

E 2427269 B 4720 P 2388-2399
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/25/2009 03:35 PM
FEE \$204.00 Pgs: 12
DEP RT REC'D FOR JAMES R BLAKESLEY
FLLC

12-551-0167, 0170, 0171

12-407-0001 thru 0031

12-426-0032 thru 0054

12-490-0055 thru 0097

12-540-0107 thru 0166

12-610-0168, 0169

AMENDED BYLAWS
OF
CHRISSAM MEADOWS HOMEOWNERS ASSOCIATION

lots 1 thru 31 Chrissam Meadows 1

lots 32 thru 54 Chrissam Meadows 2

lots 167, 170, 171 Chrissam Meadows 6

lots 55 thru 97 Chrissam Meadows 3

lots 107 thru 166 Chrissam Meadows #5

WHEN RECORDED RETURN TO:

James R. Blakesley
Attorney at Law
1305 N. Commerce Drive, #230
Saratoga Springs, UT 84045
(801) 766-1968

#2HF

**AMENDED
BYLAWS
OF
CHRISSAM MEADOWS HOMEOWNERS ASSOCIATION**

**ARTICLE I
NAME AND LOCATION**

Section 1 .01 Name and Location. The name of the association is the ChrisSam Meadows Homeowners Association (the "Association"). The principal office of the corporation shall be located at ChrisSam Meadows Subdivision in Clearfield, Utah, but meetings of Members and Management Committee may be held at such places within the State of Utah, as may be designated by Management Committee.

**ARTICLE II
DEFINITIONS**

Section 2.01 Definitions. Except as otherwise provided herein or as may be required by context, all terms defined in Section 1 of the Declaration shall have such defined meanings when used in these Bylaws.

**ARTICLE III
MEETINGS OF MEMBERS OF THE ASSOCIATION**

Section 3.01 Annual Meeting. The Association shall meet as often as it deems reasonably necessary but not less than annually at a convenient time and place.

Section 3.02 Special Meetings. Special meetings of the Members of the Association may be called at any time by the President or by a majority of the Members of the Management Committee.

Section 3.03 Notice of Meetings. Written notice of each meeting of the Association shall be given to each Owner by or at the direction of the Secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen (15) days before such meeting to said Owner addressed to the Owner's address last appearing on the books of the Association, or supplied by such Owner to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 3.04 Quorum. The Owners present in person or proxy at any meeting of the Association shall constitute a quorum for any action except as otherwise expressly provided in the Project Documents.

Section 3.05 Proxies. At all Association meetings, each Owner may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable

and shall expire, if not previously revoked, eleven (11) months after the date it is given by the Owner.

**ARTICLE IV
MANAGEMENT COMMITTEE AND TERM OF OFFICE**

Section 4.01 Number. The affairs of the Association shall be managed by a Management Committee comprised of three (3) natural persons, a President, Secretary and Treasurer. Each Member must be duly qualified and appointed or elected.

Section 4.02 Replacement. If a Member resigns or is otherwise unable or unwilling to serve, then the remaining Members shall appoint a replacement to complete his term of office.

Section 4.03 Term of Office. The president shall hold office for three (3) years; the secretary for two (2) years; and the treasurer for one (1) year, unless he or she shall sooner resign, or shall be removed or otherwise disqualified to serve.

Section 4.04 Compensation. No Member shall receive compensation for any service he may render to the Association as a member of the Management Committee, although he may be reimbursed for his actual expenses incurred in the performance of his duties and may enter into an independent contract to provide other services. A Member may enter into a separate and independent contract with the Association to provide additional services for a fee.

Section 4.05 Meeting. The Management Committee shall meet as often as it deems reasonably necessary but not less than annually at a convenient time and place.

Section 4.06 Action Taken Without a Meeting. The Management Committee shall have the right to take any action in the absence of a meeting which it could take at a meeting by obtaining the written approval of all the Members. Any action so approved shall have the same effect as though taken at a meeting of the Management Committee.

Section 4.07 Voting. Each Member shall have one vote.

**ARTICLE V
POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE**

Section 5.03 Powers. The Association shall have all of the powers of a Utah non-profit corporation, subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws and this Declaration. The Association shall have the power to perform any and all lawful acts which may be necessary or proper for, or incidental to, the exercise of any of the express powers of the Association. Without in any way limiting the generality of the foregoing, the Association may act through its Management Committee and shall specifically have the powers and duties set out in this Article V, including

Section 5.03.1 Assessments. The power and duty to levy Assessments on the Owners, and to enforce payment of such assessments in accordance with the Declaration.

Section 5.03.2 Association Property. The right to own and/or lease the Association Property and the duty to maintain and manage the Common Areas and Facilities and improvements thereon. In particular the Association shall:

a. Maintain and repair in an attractive, safe and functional condition the Common Areas and Facilities;

b. Pay all taxes and assessments levied upon the Common Areas and Facilities and all taxes and assessments payable by the Association;

c. Obtain any water, sewer, gas and electric services needed for the Common Areas and Facilities; and

d. Do each and every other thing reasonable and necessary to operate the Common Areas and Facilities and the Association.

ARTICLE VI OFFICERS AND THEIR DUTIES

Section 6.01 Enumeration of Officers. The officers of the Association shall be a president secretary and treasurer, plus such other officers as the Management Committee may from time to time by resolution create. The same individual may not hold the office of president and secretary at the same time. The officers need not be Members of the Management Committee.

Section 6.02 Election of Officers. The Management Committee shall elect or appoint officers at the first meeting of the Management Committee during each calendar year.

Section 6.03 Term. The president shall hold office for three (3) years; the secretary for two (2) years; and the treasurer for one (1) year, unless he or she shall sooner resign, or shall be removed or otherwise disqualified to serve.

Section 6.04 Special Appointments. The Management Committee may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Management Committee may from time to time determine.

Section 6.05 Resignation and Removal. Any officer may be removed from office with or without cause by a majority vote of the Management Committee. Any officer may resign at any time by giving written notice to the Management Committee, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6.06 Vacancies. A vacancy in any office may be filled by appointment by the management Committee. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 6.07 President. The president shall (a) preside at all meetings of the Management Committee, (b) see that orders and resolutions of the Management Committee are carried out and (c) sign all contracts.

Section 6.08 Secretary. The secretary shall (a) record the votes and keep the minutes of all meetings and proceedings of the Management Committee and of the Association, (b) keep the corporate seal of the Association and affix it on all papers requiring said seal, (c) serve notice of meetings of the Management Committee and of the Association, (d) keep appropriate current record showing the Members of the Association together with their addresses and (e) perform such other duties as may required by the Management Committee.

Section 6.09 Treasurer. The Treasurer shall have custody of all funds and securities and shall keep full and accurate records of receipts and disbursements, shall prepare all required financial data, and shall deposit all monies and other valuable effects in such depositories as may be designated by the Management Committee. He shall disburse funds as ordered by the Management Committee, taking proper vouchers for such disbursements, and shall render to the President and members, at the regular meetings of the Management Committee, or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the Project.

**ARTICLE VII
ARCHITECTURAL REVIEW AND OTHER COMMITTEES**

Section 7.01 Architectural Review Committees. The Architectural Review Committee shall consist of at least one (1) and no more than (3) members, who may be members of the Management Committee. The chair person shall be elected by the members of the Association.

Section 7.02 Other Committees. Management Committee may appoint such committees as deemed appropriate in carrying out its purpose.

**ARTICLE VIII
BOOKS AND RECORDS**

Section 8.01 Books and Records. The books and records shall be kept with detailed accounts of the receipts and expenditures affecting the Property, and the administration of the Property, specifying the maintenance, repair and any other expenses incurred. The books and records, including any invoices, receipts, bills, proposals, documents, financial statements, and vouchers accrediting the entries thereupon shall be available for examination by the Owners, their duly authorized agents or attorneys, during general business hours on working days at the times and in the manner that shall be set and announced by the Management Committee for the general knowledge of the Owners. All books and records shall be kept in accordance with generally accepted accounting practices.

Section 8.02 Signatures. All checks, drafts, contracts, and legally binding agreements must be signed by at least two (2) persons, one of whom must be the president or secretary, and the other the professional property manager.

Section 8.03 Bookkeeping. The accounting and financial statements for Association must be kept and prepared by either the property manager or an independent bookkeeper or accountant, who may not be a member of the Management Committee or an officer of the Association. A monthly profit and loss statement, balance sheet, and check register shall be sent or delivered designee by the bookkeeper or accountant to each Member and Association or their designee. The accountant or bookkeeper shall prepare and file all tax returns for the Association.

Section 8.04 Audit. Either a (a) majority vote of the Members of the Management Committee or (b) majority vote of all of the Owners is necessary and sufficient to require either a Compilation Report, Reviewed Statement or Audited Statement of the Association.

**ARTICLE IX
AMENDMENTS**

Section 9.01 Amendment to Bylaws. These Bylaws may only be amended (a) unilaterally by the Developer until the expiration of the Period of Developer's Control, or (b) the affirmative vote of a majority of the members of the Board of Directors, or (c) the affirmative vote of a majority of the members of the Lots.

Section 9.02 Conflict Between Articles, Bylaws and Declaration. In the case of any conflict between the Declaration and these Bylaws, the Declaration shall in all respects govern and control.

**ARTICLE X
MISCELLANEOUS**

Section 10.01 Miscellaneous. The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand this 3rd day of October, 2008.

CHRISSAM MEADOWS HOMEOWNERS ASSOCIATION

By: *Kathleen Sullivan*
Name: Kathleen Sullivan
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 3rd day October, 2008 by Kathleen Sullivan, the President of CHRISSAM MEADOWS HOMEOWNERS ASSOCIATION and said Kathleen Sullivan duly acknowledged to me that said Association adopted the foregoing Amended Bylaws and executed the same pursuant to a resolution of the Management Committee and Section 10.1 of the Bylaws.

Kirsi P. Hansen

NOTARY PUBLIC
Residing at:
My Commission Expires:

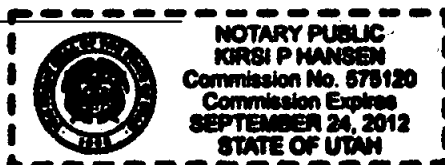


EXHIBIT "A"
LEGAL DESCRIPTION

The Property referred to in the foregoing document is located in Davis County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

A part of the North Half of Section 13, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey;

Beginning at a point 670.00 feet South 0°09'44" West along the quarter Section line from the Northeast corner of the Northwest quarter of said Section; and running thence South 89°52'40" East 2.75 feet; thence South 0°11'05" West 780.39 feet; thence North 67°13'09" West 148.99 feet; thence Southwesterly along the arc of a 455.92 foot radius curve to the right a distance of 32.81 feet (Long Chord bears South 24°50'34" West 32.81 feet); thence North 65°58'06" West 169.61 feet; thence North 20°14'44" East 69.83 feet; thence North 0°52'40" West 126.99 feet; thence North 12°14'12" West 66.89 feet; thence South 66°22'33" West 91.72 feet; thence South 89°58'16" West 167.06 feet; thence North 0°01'44" West 20.01 feet; thence North 89°52'40" West 113.43 feet; thence South 0°13'00" West 58.62 feet; thence North 72°00'46" West 165.86 feet; thence North 0°13'00" East 160.21 feet; thence South 89°52'40" East 22.94 feet; thence North 0°13'00" East 78.12 feet; thence Northeasterly along the arc of a 30.00 foot radius curve to the right a distance of 21.68 feet (Long Chord Bears North 20°55'17" East 21.21 feet); thence Northwesterly along the arc of a 50.00 foot radius curve to the left a distance of 73.56 feet (long Chord Bears North 0°31'14" West 67.10 feet); thence North 47°19'57" East 175.18 feet; thence North 0°13'00" East 17.03 feet; thence South 89°52'40" East 296.62 feet; thence North 0°09'44" East 429.29 feet; thence South 89°50'16" East 66.00 feet; thence South 0°09'44" West 429.25 feet; thence South 89°52'40" East 298.01 feet to the point of beginning.

Contains 10.760 Acres

~~beginning~~

~~Contains 10.754 Acres~~

~~2.75~~

Excluding lot 07 said Christian meadows
Subdivision No. 1

P.M.

Phase 1: Parcel: 12-407

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Phase 2: Parcel: 12-426

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Phase 3: Parcel : 12-490

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Phase 4: Parcel 12-520 "COMMON AREA" F

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Phase 5: Parcel 12-540 "COMMON AREA" G

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Phase 6, and 6 amended: Parcel: 12-610

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Phase 6, and amended: Parcel: 12-551

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