

Resolution Page 1 of 7
Russell Shirts Washington County Recorder
06/12/2018 02:29:12 PM Fee \$28.00 By
JENKINS BAGLEY, PLLC

When Recorded Return To:

Brio HOA
c/o Reed Scow
2250 N. Coral Canyon
Blvd, Ste 200
Washington, UT
84780

RESOLUTION OF THE BOARD OF TRUSTEES
of
BRIO HOMEOWNERS ASSOCIATION, INC.

Re: Reinvestment Fees

The Board of Trustees of Brio Homeowners Association, a Utah non-profit association ("Association"), hereby certifies that the following are true and correct resolutions of the Board duly adopted by the Trustees, in accordance with the bylaws of the Association and the laws of the State of Utah:

WHEREAS, the Association is authorized by Section 7.14(b) of the Declaration of Covenants, Conditions and Restrictions for Brio, recorded August 12, 2015, as Doc. No. 20150028404, in the Official Records of the Washington County Recorder's Office, as amended or supplemented (the "Declaration"), to levy a reinvestment fee against a new Home Owner and each subsequent Home Owner, at the close of escrow of the initial sale and each subsequent resale of a Unit in the Brio Community; and

WHEREAS, the Declaration establishes an Initial Reinvestment Fee and a subsequent Reinvestment Fee, but authorizes the amounts of each to be established from time to time by the Board of the Association; and

WHEREAS, the Initial Reinvestment Fee and Reinvestment Fee are permitted to be assessed pursuant to Utah Code Annotated section 57-1-46 (2018), and because the Brio Community is a master planned community of over 500 planned units, it is defined thereunder as a "large master planned development" and therefore not subject to a maximum fee limit; and

WHEREAS, the Association has recorded a Notice of Reinvestment Fee dated 6/1/18 recorded on 6/6/18 as Doc. No. 20180025472 in the files of the Washington County Recorder; and

WHEREAS, the Board, having carefully reviewed the needs of the Brio Community, in particular with respect to common planning, common facilities, common infrastructure, environmental covenants, community programming, resort facilities, open space, recreation amenities, charitable purposes, and/or association expenses, has determined that assessment of the reinvestment fees set forth herein is necessary and desirable for the welfare of the Brio Community and its residents, and their continued enjoyment of the Brio Community.

Be it therefore

RESOLVED: that the Initial Reinvestment Fee shall be established as one-half of one percent (0.5%) of the gross purchase and sale price of each Unit in the Brio Community, to be assessed at the close of escrow of each sale of a Unit from the Declarant to a Home Owner; and

FURTHER RESOLVED: that each subsequent Reinvestment Fee shall be established as one-half of one percent (0.5%) of the gross purchase and sale price of each Unit in the Brio

Community, to be assessed at the close of escrow of each sale of a Unit from one Home Owner to another Home Owner; and

FURTHER RESOLVED: that the same shall continue until such time as the reinvestment fees are further modified by the Board, the Declaration is amended in relevant part, or applicable law is amended; and

FURTHER RESOLVED that the President of the Association is further authorized to do such acts, and to execute such documentation, which is reasonably required to facilitate the resolutions set forth herein.

Dated this 1 day of June, 2018.

BOARD OF TRUSTEES:



Name: Reed Scow
Title: President Brio HOA



Name: Brandal Ellett
Title: Board member Brio HOA




Name: Dave Nielsen
Title: Vice President Brio HOA

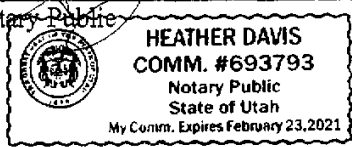
Name:
Title:

Name:
Title:

STATE OF UTAH)
)
:SS.
County of Washington)


On this 1 day of June, 2018, before me personally appeared Reed Scow, 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 Brio Homeowners Association, Inc., 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.

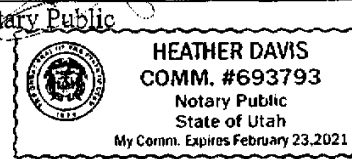


Notary Public


STATE OF UTAH)
)
:SS.
County of Washington)

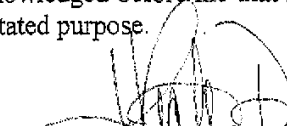
On this 1 day of June, 2018, before me personally appeared Dave Nielsen, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he/she is the Vice President of Brio Homeowners Association, Inc., a Utah nonprofit 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.



Notary Public


STATE OF UTAH)
)
:SS.
County of Washington)

On this 1 day of June, 2018, before me personally appeared _____, 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 a Board Member of Brio Homeowners Association, Inc., 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.




Notary Public


EXHIBIT "A"

Legal Description of Property

Note: Additional property is expected to be made subject to the Reinvestment Fee Covenant described herein as such property is annexed into the Brio community by recording of Declarations of Annexation for future phases of development, pursuant to the provisions of the Declaration of Covenants, Conditions and Restrictions of Brio. Therefore, the "Annexable Area" described in Exhibit "B" of the Declaration is included below and shall be subject to this Notice as the same is made subject to the Declaration and the Reinvestment Fee Covenant contained therein.

All of Units 1 through 72, Brio – Phase 1A subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 73 through 93, Brio – Phase 1B subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 94 through 102, Brio – Phase 1C subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 201 through 237, Brio – Phase 2A subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 301 through 323, Brio – Phase 3A subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 324 through 344, and 359 through 370, Brio – Phase 3B subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

All of Units 345 through 358, and 371 through 380, Brio – Phase 3C subdivision, according to the Official Plat thereof on file in the office of the Recorder for Washington County, State of Utah.

Annexable Land:

PARCEL A

BEGINNING AT A POINT N0°46'14"E 534.65 FEET ALONG THE SECTION LINE FROM THE WEST 1/4 CORNER OF SECTION 11, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE CENTERLINE OF A PROPOSED FUTURE 110.00 FOOT WIDE ROADWAY, SAID POINT ALSO BEING ON THE ARC OF A 1750.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS N25°36'33"E; THENCE EASTERLY 753.04 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°39'17"; THENCE S89°02'44"E 507.13 FEET ALONG SAID PROPOSED FUTURE ROADWAY CENTERLINE TO THE CENTERLINE

OF THE PROPOSED EXTENSION OF MAIN STREET; THENCE ALONG SAID PROPOSED MAIN STREET CENTERLINE THE FOLLOWING THREE COURSES: S0°57'16"W 1864.19 FEET TO THE POINT OF CURVATURE OF A 2500.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 116.04 FEET THROUGH A CENTRAL ANGLE OF 2°39'34"; THENCE S3°36'50"W 11.85 FEET TO A POINT ON THE NORTH LINE OF "OASIS LEISURE HOMES PHASE 1" SUBDIVISION AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS ENTRY #483351; THENCE S89°59'57"W 40.08 FEET ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID SUBDIVISION, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF MAIN STREET AS DEDICATED ON SAID SUBDIVISION PLAT; THENCE S3°36'56"W 348.81 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE N89°59'23"E 29.04 FEET TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN DOCUMENT NO. 20090009623 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER; THENCE ALONG SAID PROPERTY THE FOLLOWING THREE (3) COURSES: S3°36'56"W 69.54 FEET TO THE POINT OF CURVATURE OF A 2011.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 74.54 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°07'25"; THENCE S1°28'08"W 508.79 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF "BUENA VISTA BOULEVARD" ROADWAY DEDICATION AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS ENTRY #634748; THENCE N88°31'52"W 73.77 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE; THENCE N0°00'37"W 7.00 FEET; THENCE THENCE N46°28'13"E 43.13 FEET; THENCE N1°28'08"E 317.82 FEET TO THE POINT OF CURVE OF A 212.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS S88°31'52"E; THENCE NORTHEASTERLY 41.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°06'46" TO THE POINT OF CURVE OF A 188.00 FOOT RADIUS REVERSE CURVE; THENCE NORTHEASTERLY 18.23 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°33'23"; THENCE S34°44'26"W 478.08 FEET; THENCE N88°31'52"W 226.49 FEET TO THE POINT OF CURVE OF A 854.50 FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY 46.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°05'32"; THENCE N7°23'55"W 134.83 FEET TO THE POINT OF CURVE OF A 701.50 FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY 403.38 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°56'47"; THENCE S78°54'30"E 115.84 FEET; THENCE N68°38'43"E 286.26 FEET; THENCE N7°49'42"E 186.08 FEET; THENCE N87°58'24"W 139.39 FEET; THENCE N4°50'16"E 293.07 FEET; THENCE N85°09'44"W 59.00 FEET; THENCE S4°50'16"W 93.32 FEET; THENCE N69°02'03"W 317.13 FEET; THENCE N20°57'57"E 100.00 FEET; THENCE N69°02'03"W 269.69 FEET; THENCE S20°57'57"W 95.00 FEET; THENCE N72°28'16"W 140.76 FEET; THENCE N74°18'37"W 142.00 FEET; THENCE N15°41'23"E 47.48 FEET; THENCE N73°32'46"W 168.10 FEET TO THE POINT OF CURVE OF A 365.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS S73°32'46"E; THENCE SOUTHWESTERLY 18.38 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°53'06"; THENCE N76°25'52"W 102.00 FEET TO THE POINT OF CURVE OF A 467.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS S76°25'52"E; THENCE NORTHEASTERLY 248.92 FEET ALONG THE ARC OF SAID

CURVE THROUGH A CENTRAL ANGLE OF 30°32'22"; THENCE N42°49'22"W 108.06 FEET TO THE POINT OF CURVE OF A 375.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 180.54 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°35'01"; THENCE N89°31'36"W 154.32 FEET; THENCE N0°28'24"E 17.79 FEET; THENCE N89°31'36"W 25.00 FEET TO THE POINT OF CURVE OF A 15.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS N89°31'36"W; THENCE NORTHWESTERLY 23.56 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE N89°31'36"W 365.75 FEET; THENCE S0°28'24"W 91.00 FEET; THENCE S3°39'17"W 79.02 FEET; THENCE S12°15'36"W 80.44 FEET; THENCE S9°38'31"W 75.54 FEET; THENCE S2°36'15"W 103.78 FEET; THENCE S2°16'19"W 39.08 FEET; THENCE S0°28'24"W 340.65 FEET TO THE POINT OF CURVE OF A 700.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS N6°47'49"E; THENCE SOUTHEASTERLY 31.53 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°34'50"; THENCE S0°28'24"W 131.49 FEET; THENCE N89°31'36"W 30.00 FEET; THENCE S0°28'24"W 49.14 FEET; THENCE S48°03'46"W 163.74 FEET; THENCE S72°42'14"W 131.80 FEET TO A POINT ON THE 1/16TH LINE; THENCE N0°28'24"E 1911.83 FEET ALONG THE 1/16 LINE (EAST LINE OF PROPERTY DESCRIBED IN DOCUMENT NO. 174473 AND THE EAST LINE OF PROPERTY DESCRIBED IN DOCUMENT NO. 20080006560 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER) TO THE 1/16 CORNER (NORTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 10); THENCE S89°08'42"E 100.00 FEET ALONG THE 1/16 LINE; THENCE N0°41'13"E 336.31 FEET; THENCE N57°32'01"E 89.60 FEET; THENCE N0°41'09"E 268.43 FEET; THENCE N5°41'25"W 675.34 FEET; THENCE N68°38'58"E 363.99 FEET TO A POINT ON THE CENTERLINE OF SAID FUTURE 110.00 FOOT WIDE ROADWAY, SAID POINT BEING ON THE ARC OF A 1750.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS N68°38'58"E; THENCE SOUTHEASTERLY 1314.59 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°02'25" TO THE POINT OF BEGINNING.

CONTAINING 128.286 ACRES MORE OR LESS.

PARCEL B

ALSO: BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 10, 11, 14 AND 15 OF TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE N89°45'58"W 613.61 FEET ALONG THE SECTION LINE TO THE POINT OF CURVE OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS S87°07'19"E; THENCE NORTHEASTERLY 88.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°41'13" TO THE POINT OF CURVE OF A 175.00 FOOT RADIUS REVERSE CURVE; THENCE NORTHEASTERLY 40.61 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°17'50" TO THE POINT OF CURVE OF A 15.00 FOOT RADIUS REVERSE CURVE; THENCE NORTHEASTERLY 15.70 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°57'58"; THENCE N26°43'02"E 27.93 FEET; THENCE S89°45'58"E 98.06 FEET; THENCE N0°14'02"E 109.30 FEET; THENCE N8°12'31"E 69.92 FEET; THENCE N25°03'33"E 67.47 FEET; THENCE N34°15'12"E 264.59

FEET; THENCE N60°44'44"W 76.87 FEET; THENCE N29°15'16"E 50.00 FEET TO THE POINT OF CURVE OF AN 18.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS N29°15'16"E; THENCE NORTHWESTERLY 29.84 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94°59'57"; THENCE N34°15'12"E 115.44 FEET; THENCE N80°46'08"E 13.55 FEET; THENCE S60°44'44"E 428.18 FEET TO THE POINT OF CURVE OF A 589.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 548.41 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°20'49"; THENCE S7°23'55"E 117.24 FEET TO THE POINT OF CURVE OF A 27.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 40.46 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°50'59" TO THE POINT OF CURVE OF A 850.50 FOOT RADIUS REVERSE CURVE; THENCE SOUTHWESTERLY 33.93 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°17'08"; THENCE S11°54'51"W 8.89 FEET TO A POINT ON THE SECTION LINE; THENCE S89°59'23"W 158.66 FEET ALONG THE SECTION LINE TO THE SOUTHEASTERLY CORNER OF WASHINGTON CITY PROPERTY AS DESCRIBED IN DOCUMENT NO. 20070059801 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER; THENCE ALONG THE BOUNDARY OF SAID WASHINGTON CITY PROPERTY THE FOLLOWING SIX (6) COURSES: NORTH 4.89 FEET; THENCE N17°51'09"W 49.99 FEET; THENCE N85°19'29"W 75.43 FEET; THENCE N78°17'22"W 128.44 FEET; THENCE S84°37'41"W 39.58 FEET; THENCE S0°20'30"W 81.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.960 ACRES MORE OR LESS.

Parcel Nos.:

W-BRIO-1A-1 through W-BRIO-1A-72
W-BRIO-1B-73 through W-BRIO-1B-93
W-BRIO-1C-94 through W-BRIO-1C-102
W-BRIO-2A-201 through W-BRIO-2A-237
W-BRIO-3A-301 through W-BRIO-3A-323
W-BRIO-3B-324 through W-BRIO-3B-344, W-BRIO-3B-359 through W-BRIO-3B-370
W-BRIO-3C-345 through W-BRIO-3C-358, W-BRIO-3C-371 through W-BRIO-3C-380
W-5-2-10-210
W-5-2-10-120
W-5-2-10-121