

When recorded, return to:
Morris DeVoe
7070 Union Park Ave., #220
Midvale, UT 84047

Ent 541635 Bk 1465 Pg 1767-1774
Date: 08-FEB-2024 11:32:56AM
Fee: \$100.00 Check Filed By: KM
MARCY M MURRAY, Recorder
WASATCH COUNTY CORPORATION
For: STAR HARBOUR ESTATES HOA INC

**AFFIDAVIT OF CORRECTION
RELATED TO THE
FIRST AMENDMENT
TO THE
SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR STAR HARBOUR ESTATES**

&

BY-LAWS OF STAR HARBOUR ESTATES HOMEOWNERS ASSOCIATION, INC.

RECITALS

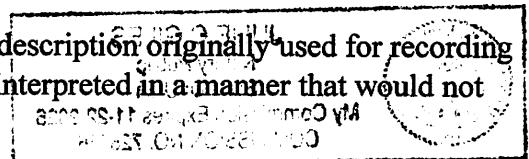
WHEREAS, a First Amendment to the Second Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Star Harbour Estates & By-Laws of Star Harbour Estates Homeowners Association, Inc. (the "Declaration and By-Laws Amendment") was approved by the members of the Star Harbour Estates Homeowners Association, Inc. (the "Association"), duly executed by the Association President, Vice President, and Secretary on December 11, 2023, and recorded with the Wasatch County Recorder's Office on December 13, 2023, as Entry # 539780; and

WHEREAS, it was the intent of the approval and recording of the Declaration and By-Laws Amendment to apply to all Association members and any lots, parcels, or other real property in the Association/subdivision; and

WHEREAS, such approval gave the Association the authority to record the Declaration and By-Laws Amendment against all members and any lots, parcels, or other real property in the Association/subdivision, and

WHEREAS, it is the purpose of this Affidavit of Correction to ensure the same occurs/has occurred; and

WHEREAS, there is a possibility that the legal description originally used for recording of the Declaration and By-Laws Amendment could be interpreted in a manner that would not provide for the same;



NOW THEREFORE, the Association hereby remedies, corrects, and otherwise clarifies the legal description originally recorded with the Declaration and By-Laws Amendment by providing Exhibit A, attached hereto and incorporated herein by this reference, which legal description is to substitute and take the place of the legal description originally used when

recording the Declaration and By-Laws Amendment, the intent of Exhibit A being to ensure any and all members, and any lots, parcels, or other real property in the Association/subdivision are subject to the Declaration and By-Laws Amendment.

This Affidavit of Correction is intended only to affect the legal description of the Declaration and By-Laws Amendment and its recordation. It in no way affects any other part of the Declaration and By-Laws Amendment, including, but not limited to, the effective date of the Declaration and By-Laws Amendment (December 13, 2023).

Star Harbour Homeowners Association, Inc.

By: _____

Name: _____

Craig J. Libby, President

STATE OF UTAH)

WASATCH) ss

SALT LAKE COUNTY)

On this 8th day of February, 2024, personally appeared before me

Craig J. Julie C. Giles, a notary public, Craig J. Libby, whose identity is known to me or proven on the basis of satisfactory evidence and who by me duly sworn/affirmed, did say that she/he is the President of the Star Harbour Homeowners Association, Inc. (the "Association"), a Utah nonprofit corporation, and has been authorized by the Board of Trustees of the Association to represent the Association in approving and executing the foregoing Affidavit of Correction for recording with the Wasatch County Recorder's Office.



Notary Public

EXHIBIT A

Legal Description

The real property located in Star Harbour Estates First Amended, a Utah Subdivision, as shown in the Plats recorded in the Wasatch Recorder's office, more particularly described as follows:

All of Lots 1, 2, 3, 4, 5, 6, 7, ...8 and 9 (now both subject to the plat, "Star Harbour Estates First Amended Amending Lots 8 & 9," recorded January 24, 2024 in the Wasatch County Recorder's Office as entry #541131), 10 (including Units 1490 (parcel: 00-0020-9347) and 1494 (parcel: 00-0020-9348) by Plat Amendment 10/13/2010, "RECORD OF CONDOMINIUM MAP, FIRST AMENDED LOT 10. FIRST AMENDED STAR HARBOUR ESTATES, ALPINE CONDOMINIUMS OF JORDANELLE," recorded in the Wasatch County Recorder's Office as Entry #363463), 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34A (previously Lot 34 but amended to Lot 34A by Plat Amendment 08/30/2017, "STAR HARBOUR ESTATES FIRST AMENDED – AMENDING LOT 34," recorded in the Wasatch County Recorder's Office as Entry #442155), and 35, all STAR HARBOUR ESTATES, First Amended, according to the respective plats thereof on file and of record in the office of the Wasatch County Recorder.

0HB-0001-0-024-024	0HB-0002-0-024-024	0HB-0003-0-024-024
0HB-0004-0-024-024	0HB-0005-0-024-024	0HB-0006-0-024-024
0HB-0007-0-024-024	0HB-0008-0-024-024	0HB-0009-0-024-024
0AJ-1494-0-024-024	0AJ-1490-0-024-024	0HB-0011-0-024-024
0HB-0012-0-024-024	0HB-0013-0-024-024	0HB-0014-0-024-024
0HB-0015-0-024-024	0HB-0016-0-024-024	0HB-0017-0-024-024
0HB-0018-0-024-024	0HB-0019-0-024-024	0HB-0020-0-024-024
0HB-0021-0-024-024	0HB-0022-0-024-024	0HB-0023-0-024-024
0HB-0024-0-024-024	0HB-0025-0-024-024	0HB-0026-0-024-024
0HB-0027-0-024-024	0HB-0028-0-024-024	0HB-0029-0-024-024
0HB-0030-0-024-024	0HB-0031-0-024-024	0HB-0032-0-024-024
0HB-0033-0-024-024	0HB-0034-A-024-024	0HB-0035-0-024-024

Lot B Amended, Overhead Utilities Easement, STAR HARBOUR ESTATES, First Amended, according to the official plat thereof on file and of record in the office of the Wasatch County Recorder. 0HB-000B-A-024-024.

Detention Pond, STAR HARBOUR ESTATES, First Amended, according to the official plat thereof on file and of record in the office of the Wasatch County Recorder. 0HB-0DTP-0-024-024.

Lot C, Open Space Parcel, STAR HARBOUR ESTATES, First Amended, according

to the official plat thereof on file and of record in the office of the Wasatch County Recorder:
0HB-0OPN-0-024-024.

**THIS PAGE INTENTIONALLY LEFT BLANK TO SEPARATE THE CONTENTS OF
EXHIBIT A FROM THE LEGAL DESCRIPTION OF THIS DOCUMENT ITSELF, THE
“AFFIDAVIT OF CORRECTION”**

EXHIBIT B

THIS EXHIBIT B FUNCTIONS AS THE LEGAL DESCRIPTION TO APPLY TO THE “AFFIDAVIT OF CORRECTION,” AND NOT AS PART OF EXHIBIT A

Legal Description

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0HB-0004-0-024-024	0HB-0005-0-024-024	0HB-0006-0-024-024
0HB-0007-0-024-024	0HB-0008-0-024-024	0HB-0009-0-024-024
0AJ-1494-0-024-024	0AJ-1490-0-024-024	0HB-0011-0-024-024
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0HB-0030-0-024-024	0HB-0031-0-024-024	0HB-0032-0-024-024
0HB-0033-0-024-024	0HB-0034-A-024-024	0HB-0035-0-024-024

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Legal description on amendment recording

From: Stephen Aina (stephen@morrisdevoe.com)

To: clibby11@yahoo.com; jaz.ziter@gmail.com; jmcandr@gmail.com

Cc: john@morrisdevoe.com

Date: Monday, February 5, 2024 at 05:15 PM MST

Craig, Jill, and John,

My name is Stephen Aina and I have been working on this case from the beginning, but more in the background during the extended period of time while the settlement agreement conditions have each been accomplished.

I have attached for your review and signature an "Affidavit of Correction" that needs to be recorded related to the declaration amendment. When the declaration amendment was recorded, the "legal description" used that indicates to the county recorder what lots/parcels/subdivision to record the document against came from the prior 2008 amendment legal description. This generally would have been a legitimate assumption, except that Star Harbour has had a few plat and lot usage changes in the interim (Lot 10 -> Alpine Condos, Lot 34 -> 34A, and now of course Lots 8 and 9). The legal description therefore needs to be updated to give notice that the declaration amendment applies to all lots, parcels, and other real property in the Association/subdivision, accounting for the special circumstances in designations for the few variations that have occurred.

So you can see the changes that have been made, I have included the currently recorded declaration amendment, with legal description on page 7 to compare with the new Affidavit...the changes are meant to be thorough to not take a chance on a misunderstanding by the recorder.

If you could please review, give authority to sign as a Board to Craig, and then Craig if you could sign with notary and return a copy we can then get it recorded.

There's a chance the County Recorder may have been able to match up the legal descriptions with the proper lots/parcels as is, but we felt it would be best not to rest on chance.

Please let me or John know if you have any questions or believe change(s) might need to be made before signing.

Hope you have a good rest of your evening,

Stephen

Thanks,

Stephen

Stephen K. Aina

New firm name, same excellent service.

MORRIS DEVOE

7070 South Union Park Avenue, Suite 220 | Midvale, Utah 84047

Phone: 801-790-9000 | Email: stephen@morrisdevoe.com | www.morrisdevoe.com

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3.8MB



2024 02 05 Affidavit of Correction for Star Harbour, Legal Description.pdf
164.5kB