND RESTATED AND AMENDED
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUN
RIVER ST. GEORGE**

As more particularly stated herein, this First Amendment to the Corrected Second Restated and Amended Declaration of Covenants, Conditions, and Restrictions for Sun River St. George (hereinafter "Amendment"), amends the following:

- (i) The Corrected Second Restated and Amended Declaration of Covenants, Conditions, and Restrictions for Sun River St. George was recorded in the records of the Washington County Recorder's Office, Washington County, Utah, Doc. # 20160044333, dated November 21, 2016.
- (ii) Any and all supplements or amendments to the Declaration prior to the date of this Amendment, whether or not such were recorded in the records of the Washington County Recorder (the foregoing are collectively referred to herein as the "Declaration").

This Amendment is undertaken pursuant to Article XVI, Section 16.2 of the Declaration which provides that the Declaration may be amended only by the affirmative vote or written consent, or any combination thereof, of sixty-seven percent (67%) of the total of those who vote, provided that, at least forty percent (40%) of the total votes in the Association are cast. This Amendment shall take effect upon the date it is recorded in the records of the Washington County Recorder (the "Amendment Date"). All of the Property known as "Sun River" (described in Exhibit A attached hereto and made a part hereof) shall be held, sold, and conveyed subject to the Declaration as amended by this Amendment.

Article III, Section 3.3

The following amends, wholly replaces, and substitutes for Section 3.3 of Article III in the Declaration:

3.3. Voting. The Association shall have one class of membership composed of all Owners. Each Owner shall have one (1) equal vote for each Lot in which it holds the interest required for membership under Section 3.2, provided there shall be only one (1) vote per Lot and

no vote shall be exercised for any property which is exempt from assessment under Section 8.13.

The Special Declarant Rights, including the right to approve, or withhold approval of, actions proposed under the Second Restated and Amended Declaration, the Second Amended and Restated By-Laws and the Articles during the Declarant Board Control Period, are specified in the relevant sections of the Second Restated and Amended Declaration, the Second Amended and Restated By-Laws, and the Articles. The Declarant may appoint a majority of the members of the Board during the Declarant Board Control Period, as specified in Section 3.3 of the By-Laws.

Members may vote directly, by ballot, or by proxy as provided in the By-Laws. The Board shall determine whether votes shall be cast in person or by mail or electronic means. If there is more than one (1) Owner of a particular Lot, a vote cast at any Association meeting by any of such co-owners, whether in Person, by ballot, or by proxy, shall be conclusively presumed to be the vote attributable to the Lot concerned unless written objection is made prior to said meeting, or verbal objection is made at said meeting, by another co-Owner of the same Lot. In the event an objection is made, the vote involved shall not be counted for any purpose except to determine whether a quorum exists.

Article XVI, Section 16.11

The following adds Section 16.11 to Article XVI in the Declaration:

16.11. Notice. When notice is required under the Declaration, notice shall be given as provided in the By-Laws.

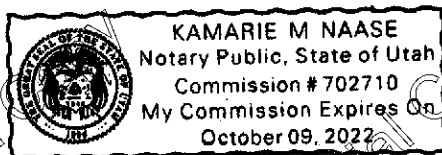
IN WITNESS WHEREOF, the undersigned has executed this Amendment on this 26 day of September, 2019.

SUN RIVER ST. GEORGE COMMUNITY ASSOCIATION, INC., a Utah nonprofit corporation

Gene E Rogers
By: Gene Rogers
Its: President

STATE OF UTAH)
 : ss.
County of Washington)

On the 26 day of September, 2019, personally appeared before me Gene Rogers who being by me duly sworn, did say that she is the President of the Sun River St. George Community Association, Inc., a Utah nonprofit corporation, the authorized individual empowered to sign this Amendment and that the Amendment was signed on behalf of said Association and said person acknowledged to me that said Association authorized the execution of the same.



Kamarie M Naase
NOTARY PUBLIC

EXHIBIT "A"

LEGAL DESCRIPTION

This First Amendment to the Corrected Second Restated and Amended Declaration of Covenants, Conditions, and Restrictions for Sun River St. George affects the following real property, all located in Washington County, State of Utah, including any other property annexed into the Association:

All of Phases 1 through 57, including any and all Common Area, as shown on the Official Plats, according to the official records of the Washington County Recorder:

Phase	Lots	Tax ID Nos.
1A	1-12	SG-SUR-1-1A-1-12
1B	14/15; 16-A-17-A 18-24; 25-A 27-80; 81-A 83-84; 85-A 86-87; 88-A-101-A 102-107	SG-SUR-1-1B-14/15; SG-SUR-1-1B-16-A-17-A SG-SUR-1-1B-18-24; SG-SUR-1-1B-25-A SG-SUR-1-1B-27-80; SG-SUR-1-1B-81-A SG-SUR-1-1B-83-84; SG-SUR-1-1B-85-A SG-SUR-1-1B-86-87; SG-SUR-1-1B-88-A-101-A SG-SUR-1-1B-102-107
1C	252-293; 295-296	SG-SUR-1-1C-252-293; SG-SUR-1-1C-295-296
1D	194-251	SG-SUR-1-1D-194-251
1E	108-146	SG-SUR-1-1E-108-146
2A	147-193	SG-SUR-2A-147-193
2B	442-449	SG-SUR-2B-442-449
3A	297-367; 368-A; 370-371	SG-SUR-3A-297-367; SG-SUR-3A-368-A; SG-SUR-3A-370-371
3B	372-441	SG-SUR-3B-372-441
4	450-497; 808-828	SG-SUR-4-450-497; SG-SUR-4-808-828
5A	498-513	SG-SUR-5A-498-513
5B	514-562	SG-SUR-5B-514-562
6	563-609	SG-SUR-6-563-609
7	610-650	SG-SUR-7-610-650
8	651-695	SG-SUR-8-651-695
9	696-739	SG-SUR-9-696-739
10	740-807	SG-SUR-10-740-807
11	829-875	SG-SUR-11-829-875
12	876-929	SG-SUR-12-876-929
13	1129-1155; 1157-1165 1167-1172; 1186-1188 1209-1211; 1226-1227 1232; 1235-1245	SG-SUR-13-1129-1155; SG-SUR-13-1157-1165 SG-SUR-13-1167-1172; SG-SUR-13-1186-1188 SG-SUR-13-1209-1211; SG-SUR-13-1226-1227 SG-SUR-13-1232; SG-SUR-13-1235-1245
14	1110-1128; 1166 1173-1185; 1189-1208 1212-1225; 1228-1231 1233-1234	SG-SUR-14-1110-1128; SG-SUR-14-1166 SG-SUR-14-1173-1185; SG-SUR-14-1189-1208 SG-SUR-14-1212-1225; SG-SUR-14-1228-1231 SG-SUR-14-1233-1234
15	930-1013	SG-SUR-15-930-1013

16	1014-1109; 1019-B; 1913	SG-SUR-16-1014-1109; SG-SUR-16-1019-B; SG-SUR-16-1913
17A	1251-1285	SG-SUR-17A-1251-1285
17B	1286-1313	SG-SUR-17B-1286-1313
18	1314-1346	SG-SUR-18-1314-1346
19	1896-1912; 2035	SG-SUR-19-1896-1912; SG-SUR-19-2035
20	1396-1437	SG-SUR-20-1396-1437
21	1347-1395	SG-SUR-21-1347-1395
22	1516-1519; 1520-A; 1520-C; 1521-1530; 1531-A; 1532-1555	SG-SUR-22-1516-1519; SG-SUR-22-1520-A; SG-SUR-22-1520-C; SG-SUR-22-1521-1530; SG-SUR-22-1531-A; SG-SUR-22-1532-1555
23	1556-1586	SG-SUR-23-1556-1586
24	1587-1627	SG-SUR-24-1587-1627
25	A; 1667-1687	SG-SUR-25-A; SG-SUR-25-1667-1687
26	1628-1666	SG-SUR-26-1628-1666
27	1246-1250	SG-SUR-27-1246-1250
28	1438-1479	SG-SUR-28-1438-1479
29	1726-1741	SG-SUR-29-1726-1741
30	A; 1480-1515; 1711- 1725	SG-SUR-30-A; SG-SUR-30-1480-1515; SG-SUR-30-1711-1725
31	1742-1787	SG-SUR-31-1742-1787
32	1862-1895	SG-SUR-32-1862-1895
33	1788-1808	SG-SUR-33-1788-1808
34	1809-1826	SG-SUR-34-1809-1826
35	A; 1688-1708	SG-SUR-35-A; SG-SUR-35-1688-1708
36	1827-1861	SG-SUR-36-1827-1861
37	1914-1920 1935-1941	SG-SUR-37-1914-1920 SG-SUR-37-1935-1941
38	1921-1934	SG-SUR-38-1921-1934
39	1942-1952	SG-SUR-39-1942-1952;
40	1953-1961; 1984-1993	SG-SUR-40-1953-1961; SG-SUR-40-1984-1993
41	A; 1962-1983	SG-SUR-41-A; SG-SUR-41-1962-1983
42	1994-2015	SG-SUR-42-1994-2015
43A	2016-2020	SG-SUR-43A-2016-2020
43B	2021-2034	SG-SUR-43B-2021-2034
44	A; 2036-2058	SG-SUR-44-A; SG-SUR-44-2036-2058
45	A; 2059-2082	SG-SUR-45-A; SG-SUR-45-2059-2082
46	A; 2083-2108	SG-SUR-46-A; SG-SUR-46-2083-2108
47	A; 2109-2128	SG-SUR-47-A; SG-SUR-47-2109-2128
48	2295-2322	SG-SUR-48-2295-2322
49	2129-2149	SG-SUR-49-2129-2149
50	2150-2171	SG-SUR-50-2150-2171
51	A; 2172-2193	SG-SUR-51-A; SG-SUR-51-2172-2193
52	2194-2209	SG-SUR-52-2194-2209
53	2210-2220	SG-SUR-53-2210-2220
54	2221-2236	SG-SUR-54-2221-2236

