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E# 3272310 PG 1 OF 4
Leann H. Kilts, WEBER COUNTY RECORDER
03-Feb-23 0426 PM FEE \$192.00 DEP T
REC FOR: MILLER HARRISON LLC
ELECTRONICALLY RECORDED

**FOURTH AMENDMENT TO THE
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE MEADOWS AT WEST HAVEN
A PLANNED RESIDENTIAL UNIT DEVELOPMENT**

THIS FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE MEADOWS AT WEST HAVEN A PLANNED RESIDENTIAL UNIT DEVELOPMENT is made by The Meadows at West Haven Home Owners Association, Inc. ("Association"), is executed on the date set forth below, and shall be effective upon recording in the Weber County Recorder's Office.

RECITALS

A. Certain real property in Weber County known as The Meadows at West Haven was subjected to certain covenants, conditions, and restrictions as contained in the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development, recorded in the Recorder's Office for Weber County, Utah on November 10, 2004 as Entry No. 2067610 ("Declaration").

B. The Declaration was first amended by the "First Amendment to the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development", recorded as Entry No. 2589590 with the Weber County Recorder's Office on August 7, 2012.

C. The Declaration was next amended by the "Second Amendment to the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development", recorded as Entry No. 2669316 with the Weber County Recorder's Office on December 23, 2013.

D. The Declaration was next amended by the "Third Amendment to the Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven a Planned Residential Unit Development", recorded as Entry No. 2950353 with the Weber County Recorder's Office on November 2, 2018.

E. The Association desires to further amend the Declaration to add a reinvestment fee covenant as indicated below.

F. This Fourth Amendment shall be binding against the Property as described in the Declaration, including those parcels listed in "Exhibit A".

G. Pursuant to Section 13.02 of the Declaration, the Declaration may be amended upon the affirmative vote of a majority of Owners.

H. A majority of Owners have approved the amendment below.

I. The Association interprets U.C.A. §57-1-46 to prevent it from charging a reinvestment fee when an Owner is transferring his/her Lot to a trust or other entity owned and controlled by such Owner for estate planning purposes. Therefore, such transfers, as determined by the Board, will not be considered "transfers" giving rise to the payment of a reinvestment fee.

AMENDMENT

Article V is hereby amended and supplemented with the addition of the following Section 5.13:

5.13 Reinvestment Fee. The Association, through the Board, shall establish a "Reinvestment Fee" in accordance with this Section and Utah Code §57-1-46. The following terms and conditions shall govern Reinvestment Fees.

(1) Upon the occurrence of any sale, transfer, or conveyance of any Lot as reflected in the office of the Weber County Recorder, regardless of whether it is pursuant to the sale of the Lot or not (as applicable, a "Transfer"), the party receiving title to the Lot (the "Transferee") shall pay to the Association a Reinvestment Fee in an amount determined by the Board, provided that in no event shall the Reinvestment Fee exceed the maximum rate permitted by law.

(2) Notwithstanding anything to the contrary contained in this Section, the Association shall not levy or collect a Reinvestment Fee for any Transfer made to the Association or a Transfer exempted by Utah Code §57-1-46(8).

(3) The Reinvestment Fee shall be due and payable by the Transferee to the Association at the time of the Transfer giving rise to the payment of such Reinvestment Fee and shall become part of the assessment to which such Owner and that Owner's Lot are subject and may be collected as an unpaid assessment subject to the payment of interest and late fees as further provided in Article V herein, the rules and regulations of the Association, or as provided in the Utah Community Association Act.

CERTIFICATION

The Board, as evidenced by the signature of the duly authorized Association officer below, hereby certifies that the foregoing amendment to the Declaration was duly approved by more than a majority of the Owners of THE MEADOWS AT WEST HAVEN HOME OWNERS ASSOCIATION, INC. as required by Section 13.02 of the Declaration.

EXECUTED this 1 day of 31, 2023.

Linda Cooper
President

STATE OF UTAH)
) SS:
COUNTY OF WEBER)

On the 31 day of January 2023, personally appeared before me Linda Cooper. Who by me being duly sworn, did say that he/she is the President of The Meadows at West Haven Home Owners Association, Inc., and that the foregoing information is true and accurate to the best of his/her knowledge.

Heather G. Gillespie
Notary Public

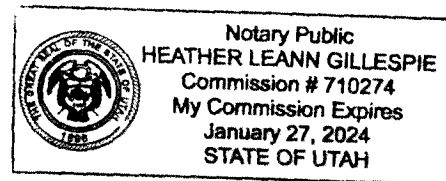


EXHIBIT A

Parcel Numbers and Legal Descriptions

(86 TOTAL LOTS)

MEADOWS AT WEST HAVEN PHASE 1, (THE) A PUD, WEST HAVEN CITY, WEBER COUNTY, UTAH. LOTS 1A THRU 43B (42 Lots)

Parcel Numbers: 08-427-0001 THRU 08-427-0042

THE MEADOWS AT WEST HAVEN PHASE 2, A PUD. LOTS 44A THRU 87D (26 Lots)

Parcel Numbers: 08-443-0001 THRU 08-443-0026

MEADOWS AT WEST HAVEN PHASE 2, A PUD, (THE) WEST HAVEN CITY, WEBER COUNTY, UTAH. LOTS 56A THRU 73B (18 Lots)

Parcel Numbers: 08-444-0001 THRU 08-444-0018