

17-43

## Bylaws of the Forest Glen Plat 'A' Homeowners Association

### **ARTICLE 1 - Plan of Lot Ownership**

1.1 *Name and Location.* These are the Bylaws of the Forest Glen Plat A Homeowners Association (the "Association"). Forest Glen is a community of home owners that has been subjected to an Amended and Restated Declaration of Covenants, Conditions and Restrictions of which these Bylaws are an attachment thereto. These Bylaws shall be applicable to the same land identified in the Declaration and any exhibits, supplements, or amendments thereto.

1.2 *Principal Office.* The principal office of the Association shall be located at the offices of Roland Brimley CPA at 4460 S Highland Drive, Suite #330, Salt Lake City, Utah, 84124, or such other office as may be designated by the Board of Directors from time to time.

1.3 *Purposes.* The Association is formed to serve as a means through which the Lot Owners may take action with regard to the administration, management and operation of the Forest Glen Plat "A" Subdivision and any other Lot properly brought within the jurisdiction of the controlling Declaration.

1.4 *Applicability of Bylaws.* The Association, all Lot Owners and all persons using the Property shall be subject to these Bylaws and to all rules and regulations that may be adopted pursuant to the Declaration and these Bylaws.

1.5 *Composition of Association.* The Association shall be composed of all Lot Owners and the Association itself to the extent any of these own any Lot or Lots within the Property.

1.6 *Incorporation of Association.* The Association shall be incorporated under the Utah Revised Nonprofit Corporation Act. The Articles of Incorporation of the Association shall be consistent with the Declaration and these Bylaws, and these Bylaws shall constitute the Bylaws of the incorporated association.

1.7 *Definitions.* The definitions contained in or adopted by the Declaration shall be applicable to these Bylaws.

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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
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685 G ST  
SALT LAKE CITY UT 84103  
BY: SSP, DEPUTY - WI 17 P.

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### ***ARTICLE 2 - Meetings of Association***

2.1 *Place of Meeting.* The Association shall hold meetings at such suitable place convenient to the Owners as may be designated by the Board of Directors from time to time.

2.2 *Annual Meetings.* Each regular annual meeting of the members shall, to the extent reasonably possible, be held at a time and place within the State of Utah selected by the Board of Directors of the Association.

2.3 *Special Meetings.* Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of at least thirty percent (30%) of the members stating the purpose of the meeting. Business transacted at a special meeting shall be confined to the purposes stated in the notice.

2.4 *Notice of Meetings.* Written notice of each meeting of the members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, at least thirty (30) days but not more than sixty (60) days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. The notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. If notice is required hereby, then notice given in accordance with the provisions of the Revised Nonprofit Corporations Act shall be considered fair and reasonable notice. The Association may give notice by e-mail, text message, the Association website or other electronic notice, provided however an Owner may by making a written demand to the Association require written notice. It is the Owner's responsibility to inform the governing board of his or her current email address and US postal address.

2.5 *Voting.* Each Lot shall be allocated one vote in the affairs of the Association as provided in the Declaration.

2.6 *Proxies, Absentee Ballots and Rights of Mortgagees.*

(a) *Proxies* - A vote may be cast in person or by proxy. A proxy given by an Owner to any person who represents the Owner at meetings of the Association shall be in writing, dated, and signed by such Owner and shall be filed with the secretary in accordance with procedures adopted by resolution of the Board of Directors.

(b) No proxy shall be valid after the meeting for which it was solicited, unless otherwise expressly stated in the proxy; however, no proxy may be valid for more than eleven (11) months after its date of execution.

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(c) An Owner may not revoke a proxy given except by actual notice of revocation to the person presiding over a meeting of the Association or to the Board of Directors if a vote is being conducted by written ballot in lieu of a meeting.

(d) Absentee Ballots. At the discretion of the Board of Directors, a vote may be cast by absentee ballot.

### 2.7 *Fiduciaries and Joint Owners.*

(a) Fiduciaries. An executor, administrator, guardian, or trustee may vote in person or by proxy, at any meeting of the Association with respect to any Lot owned or held in such capacity, whether or not the same shall have been transferred to his or her name; provided, that the person shall, to the secretary's satisfaction, prove that he or she is the executor, administrator, guardian, or trustee holding the Lot in such capacity.

(b) Joint Owners. Whenever any Lot is owned by two or more persons jointly, according to the records of the Association, the vote of the Lot may be exercised by any one of the Owners then present, in the absence of protest by a co-owner. In the event of a protest, no one co-owner shall be entitled to vote without the approval of all co-owners. In the event of disagreement among the co-owners, the vote of the Lot shall be disregarded completely in determining the proportion of votes given with respect to the matter.

### 2.8 *Quorum of Owners.*

(a) Except as otherwise provided in the Declaration or these Bylaws, at any meeting of the Association, Owners holding forty percent (40%) of the voting rights, present in person or by proxy or absentee ballot if permitted above, shall constitute a quorum.

(b) If the required quorum is not present, another meeting may be called subject to the same notice requirements, and the required quorum at any subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting, provided that no subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

2.9 *Binding Vote.* The vote of the holders of more than fifty percent (50%) of the voting rights present, in person or by proxy or absentee ballot at a meeting at which a quorum is constituted shall be binding upon all owners for all purposes except where a higher percentage vote is required by law, the Declaration, or these Bylaws.

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2.10 *Online Voting.* If allowed by Utah law, online voting shall be permitted provided it is secure and verifiable.

### **ARTICLE III - BOARD OF DIRECTORS; SELECTION; TERM OF OFFICE**

#### 3.1 *Number and Qualification.*

- (a) The Board shall consist of six (6) Owners elected as provided in Section 3.2 below.
- (b) All Directors must be an Owner or the co-owner of a Lot. However, multiple owners of the same Lot may not serve as directors simultaneously. An officer or employee of a corporation, a partner of a partnership, a trustee of a trust, a personal representative of an estate or an employee of a trust or estate, may serve on the Board if the corporation, partnership, trust, or estate owns a Lot.

#### 3.2 *Election and Term of Office*

- (a) The Owners shall elect three (3) Directors, each to serve two (2) year terms.
- (b) Nomination to the Board of Directors and election shall be as specified in Article IV below.
- (c) All Directors shall hold office until their respective successors shall have been elected by the members.

3.3 *Vacancies.* Vacancies on the Board of Directors, caused by any reason other than the removal of a director by a vote of the Association, shall be filled for the balance of the term of each directorship by vote of a majority of the remaining directors even though they may constitute less than a quorum. Each person so elected shall be a director until a successor is elected upon expiration of the term for which the person was elected by the other directors to serve.

#### 3.4 *Removal of Directors*

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(a) At any annual or special meeting, any one or more of the directors, other than interim directors, may be removed, with or without cause, by a majority of the Owners present in person or by proxy, at a duly constituted meeting. A successor may be elected at that meeting to fill the vacancy thus created. The notice of the meeting must state that the removal is to be considered and any director whose removal has been proposed by the owners may be given an opportunity to be heard at the meeting.

(b) The Board of Directors, pursuant to Section 6.2(c) below, may declare the office of a member of the Board of Directors to be vacant in the event such member is absent from three (3) consecutive regular meetings of the Board of Directors. The vacancy shall be filled as provided in Section 3.3 above.

*3.5 Compensation.* No Director, other than the Treasurer and the Water Master, shall receive compensation for any service he or she may render to the Association. However, any Director may be reimbursed for actual expenses incurred in the performance of his or her duties. The Treasurer and the Water Master shall receive compensation in such amounts as deemed reasonable by the Board.

### ***ARTICLE IV***

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***NOMINATION AND ELECTION OF DIRECTORS***

**4.1 *Nomination.***

(a) **Method of Nomination.** Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting or any special meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall, in its discretion, determine. The number of nominations shall not be less than the number of vacancies.

(b) **Nominating Committee.** The Nominating Committee shall consist of a chairperson, who shall be a member of the Board of Directors; and two (2) or more members of the Association. The Nominating Committee shall be appointed by the president of the Association prior to each annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting.

**4.2 *Election.*** Election to the Board of Directors shall be by voice vote, or any other method approved in advance by the Board of Directors. At the election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

***ARTICLE V - MEETINGS OF DIRECTORS***

**5.1 *Regular Meetings.*** Meetings of the Board of Directors shall be held as determined necessary.

**5.2 *Special Meetings.*** Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two (2) directors, after not less than three (3) days notice to each director by mail, including electronic mail if approved by the Board, telephone, or telegraph. The notice must state the time, place, and purpose of the meeting.

**5.3 *Open Meetings; Executive Sessions.***

(a) **Open Meetings.** Except as provided in Subsection (b) of this section, all meetings of the Board of Directors shall be open to Lot Owners. However, no Owner shall have a right to participate in the Board of Directors meeting unless the Owner is also a member of the Board. The president shall have the authority to exclude an Owner who disrupts the proceedings at a Board meeting.

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(b) Executive Sessions. At the discretion of the Board, the following matters may be considered in executive session:

- (1) Consultation with legal counsel concerning the rights and duties of the Association regarding existing or potential litigation or criminal matters;
- (2) The negotiation of contracts with third parties;
- (3) The collection of unpaid assessments and enforcement of the covenants and rules.

(c) Executive Session Procedure.

- (1) Except in the case of an emergency, the Board of Directors shall vote in an open meeting whether to meet in executive session. If the Board votes to meeting in executive session, the president or other presiding officer shall state the general nature of the action to be considered and, as precisely as possible, when and under what circumstances the deliberations can be disclosed to owners. The statement, motion or decision to meet in executive session must be included in the minutes of the meeting.

**5.4 Meetings by Telephonic or Electronic Communication.** In the event of an emergency, meetings of the Board of Directors may be conducted by telephonic communication or by the use of a means of communication that allows all members of the Board of Directors participating to hear each other simultaneously or otherwise to be able to communicate during the meeting.

**5.5 Action Taken Without A Meeting.** In the case of any emergency, the Directors shall have the right to take any action in the absence of a meeting which they could take a regular or special meeting by obtaining the written approval of all the Directors in accordance with U.C.A. 16-6a-813 (as may be amended). Any action so approved shall have the same effect as though taken at a meeting of the directors.

**5.6 Waiver of Notice.** Any director may, at any time, waive notice of any meeting of the Board of Directors in writing, and the waiver shall be deemed equivalent to the giving of the notice. Attendance by a Director at any meeting of the Board meeting of the Board shall constitute a waiver of notice by the director, except where the Director attends the meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. If all Directors are present at any meeting of the Board, no notice to Directors shall be required and any business may be transacted at the meeting.

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5.7 *Quorum and Acts.* At all meetings of the Board of Directors a majority of the existing Directors shall constitute a quorum for the transaction of business and the acts of the majority of the Directors present shall be the acts of the Board of Directors.

### **ARTICLE VI POWERS, RIGHTS AND DUTIES OF THE BOARD OF DIRECTORS**

6.1 *General Powers and Duties.* The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not by law, the Declaration, or by these Bylaws directed to be exercised and done by the Owners.

6.2 *Specific Powers.* In addition to powers imposed by the Declaration, these Bylaws or by resolutions of the Association, the Utah Revised Nonprofit Corporation Act or other applicable law, the Board of Directors shall have the power to:

(a) Adopt and publish rules and regulations governing the use of the Common Area, including any improvements and amenities located thereon, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof.

(b) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors.

(c) Employ a manager, independent contractor, or such other individuals, entities or employees as they deem necessary and to prescribe their duties.

6.3 *Specific Duties.* In addition to duties imposed by the Declaration, these Bylaws or by resolutions of the Association, the Utah Revised Nonprofit Corporation Act or other applicable law, the Board of Directors shall have the duty to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such a statement is requested in writing by twenty-five percent of the members who are entitled to vote;

(b) Supervise all officers and agents of the Association, and to see that their duties are properly performed;



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- (c) As more fully provided in the Declaration to:
  - (1) Fix the amount of the Annual Assessment against each Lot at least thirty (30) days in advance of each Annual Assessment period;
  - (2) Send written notice of each Assessment to every Owner subject thereto at least thirty (30) days in advance of each Annual Assessment period;
  - (3) Foreclose the lien against any Lots for which Assessments are not paid within thirty (30) days after the due date thereof or to bring an action at law against the Owner personally obligated to pay the same;
- (d) Cause to be maintained the Common Area and any other areas shown on the Plat that may be owned by governmental entities that are not being maintained and any other property required to be maintained by the Declaration.
- (e) Establish and maintain the financial accounts of the Association. Prepare and distribute annual financial statements for the Community to each Owner.
- (g) Arrange for payment of all Common Expenses of the Association and institute and maintain a voucher system for payment, which shall require a sufficient number of signatories thereon as may be reasonably necessary to prevent any misuse of the Association's funds.
- (h) File the Annual Report with the Utah Secretary of State, Department of Corporations and Commercial Code.
- (i) Prepare or cause to be prepared and filed any required income tax returns or forms.

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**ARTICLE VII - OFFICERS AND THEIR DUTIES**

7.1 *Designation and Qualification.*

(a) *Designation.* The principal officers of the Association shall be a president, a vice-president, a secretary and a treasurer. The directors may designate the office of assistant treasurer and assistant secretary.

(b) *Qualifications.* The president and vice-president shall be members of the Board of Directors. Any officer of the HOA shall be a member of the Board of Directors.

(c) *Multiple Offices.* The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one (1) of any of the other offices specified in subsection (a) of this section.

(d) *Special Appointments.* The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

7.2 *Election and Vacancies.* The officers of the Association may be elected by the Board of Directors at the organizational meeting of each new Board held in accordance with Section 5.1 above or any Board of Directors' meeting thereafter to serve until their respective successors are elected at the next organizational meeting. If any office becomes vacant by reason of death, resignation, removal disqualification or any other cause, the Board of Directors shall elect a successor to fill the unexpired term at any meeting of the Board of Directors.

7.3 *Resignation.* Any officer may resign at any time by giving written notice to the Board, the president or the secretary. The resignation shall take effect on the date of receipt of the notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of the resignation shall not be necessary to make it effective.

7.4 *Removal of Officers.* Officers shall hold office at the pleasure of the Board of Directors. Upon an affirmative vote of a majority of the members of the Board of Directors any officer may be removed, either with or without cause.

7.5 *Duties of Officers.* The duties of the officers are as follows:

(a) *President.* The president shall be the chief executive officer of the Association. He or she shall preside at all meetings of the Association and of the Board of Directors. The president shall have all of the general powers and duties that are usually vested in the office of president of an association.

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- (b) Vice-President. The vice-president shall act in the place and stead of the president in the event of the president's absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the Board.
- (c) Secretary. The secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the Association, have charge of such books and papers as the Board of Directors may direct, and in general, perform all the duties incident to the office of secretary.
- (d) Treasurer. The treasurer shall have responsibility for the Association's funds and securities not otherwise held by a managing agent, and shall be responsible for causing full and accurate accounts of all receipts and disbursements to be kept in books belonging to the Association. The treasurer shall be responsible for causing the deposit of all monies and other valuable effects in the name and to the credit of the Association in such depositories as may, from time to time, be designated by the Board of Directors and disbursing funds as directed by resolution of the Board.

### ***ARTICLE VIII INDEMNIFICATION OF OFFICERS AND DIRECTORS***

Each officer and director of the Association, in consideration of his or her services, shall be indemnified by the Association to the extent permitted by law against expenses and liabilities reasonably incurred by him or her in connection with the defense of any action, suit or proceeding, civil or criminal, to which he or she may be a party by reason of being or having been a director or officer of the Association. The foregoing right to indemnification shall be exclusive of any other rights to which the director or officer or person may be entitled by law or agreement or vote of the members or otherwise.

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### ***ARTICLE IX - 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.

#### *9.1 General Records.*

- (a) The Board of Directors or manager, if any, shall keep detailed records of the actions of the Board of Directors and managing agent or manager; minutes of the meetings of the Board of Directors; and minutes of the meeting of the Association.
- (b) The Board of Directors shall maintain a Book of Resolutions containing the rules, regulations, and policies adopted by the Association and Board of Directors.
- (c) The Board of Directors shall maintain a list of Owners.
- (d) The Association shall retain within this state all records of the Association for not less than the period specified in applicable law. Proxies and ballots, however, must be retained for one year from the date of determination of the vote. In addition, the association shall retain, as a permanent record, a list of the general contractor and the electrical, heating and plumbing subcontractors responsible for the installation, maintenance and repair of the Common Areas.

**9.2 Records of Receipts and Expenditures.** The Board of Directors or its designee shall keep detailed, accurate records in chronological order of the receipts and expenditures affecting the Community, itemizing the maintenance and repair expenses of the Common Area or Association property and any other expenses incurred.

**9.3 *Assessment Roll.*** The assessment roll shall be maintained in a set of accounting books in which there shall be an account for each Lot. The account shall designate the lot number, the name and address of the Owner or Owners, the amount of each Assessment against the Owners, the dates and amounts in which the Assessment comes due, the amounts paid upon the account, and the balance due on the Assessments.

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### 9.5 *Financial Reports and Audits*

- (a) An annual 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 Owners within ninety (90) days after the end of each fiscal year.
- (b) On even calendar years, and approximately thirty (30) days prior to the annual meeting, the President shall select one (1) Member of the Association who is not a member of the Board of Directors to conduct a Financial Records Review of the Association. The review shall be mostly, but not necessarily exclusively, concerned with the deposits and disbursement of the Association.
- (c) The Member conducting the Financial Records Review shall make a report to the Members at the annual meeting concerning his/her review of the records.
- (d) Any Member asked to perform a Financial Records Review for the Association shall not be held legally or financially liable for the review other than to provide a "lay" opinion about the financial dealings of the Association.

### 9.6 *Inspection of Records by Owners*

- (a) Except as otherwise provided in Section 9.7 below, all records of the Association shall be reasonably available for examination by an Owner pursuant to rules 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:
  - (1) The Declaration, Bylaws and any amendments in effect or supplements thereto, and rules and regulations of the Association.
  - (2) The most recent financial statement prepared pursuant to Section 9.5 above.
- (c) To the extent consistent with law, the Association, within fifteen (15) business days after receipt of a written request by an owner, shall furnish the requested information required to be maintained under Subsection (b) of this section.

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(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.

*9.7 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) Contracts, leases and other business transactions that are currently under negotiation to purchase or provide goods or services.
- (b) Communications with legal counsel that relate to matters specified in Subsections (a) and (b) of this section.
- (c) Disclosure of information in violation of law.
- (d) Documents, correspondence or management or Board reports compiled for or on behalf of the Association or the Board of Directors by its agents or committees for consideration by the board of directors in executive session.
- (e) Documents, correspondence or other matters considered by the Board of Directors in executive session held in accordance with Section 5.4(b) above.
- (f) Files of individual Owners, other than those of a requesting Owner or requesting mortgagee of an individual Owner, including any individual Owner's file kept by or on behalf of the Association.

*9.8 Notice of Sale or Mortgagee.* Immediately upon the sale or Mortgage of any lot, the Owner shall promptly inform the secretary or manager of the name and address of the purchaser, vendee or Mortgagee.

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**ARTICLE X - ASSESSMENTS**

10.1 *Obligation.* Each member is obligated to pay to the Association the Assessments specified in the Declaration that are secured by a continuing lien upon the lot against which the assessment is made.

10.2 *Unpaid Assessments.* Any Assessments or portions thereof that are not paid when due shall be delinquent and subject to the remedies specified in the Declaration. The Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the Lot, and interest, costs and reasonable attorneys' fees of any such action shall be added to the amount of such assessment.

10.3 *No Waiver.* No Owner may waive or otherwise escape liability for the Assessment provided for in the Declaration by non-use of the Common Area or abandonment of the Owner's Lot.

**ARTICLE XI – AMENDMENTS**

11.1 *How Proposed.* Amendments to the Bylaws shall be proposed by either a majority of the Board of Directors or by Owners holding at least thirty percent (30%) of the voting rights. 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.

11.2 *Adoption.* Amendments to the Bylaws must be approved and adopted by the Board. Subject to Section 11.3 and 11.4 below, a vote of at least a majority of the Board members is necessary to adopt any such amendment hereto.

11.3 *Execution and Recording.* An amendment shall not be effective until certified by the president and secretary of the Association as being adopted in accordance with these Bylaws, acknowledged and recorded with the Recorder's Office of Salt Lake County, Utah.

11.4 *Challenge to Validity.* No action to challenge the validity of an adopted amendment may be brought more than one (1) year after the amendment is recorded.

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**ARTICLE XII - MISCELLANEOUS**

12.1 *Notices.*

(a) Association. All notices to the Association or the Board of Directors shall be sent care of the Association's President.

(b) Owners.

(1) Except as otherwise provided in the Declaration, these Bylaws or law, all notices to any Owner shall be sent to such address as may have been designated by him or her, from time to time, in writing to the Board of Directors.

(2) If a lot is jointly owned or the lot has been sold under a land sale contract, notice shall be sent to a single address, of which the secretary has been notified in writing by such parties.

12.2 *Waiver, Precedent and Estoppel.* No restriction, condition, obligation, or provision contained in these Bylaws or rules and regulations adopted pursuant hereto shall be deemed to have been abrogated or waived by the Association by reason of any failure to enforce the same, irrespective of the number of violations or breaches thereof which may occur and any failure to enforce the same shall not be deemed to constitute precedent or estoppel impairing the right of the Association as to any similar matter.

12.3 *Invalidity; Number, Captions.* The invalidity of any part of these Bylaws shall not impair or affect in any manner the validity, enforceability, or effect of the balance of these Bylaws. As used herein, the singular shall include the plural and the plural the singular. The masculine and neuter shall each include the masculine, feminine, and neuter, as the context requires. All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of these Bylaws.

12.4 *Fiscal Year.* The fiscal year of the Association shall be determined by the Board in its discretion.

12.5 *Conflicts.* In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control; and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.



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X  
Annamarie Han  
Cynthia Perry  
Paul Warren 10/6/14

Paul F. Luker

IN WITNESS WHEREOF, we, being all of the Directors of the Forest Glen Plat A Homeowners Association, Inc. have hereunto set our hands this \_\_\_\_\_ day of September, 2014.

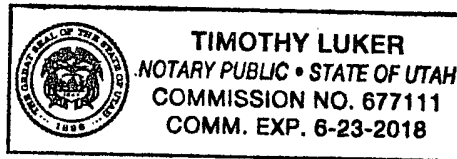
CERTIFICATION

I, THE UNDERSIGNED, do hereby certify that we are the duly elected and acting president and secretary, respectively, of the Forest Glen Plat A Homeowners Association, Inc., a Utah corporation, and that the foregoing Bylaws constitute the Amended Bylaws of said Association, as duly adopted by the current Board of Directors this 27<sup>th</sup> day of October, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Corporation this 27<sup>th</sup> day of October, 2014.

Gallen Lee, President

Paul W. Mack, Secretary



[Signature] 10/27/14