

After Recording Return To:

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**AMENDMENT TO THE DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS

ANTHEM AT THE RANCHES SUBDIVISION
(PHASES 1 – 3)**

A. Certain real property in Utah County, Utah, known as Anthem at the Ranches Subdivision Phases 1 - 3 is subject to certain covenants, conditions and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions recorded November 7, 2003, as Entry No. 177955:2003 in the Recorder's Office for Utah County, Utah, as amended and supplemented (the "Declaration").

B. This amendment shall be binding against the property subjected to the Declaration and any annexation or supplement thereto, described in Exhibit A attached hereto.

C. The Anthem at the Ranches Homeowners Association, Inc., doing business as Highlands at the Ranches Homeowners Association (the "Association") deems it necessary and in the best interests of the Owners to adopt the following amendments.

D. Pursuant to Utah Code § 57-8a-104, the undersigned hereby certifies that all of the requirements to amend the Declaration have been satisfied, that 67% of the voting interests of the Association have affirmatively approved the adoption of this document.

NOW, THEREFORE, the Association hereby amends **Article IX, Section 9.10** of the Declaration to read as follows:

SECTION 9.10. Special Assessments; Reinvestment Fee.

A. Special Assessments. In addition to the Annual Assessments authorized in this article, the Association may levy a special assessment from time to time ("Special Assessment") for the purpose of defraying, in whole or in part, the costs incurred or to be incurred by the Association which cannot be paid for through other types of Assessments. The Board may authorize a Special Assessment for any lawful purpose provided, however, that any Special Assessment levied within 12 months of a prior Special Assessment, and any Special Assessment for an amount that exceeds one-quarter of the Annual Assessment per Lot, may only be levied if it is first approved by 40% of the Owners.

B. Amounts Due on Transfer of Lot – Reinvestment Fee. Each time legal title to a Lot passes from one Owner to another, within thirty days after the effective date of such title transaction, the new Owner shall pay to the Association a reinvestment fee in the amount determined by the Board from time to time, not to exceed an amount equal to half of the Annual Assessment for the Lot. The following are not subject to the fee: (i) an involuntary transfer; (ii) a transfer that results from a court order; (iii) a bona fide transfer to a family member of the seller within three degrees of consanguinity who, before the transfer, provides adequate proof of consanguinity, or to a legal entity, such as a trust, in which the owner or the owner's spouse, son, daughter, father or mother hold a beneficial interest of at least fifty percent for estate planning purposes; (iv) a transfer or change of interest due to death, whether provided in a will, trust, or decree of distribution; or (v) the transfer of a Lot owned by a financial institution, except to the extent required for the payment of the Association's costs directly related to the transfer of the property, not to exceed two hundred fifty dollars.

NOW, THEREFORE, the Association hereby amends **Article XIV, Section 14.03** "Amendment," **subsection C** of the Declaration to read as follows (all other subsections of Section 14.03 to remain the same):

C. **By Owners.** Except as provided in Section 14.03A, this Declaration may be amended by the recording in the Utah County real property records of an instrument approved by the Owners of at least sixty-seven percent (67%) of the Lots subject to this Declaration at the time of the amendment.

IN WITNESS WHEREOF, the Highlands at the Ranches Homeowners Association has executed this Amendment to the Declaration as of the 29 day of March, 2016.

**ANTHEM AT THE RANCHES
HOMEOWNERS ASSOCIATION, INC.
d/b/a/ Highlands at the Ranches Homeowners
Association**

Sign: Georgina Pitcher
Print Name: Georgina Pitcher
Title: President

State of Utah)
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) :SS
County of Utah)

Subscribed and sworn to before me on the 29 day of March, 2016, by
Georgina Pitcher.



Jessa Gagnon
Notary Public

Exhibit A

Legal Description

Lots 1 - 69, ANTHEM AT THE RANCHES SUBDIVISION PHASE 1, according to the official plat(s) thereof as recorded in the office of the Utah County Recorder.

Serial #'s 34:376:0007, 34:376:0009 through 34:376:0011, 34:376:0018 through 34:376:0069, and 34:376:0091 through 34:376:0103

Lots 70 - 105, ANTHEM AT THE RANCHES SUBDIVISION PHASE 2, according to the official plat(s) thereof as recorded in the office of the Utah County Recorder.

Serial #'s 34:395:0070 through 34:395:0105.

Lots 106 - 152, ANTHEM AT THE RANCHES SUBDIVISION PHASE 3, according to the official plat(s) thereof as recorded in the office of the Utah County Recorder.

Serial #'s 34:392:0106 through 34:392:0118, 34:392:0134 through 34:392:0152, and 34:392:0174 through 34:392:0187, and 34:392:0190