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WHEN RECORDED RETURN TO:

Pinebrook Pointe Owners Association, Inc.
262 E 3900 S STE 200
Salt Lake City, UT 84107

Rhonda Francis Summit County Recorder
06/24/2024 02:45:26 PM Fee \$340.00
By MILLER HARRISON LLC
Electronically Recorded

**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
OF
PINEBROOK POINTE**

This First Amendment to the Declaration of Covenants, Conditions, and Restrictions of Pinebrook Pointe (the “**First Amendment**”) is executed and adopted by the Pinebrook Pointe Owners’ Association, Inc. a Utah non-profit corporation (the “**Association**”).

RECITALS

- A. The “Declaration of Covenants, Conditions and Restrictions of Pinebrook Pointe” was recorded on June 17, 1997 as Entry No. 00480841 in the office of the Summit County Recorder.
- B. This First Amendment affects the real property located in Summit County, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated herein by reference.
- C. The Association desires to amend the Declaration as set forth in this First Amendment to create a reinvestment fee covenant.
- D. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration.
- E. Pursuant to Section 27 of the Declaration, and as limited by Utah Code § 57-8-39, the undersigned hereby certifies that this First Amendment was approved by the affirmative vote of Owners holding at least sixty-seven percent (67%) of the undivided interests in the Project.

AMENDMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, the Association hereby executes this First Amendment, which shall be effective as of its recording date with the Utah County Recorder.

(1) Amendment No. 1. Section 22(e) shall be added to the Declaration as follows:

e. Reinvestment Fee Covenant. A perpetual Reinvestment Fee Covenant is hereby established that obligates all Transferees of Units to pay the Association a fee that benefits the Association and Project. The Board of Trustees shall have the right to establish the Reinvestment Fee assessment amount in accordance with this Section and Utah Code § 57-1-46. The following terms shall govern Reinvestment Fees:

(i) Upon the occurrence of any sale, transfer, or conveyance of any Unit as reflected in the office of the Summit County recorder, regardless of whether it is pursuant to the sale of the Unit or not (as applicable, a “Transfer”), the party receiving title to the Unit (the “Transferee”) shall pay to the Association a Reinvestment Fee

(ii) The reinvestment fee amount shall be established by the Board of Trustees in the Rules or by Board Resolution, provided that in no event shall the Reinvestment Fee exceed the maximum rate permitted by law.

(iii) The Association shall not levy or collect a Reinvestment Fee for any Transfer exempted by Utah Code § 57-1-46.

(iv) The Reinvestment Fee shall be due and payable by the Transferee to the Association at the time of the Transfer giving rise to the payment of such Reinvestment Fee. The Reinvestment Fee shall be considered an assessment, and the Association shall have a lien against each Unit for all unpaid Reinvestment Fee amounts.

(2) **Conflicts.** All provisions of the Declaration not specifically amended in this First 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 Declaration 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, 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.

* * * *

IN WITNESS WHEREOF, the Association has executed and adopted this First Amendment this 24th day of JUNE, 2024.

PINEBROOK POINTE OWNERS' ASSOCIATION, INC.

a Utah nonprofit corporation

By: Christine F. DiProspero

Name: CHRISTINE F. DI PROSPERO

Title: PRESIDENT

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake

On the 24 day of June, 2024, personally appeared before me Christine F. DiProspero who by me being duly sworn, did say that she/he is an authorized representative of the Pinebrook Pointe Owners' Association, Inc., and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Melodie Motock
Notary Public

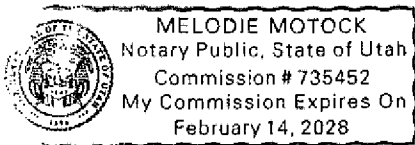


EXHIBIT A
[Legal Description]

All of **PINEBROOK POINTE CONDOMINIUMS PHASE A**, according to the official plat thereof, filed in the office of the Summit County Recorder on June 17, 1997 as Entry Number 00480840.

Including the following parcels:

PBP-A-A-11 through PBP-A-A-14; PBP-A-A-21 through PBP-A-A-24;
PBP-A-B-11 through PBP-A-A-14; PBP-A-B-21 through PBP-A-B-24;
PBP-C-11 through PBP-C-14; PBP-C-21 through PBP-C-24;
PBP-A-D-11 through PBP-A-D-14; PBP-A-D-21 through PBP-A-D-24;
PBP-E-11; PBP-A-E-12; PBP-E-13; PBP-E-14; PBP-E-21 through PBP-E-24;
PBP-F-11 through PBP-F-14; PBP-F-21 through PBP-F-24;
PBP-G-11 through PBP-G-14; PBP-G-21 through PBP-G-24;
PBP-H-11 through PBP-H-14; PBP-H-21 through PBP-H-24;
PBP-I-11, PBP-I-12; PBP-A-I-13; PBP-A-I-14; PBP-I-21 through PBP-I-23; PBP-A-I-24
PBP-A-J-11 through PBP- A-J-14; PBP- A-J-21 through PBP- A-J-24;
PBP-A-K-11 through PBP- A-K-14; PBP- A-K-21 through PBP- A-K-24

All of **PINEBROOK POINTE CONDOMINIUMS PHASE B**, according to the official plat thereof, filed in the office of the Summit County Recorder on April 2, 1998 as Entry Number 00503325.

Including the following parcels:

PBP-B-L-1 through PBP-B-L-4; PBP-B-L-21 through PBP-B-L-24;
PBP-B-M-1 through PBP-B-M-4; PBP-B-M-21 through PBP-B-M-24;
PBP-B-N-1 through PBP-B-N-4; PBP-B-N-21 through PBP-B-N-24;
PBP-B-O-1 through PBP-B-O-4; PBP-B-O-21 through PBP-B-O-24;
PBP-B-P-1 through PBP-B-P-4; PBP-B-P-21 through PBP-B-P-24;
PBP-B-Q-1 through PBP-B-Q-4; PBP-B-Q-21 through PBP-B-Q-24;
PBP-B-R-1 through PBP-B-R-4; PBP-B-R-21 through PBP-B-R-24;
PBP-B-S-1 through PBP-B-S-4; PBP-B-S-21 through PBP-B-S-24;
PBP-B-T-1 through PBP-B-T-4; PBP-B-T-21 through PBP-B-T-24