

When recorded, return to:  
Daybreak Park Homeowners Association  
3236 So. 300 West  
Washington, UT 84780

**DOC # 20130006423**

Bylaws Page 1 of 3  
Russell Shirts Washington County Recorder  
02/20/2013 03:35:57 PM Fee \$ 14.00  
By DAYBREAK PARK HOA



**AMENDMENT TO THE  
BYLAWS OF DAYBREAK PARK HOMEOWNERS ASSOCIATION**

This amendment to the Bylaws of Daybreak Park Homeowners Association, recorded on January 24, 2007, as **Entry No. 20070003977**, records of Washington County, is made on the date evidenced below by the Daybreak Park Homeowners Association.

**RECITALS:**

**WHEREAS**, the undersigned is the designee, and assignee of the Martin R. Slater/Developer to act on Developer's behalf in all respects with respect to the Association.

**WHEREAS**, the undersigned, for the betterment and operation of the Association, deems it necessary to amend the Bylaws as set forth below.

**NOW, THEREFORE**, the following is amended in its entirety as follows:

2.2 Initially, Martin R. Slater, his successor(s), designee(s) and/or assigns, shall serve as the sole member of the Board of Trustees. **At such time as Martin R. Slater, his successor(s), designee(s) and/or assign(s) shall determine, in its sole discretion, (but in no case later than upon the sale of 75% of the lots with the Daybreak Subdivision have been sold by the Developer to third parties) a meeting shall be held and a Board of Trustee shall be elected by the Owners, as the term "Owner" is defined in the protective covenants.** At such meeting the Developer shall be entitled to one (1) vote per lot still owned at that time by the Developer. Thereafter, beginning with the first annual meeting of the Association at which members of the Board of Trustees are to be elected by the Owners, and at every annual meeting thereafter, the Association shall elect the members of the Board of Trustees to fill those positions becoming vacant at such meeting. At least thirty (30) days prior to the annual meeting of the Association, the Board of Trustees shall elect from the Owners a nominating committee of not less than three (3) members, none of whom shall be members of the then Board of Trustees. The nominating committee shall recommend to the Association at least one nominee for each position on the Board of Trustees to be filled at that particular annual meeting. Nominations for positions on the Board of Trustees may also be made by petition filed with the Secretary of the Association at least seven (7) days prior to the annual meeting of the Association, which petition shall be signed by three (3) or more Owners and signed by the nominee named therein indicating his willingness to serve as a member of the Board of Trustees, if elected.

In witness hereof the undersigned does hereby executes this Amendment, and certifies that the vote required by Article 11 of the Bylaws for an amendment has occurred consistent with these Bylaws and the provisions of the protective covenants.

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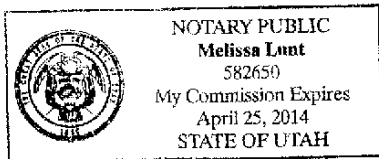
**DAYBREAK PARK HOMEOWNERS ASSOCIATION**

Dated: 2-20-13

By: Jerald E. Ohman  
Its: Director/Trustee

STATE OF UTAH )  
COUNTY OF WASHINGTON ) : ss.

On the 20 day of February, 2013, personally appeared before me Jerald E. Ohman, the sole and remaining appointed Director/Trustee of the Daybreak Park Homeowners Association, the signer of the within instrument, who duly acknowledged to me that he executed the same.



Melissa Lunt  
Notary Public

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EXHIBIT A

BEGINNING AT A POINT BEING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 3090 SOUTH STREET AND THE WEST RIGHT-OF-WAY LINE OF 240 WEST STREET AND BEING LOCATED SOUTH  $0^{\circ}08'57''$  WEST ALONG THE SECTION LINE AND THE CENTERLINE OF SAID 240 WEST STREET, 16.50 FEET AND NORTH  $89^{\circ}16'03''$  WEST, 16.50 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE SOUTH  $0^{\circ}08'57''$  WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 1251.03 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH  $89^{\circ}17'39''$  WEST, 647.24 FEET; THENCE NORTH  $0^{\circ}14'41''$  EAST 1251.31 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH  $89^{\circ}16'03''$  EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 645.16 FEET TO THE POINT OF BEGINNING. CONTAINS 18.56 ACRES.

TAX ID NUMBERS W-5-2-34-211 and W-5-2-34-212