

WHEN RECORDED, MAIL TO:
THE OAKS AT DEER VALLEY
3311 SUN RIDGE DRIVE
PARK CITY, UT 84060

Recorder's Use Only

ACCOMMODATION
RECORDING ONLY
U.S. TITLE

**SECOND AMENDMENT TO BYLAWS
OF
THE OAKS AT DEER VALLEY HOMEOWNERS ASSOCIATION
A Non-Profit Corporation**

Effective the 26th day of September, 2018, pursuant to the provisions of the Utah Revised Nonprofit Corporation, Community Association Act and the Bylaws of The Oaks at Deer Valley Homeowners Association, Inc. (the "Bylaws"), the Board of Trustees of the Oaks at Deer Valley Homeowners Association, Inc., hereby adopts the following Second Amendment to the Bylaws.

RECITALS

A. The Oaks at Deer Valley Homeowners Association, Inc. (the "Association") is a Utah nonprofit corporation formed under the auspices of the Utah Revised Nonprofit Corporation Act, Utah Code Ann. Section 57-8a-101, et. seq., as amended, and the Utah Community Association Act, Utah Code Ann. Section 57-8a-101, et. seq., as amended.

B. The Bylaws of the Association were recorded in the Office of the Summit County Recorder, State of Utah, on August 7, 1989, Entity No. 311419, Book 531, Pages 63-105, as Exhibit A of the Declaration of Covenants, Conditions and Restrictions of The Oaks at Deer Valley (the "Declaration").

C. The Property subject to the Declaration, as amended, includes all Lots and Common Areas within the Oaks at Deer Valley Subdivision, as amended, according to the Official Plat of the Oaks at Deer Valley Subdivision. The individual Lots subject to the Declaration and the Bylaws of the Association are more specifically described as:

See Exhibit A attached hereto and incorporated by reference.

D. On or about August 2, 2018, a Notice explaining certain proposed amendments (the "Notice") was mailed to the membership of the Association consistent with the notice provisions of the Declaration and the Bylaws for the purpose of proposing amendments to Article III, Section 3 ("No Business Uses"), Article II, Section 10 ("Notices") and Article VI, Section 8 of the Declaration by the creation of subsection (a) entitled "Reinvestment Fee," as herein discussed.

E. In the Notice, the Board of Trustees explained that if the proposed amendment to Article VII, Section 10 (Notices) is approved, Article II, Section 2.3 of the Bylaws would be amended as well to reflect the same change.

F. Written ballots were mailed with the Notice to members. Members casting ballots were instructed to complete and return ballots to the Association by September 7, 2018 (the "Ballot Deadline"). All ballots were to be received by the Ballot Deadline to determine whether fifty-one percent (51%) of the Owners of Lots had submitted ballots to establish a quorum.

G. Once the Ballot Deadline had passed, ballots representing eighty-six percent (86%) of the Members were counted, confirming a quorum had been established.

H. Once the all ballots cast had been counted, the Association confirmed that ninety-five percent (95%) of the Members voted to amend Article VII, Section 10 of the Declaration, thereby justifying the amendment of Article II, Section 2.3 of the Bylaws.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, the foregoing recitals are incorporated into and made a part of this Amendment, and agree that the Bylaws are hereby amended as follows:

1. The first sentence of Article II, Section 2.3 of the Bylaws, Notice of Meetings, is deleted in its entirety and replaced with the following language:

Section 2.3 - - Notice of Meetings. Notice of all annual and special meetings of the members shall be given in writing and may be delivered either personally or by mail in accordance with statutes of the State of Utah unless otherwise provided for in Article VII, Section 10 of the Declaration¹.

2. Ratification. The Association, by and through its Board of Trustees, expressly acknowledge and agree that, except as expressly set forth herein, this Amendment shall not alter, amend, modify or otherwise affect the terms, provisions, and conditions of the Bylaws, and all of same are hereby renewed, extended, carried forward, ratified and confirmed and shall be deemed for all purposes in full force and effect.

3. Binding Effect. This Amendment shall be binding upon and inure to the benefit of all current and future Members, Mortgagees and their respective heirs, personal representatives, successors, and assigns.

4. Severability. Any provision of this Amendment which is prohibited or unenforceable in any jurisdiction or court shall, as to such jurisdiction or court, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction or court shall not invalidate or render unenforceable such provision in any other jurisdiction or court.

¹ See Article II, Section 1(c) and Article VI, Section 13 of the Declaration related to the timing requirements for Notice.

EXHIBIT A

OAKS AT DEER VALLEY SUBDIVISION

LEGAL DESCRIPTION

ALL OF LOTS 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29, 30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,59,60,61, 62,63,64,65,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,82,84,85,86A,88,89,90,91,92,93, 94,95,96, and 97, OAKS AT DEER VALLEY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT, SUMMIT COUNTY RECORDER.

ALL OF LOT 57, PATTERSON REPLAT, LOT LINE ADJUSTMENT, ACCORDING TO THE OFFICIAL PLAT, SUMMIT COUNTY RECORDER.

SUMMIT COUNTY TAX PARCEL NOS.

OAKS-1	OAKS-2	OAKS-3	OAKS-4
OAKS-5	OAKS-6	OAKS-7	OAKS-8
OAKS-9	OAKS-10	OAKS-11	OAKS-12
OAKS-13	OAKS-14	OAKS-15	OAKS-16
OAKS-17	OAKS-19	OAKS-20	OAKS-21
OAKS-22	OAKS-23	OAKS-24	OAKS-25
OAKS-26	OAKS-27	OAKS-28	OAKS-29
OAKS-30	OAKS-31	OAKS-32	OAKS-33
OAKS-34	OAKS-35	OAKS-36	OAKS-37
OAKS-38	OAKS-39	OAKS-40	OAKS-41
OAKS-42	OAKS-43	OAKS-44	OAKS-45
OAKS-46	OAKS-47	OAKS-48	OAKS-49
OAKS-50	OAKS-51	OAKS-52	OAKS-53
OAKS-54	OAKS-55	OAKS-56	PATT-57
OAKS-59	OAKS-60	OAKS-61	OAKS-62-63
OAKS-63-AM	OAKS-64-AM	OAKS-65	OAKS-66
OAKS-67	OAKS-68	OAKS-69	OAKS-70
OAKS-71	OAKS-72	OAKS-73	OAKS-74
OAKS-75	OAKS-76	OAKS-77	OAKS-78
OAKS-79	OAKS-80	OAKS-81	OAKS-82
OAKS-83	OAKS-84	OAKS-85	OAKS-86A
OAKS-88	OAKS-89	OAKS-90	OAKS-91
OAKS-92	OAKS-93	OAKS-94	OAKS-95
OAKS-96	OAKS-97	(TOTAL LOTS: 94)	