

After Recording Return To:  
Vista Ridge Estates  
Homeowners Association  
1331 No. Dixie Downs Rd. # 175  
St. George, Utah 84770  
435-986-3817

DOC # 20120040672

Amended Restrictive Covenants Page 1 of 3  
Russell Shirts Washington County Recorder  
11/28/2012 03:33:34 PM Fee \$ 15.00  
By VISTA RIDGE ESTATES HOA



**AMENDMENT TO THE AMENDED AND RESTATED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF VISTA RIDGE ESTATES**  
A PLANNED UNIT DEVELOPMENT

RECITALS

A. Certain real property in Washington County, Utah, known as Vista Ridge Estates was subjected to certain covenants, conditions and restrictions pursuant to an Amended and Restated Declaration of Covenants, Conditions and Restrictions of Vista Ridge Estates recorded January 20, 2004, as Entry No. 00860831 in the Recorder's Office for Washington County, Utah (the "Declaration").

B. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto, as described in Exhibit "A."

C. The Association has deemed it to be in the best interests of the Association to require all lot owners to share in the common expenses of the Vista Ridge Estates subdivision and the Association desires to amend the Declaration accordingly.

D. Pursuant to Article XII, Section 4 of the Declaration, the undersigned hereby certifies that all of the voting requirements to amend the Declaration have been satisfied and that instruments signed by not less than 2/3rds of the lot owners have been obtained and are on file in the records of the Association.

**NOW, THEREFORE**, the Association hereby amends Article V of the Declaration as follows:

1. Article V, Section 1 of the Declaration is amended to read as follows:

Section 1. Creation of a Lien and Personal Obligation of Assessments. The members for each Lot owned, hereby covenants, and each owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay the Homeowners Association (1) annual assessments, (2) special assessments, and (3) capital assessments. Such assessments to be levied, fixed established and collected from time to time as hereinbelow provided.

The assessments, together with interest, costs, and reasonable attorney's fees as hereinafter provided, shall be a charge on the Lot against which each such assessment is made. Each such assessment, together with interest, costs and reasonable attorney's fees shall also be the personal obligation of the person who was the owner of such Lot at the time when the

assessment became due. The personal obligation for delinquent assessment shall not pass to his successors in title unless expressly assumed by them. All rights and remedies granted by the Utah Community Association Act (Utah Code Title 57, Chapter 8a), as amended from time to time, (the "Act") are hereby incorporated by reference into this Declaration for the levying and collection of assessments and charges. If any remedy in the Act requires the authorization of any governing document, such authorization shall be deemed to be specifically and fully set forth herein.

- 2. Article V, Sections 3, 6, 10, and 11 of the Declaration are hereby amended by replacing the words "living unit" with the word "Lot" in all instances.
- 3. Article V, Section 9, subsection b is hereby deleted in its entirety.

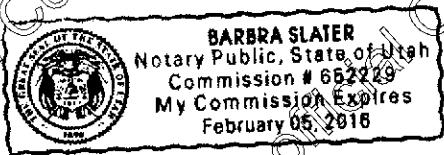
IN WITNESS WHEREOF, VISTA RIDGE ESTATES HOMEOWNERS ASSOCIATION has executed this Amendment to the Declaration as of the 28<sup>th</sup> day of November, 2012.

**VISTA RIDGE ESTATES  
HOMEOWNERS ASSOCIATION**

Darlene Albrecht, President  
Print Name: Darlene Albrecht  
Its:

State of Utah )  
County of Washington :ss

On the 28<sup>th</sup> day of November, 2012, personally appeared before me DARLENE ALBRECHT, PRESIDENT who, being first duly sworn, did say that they are the President of the Association and that this instrument was signed on behalf of the Association by authority of its Board of Directors; and they acknowledge said instrument to be their voluntary act and deed.



Barbara Slater  
Notary Public

**EXHIBIT A**

**Legal Description**

All Lots 1 - 152, VISTA RIDGE ESTATES 1 AMD FKA SUMMERHILL EST subdivision, according to the official plat thereof as recorded in the office of the Washington County Recorder.

All Lots 54 - 172 VISTA RIDGE ESTATES 2 subdivision, according to the official plat thereof as recorded in the office of the Washington County Recorder.