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E# 3354554 PG 1 OF 3  
B. Rahimzadegan, WEBER COUNTY RECORDER  
16-Jan-25 0127 PM FEE \$384.00 DEP DA  
REC FOR: HELGESEN HOUTZ & JONES  
ELECTRONICALLY RECORDED

**AMENDMENT  
TO THE  
2022 RESTATED AND AMENDED  
DECLARATION  
OF  
COVENANTS, CONDITIONS & RESTRICTIONS  
OF  
NEWTOWNE SQUARE AT COLONIAL SPRINGS**

This amendment (“Amendment”) is made and executed on the date shown below by the lot owners of Newtowne Square at Colonial Springs (hereinafter “Newtowne Square” or “Association”) after having been voted upon and approved by the Lot Owners in accordance with the Restated Declaration and Bylaws (defined below).

**RECITALS**

WHEREAS, the 2022 Restated and Amended Declaration of Covenants, Conditions and Restrictions of Newtowne Square at Colonial Springs (the “Restated Declaration”) was recorded in the records of Weber County, Utah, on November 14, 2022, as entry number 3263402; and

WHEREAS, the Bylaws of Newtown Square at Colonial Springs Owners Association, Inc. (“Bylaws”) are attached to the Restated Declaration as Exhibit “B”; and

WHEREAS, the Newtowne Square Lot Owners desire to amend certain provisions of the Restated Declaration and Bylaws, as described below; and

WHEREAS, the real property against which this Amendment shall be recorded is located in Weber County, Utah, and more particularly described in Exhibit “A”, attached.

NOW THEREFORE, to accomplish the lot owners’ objectives, the following amendments are adopted by the Lot Owners of Newtowne Square, which amendments modify and amend the Restated Declaration and the Bylaws. This Amendment shall become effective upon recording and shall be controlling in the event of a conflict between this Amendment and any provision in the Restated Declaration or Bylaws. Unless defined in this Amendment, the capitalized terms used herein shall have the same meaning as defined in the Restated Declaration.

The Newtowne Square Restated Declaration and Bylaws are hereby amended as follows:

**AMENDMENTS**

- A. **Compensation.** Paragraph 4.4 of the Bylaws, titled “Compensation,” is hereby deleted in its entirety, and is replaced with the following:

**Compensation.** Board members shall serve without receiving a salary for their service on the Board. However, they are entitled to reimbursement for expenses

reasonably incurred in connection with Board or Association business, provided such expenses are approved by the Board. This provision does not preclude a Board member from serving the Association in another capacity, with the approval of a majority of the Board, and receiving appropriate compensation for such service.

- B. **Assessments.** Notwithstanding the provisions of Paragraphs 5.1(a) and 5.3 of the Restated Declaration, the Board may only (a) increase the annual assessment by more than fifteen percent (15%) of the prior year's assessment, or (b) issue special assessments in an amount determined by the Board, if such an increase or special assessment is first approved by at least fifty-one percent (51%) of the Members who cast a vote, either in person or by proxy, at a meeting duly called for that purpose.
- C. **Reinvestment Fee.** The Reinvestment Fee authorized under Article 15 of the Restated Declaration is hereby increased from \$500 to 0.5% of the value of the Lot being transferred. This fee shall be paid by the purchaser of the Lot upon the sale, transfer, or conveyance of the unit to a new owner.

**CERTIFICATION**

It is hereby certified that at least fifty-one percent (51%) of the total votes of the Association have voted to approve this amendment.

IN WITNESS WHEREOF, this 14 day of January, 2025.

By *[Signature]*  
President

STATE OF UTAH            )  
                                      :SS.  
COUNTY OF WEBER        )

On this 14 day of January, 2025, personally appeared before me Melissa Putnam, who, being by me duly sworn, did say that (s)he is President of the Newtowne Square Board and that the within and foregoing instrument was signed in behalf of said Board of Directors and (s)he duly acknowledged to me he executed the same.



*Ronni Holt*  
Notary Public

## EXHIBIT "A"

### Legal Description of Lots

All of lots 1 through 34, New Towne Square at Colonial Springs SAP Phase 01, and common area, Harrisville City, Weber County, Utah.

All of lots 35 through 66, New Towne Square at Colonial Springs SAP Phase 2, and common area, Harrisville City, Weber County, Utah.

All of lots 67 through 109, New Towne Square at Colonial Springs SAP Phase 3, and common area, Harrisville City, Weber County, Utah.

All of lots 110 through 147, New Towne Square at Colonial Springs SAP Phase 4, and common area, Harrisville City, Weber County, Utah.

All of lots 148 through 182, New Towne Square at Colonial Springs SAP Phase 5, and common area, Harrisville City, Weber County, Utah.

17-267-0001-0035; 17-289-0001-0033; 17-295-0001-0044; 17-326-0001-0039;  
17-327-0001-0036

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