

After recording mail to:
Richards Law, PC
4141 So. Highland Drive, Ste. 225
Salt Lake City, UT 84124

ENT31397:2021 PG 1 of 5
Andrea Allen
Utah County Recorder
2021 Feb 19 09:33 AM FEE 480.00 BY SW
RECORDED FOR Richards Law, P.C.
ELECTRONICALLY RECORDED

AMENDMENT TO THE BYLAWS

LOCH LOMOND HOMEOWNERS ASSOCIATION

This Amendment to the Bylaws Loch Lomond Homeowners Association The Cove at Jordan River Owners Association (this "Amendment"), is made on the date evidenced below by the Loch Lomond Homeowners Association (hereinafter "**Association**").

RECITALS

A. Certain real property in Utah County, Utah, known as Loch Lomond Phases 1 and 2 ("Phases 1 and 2") were subjected to certain covenants, conditions, and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions and were recorded on June 2, 2000, as Document Entry No. 43721:2000, in the Utah County Recorder's Office, state of Utah ("Declaration"), as may be amended;

B. Phases 1 and 2 were also subject to Bylaws of the Association which recorded on June 2, 2000, as Document Entry No. 43722:2000, in the Utah County Recorder's Office, Utah ("Bylaws"), as may be amended;

C. Additional real property in Utah County, Utah, known as Loch Lomond Phases 3 and 4 ("Phases 3 and 4") were subjected to certain covenants, conditions, and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions and were recorded on November 19, 2002, as Document Entry No. 138390:2002, in the Utah County Recorder's Office, state of Utah ("Declaration"), as may be amended;

D. Phases 3 and 4 were also subject to Bylaws of the Association which recorded on November 19, 2002, as Document Entry No. 138389:2002, in the Utah County Recorder's Office, Utah ("Bylaws"), as may be amended;

E. This Amendment to the Bylaws shall be binding against the property described in the Declaration and Bylaws, and any annexation or supplement thereto (**Exhibit A**);

F. This Amendment is intended to expand and clarify certain provisions of the Bylaws regarding notice and voting through electronic means.

G. Pursuant to Article IX of the Bylaws, the affirmative vote of Association Members representing two-thirds (2/3) of a quorum of Members has been received to approve the adoption and recordation of this Amendment to the Bylaws.

NOW THEREFORE, Article III, Section 3.3 is hereby deleted in its entirety and replaced as follows:

3.3 Notice of Meetings.

(a) Written notice of any meeting of the Members shall be given by or at the direction of, the secretary of person authorized to call the meeting, by delivering a copy of such notice to each Owner entitled to vote thereat at least fifteen (15) days but not more than sixty (60) days before such meeting. The notice shall specify the place, day and hour of the meeting, and in the case of a special meeting, the purpose of the meeting.

(b) In any circumstance where notice is required to be given to the Owner, the Association may provide notice by electronic means, including text message, email, or an Association website, if the Board deems the notice to be fair and reasonable. An Owner may require the Association, by written demand, to provide notice to the Owner by regular U.S. mail. The Board is authorized to promulgate Rules and procedures facilitating the implementation of this section as it deems fit from time to time, including requiring Owners to furnish the Association with a current email address so long as such email addresses are not deemed a record of the Association and shall only be used by the Board for Association business.

(c) Except as otherwise provided in the Declaration, these Bylaws or law, all notices to any Owner shall be sent to such address as may have been designated by him or her, from time to time, in writing to the Board, or if no address has been designated, then to the Owner's Lot. Neither the Board nor its Agent(s) shall be responsible for locating the Owner if their mailing address has changed. Owners shall notify the Association of all such changes.

(d) If a Lot is jointly owned or the Lot has been sold under a land sale contract, notice shall be sent to a single address (physical or electronic), of which the secretary has been notified in writing by such parties. If no address has been given to the secretary in writing, then mailing to the Lot shall be sufficient.

(e) All notices to the Association or the Board of Directors shall be sent care of the managing agent, or if there is no managing agent, to the principal office of the Association or to such other address as the Board of Directors may hereafter designate from time to time.

NOW THEREFORE, Article III, Section 3.6 is hereby created and added as follows:

3.6 Conducting Affairs, Electronic Means for both Member Meetings and Board Meetings. Any notice, transaction or action involving the business or affairs of the Association or the Board (whether or not expressly stated any Articles or Sections of the Declaration or Bylaws), including but not limited to establishing a quorum, voting, election of Directors,

communicating with members and providing notice or records, may be conducted by electronic means.

The Association may accept an electronic vote, consent, written ballot, waiver, proxy appointment, or proxy appointment revocation as the act of the Owner if the Association, through the Committee, has no reason to believe it is not the act of the Owner. Any such document or writing may be delivered in an electronic medium or by electronic transmission, and may be signed by photographic, electronic, or other means. An electronic record or electronic signature is attributable to a person if it was the act of the person. An electronic signature may consist of a mark, symbol, character, letter, or number or any combination thereof attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record and the same shall be considered the signature of such person. A writing includes any document, record, vote, ballot, proxy, or instrument required or permitted to be transmitted by a Member or by the Association.

NOW THEREFORE, Article III, Section 3.7 is hereby created and added as follows:

3.7 Action by Written Ballot in Lieu of a Meeting. Any action that may be taken at any annual, regular, or special meeting of Owners may be taken without a meeting if the Association causes to be delivered a written ballot to every Owner entitled to vote on the matter not less than fifteen (15) days prior to the date on which the ballots must be received by the Association in order to be counted. A written ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. Approval by written ballot pursuant to this section shall be valid only when: (i) the time by which all ballots must be received has passed; and (ii) the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot. All solicitations for votes by written ballot shall indicate the number of responses needed to meet the quorum requirements; state the percentage of approvals necessary to approve each matter other than election of directors; specify the time by which a ballot must be received by the Association in order to be counted; and be accompanied by written information sufficient to permit each person casting such ballot to reach an informed decision on the matter. In the event the action is for election of Board of Directors members, there shall be space on the ballot to write in nominations. Action taken under this section has the same effect as action taken at a meeting of Owners and may be described as such in any document.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

IN WITNESS WHEREOF, the Association has executed this Amendment to the Bylaws as of this 18 day of February, 2021.

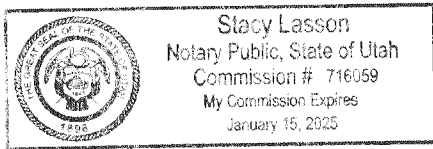
LOCH LOMOND HOMEOWNERS ASSOCIATION

[Signature]
PRESIDENT

[Signature]
SECRETARY

STATE OF UTAH)
 :ss
County of Utah)

On the 18 day of February, 2021, personally appeared before me Lynette Callister and Marcus Hardy who, being first duly sworn, did say that they are the President and Secretary of Loch Lomond Homeowners Association and that the foregoing instrument was signed in behalf of said Association by authority of its Board of Directors; and each of them acknowledged said instrument to be their voluntary act and deed.



[Signature]
Notary Public for Utah

EXHIBIT A

All Lots and Common Area according to the plat(s) thereof as recorded in the office of Utah County Recorder as stated below:

LOCH LOMOND PHASE 1 AMD

First Parcel No. 45:320:0101

LOCH LOMOND PHASE 2

First Parcel No. 45:332:0201

LOCH LOMOND PHASE 3

First Parcel No. 45:355:0301

LOCH LOMOND PHASE 4

First Parcel No. 45:356:0401