



**AMENDMENT TO CONDITIONS, COVENANTS,  
RESTRICTIONS and EASEMENTS**

**PIONEER ADDITION, PHASE V(B)  
RESIDENTIAL DISTRICT**

This Amendment to Conditions, Covenants, Restrictions and Easements (the "Amendment") is made this 24<sup>th</sup> day of August, 2013 by the Declarant, Monte Vista Ranch, L.C. (the "Declarant").

RECITALS

A. The Association is governed by the Conditions, Covenants, Restrictions and Easements, Pioneer Addition, Phase V(b) Residential District recorded as Entry No. 105659:2006, on August 16, 2006 in the Office of the Utah County Recorder, State of Utah, (the "Declaration");

B. This Amendment is subject to the Definitions of the Declaration at Article I, unless otherwise defined herein.

C. This Amendment shall amend provisions of the Declaration as noted below and shall apply to and be binding against all of the property it is recorded against and the property described in Exhibit A, attached hereto, and any additional property, annexation, expansion or supplement thereto (the "Property");

D. This Amendment is intended to:

- a. Clarify the first bullet point of Section 5.22 so that it is even more clear that no weeds are permitted; and
- b. Reduce the percentage of votes necessary for Members to amend the Declaration from seventy-five percent (75%), as currently provided in Section 10.2, to sixty-six percent (66%).

E. Pursuant to the Declaration at Section 10.1, the necessary approvals to amend the Declaration were duly conducted and received to adopt and record this amendment, including approval from the Eagle Mountain Properties Communities Master Association (the "Master Association").

**NOW THEREFORE**, The Declarant hereby amends the first bullet point of Section 5.22 of the Declaration so that it shall henceforth provide as follows:

- No lot shall be allowed to accumulate any growth of weeds, underbrush, or collection of tumbleweeds. Other plant growth greater than 12 inches high (other

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JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Sep 17 4:59 pm FEE 85.00 BY SW  
RECORDED FOR PIONEER ADDITION

than trees, flowers, hedges, or similar ornamental plants) shall also not be allowed. Upon the violation of this provision, the ARC shall notify the owner in writing of the violation either by mail, personal delivery or posting of the notice on the property. If the violation is not corrected within 30 days from the date of the notice, the ARC shall have the right to enter unto any lot in violation of this provision to correct the violation. Such lot shall be assess the costs incurred by the RC to correct the violation, which shall be deemed a special assessment against the individual lot.

The Declarant hereby amends Section 10.2 of the Declaration so that it shall henceforth provide as follows:

Section 10.2. Members Right to Amend. This Declaration may also be amended by the affirmative vote or written consent, or any combination thereof, of voting Members representing sixty-six percent (66%) of the total votes of the District Association, including sixty-six percent (66%) of the votes held by members other than the Declarant. However, the percentage of votes necessary to amend a specific clause shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause.

IN WITNESS WHEREOF, THE DECLARANT has executed this Amendment to the Declaration as of the 23<sup>rd</sup> day of August, 2013 in accordance with the Declaration.

Declarant, Monte Vista Ranch, L.C.

[Signature]  
\_\_\_\_\_  
President or Vice President

STATE OF UTAH )

:SS

County of Utah )

On this 23<sup>rd</sup> day of August, 2013, personally appeared before me Robyn Walden who is known to me or who presented satisfactory identification, and has, while in my presence and while under oath or affirmation, voluntarily signed this document.



[Signature]  
\_\_\_\_\_  
Notary Public

**EXHIBIT A**  
**Property Description**

All of Pioneer Addition Phase V(B)

BEGINNING AT A POINT THAT IS N89°30'03"W ALONG THE SECTION LINE 989.47 FEET AND SOUTH 1424.70 FEET FROM THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN;

THENCE N88°44'07"E 980.16 FEET;

THENCE S89°34'30"E 105.41 FEET;

THENCE SOUTH 423.43 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE BEARS S37°03'08"W THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 200.38 FEET THROUGH A CENTRAL ANGLE OF 191°21'04" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING S42°43'40"W 119.43 FEET) TO A POINT OF REVERSE CURVATURE WITH A 20.00 FEET RADIUS CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 19.06 FEET THROUGH A CENTRAL ANGLE OF 54°36'32" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N68°54'04"W 18.35 FEET)

THENCE S01°26'56"W 19.66 FEET;

THENCE S01°15'53"E 64.38 FEET;

THENCE S05°33'43"W 83.68 FEET;

THENCE S19°12'56"W 83.68 FEET TO THE NORTHERLY BOUNDARY OF THE PIONEER ADDITION PHASE I SUBDIVISION AS RECORDED IN BOOK 49, PAGE 500, ENTRY NUMBER 2003-103476, OFFICIAL RECORDS OF UTAH COUNTY, THENCE ALONG SAID NORTHERLY BOUNDARY THE FOLLOWING 10 COURSES;

THENCE S32°52'09"2 83.68 FEET;

THENCE S46°31'22"W 83.68 FEET;

THENCE S60°10'34"W 83.68 FEET;

THENCE S74°31'49"W 92.22 FEET;

THENCE N07°56'32"W 179.00 FEET TO THE BEGINNING OF NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 173.00 FEET, A RADIAL LINE BEARS N07°56'32"W;

THENCE ALONG SAID CURVE AN ARC LENGTH OF 21.78 FEET THROUGH A CENTRAL ANGLE OF 07°12'48" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N78°27'04"E 21.77 FEET)

THENCE N01°15'53"W 122.32 FEET;

THENCE S88°44'07" W 591.00 FEET;

THENCE N01°15'53"W 300.00 FEET;

THENCE S88°44'07"W 71.28 FEET TO THE EASTERLY BOUNDARY OF THE PIONEER ADDITIONA PHASE V(A) SUBDIVISION, AS RECORDED IN BOOK 49, PAGE 588, ENTRY NUMBER 2004-140691, OFFICIAL RECORDS OF UTAH COUNTY. THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING 3 COURSES:

Serial Nos.: 59:007:0064; 49:642:0027 through 49:642:0034; 49:642:0061 through 49:642:0084;  
49:642:0099 through 49:642:0136; 49:642:0137; 59:044:0102.