



ENT 40417:2011 PG 1 of 9
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2011 Jun 01 10:28 am FEE 60.00 BY SW
 RECORDED FOR COTTAGES COMMUNITY ASSOCIAT

AMENDMENT TO DECLARATION OF COVENANTS
 CONDITIONS AND RESTRICTIONS OF
 THE COTTAGES AT HOBBLE CREEK

Consistent with the authority granted by section 13.3 of the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek, as amended, initially recorded with the Utah County Recorder on November 29, 1999, as entry 124110, The Cottages Community Association, Inc. hereby adopts the following amendment to the Declaration:

Section 5.3 shall be amended to read as follows:

5.3 Special Assessments. In addition to the annual assessments authorized by this Article, the Board of Trustees may, on behalf of the Association, levy, at any time and from time to time, upon the affirmative vote of at least sixty-seven percent (67%) of the voting power of the Association in person or by proxy at a meeting called for such purpose, special assessments, payable over such periods as the Board of Trustees may determine, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of the Project or any part thereof, or for any other expenses incurred or to be incurred as provided in this Declaration (including, without limitation, Common Expenses). This Section shall not be construed as an independent source of authority for the Association to incur expenses but shall be construed to prescribe the manner of assessing for expenses authorized by other Sections or Articles hereof. Any amounts assessed pursuant hereto shall be assessed to equally to each Lot, except for replacement assessments described below.

Replacement assessments may be assessed to cover the amount of any prior assessment that was unpaid, where the lot has been transferred to a new owner, where the lien for the assessment was extinguished by foreclosure, tax sale, or similar event, and where the assessment owed by the prior owner can no longer be economically collected because of the bankruptcy, insolvency, or other circumstances that make continued efforts to collect the assessment from the prior owner economically unwise in the opinion of the Board. The replacement assessment may be levied against the current owner of the lot for the amount of the prior unpaid assessments. Alternatively, the assessment may be levied against all lot owners, with a credit in the amount of the assessment given to lot owners who had fully paid the prior assessment. The members of the Association agree that such replacement assessment shall be deemed to be that new owner's proportionate share of the assessment. The Board shall give the new owner notice of the replacement assessment or record a lien against the lot no later than one year after the prior assessment lien was extinguished.

Notice in writing of the amount of each such special assessment, including replacement assessments, and the time for payment thereof shall be given promptly to the Owners; no payment shall be due less than fifteen (15) days after such notice shall have been given. All unpaid portions of any special assessment shall bear interest at the rate established by the Board not to exceed eighteen percent (18%) per annum from the date such portions become due until

paid. All funds received from assessments under this Section shall be part of the Common Expense Fund. The provisions of this Section are not intended to preclude or limit the assessment, collection or use of annual assessments for the aforesaid purposes.

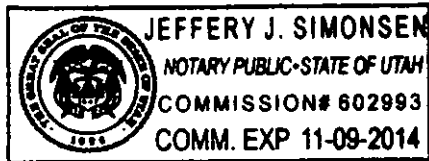
Section 5.5 shall be amended to read as follows:

5.4 Uniform Rate of Assessment. The amount of any annual or special assessment against each Lot shall be allocated equally to each of the Lots, except that replacement assessments may be allocated solely to lots for which the prior assessment liens were extinguished. Annual assessments may be collected on a monthly basis and special assessments may be collected as specified by the Board unless otherwise determined by the resolution of the Members of the Association approving the special assessment.

CERTIFICATION OF ADOPTION

I certify that the foregoing amendment was presented for adoption by written ballot properly delivered and noticed to every member of The Cottages Community Association. The amendment was adopted pursuant to receipt of an affirmative vote of the required minimum vote of at least 67% of the total votes of the Association.

DATED this 18th day of April, 2011.



Tracy Tanner
TRACY TANNER
Trustee

The foregoing instrument was acknowledged before me this 18th day of April, 2011, by Tracy Tanner, a Trustee of The Cottages Community Association.

Jeffery J. Simonson
NOTARY PUBLIC

Cottages Community Association

Written Ballot

ENT 40417:2011 PG 3 of 9

mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: BILL THOMAS 12, 13, 14, 15, 16, 17
(Print Name/Lot # Above)

Bill Thomas
Sign Above

2-24-11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association

Written Ballot

mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Kerry Hoover Lot 28
(Print Name/Lot # Above)

Kerry Hoover
Sign Above

3-2-2011
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association

Written Ballot

ENT 40417:2011 PG 4 of 9

mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Kevin J. Sutherland, Lot 10
(Print Name/Lot # Above)

[Signature]
Sign Above

2/15/11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association

Written Ballot

mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: David A. Erickson, Lot 11
(Print Name/Lot # Above)

[Signature]
Sign Above

2/26/11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association
Written Ballot
mailed 2-10-11

ENT 40417:2011 PG 5 of 9

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Jeff Wells for J+J Property Mgmt LLC Lot #9
(Print Name/Lot # Above)

[Signature]
Sign Above

Feb 22, 2010
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: David B Paxma Lot 7
(Print Name/Lot # Above)

[Signature]
Sign Above

March 2 2011
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Wayne Tew Lot 6
(Print Name/Lot # Above)

Wayne Tew
Sign Above

3/9/11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Brent Olsen # 34
(Print Name/Lot # Above)

Brent Olsen
Sign Above

2-11-11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association

Written Ballot

mailed 2-10-11

ENT 40417:2011 PG 7 of 9

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: DUANE HOUSEHOLDER Lot 25
(Print Name/Lot # Above)

[Signature]
Sign Above

Feb. 11, 2011
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association

Written Ballot

mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Sheri Householder #25
(Print Name/Lot # Above)

[Signature]
Sign Above

2/11/11
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative votes would also meet the requirement for a quorum)

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Tracy Tanner, Lots 18-23, 33
(Print Name/Lot # Above)
Tracy Tanner 3-9-11
Sign Above Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above Date Signed

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Tracy Tanner, Lot 31
(Print Name/Lot # Above)
Tracy Tanner 3-9-11
Sign Above Date Signed

Against: _____
(Print Name/Lot # Above)

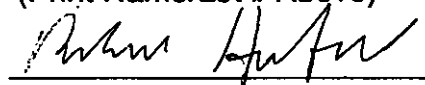
Sign Above Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: Richard Holzapfel Lot 32
(Print Name/Lot # Above)


Sign Above

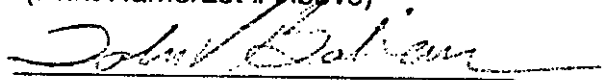
Feb 28, 2011
Date Signed

From: balianpx@aol.com
Subject: SCAN0001.JPG
Date: March 10, 2011 7:20:25 PM MST
To: tracytanmac@aol.com
▶ 1 Attachment, 581 KB

Cottages Community Association
Written Ballot
mailed 2-10-11

I hereby officially submit my vote, as a qualified member, regarding the attached Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek which authorizes the use of a "Replacement Assessment" as described in paragraph two of Section 5.3 in the attached proposed Amendment:

For: LOT 3
(Print Name/Lot # Above)


Sign Above

3/10/2011
Date Signed

Against: _____
(Print Name/Lot # Above)

Sign Above

Date Signed

Ballots must be received by **March 12, 2011** to be valid: mail ballot to Cottages Community Association at: 274 Hobble Creek Canyon, Springville, Utah 84663. At least **67% of the owners** must vote in favor of the proposed amendment for approval to occur. (67% affirmative