

RETURNED

BK 3997 PG 844

MAR 23 2006

E 2154377 B 3997 P 844-851
 RICHARD T. MAUGHAN
 DAVIS COUNTY, UTAH RECORDER
 03/23/2006 03:18 PM
 FEE \$109.00 Pgs: 8
 DEP RT REC'D FOR PEACEFIELD HOMEOW
 NERS ASSOC

WHEN RECORDED, RETURN TO:

Attn: Mark S. Dunn
 Peacefield Homeowners Association
 1686 East Ridge Rd.
 Layton, Utah 84040

11-458-0101 thru 0126
 11-459-0201 thru 0216
 11-556-0301 thru 0317

Rules and Regulations for the Peacefield PRUD

These Rules and Regulations (these "Rules") for the Peacefield Planned Residential Unit Development ("Peacefield") have been adopted by Peacefield Homeowners Association ("HOA") by a vote of the HOA Board of Directors pursuant to the Declaration of Covenants, Conditions, and Restrictions of Peacefield Planned Unit Development recorded on July 12, 1999 as entry 1530975 at book 2531, pages 77-94 of the official records of the Davis County Recorder, as may be amended or restated from time to time (the "CC&R's").

11-480-0401 thru 0412

Property Description

11-56A-0501 thru 0515

The real property subject to these Rules is all of Peacefield as defined by the CC&R's, which property is designated by the official Plats for Peacefield as recorded in the official records of the Davis County Recorder

- (a) on July 12, 1999 in Book 2531, Pages 75 and 76, Entry Numbers 1530973 and 1530974 (Peacefield P.U.D. Phases 1 and 2); *ALL LOTS & COMMON AREA*
- (b) on April 10, 2000 in Book 2635, Page 1008, Entry Number 1585790 (Peacefield P.U.D. Phase 3); *AMENDED - ALL LOTS & COMMON AREA*
- (c) on August 25, 2000 in Book 2685, Page 214, Entry Number 1609993 (Peacefield P.U.D. Phase 4); and *ALL LOTS & COMMON AREA*
- (d) on April 4, 2002 in Book 3018, Page 524, Entry Number 1743320 (Peacefield P.U.D. Phase 5); *AMENDED - ALL LOTS & COMMON AREA*

together with all subsequently recorded Plat which are designated as phased of the Peacefield Planned Unit Development.

Introduction

These Rules are established as a basis for a successful community and an enjoyable lifestyle. Living in a Planned Residential Unit Development and having a homeowners association is different than living in a traditional neighborhood. Here in Peacefield, having community rules and regulations is essential to fair and consistent administration of Peacefield by the HOA. Rules are promulgated by the HOA Board of Directors for the benefit of the members of the HOA and for the protection of their property. These rules and regulations are authorized by and are a supplemental addition to the CC&R's that pertain to Peacefield.

Owners are responsible for compliance; therefore, residents are encouraged to assist in the enforcement of the Rules by (i) admonishing violators to comply and (ii) reporting

violators to any HOA Board Member or Managing Agent designated by the HOA Board. All HOA members should contribute to the enforcement of the Rules. Unless disclosure is required pursuant to a valid subpoena, discovery request, court order or other legal procedure, all complaints by HOA members will be held confidential, and the name of the HOA member reporting the violation will not be exposed. All complaints must be in writing and signed by the complainant.

Enforcement Fines

At the sole but reasonable discretion of the HOA Board, in addition to other legal remedies available to the HOA, violations of the CC&R's or the following Rules and Regulations may subject the violator to monetary fines as follows:

First Offense - A written notice will be delivered to the owner and/or resident committing the violation requesting that the violation be stopped or cured. If the offense is not corrected within 3 days, then the offender will be fined as follows: \$25/week for the first two weeks the violation continues; \$50/week for the next 2 weeks; and \$100/week thereafter.

Second Offense - For the second offense of the *same violation*, a **\$25.00** fine will be assessed to the *home owner*, along with any additional expenses (i.e. Repairs, Towing). In addition, if the offense is not corrected within 3 days, then the offender will be fined: \$25/week for the first two weeks the violation continues; \$50/week for the next 2 weeks; and \$100/week thereafter.

Third Offense - For the third offense of the *same violation*, a **\$50.00** fine will be assessed to the *home owner*, along with any additional expenses (i.e. Repairs, Towing). In addition, if the offense is not corrected within 3 days, then the offender will be fined: \$25/week for the first two weeks the violation continues; \$50/week for the next 2 weeks; and \$100/week thereafter.

Additional Offenses - For any additional offenses of the *same violation*, a **\$100.00** fine will be assessed to the *home owner*, along with any additional expenses (i.e. Repairs, Towing). In addition, if the offense is not corrected within 3 days, then the offender will be fined: \$25/week for the first two weeks the violation continues; \$50/week for the next 2 weeks; and \$100/week thereafter.

The Association may enforce payment of these fines through court proceedings and/or your lot may incur a lien and be sold through the exercise of a power sale. Please treat them seriously. The fines are not exclusive of other remedies available to the HOA and may be levied and enforced in addition to other remedies, including injunctive relief or other causes of action. The HOA shall have the right to seek an injunction to enjoin any violations of the CC&R's or these rules. Any person who violates the CC&R's or these rules shall be liable for all reasonable costs of the HOA in attempting to enforce the CC&R's or these rules, including without limitation reasonable attorneys' fees.

Rules and Regulations

Parking and vehicle rules:

1. Residents should park their motor vehicles within their garage or driveways. All vehicles parked on the street must be driven away at least once within each 24 hour period and cannot occupy the same street location for more than 24 hours at a time.
2. Recreational vehicles, including without limitation trailers, boats, motorhomes, RV's, PWCs, ATVs, and other vehicles used primarily for recreation, must be stored within an enclosed garage. Parking or storing such vehicles on the street or at the side of the house is prohibited. Residents may have a period of up to 48 hours to load and unload their recreational vehicles as needed. Commercial vehicles may not be parked or stored on the street or at the side of the house.
3. No resident shall repair or restore any vehicle of any kind, except for minor repairs completed inside an enclosed garage or bona fide emergency repairs to the extent necessary to enable movement to a proper repair facility.
4. Storing or parking vehicles of any kind on the common areas is prohibited. Vehicles parked in violation may be immobilized, impounded and towed without additional notice and at the owner's sole expense.
5. Driving motor-powered vehicles of any kind (including without limitation mini-bikes, motorcycles, go-carts, or similar vehicles, whether electric or fuel operated) on the sidewalks, landscaped areas, or common areas is prohibited.

Nuisance rules:

6. It is the responsibility of each owner and resident to prevent the creation or maintenance of a nuisance in, on or about their property. The following are prohibited:
 - a) Any unclean, unhealthy, unsightly or unkempt condition on, in or about the home that may unreasonably interfere with the use and enjoyment of Peacefield by other members of the HOA.
 - b) The storage of any item, object or property that will cause the home or common area to appear to be unclean or untidy, or that will be noxious to the senses.
7. Excessive or unreasonable noise in, on or about any home or in the common area that may unreasonably interfere with the use and enjoyment of Peacefield by other members of the HOA, especially after 10:00 P.M. and before 8:00 A.M., is prohibited.
8. Garbage and Debris - All garbage, trash, waste, or other debris shall be regularly removed from the home or yard, and shall not be allowed to accumulate thereon or to be

stored in such a manner that it is visible from the street. Garbage cans should be promptly removed from the curb after trash pick-up and stored in such a way that they are not visible from the street. Fines may result from garbage cans left on the street for periods greater than 24 hours.

Construction, Landscaping and Appearance rules:

9. Construction or Structural Alterations: No construction of any kind, nor structural alterations (including any exterior color change when repainting, or replacing siding or shingles) to a home or unit is allowed without prior written consent from the ACC. Please see Peacefield CC&R's for complete requirements.

10. Landscaping: The front yard of a home must be completed within 150 days of occupancy and rear yards within one (1) year. All landscaping plans must be approved by the Architectural Control Committee for Peacefield. This includes the type and location of any and all fencing. All homes must have a minimal amount of landscaping to conform to the generally prevailing standards of surrounding homes. This may include, but is not limited to, a lawn and sprinkling system and foundation planting such as shrubs, bushes and flowers. Please see the HOA CC&R's for complete requirements.

11. Common Area: No homeowner shall add any lawn feature, decorations, structures, or item(s) of any kind to any common area; nor delete, add, or alter the common area landscaping in any way.

12. Business Use - No commercial trade or business may be conducted in or from any home unless: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the residence And (b) the business activity does not involve persons coming into the community who do not reside there or door-to-door solicitation.

13. Satellite dishes of any kind may not be installed on the front of any home unless (a) the homeowner can show by clear and convincing evidence that the front of the home is the only area on the property reasonably suitable for satellite reception and (b) obtain the approval of the Architectural Control Committee for a location and dish that does not detract from the appearance of the home and neighborhood.

14. Window Coverings - No aluminum foil, newspapers, reflective film coatings, blankets or similar materials may be used to cover the exterior windows of any home.

15. No window air conditioners or portable units shall be installed on any home. Nor shall any heating, cooling or air conditioner be installed on the roof.

16. No signs or banners are allowed without written consent from the Management Committee. Temporary welcome signs and signs for political candidates (no larger than 9 sq ft) are allowed. Signs for political candidates must be removed in a timely fashion after the election.

Pet Rules:

17. Household pets are allowed provided that they are not kept, bred or maintained for commercial purpose. Pet enclosures must be approved by the HOA Architectural Control Committee, may consist of chain link, shall be no higher than 6 feet, and shall be contained within a portion of the rear yard that does not detract from the appearance of the neighborhood. Enclosures must be kept clean.
18. All pets must be on a leash at all times that such pets are outside of the home or an approved backyard enclosure. Pets may not be tied or tethered in common areas.
19. Pets are not allowed to relieve themselves in the common area. Pet owners are responsible to clean up after their pet. Pet owners must keep their property clear of pet feces.
20. All pets that may pose a threat or create an unreasonable risk of harm, fear, or nuisance to the community in the sole but reasonable opinion of the HOA Board are not allowed, including without limitation Doberman Pinschers, Pit Bulls, Rottweilers, snakes, or other animals generally regarded as wild rather than domestic. It is the responsibility of the homeowner to obtain HOA approval for any pet that may conceivably be regarded as dangerous or a nuisance.

Swimming Pool Rules: These rules apply to all residents, their immediate family members and all invited guests. HOA members are responsible to ensure that their guests and invitees comply with these rules.

21. During the pool season, the swimming pool will be open 7 days a week (weather permitting). The hours are from 9:00 AM to 10:00 PM
22. The pool is intended to be used by Peacefield homeowners, their families and invited guests. A HOMEOWNER MUST BE PRESENT WITH THEIR GUESTS AT ALL TIMES. DO NOT LEND YOUR POOL KEY TO FRIENDS OR RELATIVES; YOU WILL LOSE ACCESS TO THE POOL IF YOU DO.
23. One key will be issued to each Peacefield household. A replacement key will be re-issued at the then current cost of such keys. The pool gate shall remain closed and locked at all times.
24. Residents are responsible for the conduct of their guests and their compliance with the pool rules. The number of invited guests should be kept to a reasonable number. The pool may not be reserved so as to exclude the use of the pool by other residents at any time.

25. No children under the age of 14 are allowed at the pool without an adult present with them at all times. There is **NO LIFE GUARD** on duty. Swimming at the pool facility is at your own risk.
26. Proper swimming attire is required when using the pool. Cut-offs, shorts, jeans or other similar attire are not allowed. No regular diapers are allowed in the pool. Small children must wear a clean, swimming-type diaper at all times.
27. Please use the shower facilities before entering the pool.
28. No food or alcohol is allowed in the pool or on the surrounding pool deck area.
29. No glass or breakable objects are allowed in or near the pool.
30. No rafts or large pool toys are allowed in the pool. Styrofoam objects are not permitted in the pool at any time. Also, items such as skateboards, roller blades and bicycles are not allowed in the pool area.
31. Any person having any apparent skin disease, an open wound or sore, nasal or ear discharge, or any communicable disease will not be allowed in the pool.
32. Battery powered radios may be taken into the pool area as long as they are kept at a low level of sound and does not disturb other residents. Loud radios are not allowed. Please use headphones when possible and be considerate of others.
33. Please use the restroom as needed - **DO NOT USE THE POOL!** Help us maintain a clean and sanitary pool. Please turn off the lights in the restrooms when not in use.
34. Pets or animals of any kind are strictly prohibited from the pool area.
35. The pool area is considered to be a **NO SMOKING** area. Please do not litter cigarette butts on the property. Please use trash containers and keep the pool area clean.
36. Screaming, offensive conduct, profanity or foul language will not be tolerated. Running, pushing, shoving (or similar conduct) and diving into the pool are prohibited.
37. The pool is monitored several times a day. Residents are asked to report to Management any problems at the pool that needs to be corrected.
38. Life preserver rings and life saving devices displayed in the pool area, including the first aid kit, should be used only in the event of an emergency. They are not toys.
39. **ADDITIONAL POOL RULES MAY APPLY TO THE USE AND OPERATION OF THE POOL. PEACEFIELD HOA RESERVES THE RIGHT TO IMPOSE OTHER RULES AND REGULATION REGARDING POOL MAMNAGEMENT AS THE SITUATION DICTATES. REMEMBER, THE**

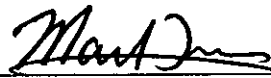
POOL IS FOR THE EXCLUSIVE USE OF OWNERS, RESIDENTS AND THEIR INVITED GUESTS, and following the foregoing rules will make the use of these facilities more enjoyable for all.

Water Feature Rules: The Peacefield water features are common areas installed for the purpose of providing pleasant sounds and views within Peacefield and not for recreational purposes. HOA members are responsible to ensure that their guests and invitees comply with the following rules regarding the Water Features.

40. No HOA member shall, or shall allow any person to, change, alter or revise the direction or rate of flow of any HOA water feature or take any other action that materially affects a water feature without the express written consent of the HOA Board.
41. No HOA member shall, or shall allow any person to, swim, wade, walk, or play in any Peacefield water feature.
42. No HOA member shall, or shall allow any person to, dump, release, or discard any substance into the water features.
43. No HOA member shall, or shall allow any person to, place any structure or material in, on, over or about the water features
44. Except in the case of an eminent and substantial threat to property or a person, no HOA member shall, or shall allow any person to, adjust, turn on or off, or otherwise operate in any way the equipment used to run the water features without the express written consent of the HOA Board.
45. No HOA member shall, or shall allow any person to, remove any item from a water feature that was or is part of the design of such water feature, including without limitation plants, rocks, and other materials placed into the water features with the consent of the HOA.
46. HOA members shall be responsible for (i) any and all damage to any water feature caused by the HOA member or their guests and (ii) any violation of these rules by the HOA member or their guests.

CERTIFICATION

As President of the Board of Directors for Peacefield Homeowners Association, I hereby certify that the above Rules were duly and legally adopted by a vote of the Board of Directors in compliance with the CC&R's.

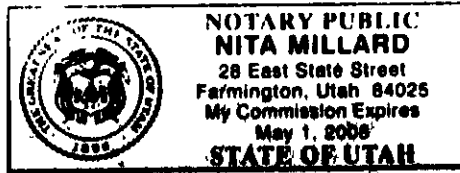


Mark S. Dunn, President

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument entitled **Rules and Regulations for Peacefield PRUD** was acknowledged before me this 23rd day of March, 2006, by Mark C. Dunn, who being by me duly sworn did represent that he is the President of Peacefield Homeowners Association and that the foregoing instrument was signed on behalf of said Peacefield Homeowners Association pursuant to the binding vote of its Board of Directors.

Nita Millard
Notary Public



[Legal Description On Front Page]