



E# 2950353 PG 1 OF 4  
Leann H. Kilts, WEBER COUNTY RECORDER  
02-Nov-18 12:11 PM FEE \$101.00 DEP T  
REC FOR: MILLER HARRISON LLC  
ELECTRONICALLY RECORDED

**THIRD AMENDMENT TO THE  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
THE MEADOWS AT WEST HAVEN  
A PLANNED RESIDENTIAL UNIT DEVELOPMENT**

THIS THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE MEADOWS AT WEST HAVEN A PLANNED RESIDENTIAL UNIT DEVELOPMENT is made and executed on the date set forth below and shall be effective upon recording in the Weber County Recorder's Office.

**RECITALS**

A. Certain real property in Weber County known as The Meadows at West Haven was subjected to certain covenants, conditions, and restrictions as contained in the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development, recorded in the Recorder's Office for Weber County, Utah on November 10, 2004 as Entry No. 2067610 ("Declaration").

B. The Declaration was first amended by the "First Amendment to the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development", recorded as Entry No. 2589590 with the Weber County Recorder's Office on August 7, 2012.

C. The Declaration was next amended by the "Second Amendment to the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development", recorded as Entry No. 2669316 with the Weber County Recorder's Office on December 23, 2013.

D. The Association desires to further amend the Declaration as indicated below.

E. This Third Amendment shall be binding against the Property as described in the Declaration, including those parcels listed in "Exhibit A".

F. Pursuant to Section 13.02 of the Declaration, the Declaration may be amended upon the affirmative vote of a majority of Owners. A majority of Owners have approved the following amendment. No first mortgagees have requested notice as outlined in Section 11.04 of the Declaration.

## AMENDMENTS

### Amendment 1:

Article XIII, Section 13.01 of the Declaration is hereby amended in its entirety to read as follows:

13.01 Notices. Any notice required or permitted to be given to any Owner under the provisions of this Declaration may be delivered using any method provided in the Utah Community Association Act at §57-8-214 (as may be amended from time to time). This includes, without limitation, notice by personal delivery, first-class mail (postage prepaid), or electronic means including, text message, email, or via the Association's website (if any). Notice by mail shall be made by sending such notice to the most recent address furnished by such Owner in writing to the Association for the purpose of giving notice, or if no such address shall have been furnished, then to the street address of such Owner's Lot or posted on the front door of the Residential Unit. Any notice so deposited in the mail shall be deemed delivered when deposited. Any notice delivered by email or text shall be deemed delivered when sent. Any notice given via Association website, shall be deemed delivered when posted to the website. In the case of co-Owners, any such notice may be delivered or sent to any one of the co-Owners on behalf of all co-Owners and shall be deemed delivered to all such co-Owners. Owners shall register with the Association an email address and phone number that may receive text messages. Any notice required or permitted to be given to the Association may be given by delivering or mailing the same to the Managing Agent. If there is no Managing Agent then notice may be delivered or mailed to the President of the Association. Any notice required or permitted to be given to the Design Committee may be given by delivering or mailing the same to the Managing Agent. If there is no Managing Agent then notice may be delivered or mailed to any member of the Design Committee.

### Amendment 2:

Article XIII, Section 13.02 of the Declaration is hereby amended in its entirety to read as follows:

13.02 Amendment. Amendments to this Declaration shall be proposed by a majority of the Board or by Owners holding at least forty percent (40%) of the voting interests of the Association. The proposed amendment must be reduced to writing and must be included in the notice of any meeting at which action is to be taken thereon. Except as provided in Article XI, this Declaration may only be amended upon the affirmative vote of at least a majority of the Owners. No meeting shall be required for an amendment if the required vote for approval is obtained by written consent or ballot. Any amendment(s) shall be effective upon recordation in the office of the Weber County Recorder. In such instrument the Board shall certify that the vote required by this Section for amendment has occurred. If a Lot is owned by more than one Owner, the vote of any one Owner shall be sufficient to constitute approval for that Lot under this Section. If a Lot is owned by an entity or trust, the vote of any one officer, trustee, or agent of the entity shall be sufficient to constitute approval for that Lot under this Section. No acknowledgment of any signature used for voting shall be required.

**CERTIFICATION**

The foregoing amendments to the Declaration were duly approved by more than a majority of the Owners of THE MEADOWS AT WEST HAVEN HOME OWNERS ASSOCIATION, INC. as required by Section 13.02 of the Declaration.

EXECUTED this 23 day of October, 2018.

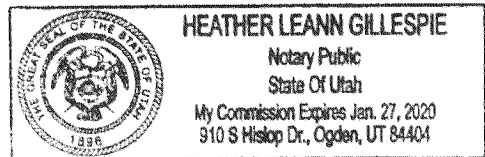
Linda Cooper  
President

Brenda Fisher  
Secretary

STATE OF UTAH )  
 ) SS:  
COUNTY OF WEBER )

On the 23 day of October 2018, personally appeared before me Linda Cooper and Brenda Fisher. Who by me being duly sworn, did say that they are the President and Secretary of The Meadows at West Haven Home Owners Association, Inc., and that the foregoing instrument was approved by at least a majority of the Owners of said Homeowners Association.

Heather L. Gillespie  
Notary Public



**EXHIBIT A**

Parcel Numbers and Legal Descriptions

(86 TOTAL LOTS)

MEADOWS AT WEST HAVEN PHASE 1, (THE) A PUD, WEST HAVEN CITY, WEBER COUNTY, UTAH. LOTS 1A THRU 43B (42 Lots)

Parcel Numbers: 08-427-0001 THRU 08-427-0042

THE MEADOWS AT WEST HAVEN PHASE 2, A PUD. LOTS 44A THRU 87D (26 Lots)

Parcel Numbers: 08-443-0001 THRU 08-443-0026

MEADOWS AT WEST HAVEN PHASE 2, A PUD, (THE) WEST HAVEN CITY, WEBER COUNTY, UTAH. LOTS 56A THRU 73B (18 Lots)

Parcel Numbers: 08-444-0001 THRU 08-444-0018