

**WHEN RECORDED RETURN TO:**

Wade Budge  
SNELL AND WILMER L.L.P.  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101

**SECOND AMENDMENT  
TO  
SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS  
OF  
STAR HARBOUR ESTATES  
&  
BYLAWS OF STAR HARBOUR ESTATES HOMEOWNERS ASSOCIATION, INC.**

This Second Amendment to Second Amended and Restated Declaration of Covenants, Conditions and Restriction of Star Harbour Estates & Bylaws of Star Harbour Estates Homeowners Association, Inc. (this “**Amendment**”) is recorded by the Star Harbour Estates Homeowners’ Association, Inc., a Utah nonprofit corporation (the “**Association**”), and is effective as of the date that it is recorded in the Office of the Recorder of Wasatch County, Utah (the “**Effective Date**”).

**RECITALS**

A. Blue Ledge Corporation, Inc., as Declarant, previously executed that certain document entitled Declaration of Covenants, Conditions and Restrictions of Star Harbour Estates dated May 3, 2001, which was recorded in the Office of the Wasatch County Recorder on June 7, 2001, as Entry No. 233951 in Book 506 at Pages 675 through 709 (the “**Original Declaration**”).

B. The Original Declaration was amended and restated by that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions of Star Harbour Estates and Bylaws of Star Harbour Estates Homeowners’ Association, Inc., dated August 16, 2001, which was recorded in the Office of the Wasatch County Recorder on August 20, 2001, as Entry No. 236098 in Book 517 at Pages 421 through 458 inclusive (the “**First Amended Declaration**”).

C. The First Amended Declaration was subsequently amended and restated by that certain Second Amended and Restated Declaration of Covenants, Conditions and Restrictions of Star Harbour Estates, a Utah Subdivision, which was recorded in the Office of the Wasatch County Recorder on November 4, 2008, as Entry No. 341641 in Book 976 at Pages 1560-1592 (the “**Second Amended Declaration**”).

D. The Second Amended Declaration was amended by that certain First Amendment to the Second Amended And Restated Declaration Of Covenants, Conditions, and Restrictions for Star Harbour Estates & Bylaws of Star Harbour Estates Homeowners Association, Inc., which was recorded in the Office of the Wasatch County Recorder on December 13, 2023 as Entry No. 539780 in Book 1461 at Pages 310-318 (the “**First Amendment to Second Amended Declaration**”).

E. The Original Declaration, as amended and restated by the First Amended Declaration and then the Second Amended Declaration, as further amended by the First Amendment to Second Amended

Declaration are collectively referred to herein as the “**Declaration**”. Capitalized terms used but not defined in this Amendment shall have the meanings given to such terms in the Declaration.

F. Pursuant to Article XII, Section 12.7 of the Declaration, except as otherwise provided in the Declaration, the Declaration may be amended by the affirmative vote or written approval of at least sixty-seven percent (67%) of the total votes of the Owners.

G. The Association by signature hereunder confirms that the votes required by the Declaration have occurred for the approval of this Amendment.

H. The Association on behalf of said approving Members does hereby amend the Declaration as set forth below.

### AMENDMENT

**NOW, THEREFORE**, the Declaration is hereby amended as follows:

1. **Plat**. Article 1, Section 1.24 of the Declaration is hereby deleted in its entirety and replaced with the following:

1.24 “**Plat**” shall mean and refer to collectively, that certain Record of Survey Plat of Star Harbour Estates recorded in the Office of the Wasatch County Recorder on June 7, 2001, as Entry No. 233950 in Book 506 at Pages 655-674, and any recorded amendments thereto, including but not limited to, that certain First Amended Record of Survey Plat of Star Harbour Estates recorded on August 14, 2001 as Entry No. 235915 in Book 516 at Pages 692-711; that certain Second Amended Record of Survey Plat for Star Harbour Estates recorded in the official records of the Wasatch County Recorder; that certain Record of Condominium Map, First Amended Lot 10, First Amended Star Harbour Estates, Alpine Condominiums of Jordanelle, a Utah Condominium Project, recorded on October 13, 2010 as Entry No. 363463 in Book 1022 at Pages 639-668; that certain survey plat of Star Harbour Estates First Amended — Amending Lot 34 recorded on August 8, 2017 as Entry No. 442155 in Book 1199 at Pages 1857-1866; that certain survey plat of Star Harbour Estates Third Amended – Amending Lot B recorded on March 3, 2023 as Entry No. 530473 in Book 1436 at Pages 1200; and that certain Star Harbour Estates First Amended Amending Lots 8 & 9 recorded on January 24, 2024 as Entry No. 541131 in Book 1464 at Page 1076.

*(Prior Language – For Reference Only)*

1.24 “Plat” shall mean and refer to the Second Amended Record of Survey Plat for Star Harbour Estates recorded in the official records of the County and all amendments and supplements thereto.

2. **Lot**. Article I, Section 1.17 of the Declaration is hereby deleted in its entirety and replaced with the following:

“Lot” shall mean and refer to Lot B and any of the 35 separately numbered and individually described residential lots as shown on the Plat, which residential lots are designed and intended for use and occupancy as a single family residence, except for Lot 10, which is designed and intended for a two-unit condominium. Lot C and the Parcel 2



Detention Pond, as shown on the Plat, shall not be included within the definition of "Lot".

*(Prior Language – For Reference Only)*

"Lot" shall mean and refer to any of the 35 separately numbered and individually described residential lots as shown on the Amended Plat, which residential lots are designed and intended for use and occupancy as a single family residence, except for Lot 10, which is designed and intended for a two-unit condominium.

Lot  
B, Lot C and the Parcel 2 Detention Pond, as shown on the Plat, shall not be included within the definition of "Lot," unless this Declaration and the Plat are amended to identify all or any portion of Lot B, Lot C or the Parcel 2 Detention Pond as numbered residential lots.

3. **Estate of an Owner.** Article IV, Section 4.2 of the Declaration is deleted in its entirety and replaced with the following:

4.2 Estate of an Owner. The Project is hereby divided into 36 residential Lots (being comprised of Lots 1-9, Lot 10 which is the Alpine Condominiums of Jordanelle, Lots 11-35 and Lot B), and also Lot C and the Parcel 2 Detention Pond, as identified on the Plat, each consisting of fee simple interests.

*(Prior Language – For Reference Only)*

4.2 Estate of an Owner. The Project is hereby divided into the 32 residential Lots, the Alpine Condominiums of Jordanelle and also Lot B, Lot C and the Parcel 2 Detention Pond, as identified on the Plat, each consisting of a fee simple interest.

4. **Exhibit A; Legal Description.** Exhibit A of the Declaration is hereby deleted in its entirety and replaced with Exhibit A attached hereto.

5. **Declaration Terms Apply; Amendment Controls.** Except as specifically provided in this Amendment, the terms and conditions of the Declaration shall remain in full force and effect. If any provision of the Declaration is in conflict with any provisions of this Amendment, the terms of this Amendment shall control.

*[Remainder of Page Intentionally Blank; Signature Page Follows]*

IN WITNESS THEREOF, I certify that the vote required by Article XII, Section 12.7 of the Declaration has occurred for the approval of this SECOND AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF STAR HARBOUR ESTATES, A UTAH SUBDIVISION & BYLAWS OF THE STAR HARBOUR ESTATES HOMEOWNERS ASSOCIATION, INC., as of the day and year written below.

DATED as of the 21<sup>st</sup> day of March, 2024.

**STAR HARBOUR ESTATES  
HOMEOWNERS ASSOCIATION, INC.**  
a Utah nonprofit corporation

By: [Signature]  
Name: Craig J. Libby  
Its: PRESIDENT, Star Harbour HOA

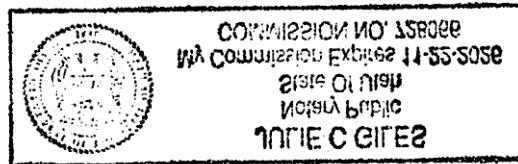
State of Utah )  
County of Wasatch : ss.

On this 21 day of March, 2024, personally appeared before me Craig J. Libby, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the President of the Star Harbour Estates Homeowners Association, Inc, a Utah nonprofit corporation and that said document was signed by him/her on behalf of said corporation with all necessary authority, and acknowledged to me that said corporation executed the same.

[Signature]  
Notary Public



THE STATE OF TEXAS,  
COUNTY OF \_\_\_\_\_



Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

**EXHIBIT A**

**LEGAL DESCRIPTION**

The real property located in Star Harbour Estates, 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, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 29, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, 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-0001, 0HB-0002, 0HB-0003, 0HB-0004, 0HB-0005, 0HB-0006, 0HB-0007, 0HB-0008, 0HB-0009, 0HB-0011, 0HB-0012, 0HB-0013, 0HB-0014, 0HB-0015, 0HB-0016, 0HB-0017, 0HB-0018, 0HB-0019, 0HB-0020, 0HB-0021, 0HB-0022, 0HB-0023, 0HB-0024, 0HB-0025, 0HB-0026, 0HB-0027, 0HB-0028, 0HB-0029, 0HB-0030, 0HB-0031, 0HB-0032, 0HB-0033, 0HB-00034, 0HB-0035

All of Units 1490 and 1494, ALPINE CONDOMINIUMS OF JORDANELLE, a Utah condominium project, as the same are identified and established in that certain Record of Survey Map, recorded October 13, 2010 as Entry No. 363463 in Book 1023 and page 639 of Official Records; and in the Declaration of Condominium for Alpine Condominiums of Jordanelle recorded October 13, 2010 as Entry No. 363464 in Book 1023 at Page 669 of Official Records.  
0AJ-1490, 0AJ-1494

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

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

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.  
0HP-0OPN