

**Amendment**  
to the  
**Amended and Restated Declaration**  
of  
**Pheasantbrook**  
**Home Owners Association**  
**A PLANNED UNIT DEVELOPMENT**

This Amendment to the Amended and Restated Declaration of Pheasantbrook Home Owners Association ("2014 Amendment"), is made by the Pheasantbrook Home Owners Association, a Utah nonprofit corporation, located in Centerville, Utah, (hereinafter the "Association" or "Pheasantbrook").

**RECITALS**

WHEREAS, an Amended and Restated Declaration of Pheasantbrook Home Owners Association ("Restated Declaration") was recorded in the Recorders office of Davis County, Utah, on June 13, 2011, as Entry Number 262781, in Book 5293, Pages 400-446; and

WHEREAS, Pheasantbrook home owners desire to amend the Restated Declaration to update and modify provisions relating to the Association's rental restrictions;

NOW THEREFORE, the home owners of Pheasantbrook hereby amend the Restated Declaration recorded against the real property located in Davis County, Utah, known as Pheasantbrook and more fully described on Exhibit "A" attached hereto. If there is any conflict between this 2014 Amendment and the Restated Declaration, this 2014 Amendment shall control.

The Pheasantbrook Restated Declaration is hereby amended as follows:

## Amendment

### RENTAL RESTRICTIONS

It is the intent of the owners within the Pheasantbrook Home Owners Association to limit the number of Units at Pheasantbrook that are occupied by non Unit Owners at any one time to ten percent (10%) of the total Units at Pheasantbrook. To accomplish this objective, sections 12.2 and 12.4 to the Restated Declaration are hereby repealed and replaced with the following provisions:

- 12.2 Not more than ten percent (10%) of the Units at Pheasantbrook HOA may be occupied by non Unit Owners at any one time. For purposes of computing the ten percent (10%) limit, the rentals permitted pursuant to the exceptions set forth in paragraphs 12.5 and 12.6 shall not be counted.
- 12.4 Any Unit Owner desiring to lease his or her Unit or to have his or her Unit occupied by a non Unit Owner shall notify the Board in writing of their intent to lease their Unit. The Board shall maintain a list of those Unit Owners who have notified the Board of an intent to lease their Unit and shall grant permission to Unit Owners to lease their Unit, which permission shall be granted in the same order the Board receives the written notice of intent to lease a Unit from the Unit Owners. No permission shall be granted to lease a Unit until less than 10 percent (10%) of the Units at Pheasantbrook HOA are occupied by a non Unit Owner.


**Effective Date** This 2014 Amendment and any amendment hereof shall take effect upon its being filed for record in the office of the County Recorder of Davis County, Utah.

### CERTIFICATION

It is hereby certified that in compliance with Article 19.3 of the Restated Declaration at least two-thirds (67%) of the members present, in person or represented by proxy, at a meeting duly called for the purpose of voting to amend the Restated Declaration, and at which a quorum was present, voted to approve this Restated Declaration.

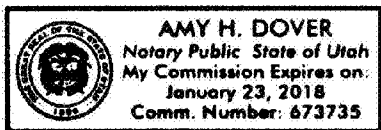
IN WITNESS WHEREOF, this 23 day of May, 2014.

PHEASANTBROOK HOME OWNERS ASSOCIATION

By \_\_\_\_\_  
President

STATE OF UTAH            )  
                                  )SS.  
COUNTY OF DAVIS        )

On this 23 day of May, 2014, personally appeared before me John Redd, who, being by me duly sworn, did say that he is President of the Pheasantbrook Home Owners Association and that the within and foregoing instrument was signed in behalf of said Home Owners Association and he duly acknowledged to me he executed the same.



Amy H. Dover  
Notary Public

**EXHIBIT "A"**

LEGAL DESCRIPTION

PHEASANTBROOK PUD, CENTERVILLE CITY, DAVIS COUNTY, UTAH

PART 1, UNITS 1 THROUGH 24  
(Land Serial Numbers: 02-037-0001 through 02-037-0024)

PART 2, UNITS 41 THROUGH 48  
(Land Serial Numbers: 02-037-0041 through 02-037-0048)

PART 3, UNITS 25 THROUGH 40; 49 THROUGH 52  
(Land Serial Numbers: 02-038-0025 through 02-038-0040; 02-038-0049 through 02-038-0052)

PART 4, UNITS 53 THROUGH 64  
(Land Serial Numbers: 02-038-0053 through 02-038-0064)

PART 5, UNITS 65 THROUGH 72  
(Land Serial Numbers: 02-034-0065 through 02-034-0072)

PART 6, UNITS 73 THROUGH 92  
(Land Serial Numbers: 02-034-0073 through 02-034-0092)

PART 7, UNITS 93 THROUGH 124  
(Land Serial Numbers: 02-035-0093 through 02-035-0124)

PART 8, UNITS 125 THROUGH 144  
(Land Serial Numbers: 02-036-0125 through 02-036-0144)

Including the following common areas: (02-034-0093; 02-035-0125; 02-036-0145; 02-037-0049;  
02-037-00050)