

1982

AMENDED BYLAWS

OF

CONDOMINIUM FOREST GLEN, INC.

ARTICLE I

Name and Location

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 Forest Glen
 REBECCA GRAY
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 SALT LAKE COUNTY, UTAH

The name of the corporation is CONDOMINIUM FOREST GLEN, INC., hereinafter referred to as the FOREST GLEN ASSOCIATION.

The principal office of the corporation shall be located at 2560 Elizabeth Street, Club House, Salt Lake City, Salt Lake County, Utah, 84106, but meetings of members and directors may be held at such places within the State of Utah, County of Salt Lake, as may be designated by the Board of Directors.

ARTICLE II

Definitions

Sec. 1. "Association" shall mean and refer to Forest Glen Association, its successors and assigns.

Sec. 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Sec. 3. "Common Area" shall mean all real property owned by the Association for the use and enjoyment of the owners.

Sec. 4. "Unit" shall mean any one of those parts of the buildings which are separately described on the Record of Survey Map.

Sec. 5. "Owner" shall mean and refer to the record owner whether one or more persons or entities, of the fee simple title to any unit which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Sec. 6. "Declarant" shall mean and refer to Nagle Construction Company, Inc., its successors and assigns.

Sec. 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the properties recorded in the office of the Salt Lake County Recorder.

Sec. 8. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

Sec. 9. "bullying Representative" shall mean a member selected by

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the members of their respective buildings.

ARTICLE III

Meeting of Members

Sec. 1. Annual Meetings. The first annual meeting of the members shall be held on May 6, 1981. Each subsequent regular annual meeting of the members shall be held on the first Wednesday of the same month of each year thereafter at the hour of seven o'clock p.m., at the Forest Glen Club House. If the day for the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Sec. 2. Special Meetings. Special meetings of the members may be called at any time by the president or by any three (3) members of the Board of Directors, or upon written request of twenty-five per cent (25%) of the members entitled to vote.

Sec. 3. Notice of Meetings. Written notice of each meeting of the members shall be given by the secretary by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and the purpose of the meeting.

Sec. 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-fourth (1/4) of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Sec. 5. Proxies. At all meetings of members, each member may vote in person or by proxy, with each unit having one (1) vote. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his unit. No member will hold more than two (2) proxies for other members.

ARTICLE IV

Board of Directors

Sec. 1. Election and Tenure. Commencing with the annual meeting starting in the year 1982, five (5) directors, who are members of the Association, shall be elected. The three (3) receiving the highest vote will serve for two years, and the next two directors elected will serve for one year. Each subsequent year at the annual meeting, those elected will serve for 2 years.

Sec. 2. Compensation. No director shall receive compensation for any services he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Sec. 3. Meetings of Directors. The President shall call all meetings of the Board of Directors to be held every second Monday of each month at two (2) p.m., or at direction of the President. Special meetings of the Board may be called by the President or any three (3) directors.

Sec. 4. Quorum. A majority of the number of directors shall constitute a quorum with each member having one (1) vote. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

Sec. 5. Powers and Duties of the Board of Directors.

a. Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

b. Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

c. Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, or the Declaration;

d. Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors;

e. Employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties;

f. Supervise all officers, agents, and employees of this Association, and to see that their duties are properly performed;

g. Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the members who are entitled to vote;

h.1. Fix the amount of the monthly fee against each unit, with an accompanying projected budget for the year, at least 30 days in advance of each annual meeting of members. This assessment and budget will be subject to the vote of qualified members.

2. Send written notice of each assessment to every owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

3. Foreclose the lien against property for which assessments are

not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

i. Issue, or to cause an appropriate office to issue upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

j. Procure and maintain adequate liability and hazard insurance of property owned by the Association; and provide blanket liability and hazard insurance on all the properties and improvements thereon, if commercially available. If such insurance on the units is not available to the Association or the cost greater than individual policies collectively, then the individual owner shall obtain such insurance and furnish the Association evidence thereof.

k. Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate.

l. Cause the Common Area to be maintained.

m. Cause the exterior of the buildings to be maintained, as provided in the Declaration.

Sec. 6. Indemnity. Each director shall be indemnified and held harmless by the members against all costs, expenses and liabilities whatsoever, including without limitation, attorneys' fees reasonably incurred by him in connection with any proceeding to which he may become involved by reason of his being or having been a director of the Association.

ARTICLE V

Officers

Sec. 1. Officers. The officers of the Association shall be President, Vice-President, Secretary and Treasurer. Said officers shall be elected at the first meeting of the Board of Directors following the election of the Board. The officers shall hold office for two (2) years or until their successors are elected and qualified.

Sec. 2. Duties of Officers.

a. President- The President shall preside at all meetings of the Association and the Board of Directors and shall have general supervision over the affairs of the Association. He may appoint such committees as he shall deem advisable. He shall cosign all contractual agreements and checks. He shall provide an annual report at the annual meeting of the Association and submit same to the Secretary of State no later than April 1 of each year.

b. Vice-President- The Vice-President shall perform the duties of the President in his absence.

c. Secretary- The secretary shall record the votes and keep minutes of all meetings and proceedings of the Board; shall keep the corporate seal of the Association and affix it to all papers requiring said seal; shall serve notice of meetings of the Board and of the members; shall keep records showing the members of the Association and their addresses and shall perform such other duties as required by the Board.

d. Treasurer- The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by the Board of Directors; shall sign all checks and contractual agreements; keep proper books of account; cause an annual audit of the Association books to be made by the Board of Directors at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy to each of the members.

Sec. 3. Removal. Any officer of this Association may be removed by a vote of three-fourths (3/4) of a quorum at any special meeting of the membership called therefor, for exceeding his powers as granted by the Bylaws, or for bad faith on matters pertaining to the financial status of the Association or for conduct detrimental to the best interests of the Association.

Sec. 4. Resignation. Any officer may resign at any time, giving written notice to the Board. Such resignation shall take effect on date of receipt of such notice, or any later time specified therein.

Sec. 5. Vacancies. A vacancy in any office may be filled by appointment of the Board, and such officer shall serve for the remainder of the term of the officer he replaces.

ARTICLE VI

Committees

Sec. 1. Committees. The President shall appoint such committees as he shall deem necessary for the better execution of the activities and duties of the Association.

a. The President from time to time, at the discretion, or upon the request of the majority of the Board present at any meeting, may appoint a special committee for a special purpose.

Sec. 2. Grounds Committee. Shall be responsible for making recommendations to the Board of Directors on all matters pertaining to rules for general use, landscaping, sprinkling, restrictions, and other related matters pertaining to the common areas of the properties occupied by the Association.

Sec. 3. Recreation Committee. Shall be responsible for recommending to the Board of Directors rules for the use of the Club House, the swimming pool, and the tennis courts. Any required changes and/or additions to the rules will be conspicuously displayed with copies circulated to all owners; shall also

promote other activities, such as card games, tournaments, hobbies, etc., that may be of interest to members of the Association.

Sec. 4. Building Committee. Shall be responsible for recommending to the Board of Directors rules governing the use of each unit and the common areas associated therewith.

Sec. 5. Building Representatives. Shall serve on the building committee; shall receive complaints and/or recommendations in writing from owners of their respective buildings and submit to the building committee; shall serve as a conduit for information to the owners, such as posting updated rules, and circulating minutes and agendas of meetings of the Board of Directors; shall assure common areas are properly maintained and lighted; shall perform such other duties as may be assigned from time to time by the Board of Directors.

Sec. 6. Fiscal Ways and Means Committee. This committee will be composed of one to five people appointed by the President of the Board. The member (or members) of this committee will subsidize the work load for the Treasurer's duties, as requested.

ARTICLE VII

Restrictions

Sec. 1. Units. Each unit shall be used and occupied as a residence for a single family and for no other purpose.

Sec. 2. Animals. Permission to keep or harbor birds or animals must be obtained in writing from the Board of Directors. Dogs now owned by owners may be kept until their death, no replacement will be permitted. Effective May 6, 1981, permission to keep or harbor dogs will not be granted for any unit that is resold or rented. In no event shall dogs or cats be permitted in any common area unless carried or on a leash. Further, any pet causing or creating a nuisance or disturbance shall be permanently removed from the property upon ten (10) days written notice from the Board of Directors.

ARTICLE VIII

Books and Records

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE IX

Assessments

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within fifteen (15) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of eighteen percent (18%) per annum, and the Association may bring an action at law against the owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorneys' fees of any such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his unit.

ARTICLE X

Contractual Limitations

It is intended that the members of the Board of Directors shall have no personal liability with respect to any contract made by them on behalf of the Association. It is also intended that the liability of any member arising out of any contract made by the Board or out of the indemnity in favor of the members of the Board, shall be limited to such proportion of the total liability thereunder as his interest in Common Areas. Every agreement made by the Board or by the managing agent, or the manager, as the case may be, are acting only as agents for the Association and shall have no personal liability thereunder (except as unit owners) and that each owner's liability thereunder shall be limited to such proportion of the total liability thereunder as interest in the Common Area, whereas to the interest of all owners in the common area.

ARTICLE XI

Lawsuits

No Board of Directors elected to Forest Glen Association will have the power to instigate any lawsuits without the approval of the majority of the Association.

ARTICLE XII

Amendments

Sec. 1. Amendments. These Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Sec. 2. Notice. At least fifteen (15) days written notice of any special or regular meeting at which a proposed amendment is to be voted upon shall be

given by the Secretary of the Association to all members. The notice shall specify the time and place of the meeting and the proposed amendment to be voted upon.

Sec. 3. Conflict. In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control; and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

ARTICLE XIII

Certification

We, the undersigned, being Directors of the Association, do hereby certify that the foregoing Bylaws were adopted at a regular meeting of the members of the Association the 6th day of May, 1981, and that the same do now constitute the Bylaws of said Association.

S/Elbert P. Rees
President

S/Warren E. Mulcock
Vice-President

S/Francis Kahre
Secretary

S/Jerry Olson
Treasurer

S/A. E. Andersen
Director

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