WHEN RECORDED RETURN TO: The Law Offices of Kirk A. Cullimore 644 East Union Square Sandy, UT 84070 10243608 10/8/2007 11:53:00 AM \$92.00 Book - 9523 Pg - 7106-7108 Gary W. Ott Recorder, Salt Lake County, UT KIRK A CULLIMORE PC BY: eCASH, DEPUTY - EF 3 P.

## AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRING HOLLOW HOMEOWNERS ASSOCIATION

This Amendment to the Declaration of Covenants, Conditions and Restrictions for Spring Hollow Homeowners Association is made this \_\_\_\_ day of August, 2007 by Spring Hollow Homeowners Association (the "Association").

#### **RECITALS**

- A. The Declaration of Covenants, Conditions and Restrictions for Spring Hollow Homeowners Association was recorded in the Salt Lake County Recorders Office on March 16, 2006, as Entry 9664003, as amended and supplemented (the "Declaration").
- B. This amendment shall amend the Declaration as noted below and shall apply to the lands described in Exhibit "A" and shall be binding against all of the property described in the Declaration and any annexation, expansion or supplement thereto;
- C. The Association desires to amend the CC&Rs to clarify certain conflicting provisions, to clarify ambiguous language, and to otherwise create a more consistent and clear document;
- D. Pursuant to Article III, Section 30 of the Declaration, at least sixty-seven percent (67%) of the members of the Association have approved this amendment.

NOW, THEREFORE, the Association hereby amends the following sections of the Declaration, to read as follows:

Article I, Section 9, shall be amended to correct a typo in the first sentence; the sentence shall read as follows (the correction in bold, the remainder of the section shall remain the same):

9. <u>Common Area</u> shall mean and refer to all real property in the Community in which the Association owns an interest for the common use and benefit of the Owners, their successors, assigns, tenants, family members, guests and invitees.

### Article I, Section 11, shall be amended in its entirety to read as follows:

11. <u>Community</u> shall mean and refer to Spring Hollow HOA originally designated on the Plat as Spring Hollow at Bateman Farm Phases 1 through 3, and all real property subject to the Community Documents.

#### Article I, Section 12, shall be amended in its entirety to read as follows:

12. <u>Community Documents</u> shall mean and refer to the Declaration, Bylaws, Articles of Incorporation, Community Wide Standard, and rules and regulations.

Article I, Section 33, shall be amended to correct a typo in the first sentence; the sentence shall read as follows (the correction in bold, the remainder of the section shall remain the same):

33. <u>Person</u> shall **mean** and refer to a natural person, corporation, partnership, trust, limited liability company, or any other legal entity.

Article III, Section 5(b), shall be amended in its entirety to be consistent with Article III, Section 2, and other sections and shall read as follows:

b. <u>Title to the Common Area</u>. The Common Area as identified with particularity on the Plat Map shall be owned by the Association for the benefit of the Owners.

Article III, Section 10, first sentence shall be amended in its entirety to read as follows (the remainder of the section shall remain the same):

or other structure shall be commenced, erected or maintained upon the properties without prior approval by the Management Committee. No exterior addition to, alteration or change may be made to the exterior of any structure or improvement without prior approval of the Management Committee. No exterior part of any structure shall be painted other than its original color or a color approved by the Management Committee. To obtain approval, an Owner must submit plans and specifications showing the nature, kind, shape, height, materials, color, and location of the building, fence, wall, basement entrance, structure, addition, change, or paint color to the Management Committee. If the plans and specifications are approved, they shall be approved in writing as to the harmony of external design, size and location in relation to surrounding structures and topography by the Management Committee. The Management Committee may delegate their responsibilities under this section to an Architectural Committee, which shall be composed of three or more representatives as may be appointed by the Management Committee.

Article III, Section 5(e)(17), second to last sentence shall be amended to read as follows (the remainder of the section shall remain the same):

If compliance isn't forthcoming, the Management Committee may levy fines in accordance with a schedule of fines promulgated by the Management Committee.

Article III, Section 20(j)(1), first sentence shall be amended to read as follows (the remainder of the section shall remain the same):

(1) <u>Working Capital Fund</u>. A segregated working capital fund shall be established, in an amount determined to be reasonably necessary by the Management Committee, to cover planned and emergency capital improvements.

## Article III, Section 23(e), shall be amended in its entirety to read as follows:

(e) <u>Foreclosure of Lien and or Collection Action</u>. If any assessment remains unpaid, the Association may, as determined by the Management Committee, institute suit to collect the amounts due, foreclose the lien via judicial or non-judicial means, or both.

IN WITNESS WHEREOF, the President and Secretary of the Association have executed this Amendment to the Declaration in accordance with Article III, Section 30 of the Declaration.

#### SPRING HOLLOW HOMEOWNERS ASSOCIATION

By: Just En Elizations	By: Muyer Sungian
Its: President	Its: Secretary
STATE OF UTAH	N
	;ss
County of Utah	)
On the 14th day of Aug	ust 2007, personally appeared USeph Chn Stransen who, being first duly sworn, did that say that they are the
and <u>Gwen</u> Simpson	who, being first duly sworn, did that say that they are the
President and Secretary of the	Association, and that this instrument was signed on behalf of said
Association by authority of its	Members; and acknowledged said instrument to be their voluntary
act and deed.	D
	The state of the s
NOTARY PUBLIC JENNIFER HARRIS	Notary Public for Utah
7181 S. CAMPUS VIEW DR WEST JORDAN, UTAH 84084	Notary Public for Utah
COMMISSION EXPIRES	

# **EXHIBIT A Legal Description**

All Lots and Common Area contained within Spring Hollow at Bateman Farm, Phases 1, 2, and 3 appearing in the records of the County of Salt Lake, State of Utah.

Parcel Nbs: 21233520300000 and all other parcels located in Spring Hollow at Bateman Forms, Phases 1, 2, and 3