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SEB Legal
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ENT 59809:2016 PG 1 of 3
Jeffery Smith
Utah County Recorder
2016 Jun 30 11:25 AM FEE 37.00 BY DA
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**AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR HEARTHWOOD CONDOMINIUMS**

This Amendment to the Declaration is executed on the date set forth below by the Board of Directors (“Board”) for Hearthwood Condominium Owners’ Association (“Association”).

RECITALS

A. Real property in Utah County, Utah, known as Hearthwood Condominiums was subjected to covenants, conditions, and restrictions recorded April 23, 1986, as Entry No. 12148-1986, in the Utah County Recorder’s Office, Utah (“Declaration”);

B. This amendment shall be binding against the property described in EXHIBIT A and the Declaration, any amendment, annexation, or supplement thereto;

C. This amendment is intended to clarify individual assessments and authorize the Association to charge a reinvestment fee at the time a Unit is transferred;

D. Under Article XII, Section 12.8 of the Declaration, the Board certifies that more than 67% of the voting interests approved this Amendment;

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

Declaration Article VI, Section 6.9 is amended to read as follows:

6.9 Individual Assessments. Any expenses attributable to less than all the Units may be assessed exclusively against the affected Units. Individual assessments include, without limitation:

(a) Assessments levied against a Unit to reimburse the Association for costs incurred in correcting a violation of the Governing Documents;

(b) Fines, late fees, interest, collection costs (including attorney’s fees);

(c) Services provided to a Unit due to an Owner’s failure to maintain, for emergency repairs, or to protect the health, safety, and welfare of adjoining Units and Common Areas;

(d) Assessments levied against a Unit for legal fees expended in enforcing or interpreting the Governing Documents as result of the Unit’s Owner or occupants;

(e) Any charge described as an individual assessment or individual special assessment by the Declaration of Covenants, Conditions and Restrictions, Bylaws, or Rules and Regulations; and

(f) Reinvestment fees.

(i) On every Unit at the time the Unit is transferred the Association may levy a reinvestment fee in an amount determined by the Board, but not to exceed 0.5% of the value of the Unit. The purpose of the reinvestment fee is to cover Association expenses, including without limitation: administrative expenses; purchase, ownership, leasing, construction, operation, use, administration, maintenance, improvement, repair, or replacement of association facilities, including expenses for taxes, insurance, operating reserves, capital reserves, and emergency funds; common planning, facilities, and infrastructure expenses; obligations arising from an environmental covenant; community programming; resort facilities; open space; recreation amenities; or charitable expenses.

IN WITNESS WHEREOF, the president and secretary certify that this Amendment has been approved by more than 67% of the total votes and have executed this Amendment to the Declaration as of the ___ day of _____, 2016.

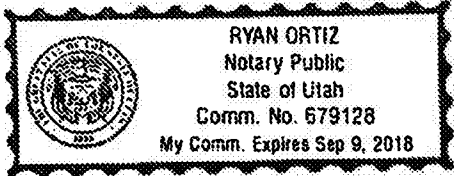
HEARTHWOOD CONDOMINIUM OWNERS' ASSOCIATION

Jeremiah Pontious
By: [Signature]
Its: President

Lura Carey
By: [Signature]
Its: Secretary

STATE OF UTAH)
 :SS
County of UTAH)

On the 17th day of JULY, 2016, personally appeared JEREMIAH PONTIOUS and LURA CAREY who, being first duly sworn, did that say that they are the president and secretary of the Association authorized to sign this instrument and that said instrument was signed and sealed on behalf of the Association, certified that the Amendment was authorized by more than 67% of the total votes, and acknowledged said instrument to be their voluntary act and deed.



[Signature]
Notary Public for Utah

EXHIBIT A
Legal Description

All Units located within Phase I and Phase II of the Hearthwood Condominium project as shown as the maps on file with the Utah County Recorder's Office, more particularly described as follows:

PHASE I	PHASE II
41:161:0001	41:163:0001
41:161:0002	41:163:0002
41:161:0003	41:163:0003
41:161:0004	41:163:0004
41:161:0005	41:163:0005
41:161:0006	41:163:0006
41:161:0007	41:163:0007
41:161:0008	41:163:0008
41:161:0009	41:163:0009
41:161:0010	41:163:0010
41:161:0011	41:163:0011
41:161:0012	41:163:0012