

103
H



ENT 60212:2011 PG 1 of 4
JEFFERY SMITH
UTAH COUNTY RECORDER
2011 Aug 26 1:41 pm FEE 103.00 BY CS
RECORDED FOR CHESWORTH, ROBERT

After Recording Return To:

RICHARDS, KIMBLE & WINN, PC
2040 Murray Holladay Rd., Suite 106
SLC, UT 84117

**AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR BRIDGESTONE HOMEOWNERS ASSOCIATION**
A PLANNED UNIT DEVELOPMENT

This Amendment is made on the date evidenced below by the Bridgestone Homeowners Association ("Association").

RECITALS

A. Certain real property in Utah County, Utah, known as Bridgestone was initially subjected to certain covenants, conditions and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions recorded June 2, 1998, Book 4657, Page 609 in the records of the Utah County Recorder, and most recently pursuant to an Amended and Restated Declaration of Covenants, Conditions and Restrictions recorded April 6, 2006, as Entry 41501:2006 in the records of the Utah County Recorder (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 desires to facilitate the build out and completion of the Bridgestone development and to promote the long term marketability and desirability of Units constructed after the date of this amendment, and to that end, the Association desires to amend its Declaration to reflect reasonable processes and procedures which will help accomplish those purposes.

D. Pursuant to Article VII, Section G of the Declaration, the undersigned hereby certifies that all of the voting requirements to amend the Declaration have been satisfied and that the affirmative vote of at least 67% of the Lots subject to the Declaration has been obtained to adopt this Amendment.

NOW, THEREFORE, the Association hereby amends **Article II, Section A** of the Declaration, as follows:

II. ARCHITECTURAL CONTROL

A. **ARCHITECTURAL CONTROL COMMITTEE.** An Architectural Control Committee (the "Committee") shall be designated and composed of three (3) or more representatives. The Bridgestone Homeowners Association Board of Directors shall appoint the members of the

Committee or, alternatively and in its discretion, the Board shall act as the Committee. In the event of death or resignation of any member of the Committee, the board shall designate a successor. The Board of Directors shall have the right to remove any member of the Committee appointed by it.

NOW, THEREFORE, the Association hereby amends **Article VI, Section A** of the Declaration, as follows:

A. PLANS. The term "Unit" as used in this Declaration shall be defined as set forth in the Bylaws for Bridgestone Homeowners Association. No construction of a new Unit may be commenced until plans showing the nature, kind, shape, height, width, color, materials and details thereof have been submitted to and approved in writing by the Board of Directors.

No prior approval is necessary for construction of a new Unit(s) if the new Unit(s) consist of plans which have been previously approved by the Board or otherwise utilized in the Properties.

Standard for Approval. The Board shall approve plans for new Unit(s) submitted for its approval only if it reasonably determines that:

- (a) all things considered, the improvement or construction contemplated by the new Unit(s) will not be detrimental to the surrounding area, to the Properties as a whole, or to the best interests of the Association as a whole,
- (b) in light of the aesthetic aspects of the architectural designs, landscaping, color schemes, exterior finishes and materials and similar features, the new Unit(s) will not detract from the beauty and attractiveness of the Property or the enjoyment thereof by the Members, and,
- (c) the ongoing maintenance of any proposed new Unit(s) on a per unit or per building basis will not be any more burdensome from an expense perspective on the Association than the already existing Unit(s) are on a per unit or per building basis.

NOW, THEREFORE, the Association hereby amends **Article VI, Section C, Subsection 5** of the Declaration by deleting it in its entirety.

IN WITNESS WHEREOF, BRIDGESTONE HOMEOWNERS ASSOCIATION, INC., has executed this Amendment to the Declaration as of the 24 day of AUGUST, 2011.

**BRIDGESTONE HOMEOWNERS
ASSOCIATION, INC.**



Print Name: ROBERT W. CHESWORTH
Title: PRESIDENT
BRIDGESTONE HOA

State of Utah)
)
 :SS
County of UT)

On the 24 day of AUGUST, 2011, personally appeared before me Majeed Abudu who, being first duly sworn, did say that they are the authorized agent of the Bridgestone Homeowners Association, Inc., and that this instrument was signed on behalf of the Association by authority of its Board of Directors; and acknowledged said instrument to be their voluntary act and deed.



Notary Public

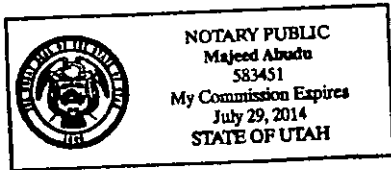


EXHIBIT A

ENT 60212:2011 PG 4 of 4

Legal Description

All Lots (88 Total) and Common Areas in the following subdivisions:

BRIDGESTONE PUD PLAT A
BRIDGESTONE PUD PHASE B
BRIDGESTONE PUD PLAT D AMENDED
BRIDGESTONE PUD PLAT E
BRIDGESTONE PUD PLAT F
BRIDGESTONE PUD PLAT G

according to the plats thereof as recorded in the office of the Utah County Recorder.

First Parcel Number: 35:315:0850