DOC # 20170021334

Amended Restrictive Coverants
Russell Shirts Washington County Recorder
05/24/2017 01:57.03.PM Fee \$ 64.00

By JENKINS BAGLE

WILLIAM HILLIAM

Recorded at the request of:
Spyglass Hill Homeowners Association
Record Against:
Exhibits A

When Recorded mail to: Jenkins Bagley, PLLP 285 West Tabernacle, Ste. 301 St. George, UT 84770

# AMENDMENT TO THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

This Amendment to Declaration of Covenants Conditions and Restrictions of Spyglass Hill Homeowners Association ("Amendment") is executed this 20 day of 14 y 200, pursuant to Article XII Section 4, of the Amended and Restated Declaration of Covenants Conditions and Restrictions of Spyglass Hill Estates, recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 20070050711 (the "Declaration").

Article XII, Section 4 of the Declaration permits members of the Spyglass Hill Homeowners Association ("Association"), to amend the Declaration Under Utah law, this particular amendment must be approved by more than sixty-seven (67%) of the membership voting interests. The Association desires to amend the Declaration as more fully set forth herein.

This Amendment has been proposed by the Board and approved in a meeting of its members and is evidenced by the written consent of more than 67% of the voting interests of the Association.

This Amendment shall be binding against all of the property described in the Declaration and attached hereto as Exhibits "A", and any annexation, expansion or supplement thereto.

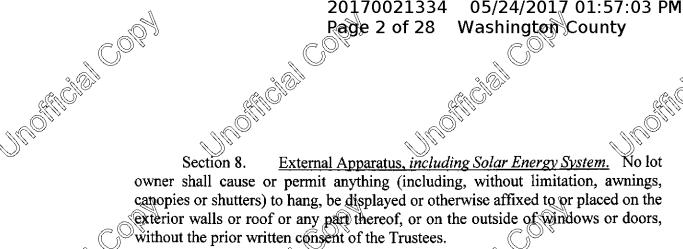
This Amendment shall take effect upon the date it is recorded in the records of the Washington County Recorder (the Amendment Date").

This Amendment amends, substitutes for, and replaces Article VIII, Section of the Declaration as set forth below. (Amendment in Italics)

#### **AMENDMENT**

Article VIII, Section 8, is hereby amended and now reads in its entirety:

17-3-29 OUT 4 Amd CC&R Ext Apparatus (y2) (7-6)5) SH GD jcs



- [a] The Association does not desire to interfere with personal decorating decisions or seasonal decorrations so long as the decorrations adhere to the current architectural design and exterior appearance. The prior written approval of the Board of Trustees is not obtained, the Trustees reserve the right to review and disapprove any decorations or external apparatus requiring their removal.
- [b] The homeowner may submit a notice of appeal, requesting a hearing before the entire Board of Trustees. A hearing will be provided at the next regularly scheduled Board meeting not to exceed thirty [30] days from thate of request. The decision of the Board of Trustees concerning the appeal shall be final.
- [c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

IN WITNESS WHEREOF, this Amendment was approved by written consent of over sixty-seven percent (67%) of the membership voting interests, which consents are attached hereto as Exhibit B.

Spyglass Will Homeowners Association

Name: LARRY

STAFE OF UTAH

County of Washington

On this 23rd day of 2017, before me personally appeared Lavry whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he/she is the President of Spyglass Hill Homeowners Association, a Utah nonprofit corporation, and that the foregoing document was signed by him/her on behalf of the Association by authority of its Bylaws Declaration, or resolution of the Board, and he/she acknowledged before me that he/she executed the document on behalf of the Association and for its stated purpose

JEANNE SKELLAN Notary Public W.Commission Expires # 17:2018 | GD ics COMMISSION NO. 680172

05/24/2017 01:57:03 PM 20170021334 Page 3 of 28 Washington County (LEGAL DESCRIPTION) Homeowners Association, affects the following real property, all located in Washington County, This Amendment to Declaration Covenants Conditions and Restrictions of Spyglass Hill State of Utah: ALL OF SPYGLASS HILL EST (SG) LOT 1 THROUGH LOT 25, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH. Tax Parcel ID# SG-SPY-1 through SG-SPY-25 



CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICT CONSOF

I We, the Owner(s) of Lot in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the \_\_\_ day of 2017 (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting (15% to consider a proposed amendment to ("Amendment") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ("CC&Rs"). As a member of the Association you are entitled to cast your vote through this consent/ballo. This amendment has been proposed by the Board. Completed and returned book by twill be deemed a force vote.

The Consent/Battot is also used to obtain your written approvat required by Article X, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective whon written approval of more than least 67% of the Owners at the Special Meeting work adjournment of the Special Meeting and recording.

∓herefore, the undersigmed member hereby casts kis⇔or her vote as follows: [ [/ ] FOR ] AGAINST

Amending Article VIII Section 8, of the CC& Resort of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 20070050711, to add the following (amendments are in

Section 8. External Apparatus, including Solar Energy System.

[a] (remains the same and is unchanged).

[b] Pemains the same and Sunchanged).

[c] Notwithstanding the Poregoing, no solar energy system shall be allowed or permit red to be installed on a Lot, Limited Common Area, Common Area, Thome. For the purpose of this Section and this Declaration solar energy system shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy》

DATED, thi	s <u>///</u> day c	ot	·	2017.	$\overline{}$
LARD	& Bran	son d	(print name)	MARYAnn	BRANSON
(print name	<del>E</del> Y		7		
Du	1 Dran	and the	(signature)	Mary lenn	Thousan
(strøjnature	18				
RETURN THI	S CONSENT/BA	TO:			
ັ Spyglass H C/O	iiii Homeowne	))` rs Association			
Mailing ad	dress:				
EMAIL: FAX:					
				Ballot must be	
Assocrativo	ກ່orits Mana 2017	ager by the time	ne of the Speci ne of any adiou	ial Meet⊒ng on t urnment of the N	the day
\$ (M)	, 2017	, or by the till	io or any adjoc		• •

I/We, the Owner (s) of Lot  $\frac{3}{2}$  in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( " Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ) As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Artice XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ ] FOR	AGAINST		
Amending Arti	cle VID Section 8, of the CC&	Rs of Spyglass Hill Estat	es recorded in the record

of the Washington County Recorder on October 17, 200% as Document No. 20070050% it, to add the following ( amendments are in italics ):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] temains the same and is unchanged ).
- I by remains the same and is unchanged ).
- Ic ] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 26th day of April	, 2017.	<i>\mathcal{O}</i> "
TAMMY HOPKINS		
(print name)	( print name )	
Hoph G		
(signature)	( signature ).	
RETURN THIS CONSENT/BALLOT TO:		
Spyglass Hill Homeowners Association		uno.

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOUGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

I/We, the Owner s) of Lot \_\_\_\_ in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( "CC&Rs "). As a member of the Association you're entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ 🗶 ] FOR

AGAINST

Amending Article VIII) Section 8, of the CC&Rs of Sovglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 20070050717, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] remains the same and is unchanged ).
- I by remains the same and is unchanged ).
- Ic ] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the compenents of the system or a system that heats water through solar energy.

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

I/We, the Owner of Lot 4 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Artice XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ 402 ] FOR

″] AGAINST

Amending Article VIDSection 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 2007005077, to add the following (amendments are in italics):

#### Secton 8. External Apparatus, including Solar Energy System.

- [ a ] remains the same and is unchanged ).
- IJb∱∀remains the same and is unchanged ).
- Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this day ofAPRIL	, 2017.	
IRIS VAZQUEZ		
(print name) In Var sury	( print name )	. O
(signature)	( signature )	***
RETURN THIS CONSENT/BACKOT TO:		
Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790		

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

I/We, the Owner s) of Lot 5 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( "CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ X ] FOR	] AGAINST		
Amending Article	Section 8, of the CC&F	Rs of Spyglass Hill Estates	recorded in the record

Amending Article VIII) Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 200% as Document No. 20070050% it; to add the following ( amendments are in italics ):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] Temains the same and is unchanged ).
- ্র চিৌ্র remains the same and is unchanged ).
- Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 22 nd day of _ Daul	, 2017.	
Ritar Burger		
(print name)	( print name )	
(signature)	( signature )	
RETURN THIS CONSENT/BALLOT TO:		
Spyglass Hill Homeowners Association		

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

## Page 10 of 2

CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot (D) in the Spyglass Pill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( " Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ 💢 ] FOR	[ AGAINST	E INO.	
Amending Article	/th Section 8, of the CC&Rs	of Spyglass Hill Estat	es recorded in the record

of the Washington County Recorder on October 17, 200% as Document No. 200700507(1); to add the following ( amendments are in italics ):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] temains the same and is unchanged ).
- I by remains the same and is unchanged ).
- Do I Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 22 day of April	, 2017.	
Diann Lucas		
(print name)	( print name )	
(signature)	( signature )	
RETURN THIS CONSENT/BALLOT TO:		Elf On
Spyglass Hill Homeowners Association	2.500	

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

### Page 11 of 28

#### NSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot \_\_\_\_\_ in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs ") (As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ 🔀 ] FOR	AGAINST		
Amending Article	VID Section 8, of the CC&F	Rs of Spyglass Hill Estates	recorded in the record

of the Washington County Recorder on October 17, 200% as Document No. 20070050% to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] temains the same and is unchanged ).
- **ֈ թ**∱∛ remains the same and is uπchanged ).
- Do I Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, " solar energy system " shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 22 day of APRIL	, 2017.	
PENNY JEWETT (print name)	( print name )	
(signature)	( signature )	
RETURN THIS CONSENT/BALLOT TO:		The state of the s
Spyglass Hill Homeowners Association C/O Larry Eggert, President		

2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

i/We, the Owner s) of Lot \_\_\_\_ in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereb		
Amending Article VID Section 8, of the CC of the Washington County Recorder on October 1 following ( amendments are in italics ):	7, 2007) as Document No. 20	0700507(1), to add the
Secton 8. External Apparatus, including S  [ a ] Temains the same and is unchanged remains the same and is unchanged on a Lot, Limited Common Area, Section and this Declaration, "solar energy produce electric energy from sunlight and water through solar energy.  DATED, this day of	d ). d ). lar energy system shall be allo Common Area, or Home. For gy system "skiall mean a syst	tne purpose or τηις em that is used to
STEUE L HALAS  (print plants)	( print name )	
(signature)  RETURN THIS CONSENT/BALLOT TO:	( signature )	
Spyglass Hill Homeowners Association C/O Larry Eggert, President		

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of

2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

any adjournment of the Meeting

I/We, the Owner (s) of Lot 9 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " As a member of the Association) you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballon is also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her wate as follows:

1 AGAINST Amending Article XIII Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records

of the Washington County Recorder on October 17, 2007) as Document No. 200700507(1) to add the following (amendments are in italics):

Section 8. External Apparatus, including Solar Energy System.

[ a remains the same and is unchanged ).

(to) (remains the same and is unchanged ).

[c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or tome. For the purpose of this Section and this Declaration, " solar energy system " shall mean a system that is used to ( produce electric energy from sunlight and the components of the system or a system that neats water through solar energy.

2017. signature)

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

### Page 14 of 28

CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot 10 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

Motice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot is also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

] AGAINST

Amending Article (III), Section 8, of the CC&Rs of Spoglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007 as Document No. 20070050710 add the following ( amendments are in italics ):

Section 8. External Apparatus, including Solar Energy System.

- [ a remains the same and is unchanged ).
- (remains the same and is unchanged).
- [c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that neats water through solar energy.

2017. ( print name ) ( signature ) RETURN THIS CONSENT/BACTOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 1े5∕′ Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

is used to produce electric energy from sunlight and the (remains the same and is unchanged).

(remains the same and is unchanged).

Notwithstanding the foregoing no solar energy system shall not be installed on a Lot, Limited Common allowed or permitted to be installed on a Lot, Limited Common and Lot, Limi Common Area, or Hone. Common Area, or Hone. Common Area, or Hone. the system or a system that heats water through including Solar Energy System shall mean a system that  $_{(\!\!|}$ 

KAIMI Tara (signature) ) VK KOD (print name) 2017.

If Ballothas soon as Nanager by the f time of the time of any Special Wheeting on the adjournment of the Meeting. The Battot must be received by secial wheeting on the \_\_\_\_\_\_\_day

required

Specia

### Page 16 of 28

#### CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner s ) of Lot 1 - in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider@proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article III, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon writter approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

[ **X** ] FOR

S AGAINST

Amending Article VIII Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007 as Document No. 20070050711 to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] ((remains the same and is unchanged ).
- (b) remains the same and is unchanged ).

Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration? " solar energy system " shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 274day of DUSANNE ( print name ) ( print name) ( signatu#e ) ( șignature ) RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association

C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017, or by the time of any adjournment of the Meeting.

### Page 17 of 28

#### NSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot /3 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ) As a member of the Association your are entitled to cast your vote through this consent/ballot. This mendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

🎢 ] AGAINST 1 FOR

Amending Article VIII) Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 200% as Document No. 20070050% to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] remains the same and is unchanged ).
- [ b] remains the same and is unchanged ).

[ଛ଼ି] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, on Home. For the purpose of this Section and this Declaration, " solar energy system " stall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy. 🔨

DATED, this	12 kg day of		
Andrea	Amaenstein .	HINNE /2	white the
(print name)		(print name)	
	MA SWAL CON		
( signature )		( signature )	

RETURN THIS CONSENT/BACKOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Rossible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of arvadjournment of the Meeting

I/We, the Owner (s) of Lot 15 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ) As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot® also used to obtain your written approval, as required by Arti©e XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

"ズ ] FOR

🎾 ] AGAINST

Amending Article VID Section 8, of the CC&Rs of Sovolass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 20070050717, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] (hemains the same and is unchanged ).
- [ 🕍 remains the same and is unchanged ).

[[c]] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, " solar energy system " shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 22 me day of APRIL 2017.

( print namæ 🔊

( print name )

signature

( signature

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of anvadjournment of the Meeting

## Rage 19 of

## CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot // in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23<sup>rd</sup> day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( "CC&Rs "). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot saiso used to obtain your written approval, as required by Artice XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Amending Article VIII Section 8, of the CC&Rs of Sovglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007 as Document No. 20070050710, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] fremains the same and is unchanged ).
- premains the same and is unchanged ).

Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

water through solar energy.		1911
DATED, this 22 day of April	, 2017.	
Leo R. SCOTT	a	
( print name)	( print name )	
TON. SCOLL		, O <sup>O</sup> ''
(signature)	( signature )	
RETURN THIS CONSENT/BACLOT TO:		
×	W.A.	

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.

I/We, the Owner (s) of Lot 17 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs," ) As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot® also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

herefore, the undersigned member hereby casts his or her vote as follows: [] AGAINST

Amending Article VIII Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 200% as Document No. 20070050% to add the following (amendments are in italics):

#### Secton 8. External Apparatus, including Solar Energy System.

- [ a ] (remains the same and is unchanged ).
- [ b) remains the same and is unchanged ).
- [[c]] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, " solar energy system " shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy

DATED, this 23 day of APRIL		
JOHN P. RICH JR	,	
(print name) P. Ruch	( print name )	
( signature )	( signature )	
RETURN THIS CONSENT/BALLOT TO:		
Spyglass Hill Homooyport		

pyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of aოდadjournment of the Meeting 🖎

Page 21 of 28

#### CONSENT/BALLOT FO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot Les in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ("Amendment") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ) As a member of the Association you are entitled to cast your cote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot is also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

Forthis Amendment there is no quorum requirement and the Amendment shall be effective. upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

1 AGAINST

Amending Article VIII, Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007) as Document No. 20070050714, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [a] remains the same and is unchanged).
- (Premains the same and is unchanged ).

ro in Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration," " solar energy system " shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this 15 day of HIM	, 2017.	
JAY ROBERTS		en e
(print name)	( print name )	
(signature)	( signature )	Samuel Service of the morney
RETURN THIS CONSENT/BALLOT TO:		

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017 at 300 PM, or by the time of any adjournment of the Meeting.

rom:LARRY EGGERT ideggert@man.com 🔗 bject: Spyglass Hill HOA Solar Energy Amendment Date: April 22, 2017 at 2:35 PM To: Kerry Romesburg #19 kgromesburg@gmail.com

Hello Kerry,

Attached is the Consent/Ballot to Amend the CC&Rs to prohibit solar energy system installations that we talked about. I've also attached the original letter the Board sent to the members explaining the background and a Notice of Special Meeting that we are required to schedule by law.

Please review the Ballot and if you agree, mark "FOR" print your name, sign and arrange to get back to me before the May 23<sup>rd</sup> meeting. If you return your ballot, you do NOT need to attend the meeting. The HOA laws in Utah just require that we schedule a Special Meeting.

Thanks for your understanding and assistance with getting this resolved before we have a problem! And Joan and I still need to meet you and Judy during one of those times we're all in town.

Best wishes, Larry

Larry Eggert, MD President, Spyglass Hill HOA 2235 S 1400 E Unit 15 Saint George, UT 84790 ¢el 35-668-7850

> CONSENT/BALLOTTO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner ( s ) of Lot  $\frac{19}{100}$  in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23th day of May, 2017 at 3:00 PM ( the " Special Meeting ")

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to (( Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ). As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final you.

The Consent/Ballet is also used to obtain your written approval, as required by Article XII, Section 4 of the CC&RS or recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follow [ 🔀 ] FOR AGAINST

Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records

of the Washington County Recorder on October 17, 2007, as Document No. 20070050711, to add the following ( amendments are in italics ):

Secton 8. External Apparatus, including Solar Energy System

- [ a ] ( remains the same and is unchanged ).
- [ b ] ( remains the same and is unchanged ).

[c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot. Limited Common Area. Common Area. or Home. For the purpose of this Spection and this Declaration. 'solar energy system " shall mean a system that is used to produce electric energy from suclight and the components of the system of system that heats water through solar energy,

RETURN THIS CONSENT/BALLOT TO

Spyglass Hill Homeowners Association

C/O Larry Eggert, President 2235 \$ 1400 E Unit 15

Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting.



Spyglass Hill Homeowners Association

1086 S Main 5te 201 St George UT 84770

April 22, 2017

NOTICE OF SPECIAL MEETING

MEETING DATE: THE 23<sup>RD</sup> DAY OF MAY, 2017 at 3:00 PM

LOCATION OF MEETING: 223S S 1400 E UNIT 15 SAINT GEORGE, UT 84790

TOPIC OF THE MEETING: PROPOSED AMENDMENT TO PROHIBIT SOLAR ENERGY SYSTEM INSTALLATIONS

Dear Fellow Spyglass Hill Homeowners

You previously received the March 24, 2017, letter from the Board explaining the background of recent legislative changes limiting the ability of Homeowners Associations to testrict or control the installation of solar energy systems and ensure the HOA community standards are maintained and complied with.

The Board of Trustees met on March 23th, reviewed Senate 8il 154 as well as the advice received via email from Attorney John Richards of Richards Law PC in the Salt Lake area and by Attorney Bruce Jenkins of Jenkins Bagley, PLLC here in Saint George. The Board feel unanimously that the most prudent path for the HOA is an Amendment to the CC&Rs to prohibit installation of solar energy systems for now This action can be reversed, but gives the HOA ongoing control over maintaining our community standards and minimizing the risk to property values of the homeowners.

The Board have heard back in person, by telephone or by email from more than 67% of homeowners who desire to prohibit solar energy systems for now.

I/We, the Owner (s) of Lot  $\mathcal{AD}$  in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covernments, Conditions and Restrictions of Spyglass Hill ( " CC&Rs.") As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and refurned ballot will be deemed a final vote.

The Consent/Ballot®also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows: J AGAINST ] FOR

Amending Article V(f) Section 8, of the CC&Rs of Sovglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 200% as Document No. 20070050707, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] remains the same and is unchanged ).
- [ 🗗 remains the same and is unchanged ).
- []c ] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, " solar energy system " solar mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

DATED, this and day of _	May		
Tom Hatch	/	Kay Itatch.	
(print name)		( print name )	
Jan Hatch		Hay D. Batch	<i>)</i>
(signature)		( signature ).	<b>\$</b>
RETURN THIS CONSENT/BALL	OT TO:		ĘĘ <sub>I</sub> C

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOS GERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of an Padjournment of the Meeting

### Page 25 of 28

#### NSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner of Lot in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting ( the " Notice " ), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider approposed amendment to ( "Amendment " ) the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs ") As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot salso used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

. 7	heref	fore, the	undersigned member hereby casts	his or her vote as follows:	
[	$\times$	] FOR	[ AGAINST		

Amending Article VID Section 8, of the CC&Rs of Sovglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007 as Document No. 200700507 to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] remains the same and is unchanged ).
- ֈֈեր∱∀remains the same and is unchanged ).
- [[b]] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, " solar energy system " solar mean a system that is used to produce electric energy from sunlight and the compenents of the system or a system that heats water through solar energy.

DATED, this ZZ, day of April	, 2017.	
BENERLY MOPPET		
(print name)	( print name )	
(signature)	( signature )	
RETURN THIS CONSENT/BALLOT TO:	ALION .	
Spyglass Hill Homeowners Association	140°	"400°,

C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LOEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

Page 26 of 28

#### CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot 123 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM ( the " Special Meeting " ).

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ("Amendment") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs ") As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot is also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

**I AGAINST** 

Amending Article (III), Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007) as Document No. 200700507(1), to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

[ a remains the same and is unchanged ).

(remains the same and is unchanged).

c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

16 1 1 2 m man 1 1 m m m m m m m m m m m m m m m m m	
By Brigar i Vex Fres Durt	
(/print name) (print name)	<del></del> -
(signature) (signature)	

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

### Page 27 of 28

#### ONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner(s) of Lot 24 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 at 3:00 PM (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( "Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs." ) As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and refurned ballot will be deemed attitud vote.

The Consent/Ballot also used to obtain your written approval, as required by Article XII, Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:	$\sim$
( V ) FOR ( AGAINST ( AGA	
Amending Article VID Section 8, of the CC&Rs of Soyglass Hill Estates recorded in the record	S
of the Washington County Recorder on October 17, 200% as Document No. 20070050711, to add the	÷
following ( amendments are in italics ) :	
Secton 8. External Apparatus, including Solar Energy System.  [a] Temains the same and is unchanged).  [b] remains the same and is unchanged).  [c] Notwithstanding the foregoing, no solar energy system shall be allowed or permitted to be installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heat water through solar energy.  DATED, this 29 day of April , 2017.	
(print name)	
(print name)	

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President 2235 S 1400 E Unit 15 Saint George, UT 84790

EMAIL: LEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May 2017 at 3:00 PM, or by the time of any adjournment of the Meeting

( signature

Page 28 of 28

#### CONSENT/BALLOT TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPYGLASS HILL HOMEOWNERS ASSOCIATION

I/We, the Owner (s) of Lot 25 in the Spyglass Hill Estates Subdivision hereby acknowledge receipt of this Consent/Ballot and a Notice of a Special Meeting (the "Notice"), regarding a special meeting being called on the 23rd day of May, 2017 (the "Special Meeting").

The Notice sent to you with this Consent/Ballot, the purpose of the Special Meeting is to consider a proposed amendment to ( Amendment ") the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spyglass Hill ( " CC&Rs " ) As a member of the Association you are entitled to cast your vote through this consent/ballot. This amendment has been proposed by the Board. A completed and returned ballot will be deemed a final vote.

The Consent/Ballot is also used to obtain your written approval, as required by Article XII Section 4 of the CC&Rs for recording the Consent/Ballot with the Amendment. If passed, this Consent will be recorded with the Amendment.

For this Amendment there is no quorum requirement and the Amendment shall be effective upon written approval of more than 67% of the Owners at the Special Meeting or any adjournment of the Special Meeting and recording.

Therefore, the undersigned member hereby casts his or her vote as follows:

Amending Article Will Section 8, of the CC&Rs of Spyglass Hill Estates recorded in the records of the Washington County Recorder on October 17, 2007, as Document No. 20070050711, to add the following (amendments are in italics):

Secton 8. External Apparatus, including Solar Energy System.

- [ a ] ( remains the same and is unchanged ).
- [b] (remains the same and is unchanged).

[6] Notwithstanding the foregoing no solar energy system shall be allowed or permitted to be Installed on a Lot, Limited Common Area, Common Area, or Home. For the purpose of this Section and this Declaration, "solar energy system" shall mean a system that is used to produce electric energy from sunlight and the components of the system or a system that heats water through solar energy.

day of APICI.

( signature )

( signature )

RETURN THIS CONSENT/BALLOT TO:

Spyglass Hill Homeowners Association C/O Larry Eggert, President

2235 \$ 1400 E Unit 15

Saint George, UT 84790≓

EMAIL: LDEGGERT@MSN.COM

Please return your Ballot as soon as Possible. The Ballot must be received by the Association or its Manager by the time of the Special Meeting on the 23rd day of May, 2017, or by the time of any adjournment of the Meeting.