

Amended Restrictive Covenants Page 1 of 4  
Gary Christensen Washington County Recorder  
08/16/2022 01:19:21 PM Fee \$40.00 By JENKINS  
BAGLEY SPERRY, PLLC

After Recording Return To:

**Jenkins Bagley Sperry, PLLC**  
5383 S 900 E., Ste 205  
Salt Lake City, UT 84117

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**AMENDMENT TO THE  
AMENDED AND RESTATED DECLARATION  
FOR  
DIXIE DOWNS RESORT OWNERS ASSOCIATION  
A RETIREMENT COMMUNITY**

This Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Dixie Downs Resort Owners Association (“Declaration”) that established a retirement community known as the Dixie Downs Resort Owners Association is made on the date evidenced below by the Dixie Downs R.V. Resort Inc., also known as the Dixie Downs Resort Owners Association (“Association”).

**RECITALS**

A. Certain real property in Washington County, Utah, known as Dixie Downs was subjected to certain covenants, conditions, and restrictions pursuant to an Amended and Restated Declaration recorded April 8, 2017, as Entry No. 20170014039 in the Recorder’s Office for Washington County, Utah;

B. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto (see **Exhibit A**);

C. This amendment is intended to amend certain provisions of the Declaration;

D. Pursuant to Article XII, Section 12.3 of the Declaration, the Board of Directors hereby certifies that votes representing at least fifty-one percent (51%) of all Membership votes affirmatively approved this Amendment.

NOW, THEREFORE, the Association, by and through its Board of Directors, hereby amends the following sections:

**[as set forth below]**

**(1) ARTICLE VI, Section 6.3(a)(1)** as amended March 20, 2019 shall be deleted in its entirety and replaced as follows:

6.3(a)(1) The Board of Directors shall prepare, or cause the preparation of an annual budget for the Association, which shall provide, without limitation for the maintenance of the landscaping and for the administration, management and operation of the Common Areas of the Association and in no case shall be for private lots. If a Board fails to adopt an annual budget, the last adopted budget shall continue in effect.

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**(2) ARTICLE VI, Section 6.7 (b)** shall be omitted, and 6.7(a) shall be deleted in its entirety and replaced as follows:

6.7 Purpose of Assessment. The Assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the residents of the Community, and including, but not limited to:

- (a) The improvement and maintenance, operation, care, and services related to general maintenance and the maintenance of the landscaping in Common Areas of the Association;
  - (b) Deleted intentionally.
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**(3) ARTICLE VIII, Section 8.2(e)** shall be deleted in its entirety and replaced as follows:

8.2 Use of Lots

(e) Parking will be allowed for any mode of transportation or trailers as long as said items are within the Owner's designated concrete parking pad, are operable, commercially built, in good condition as determined by the ARC Committee, and have a current state registration where required. Vehicles must conform to Article 8.3 of this Declaration (as amended March 20, 2019, or hereafter). ATV's that are not street legal as defined by local and/or state regulations, and that are intended for recreation only, must have a current BLM or Forest Service Sticker. Items must be owned by the Lot Owner or owned by a member of the park with written permission from the Lot Owner where parked. **NO TRAILERS OR RV'S ON DESIGNATED CONCRETE PARKING PADS MAY BE USED AS LIVING QUARTERS AT ANY TIME.**


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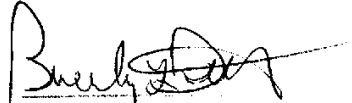
(4) **ARTICLE XII, Section 12.4(c)(1)** shall be amended to add the following restriction:

(c)(1)(iv) An owner must personally own their Living Unit for at least twelve (12) consecutive months prior to being eligible to rent, or to be added to the rental waiting list.

IN WITNESS WHEREOF, DIXIE DOWNS RESORT OWNERS ASSOCIATION has executed this Amendment to the Declaration as of the 15 day of AUGUST, 2022, in accordance with the Declaration.

**DIXIE DOWNS RESORT OWNERS ASSOCIATION:**

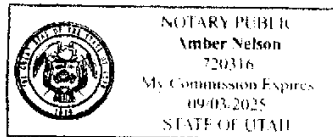
  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Vice-President

STATE OF UTAH )  
County of: Washington :SS

On the 15th day of AUGUST, 2022 personally appeared before me Holly DAVIS and Beverly FELTZ who, being first duly sworn, did that say that they are the President and Secretary of the Association and that the seal affixed to the foregoing instrument is the seal of said Association and that said instrument was signed and sealed in behalf of said Association by authority of its Board of Directors: and each of them acknowledged said instrument to be their voluntary act and deed.

  
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Notary Public for Utah



**EXHIBIT A**

Legal Description

All Lots in DIXIE DOWNS RESORT R.V. according to the official plats thereof as filed in the office of the Washington County Recorder, State of Utah.

DIXIE DOWNS RV RESORT 1 (SG)