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Page 1 of 4

Mary Ann Trussell, Summit County Utah Recorder

03/06/2017 08:09:17 AM Fee \$129.00

By WRONA DUBOIS, P.L.L.C.

Electronically Recorded

Return to:
Hidden Cove Owners Association
C/O Robert Rosing
1745 Sidewinder Drive
Park City, UT 84098

**AMENDMENT
TO
BY-LAWS OF THE HIDDEN COVE OWNERS ASSOCIATION**

Pursuant to the provisions of the Utah Revised Non-Profit Corporations Act and the Restrictive Covenants Hidden Cove, the Board of Trustees of Hidden Cove Owners Association hereby adopt this Amendment to the By-Laws of Hidden Cove Owners Association (the "Amendment").

RECITALS

- A. The RESTRICTIVE COVENANTS HIDDEN COVE was recorded on July 26, 1975, in the Summit County Recorder's office as Entry No. 101515, in Book M2, beginning at Page 107 (the "Declaration"),
- B. The Original By-Laws of the Hidden Cove Owners Association were adopted on June 7, 1973, by a vote of the Board of Trustees.
- C. The Amended and Restated Hidden Cove Owners Association Bylaws (the "First Amendment") were recorded on November 19, 2008, in the Summit County Recorder's office as Entry No. 00859561, Book 1957, beginning at Page 417.
- D. The By-Laws of the Hidden Cove Owners Association (the "Bylaws") were recorded on September 5, 2014, in the Summit County Recorder's Office as Entry No. 1002225, Book 2255, beginning at Page 1626, completely amending and restating any prior bylaws, including the Original Bylaws and the First Amendment, and any other Bylaws, whether or not recorded.
- E. Under the provisions of the Declaration and the Utah Revised Non-Profit Corporations Act, the Board of Trustees (the "Board") is authorized and empowered to adopt bylaws for the Association.
- F. The Board desires to amend the Bylaws to decrease the number of Board Members.
- G. As evidenced by this instrument, the Board met at a properly noticed special meeting on ~~January~~ ^{January} 25, 2017, and voted to adopt the Amendment.
- H. This document affects the real property located in Summit County, Utah, described with particularity on Exhibit A, attached hereto and incorporated herein by reference (the "Property").

AMENDMENTS

NOW, THEREFORE, pursuant to the foregoing, the Association, through its Board of Trustees, hereby makes and executes the following amendment to the Bylaws, which shall be effective as of its recording date:

1) **Amendment No. 1.** Article IV.4 and IV.5, is deleted entirely and replaced with the following:

The Board of Trustees shall consist of five (5) members (each such member, a "Trustee"), elected by the general Membership of the Association at the Annual Meeting. Each Trustee shall serve a term of Three (3) years, which shall be staggered as so that the terms overlap. The number of Board seats open for election therefore be two, followed by two, followed by one, followed by two, followed by two, followed by one, etc. At the time of the recording of this Amendment, two board members have resigned and the current board is made up of five Trustees.

As of the date of the recording of this Amendment, the current Trustees and the year in which such Trustees' seat shall come up for election are as follows: one seat in 2016, two seats in 2017, and two seats in 2018, followed by one seat in 2019.

2) **Conflicts.** All remaining provisions of the Bylaws not specifically amended in this Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Bylaws or any prior amendments, the provisions of this document shall, in all respects, govern and control.

3) **Incorporation and Supplementation of Declaration.** This document is supplemental to the Declaration and Bylaws, which, by reference, is made a part hereof, and all the terms, definitions, covenants, conditions, restrictions, and provisions thereof, unless specifically modified herein, are to apply to this document, and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

4) **Effective Date.** This Amendment to the Bylaws is effective when recorded.

IN WITNESS THEREOF, the undersigned officer of the Association hereby certifies that the Board of Trustees has voted to adopt this Amendment, at a special meeting of the Board of Trustees duly called for that purpose, and consistent with the requirements of the Declaration

Hidden Cove Owners Association



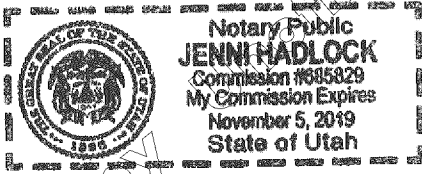
(Signature)

By: Erin Ferguson

Its [Title]: President

STATE OF UTAH)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 23rd day of February, 2017, by Erin Ferguson, who by me being duly sworn, did say that he/she is the President of the Hidden Cove Owners Association.



Jenni Hadlock
Notary Public

Exhibit A – LEGAL DESCRIPTION OF PROPERTY

Hidden Cove Subdivision No. 1, Revised, Lots 1 through 107, According to the official plat thereof, filed in the records of the Recorder of Summit County, State of Utah.

Parcel No.: HC-1-1 through HC-1-107.