

Meadow Brook P.U.D.

Phases 1, 2, & 3

143 Single Family Dwellings

12-144-0001 thru 12-144-0058
12-145-0001 thru 12-145-0041
12-146-0001 thru 12-146-0041

EE 1567684 BK1949 PG1757
DOUG CROFTS, WEBER COUNTY RECORDER
19-AUG-98 1119 AM FEE \$.00 DEP MB
REC FOR: KAYTI..DEPUGH \$168⁰⁰

BY-LAWS OF MEADOW BROOK HOMEOWNER'S ASSOCIATION

ARTICLE I

PLAN OF OWNERSHIP

Section One - Ownership.

The project located at Ogden, Utah; known as Meadow Brook PUD is submitted to the provisions of Utah Law.

Section Two - By-laws Applicability.

The provisions of these by-laws are applicable to Meadow Brook PUD.

Section Three - Personal Application.

All present or future owners, tenants, future tenants, or their employees; or any other person that might sue the facilities of Meadow Brook PUD in any manner; are subject to the regulations set forth in these by-laws.

The mere acquisition or rental of any of the single family homes of the subdivision, or the mere act of occupancy of any of the homes will signify that these by-laws and provisions of the regulatory agreement are accepted, ratified, and will be complied with.

ARTICLE II

VOTING; MAJORITY; QUORUM; PROXIES

Section One - Voting.

Voting shall be on a percentage basis, and the percentage of the vote to which the owner is entitled is the percentage assigned to such owner's family unit or unit in the master deed.

Section Two - Majority of Owners.

As used in these bylaws, the term "Majority of Owners", shall mean those owners holding fifty-one percent (51%) of the votes in accordance with the percentages assigned in the master deed.

Section Three - Quorum.

Except as otherwise provided in these by-laws, the presence in person or by proxy of the "Majority of Owners" as defined in the preceding paragraph of this article shall constitute a quorum.

Section Four - Proxies.

Votes may be cast in person or by proxy. Proxies must be filed with the secretary before the appointed time of annual meeting.

ARTICLE III
ADMINISTRATION

Section One - Association Responsibilities.

The owners of the units will constitute the Homeowner's Association, hereafter referred to as the "Association". The association will have the responsibility of administering the project, Meadow Brook subdivision. These responsibilities include, but are not limited to: maintaining the annual budget, establishing and collecting monthly assessments, and arranging for the management of the project pursuant to an agreement containing provisions relating to the duties, obligations, removal, and compensation of the management agent. Except as otherwise provided, decisions and resolutions of association shall require approval by a majority of owners.

Section Two - Place of Meeting.

Meeting of association shall be held at a suitable place convenient to the owners as may be designated by the board of directors.

Section Three - Annual Meetings.

The first annual meeting of association shall be held on JUNE 27, 1998. Thereafter, annual meetings shall be held on the 3rd Sat. of June of each succeeding year. At such meetings there shall be elected by ballot a board of directors in accordance with the requirements of Section Five of Article IV of these by-laws. The owners may also transact such other business of association as may properly come before them.

Section four - Notice of Meetings.

It shall be the duty of the secretary to mail a notice of each annual or special meeting, stating the purpose as well as the time and place of the meeting, to each owner of record, at least five but not more than 10 days prior to such meeting. The mailing of notice in the manner provided in this section shall be considered notice served.

Section Five - Order of Business.

The order of business at all association meetings shall be as follows:

- (A) Roll Call.
- (B) Proof of notice of meeting or waiver of notices.
- (C) Reading of minutes of preceding meeting.
- (D) Reports of officers.
- (E) Reports of committees.
- (F) Unfinished business.
- (G) New business.

ARTICLE IV

BOARD OF DIRECTORS

Section One - Number and Qualification.

Association's affairs shall be governed by a board of directors composed of three persons; all of whom must be owners of homes in the subdivision.

Section Two - Power and Duties.

The board of directors shall have the powers and duties necessary for the administration of associations' affairs; and may do all such acts and things as are not enforced by law or by these by-laws directed to be exercised and done by the owners.

Section Three - Other Duties.

In addition to duties imposed by these by-laws or by resolutions of association, the board of directors shall be responsible for the following:

- (A) Care, upkeep, and surveillance of the PUD and common areas and facilities and the restricted common areas and facilities.
- (B) Collection of monthly assessments from the owners. Evaluation of monthly assessment annually, with adjustments as deemed necessary.
- (C) Designation and dismissal of the personnel necessary for the maintenance and operation of the project, the common areas and facilities, and the restricted areas and facilities.

Section Four - Management Agent.

The board of directors may employ for association a management agent at a compensation established by the board to perform such duties and services as the board shall authorize, including, but not limited to; the duties listed in Section Three of this article.

Section Five - Election and Term of Office.

Two Association members shall be elected for two-year terms, and one Association member elected for a one-year term. At each annual Owners meeting thereafter; any vacant seat on the Association committee shall be filled with a member elected for a two-year term. Only Unit Owners, officers, and agents of Owners other than individuals shall be eligible for Association membership.

Section Six - Vacancies

In the event a committee seat becomes vacant for any cause, the remaining committee members shall elect a replacement to sit on the committee until the expiration of the term for which the member being replaced was elected. A member shall serve on the committee until his successor is elected and qualifies. Association committee members shall be reimbursed for all expenses reasonable incurred in connection with committee business.

Members of the Association committee shall not receive a salary for serving on the committee, but shall not be precluded from serving the Project in another capacity, and receiving compensation therefore. The board of directors may waive any board members monthly dues as reimbursement for their personal expenditures while performing their duties as an active member of the committee. (Office supplies, vehicle use, computer use, etc...).

Section Seven - Removal of Officers/Committee Members.

Any Association committee officer, member, agent, or employee may at any time be removed with or without cause by the vote of a majority of the Committee members.

Section Eight - Organization Meeting.

A regular meeting of the committee shall be held immediately after the adjournment of each annual Owners meeting. Other regular meetings shall be held at regular intervals at such time and place as the Association committee may provide. *No Notice need be given of regular committee meetings.* Any meeting attended by all committee members shall be valid for all purposes. A quorum for the transaction of business at any committee meeting shall consist of a majority of all the members then in office.

Section Nine - Monthly Meetings.

Regular meetings of the board of directors may be held at such time and place as shall be determined, from time to time, by a majority of the directors, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the board of directors shall be given to each director; personally or by mail, telephone, e-mail, etc., at least three days prior to the day named for such meeting.

Section Ten - Special Meetings.

Special committee meetings of the board of directors, may be called by the president on three days' notice to each member; given personally, by mail, telephone, or e-mail. Said notice shall state time, place, and purpose of the meeting. Special meetings of the board of directors; shall be called by the president or secretary in like manner, and on like notice on the written request of at least three members.

Section Eleven - Waiver of Notice.

Before or at any meeting of the board of directors, any director, may in writing; waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meeting of the board shall be a waiver of notice by such director of the time and place of the meeting. If all the directors are present at any meeting of the board; no notice shall be required, and any business may be transacted at such meeting.

Section Twelve - Quorum.

At all meetings of the board of directors, a majority of the directors shall constitute a quorum for the transaction of business. The acts of the quorum shall be the acts of the board of directors. At any such meeting, any business that might have been transacted at the meeting as originally called, may be transacted without further notice.

Section Thirteen - Fidelity Bonds.

The board of directors shall require that all officers and employees of the association handling or responsible for association funds shall furnish adequate fidelity bonds. The premiums of such bonds shall be paid by the association.

ARTICLE V

OFFICERS

Section One - Designation.

The principal officers of the HomeOwners Association committee shall be a president, vice-president, secretary, and a treasurer. The latter two of which may be the same person, and all of whom shall be elected by the homeowners.

Section Two - Election of Officers.

The officers of the Association committee shall be elected annually by the homeowners at the organization meeting of each new board, and shall hold office at the pleasure of the board or Association committee.

Section Three - President.

The president shall be the chief executive officer of the association. The president 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. Including, but not limited to the power to appoint committees from among the owners from time to time as the president may decide is appropriate to assist in the conduct of association's affairs.

Section Four - Vice-President.

The vice-president shall take the place of the president and perform duties whenever the president shall be absent or unable to act. If neither the president nor the vice-president is able to act; the board of directors shall appoint some other member of the board to do so on an interim basis. The vice-president shall also perform such other duties as shall from time to time be imposed by the board of directors.

Section Five - Secretary.

The secretary shall keep the minutes of all meetings of the board of directors, and the minutes of all meetings of association. The secretary shall keep charge of such books and papers as the board of directors may direct; and shall, in general, perform all the duties incident to the office of secretary.

Section Six - Treasurer.

The treasurer shall have responsibility for association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursement in books belonging to association. the treasurer shall be responsible for the deposit of all moneys and other valuable effects in the name and to the credit of, association; in such depositories as may from time to time be designated by the board of directors.

Section Seven - Additional Committee Members

The Board of Directors may appoint additional board members for a term of one year to help perform the management duties of the association.

ARTICLE VI

OBLIGATIONS OF OWNERS

Section One - Assessments.

All owners are obligated to pay monthly assessments imposed by the association to meet all project communal expenses, which may include liability insurance premium, and an insurance premium for a policy to cover repair and reconstruction work in case of hurricane, fire, earthquake, or other hazard.

Section Two - maintenance and Repair.

(A) Every owner must perform promptly all maintenance and repair work within the individual unit which, if omitted, would affect the project in its' entirety, or in a part belonging to other owners, being expressly responsible for the damage and liabilities that failure to do so may engender. Within one year of ownership, yard(s) visible from street must be landscaped, or planted with grass.

(B) All the repairs of internal installations of the unit such as water, light, gas, power, sewage, telephones, air conditioners, sanitary installations, doors, windows, lamps, and all other accessories belonging to the unit area shall be at the owner's expense.

(C) An owner shall reimburse association for any expenditures incurred in repairing or replacing any common area, restricted area, and/or facility damaged through such owner's fault.

Section Three - Use of Family Units - Internal Changes.

(A) All units shall be utilized for residential purposes only.

(B) An owner making structural modifications or alterations in a unit or installations in a unit or installations located herein must meet all city and county building codes.

Section Four - Use of common Areas and Facilities.

(A) No overnight parking on streets, front lawns, or sidewalks. Guest parking is allowed on the streets on a short-term basis. It is requested that all homeowners park in driveways to keep streets clear for emergency vehicles, snow removal, garbage pickup, and for the safety of all residents of the PUD. *This includes ALL vehicles.* Undriveable vehicles must be in garage, or in storage. Two (2) notices will be given. If violation persists; vehicles will be towed at owners' expense.

(B) Parks and common areas are for unit owners and guests only!

(C) Speed Limit for all non-city streets will be 10 mph.

Section Five - Animal Control.

All animals are to be confined, or on a leash at all times in accordance with Ogden City Leash Law. Owners or occupants are responsible for their animals' behavior. Unattended, barking dogs will be reported to Ogden City Animal control.

*See attached city ordinance.

ARTICLE VII

AMENDMENTS OF PLAN OF OWNERSHIP

Section One - Bylaws.

These bylaws may be amended by association in a duly constituted meeting for such purpose, and no amendment shall take effect unless approved by a majority of the voting units.

ARTICLE VIII

These bylaws are set forth to comply with the requirements of Utah Code 57-8-15 and 57-8-16. In case any of these bylaws are conflicting; the provisions of that statute will apply.

Dated this 27th day of June, 1998.

Signed: Kayti DeLush Seal/Tras

8/19/98
Wendie Thomsen
Ogden, ut 11/25/01

