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Gary W. Ott
Recorder, Salt Lake County, UT
RICHARDS LAW OFFICE
BY: eCASH, DEPUTY - EF 6 P.

After Recording Return To:

RICHARDS, KIMBLE & WINN, PC
c/o Curtis G. Kimble
2040 Murray Holladay Rd., Suite 106
Salt Lake City, UT 84117

**AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE
EASTRIDGE OWNERS ASSOCIATION
AND
NOTICE OF BYLAWS
A PLANNED UNIT DEVELOPMENT**

This Amendment is made on the date evidenced below by the Eastridge Owners Association ("Association").

RECITALS

A. Certain real property in Salt Lake County, Utah, was subjected to certain covenants, conditions and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions recorded June 17, 1990, as Entry No. 4933910 in the Recorder's Office for Salt Lake County, Utah (the "Declaration").

B. This Amendment and the Association Bylaws shall be binding against the property described in the Declaration and any annexation or supplement thereto, as described in **Exhibit A**.

C. In order to offset the costs of changing ownership records and providing lenders with information, copy costs for CC&Rs, bylaws, and rules and regulations, and other costs associated with the obligations of the Association when a Unit is conveyed and/or changes Owners, and to provide for and benefit the Project as a whole, the Association deems the implementation of a reinvestment fee (or transfer fee) to be in the best interest of all Owners within the Association.

D. In order to provide for the effective operation and administration of the Association, the Board of Trustees has adopted, and the Association has voted on and approved, Bylaws applicable to the Association. The Bylaws are attached hereto as **Exhibit B**.

D. Pursuant to Article XII, Section 5 of the Declaration, the undersigned hereby certifies that all of the voting requirements to amend the Declaration have been satisfied and that the affirmative vote of at least 67% of the total votes in the Association has been obtained to adopt this Amendment.

NOW, THEREFORE, the Association hereby amends the Declaration in order to add the following entirely new Section 9 of Article VI, as follows:

9. Reinvestment Fee Due on Transfer of Lot. Each time legal title to a Lot passes from one person to another, within thirty (30) days after the effective date of such title transaction, the new Lot Owner shall pay to the Association, in addition to any other required amounts, a reinvestment fee, in an amount determined by the Board from time to time. The following are not subject to the above referenced reinvestment fee:

- (i) an involuntary transfer;
- (ii) a transfer that results from a court order;
- (iii) a bona fide transfer to a family member of the seller within three degrees of consanguinity who, before the transfer, provides adequate proof of consanguinity, or to a legal entity, such as a trust, in which the owner or the owner's spouse, son, daughter, father or mother hold a beneficial interest of at least fifty percent (50%) for estate planning purposes;
- (iv) a transfer or change of interest due to death, whether provided in a will, trust, or decree of distribution; or
- (v) the transfer of a Lot by a financial institution, except to the extent that the reinvestment fee covenant requires the payment of the Association's costs directly related to the transfer of the burdened property, not to exceed \$250.

The transfer fee shall be in an amount established by the Board from time to time but shall not exceed .5% of the value of the Lot being transferred.

IN WITNESS WHEREOF, Eastridge Owners Association, has executed this Amendment to the Declaration and Notice of Bylaws as of the 27 day of SEPTEMBER, 2011.

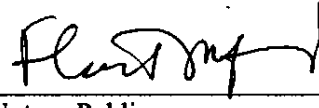
EASTRIDGE OWNERS ASSOCIATION



Print Name: JON R. SUNDIN
President

State of Utah)
 :SS
County of Salt Lake)

On the 27 day of September, 2011, personally appeared before me JON R. SUNDIN who, being first duly sworn, did say that they are the authorized agent of the Eastridge Owners Association, and that this instrument was signed on behalf of the Association by authority of its Board of Trustees; and they acknowledge said instrument to be their voluntary act and deed.



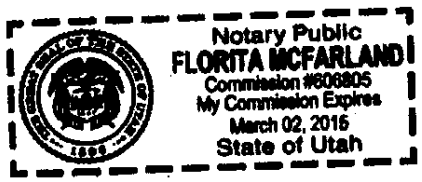
Notary Public

EXHIBIT A

Legal Description

All Lots (25 total), COVE ON MT OLYMPUS PUD, according to the plat thereof as recorded in the office of the SALT LAKE County Recorder.

First Parcel No.: 22112040240000

More particularly described as:

The following-described real property situated in Salt Lake County, State of Utah:

Beginning on the west corner of Oakcliff Park No. 2 Subdivision according to the official plat on file with the Salt Lake County Recorder at a point which lies 226.46 feet south 800.40 feet east from the north quarter corner of Section 11, T. 2 S., R. 1 E., Salt Lake Base and Meridian; said point being on a 100.00 foot radius curve to the right; and running thence along the arc of said 100.00 foot radius curve to the right 79.97 feet (long chord bears S. 2°05'30" E., 77.85 feet); to the point of curvature of a 150.00 foot radius curve to the left; thence along the arc of said 150.00 foot radius curve to the left 236.45 feet (long chord bears S. 24°20'30" E., 212.72 feet); thence S. 20°30' W., 78.00 feet; thence S. 57°30' E., 66.66 feet; thence S. 7°30' E., 122.01 feet; thence S. 82°30'00" W., 117.72 feet; thence W. 37°00' E., 131.26 feet; thence N. 85°51'00" W., 148.69 feet; thence N. 4°09' E., 438.00 feet; thence N. 37°00' E., 131.26 feet to a point of curvature of a 20.00 foot radius curve to the right; thence along the arc of said 20.00 foot radius curve to the right 41.39 feet (long chord bears S. 84°00'00" E., 34.29 feet); thence S. 25°00' E., 34.43 feet to the point of beginning.

LESS AND EXCEPTING THE FOLLOWING:

Beginning 40 rods South from the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 11: T2S, R1E, Salt Lake Base and Meridian at a point which lies 1,999.94 feet South and 1,332.72 feet East, more or less, from the North quarter corner of said Section 11; and running thence N. 88°16'12" W., 250.00 feet; thence N. 0°09'00" W. 500.00 feet; thence S. 88°16'12" E., 250 feet; thence S. 0°09'00" E., 500 feet to the point of beginning.

EXHIBIT B

Eastridge Owners Association Bylaws


1. Eastridge Owners Association (the "Association")
2. The Declaration of Covenants, Conditions And Restrictions of the Eastridge Owners Association was originally filed for record in the office of the Recorder of Salt Lake County, Utah on September 4, 1985 as Entry No. 4132813, in Book 5687, at Page 1966 (the "CC&Rs"). **Exhibit A**, to the the "CC&Rs" describes the real property subjected to the CC&Rs situated in Salt Lake County, State of Utah.
3. **Purpose of the Board of Trustees (the "Board"):** The Association will be managed by the elected Board, with powers consistent with the law and with the Articles of Incorporation, the CC&Rs and these Bylaws of the Association. The Board is to oversee the financial affairs and day-to-day business of the Association. This includes the implementation of hiring vendors as needed to maintain the common areas, physical structures, roads and utilities of the common areas as directed by the CC&Rs.
4. The Board will be elected by the owners as described in the CC&Rs. The Board will be comprised of either five or seven members as decided and voted on by the owners at each annual meeting.
5. A quorum of the Board will be three for a five-member Board and five for a seven-member Board. If the number of Board members is reduced because of resignation or other vacancy, a quorum of the Board shall consist of a majority of the number of directors in office immediately before a meeting begins.
6. Officers will be comprised of a President, a Secretary, and a Treasurer. Each officer shall have the authority and shall perform the duties set forth in these Bylaws, the CC&Rs, and, to the extent not inconsistent with these Bylaws or the CC&Rs, prescribed with respect to the office by the Board.
 - a. The election of officers will take place after the Board has been elected at the owners' annual meeting.
 - b. The election of officer positions may take place at a meeting held immediately following the owners annual meeting, or at the first regularly scheduled Board meeting.
 - c. Only Board members may nominate themselves or other board members for an officer position.
 - d. Nominations may be by voice nomination, written nomination or secret written nomination.
 - e. The board members will vote for the accepted nominations of each officer position by voice ballot, written ballot or secret ballot.
 - f. The method of vote will be determined by the newly elected Board.
 - g. A simple plurality vote is required for each officer position (the nominee with the most votes is elected).
 - h. As with any other decision, vote or action of the Board, each Board member has one vote in an officer election regardless of the number of lots or types of lots owned by a Board member.

7. Qualifications to be a board member include:
 - a. Must be a "Home Owner or Lot Owner" ("Owner"), or spouse / partner of an owner, within the Association.
 - b. At least 18 years of age.
 - c. Must be members in good standing with all dues and assessments paid and current.
8. Term of office will be one year. There are no term limits.
9. The time and location of each board meeting will be determined by the newly elected Board each year. There will be no less than, but not limited to, one meeting per quarter.
10. A vacancy of any board member because of death, resignation, or otherwise, that causes the board to have fewer than 5 members, will be filled by the appointment of a successor, by the remaining board members, to serve as a replacement until the next regular election.
11. A vacated officer position will be filled by the nomination and election of officers process as outlined above.
12. When the President, Secretary or Treasurer cannot be in attendance at a Board meeting, the President will delegate the responsibilities of the missing officer to another officer or Board member.
13. **President:** The President will be the principal executive officer of the Association and will generally supervise and oversee the business and affairs of the Association. He/She will preside over all Board meetings and will be considered a non-voting, voluntary member of all other standing and ad-hoc committees. He/She presides over the meetings of the association and such meetings shall be conducted in the manner and according to the procedures determined by the President at such meetings. The President may represent the Association at other meetings in the community as needed.
14. **Secretary:** The Secretary will keep the minutes of all Association meetings as well as all Board meetings. The Secretary will also be responsible for keeping, or cause to be kept, accurate records of all Association business, including but not limited to, all minutes, meeting notices, correspondence, copies of financial reports, copies of up to date by-laws, articles of incorporation paperwork, copies of all newsletters, copies of all requests for funds generated by the association, any other historical document that pertains to the ongoing business of the association, and any records require to be kept by the Utah Revised Nonprofit Corporation Act or other applicable law. The Secretary will pass this information on to the next Secretary at the end of his/her term.
15. **Treasurer:** The Treasurer will be responsible for all funds of the Association. He/She will receive and issue or will cause an appropriate representative to receive and issue, receipts for monies due and payable to the Association from any source and deposit all monies in the name of the Association in the financial institution selected by the Board. The Treasurer will prepare, or cause to be prepared, accurate and timely financial reports to be presented to all members at every regularly scheduled membership meeting and Board meetings. The Treasurer is responsible for assuring all bank statements and other Association records are kept neatly filed and safe. The Treasurer is responsible for assuring

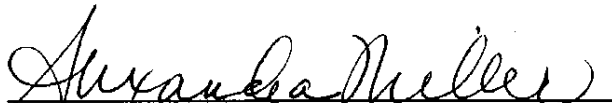
- all residents are aware of the amount of the annual dues. The Treasurer is accountable for all expenditures of the Association and must keep, or cause to be kept, appropriate financial records, including receipts of all transaction.
16. The Board will oversee and manage all committees set forth in the CC&Rs, as well as ad hoc committees, and delegate powers and duties to other owners or agents as the Board deems appropriate.
 17. A Board member or officer may be removed from the Board by a majority vote of all outstanding votes of the Association and in accordance with the procedures set forth in the Utah Revised Nonprofit Corporation Act, as amended from time to time
 18. **Notice.** In any circumstance where notice is required to be given to the homeowners, the Association may provide notice by electronic means, including text message, email, or website, if the Board deems the notice to be fair and reasonable. A homeowner may require the Association, by written demand, to provide notice to the homeowner by mail.
 19. **Amendments to the Bylaws:** The bylaws may be amended by an affirmative vote of two-thirds of the members voting in any voting procedure specified by the Board, including at an annual meeting or special meeting, an electronic vote or mail-in ballot vote called for by the Board. The text of the proposed amendment must be included in the notice to members announcing the time, date and place of the annual meeting or special meeting as outlined in the CC&Rs or in the notice of electronic vote or mail-in ballot procedure. The president, the secretary or the treasurer may prepare, execute, certify, and record amendments to the declaration on behalf of the association.

Adoption of Bylaws

This is to certify that the above bylaws were adopted by the Board of Trustees at a meeting, after receiving the affirmative vote of more than 67% of the voting interests of the Association, on the day 26 of SEPTEMBER, 2011.



Print Name: Jon R. Sundin
President



Print Name: Alexandra Miller
Secretary