

WHEN RECORDED RETURN TO:  
Benson Mills Homeowners Association  
c/o FCS Community Management  
PO Box 5555  
Draper, UT 84020  
801-256-0465  
manager@hoaliving.com

Space Above for Recorder's Use Only

**Parcel #: 16-027-0-0101 through 0155 BENSON MILL CROSSING PHASE 1 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 101 through 155, BENSON MILL CROSSING PHASE 1 PUD, A Planned Unit Development of Tooele County

**Parcel #: 16-069-0-0201 through 0222 BENSON MILL CROSSING PHASE 2 PUD AMENDED, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 201 through 222, BENSON MILL CROSSING PHASE 2 PUD AMENDED, A Planned Unit Development of Tooele County

**Parcel #: 16-070-0-0301 through 0353 BENSON MILL CROSSING PHASE 3 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 301 through 353, BENSON MILL CROSSING PHASE 3 PUD, A Planned Unit Development of Tooele County

**Parcel #: 17-099-0-0401 through 0411 BENSON MILL CROSSING PHASE 4 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 401 through 409, A and B, BENSON MILL CROSSING PHASE 4 PUD, A Planned Unit Development of Tooele County

**Parcel #: 18-019-0-0501 through 0516 BENSON MILL CROSSING PHASE 5 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 501 through 516, Benson Mill Crossing, Phase 5 PUD, A Planned Unit Development of Tooele County

**Parcel #: 18-040-0-0601 through 0630 BENSON MILL CROSSING PHASE 6 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 601 through 630, Benson Mill Crossing, Phase 6 PUD, A Planned Unit Development of Tooele County

**Parcel #: 18-041-0-0701 through 0718 BENSON MILL CROSSING PHASE 7 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 701 through 718, Benson Mill Crossing, Phase 7 PUD, A Planned Unit Development of Tooele County

**Parcel #: 18-065-0-0801 through 0845 BENSON MILL CROSSING PHASE 8 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 801 through 845, Benson Mill Crossing, Phase 8 PUD, A Planned Unit Development of Tooele County

**Parcel #: 18-089-0-0901 through 0938 BENSON MILL CROSSING PHASE 9 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 901 through 938, Benson Mill Crossing, Phase 9 PUD, A Planned Unit Development of Tooele County

**Parcel #: 19-033-0-1001 through 1007 BENSON MILL CROSSING PHASE 10 PUD, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY**

All of Lots 1001 through 1007, Benson Mill Crossing, Phase 10 PUD, A Planned Unit Development of Tooele County

**2017 AMENDMENT TO**  
**MASTER DECLARATION OF COVENANTS, CONDITIONS AND**  
**RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR**  
**BENSON MILL CROSSING (MASTER ASSOCIATION)**

This Amendment to Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Benson Mill Crossing is executed by Ivory Development, LLC, a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, Utah 84117 (the "Declarant").

### RECITALS

- A. Whereas, the Property is subject to and bound by the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Benson Mill Crossing recorded in the official records of the County Recorder of Tooele County, Utah on June 29, 2007 as Entry No. 288009 (the "Master Declaration").
- B. Whereas, the Property is subject to and bound by the First Amendment to Declaration of Protective Covenants for Benson Mill Crossing recorded in the official records of the County Recorder of Tooele County, Utah on September 18, 2007 as Entry No. 293692 (the "First Amendment").
- C. Whereas, the Property is subject to and bound by the "Second" Amendment to Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Benson Mill Crossing and Neighborhood Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Benson Mills Crossing Towns Subdivision recorded in the official records of the County Recorder of Tooele County, Utah on June 11, 2013 as Entry No. 385380 (the "Second Amendment").
- D. Whereas, Declarant reserved the unilateral right to amend the Master Declaration.
- E. Whereas, this Amendment affects the real property submitted to the Master Declaration located in Tooele County, Utah described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference.
- F. Whereas, this Amendment affects the real property and townhouse lots known as the Benson Mills Crossing Towns Subdivision located in Tooele County, Utah described with particularity on Exhibit "A-1" attached hereto and incorporated herein by this reference.

### AMENDMENT

NOW, THEREFORE, pursuant to the foregoing, the Association, through its Board of Directors, and with the consent and approval of the Declarant, hereby makes and executes the following amendments to the Declaration, which shall be effective as of its recording date:

**Amendment No. 1: Article III – Section 3.1: Directors by Neighborhood and at Large**  
is hereby amended and restated:

**3.1 Directors by Neighborhood and at Large.** The Board of MHOA shall have three (3) Directors. Two (2) of the three (3) directors shall be appointed, by the Board of the Towns, as representatives of the Benson Mills Crossing Towns Subassociation ("Towns"), from among the elected Board of the Towns. The third representative shall be appointed, by the Board of the Benson Mills Crossing Single Family Homes Subassociation ("SFH"), as representative of the Benson Mills Crossing SFH Subassociation, from among the elected Board of the SFH's. If there is no Subassociation for the SFH Neighborhood, members of the SFH Neighborhood shall elect their representative at the Annual Meeting.

At the first Annual Meeting of the Association the term of office of one Board member shall be fixed at three (3) years. The term of office of one Board member shall be fixed at two (2) years, and the term of office of one Board member shall be fixed at one (1) year. At the expiration of the initial term of office of each respective Board member, his/her successor shall be elected to serve a term of three (3) years.

**AMENDED BYLAWS  
OF THE  
BENSON MILLS CROSSING MASTER ASSOCIATION**

**Bylaw Amendment No. 1: Article III – Section 3.04: Quorum**  
is hereby amended and restated:

**Section 3.04 Quorum.** At any meeting of the Owners, those Owners present, in person or by proxy, shall constitute a quorum except as otherwise expressly provided in the association governing documents.

**Bylaw Amendment No. 2: Article VI – Section 6.01: Enumeration of Officers**  
is hereby amended and restated:

**Section 6.01 Enumeration of Officers.** The officers of the Master Association shall be a President and Secretary, plus such other officers as the Board of Directors may from time to time by resolution create. The same individual may not concurrently hold the office of President and Secretary. The officers must be Members of the Board of Directors.

IN WITNESS WHEREOF, Declarant has executed this 2017 Amendment on this 2<sup>ND</sup> day of NOVEMBER, 2017.

DECLARANT  
Ivory Development, LLC

By: *Christopher P. Gamvoulas*

Name: CHRISTOPHER P. GAMVOULAS

Title: PRESIDENT

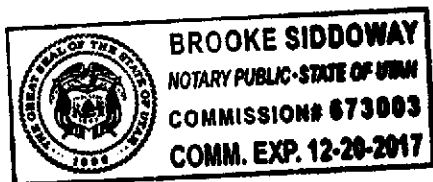
**ACKNOWLEDGMENT**

STATE OF UTAH )

ss.

COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of Nov, 2017 by Christopher P Gamvoulas as the President of Ivory Development, LLC.



*Brooke Siddoway*  
Notary Public

**EXHIBIT "A"**

**MASTER LEGAL DESCRIPTION**

The Property referred to in the foregoing document as the Benson Mills Crossing is located in Tooele County, Utah and is described more particularly as follows:

All of BENSON MILL CROSSING PHASE 1 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 275454.

Parcel No.: 16-027-0-0101 through 0155

All of BENSON MILL CROSSING PHASE 5 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 372172.

Parcel No.: 18-019-0-0501 through 0516

All of BENSON MILL CROSSING PHASE 6 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 384001.

Parcel No.: 18-040-0-0601 through 0630

All of BENSON MILL CROSSING PHASE 8 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 394940.

Parcel No.: 18-065-0-0801 through 0845

**EXHIBIT "A-1"**

**BENSON MILLS CROSSING TOWNS SUBDIVISION LEGAL DESCRIPTION**

The Property referred to in the foregoing document as the Benson Mills Crossing Towns Subdivision is located in Tooele County, Utah and is described more particularly as follows:

All of BENSON MILL CROSSING PHASE 2 PUD - AMENDED, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 297026.

Parcel No.: 16-069-0-0201 through 0222

All of BENSON MILL CROSSING PHASE 3 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 297027.

Parcel No.: 16-070-0-0301 through 0353

All of BENSON MILL CROSSING PHASE 4 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 357256.

Parcel No.: 17-099-0-0401 through 0409

All of BENSON MILL CROSSING PHASE 7 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 384003.

Parcel No.: 18-041-0-0701 through 0718

All of BENSON MILL CROSSING PHASE 9 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 403960.

Parcel No.: 18-089-0-0901 through 0938

All of BENSON MILL CROSSING PHASE 10 PUD, a Planned Residential Development, as the same is identified in the Record of Plat Map recorded in Tooele County, Utah as Entry No. 425575.

Parcel No.: 19-033-0-1001 through 1007