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EW 2669318 PG 1 OF 6  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
23-DEC-13 9:11 AM FEE \$105.00 DEP TOT  
REC FOR: MEADOWS AT WEST HAVEN HOA

**WHEN RECORDED RETURN TO:**  
VIAL FOTHERINGHAM LLP  
602 East 300 South  
Salt Lake City, UT 84102

**FIRST AMENDMENT TO THE  
BYLAWS OF  
THE MEADOWS AT WEST HAVEN**

THIS FIRST AMENDMENT TO THE BYLAWS OF THE MEADOWS AT WEST HAVEN is made and executed on the date set forth below.

**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, and all amendments made thereto ("Declaration");

B. The Meadows at West Haven is governed and operated by The Meadows at West Haven Home Owners Association, Inc. ("Association").

C. The Association, pursuant to the Utah Revised Nonprofit Corporation Act, first established its Bylaws on or about March 11, 2010.

D. This First Amendment shall be binding against the property described in "Exhibit A";

E. This First Amendment is intended to allow the Association to be more efficient and effective in fulfilling its obligations and duties.

F. Pursuant to Section 7.1 of the Bylaws and Section 13.02 of the Declaration, owners representing more than 50% of the total votes of the Association have approved this First Amendment. No first mortgagees have requested notice as outlined in Section 11.04 of the Declaration.

**Amendment #1**

Article 2, Section 2.1 of the Bylaws is hereby amended to read as follows:

2.1 Annual Meeting. The annual meeting of members shall be held during the month September at a date and time designated by the Board of Directors. If the election of Directors shall not be held on the day designated for the annual meeting of the members, or at any adjournment thereof,

the Board of Directors shall cause the election to be held at a special meeting of the members to be convened as soon thereafter as may be convenient.

**Amendment #2**

Article 2, Section 2.4 of the Bylaws is hereby amended to read as follows:

2.4 Notice of Meetings. The Board of Directors shall cause written or printed notice of the date, time, and place (and in the case of a special meeting, the purpose or purposes) for all meetings of the members. Such written or printed notice shall be delivered to each member not more than sixty (60) nor less than ten (10) days prior to the meeting. Such notice may be hand-delivered, mailed, or emailed. If mailed, such notice shall be deemed to be delivered when deposited in the U.S. mail addressed to the member at the member's address registered with the Association, with first-class postage thereon prepaid. Each member shall register with the Association such member's current mailing address for purposes of notice hereunder. Such registered address may be changed from time to time by notice in writing to the Association. If no address is registered with the Association, the member's Lot address shall be deemed to be the member's registered address. Notice by email is deemed delivered when sent to the member's email address registered with the Association and constitutes proper notice unless a member has given written notice to the Board of Directors that he/she will not accept notices by way of email.

**Amendment #3**

Article 3, Section 3.4 of the Bylaws is hereby amended to read as follows:

3.4 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any Director. The person or persons authorized to call special meetings of the Board of Directors may fix any place reasonable convenient to the Directors, as the place for holding any special meeting of the Board of Directors called by such person or persons. Notice of any special meeting shall be given at least five (5) days prior thereto by written notice delivered personally, via email, or mailed to each Director at his registered address. If mailed, such notice shall be deemed to be delivered when deposited in the U.S. mail so addressed, with first class postage thereon prepaid. If emailed, such notice shall be deemed delivered when sent to the Directors email addressed registered with the Association. Any Director may waive notice of a meeting.

**Amendment #4**

Article 8 is hereby added to the Bylaws as follows:

**ARTICLE 8  
RECORDS AND AUDITS**

The Association shall maintain within the State of Utah all documents, information, and other records of the Association in accordance with the Declaration, these Bylaws, and the Utah Revised Nonprofit Corporation Act in the manner prescribed by a resolution adopted by the Board of Directors.

8.1 General Records.

a. The Board of Directors or Managing Agent for the Association shall keep detailed records of the actions of the Board of Directors; minutes of the meetings of the Board of Directors; and minutes of the Owner meetings of the Association.

b. The Board of Directors shall maintain a book of resolutions containing any rules, regulations, and policies adopted by the Association and Board of Directors.

c. The Board of Directors shall maintain a list of members.

d. The Association shall retain within the State of Utah all records of the Association for not less than the period specified in applicable law.

8.2 Records of Receipts and Expenditures. The Board of Directors or its designee shall keep detailed, accurate records of the receipts and expenditures affecting the Property, itemizing the maintenance and repair expenses of the Common Areas and any other expenses incurred.

8.3 Financial Reports and Audits.

a. A report of the receipts and expenditures of the Association and a balance sheet showing assets and liabilities shall be rendered by the Board of Directors to all members at least annually.

b. From time to time the Board of Directors, at the expense of the Association, may obtain an audit and/or review by a certified public accountant or other financial review of the books and records pertaining to the Association and furnish copies thereof to the members. At any time any member may, at such member's own expense, cause an audit or inspection to be made of the books and records of the Association.

8.4 Inspection of Records by Owners.

a. Except as provided in Section 8.5 below, all records of the Association shall be reasonably available for examination by a member pursuant to rules and regulations adopted by resolution of the Board of Directors.

b. The Board of Directors shall maintain a copy, suitable for the purposes of duplication of the following:

i. The Declaration, Bylaws, Articles of Incorporation, and any amendments in effect or supplements thereto, and rules, regulations, and policies of the Association.

ii. The most recent financial statement prepared pursuant to Section 8.3 above.

iii. The current operating budget of the Association.

c. The Association, after receipt of a written request by a member, shall, within a mutually agreeable period of time, furnish the requested information required to be maintained under subsection b. of this Section.

d. The Board of Directors, by resolution, may adopt reasonable rules governing the frequency, time, location, notice, and manner of examination and duplication of Association records and the

imposition of a reasonable fee for furnishing copies of any documents, information or records described in this Section. The fee may include reasonable personnel costs incurred to furnish the information, including any and all fees the Association may be charged by its designee assisting the Association in furnishing this information.

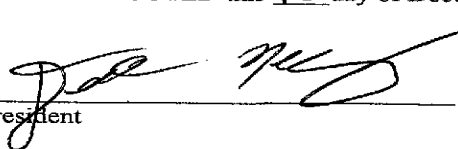
8.5 Records Not Subject to Inspection. Records kept by or on behalf of the Association may be withheld from examination and duplication to the extent the records concern:

- a. Personnel matters relating to a specific identified person or a person's medical records.
- b. Contracts, leases, and other business transactions that are currently under negotiation to purchase or provide goods or services.
- c. Communications with legal counsel that relate to matters specified in subsections a. and b. of this Section, or current or pending litigation.
- d. Disclosure of information in violation of law.
- e. Documents, correspondence, or management or Board of Director reports compiled for or on behalf of the Association or the Board by its agents or committees for consideration by the Board in executive session.
- f. Documents, correspondence, or other matters considered by the Board of Directors in executive session.
- g. Files of individual members, other than those of a requesting member or a requesting mortgagee of an individual member, including any individual member's file kept by or on behalf of the Association.

#### CERTIFICATION

The foregoing amendments to the Bylaws 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 7.1 of the Bylaws and 13.02 of the Declaration.

EXECUTED this 12 day of December, 2013.

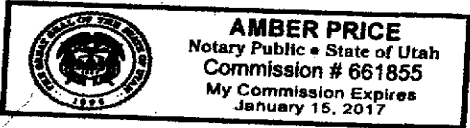
  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

STATE OF UTAH )  
 ) SS:  
COUNTY OF WEBER )

On the 12<sup>th</sup> day of December 2013, personally appeared before me Derek Hilday 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.

Amber Price  
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

