
SPACE ABOVE RESERVED FOR RECORDER'S USE ONLY

**THIRD AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR HUNTER VILLAS,
A CONDOMINIUM PROJECT**

This Third Amendment to the Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Hunter Villas, A Condominium Project ("Amendment") is executed on the date set forth below, by the Hunter Villas Condominium Owners Association, a Utah non-profit corporation ("Association") and shall become effective against the Project, including the parcels identified in Exhibit A below, when recorded with the Salt Lake County Recorder.

RECITALS

A. Hunter Villas was originally made subject to that certain instrument called the "Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Hunter Villas, which was recorded with the Salt Lake County Recorder on January 17, 2002, as Entry No. 8124678 ("Original Declaration").

B. The Original Declaration was first amended by that certain instrument called the "First Amendment to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on April 9, 2002, as Entry No. 819903.

C. The Original Declaration was next amended by that certain instrument called the "Second Amendment to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on April 29, 2003, as Entry No. 8631179.

D. The Original Declaration was next amended by that certain instrument called the "Third Amendment to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on July 6, 2004, as Entry No. 9111886.

E. The Original Declaration was next amended by that certain instrument called the "Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on March 18, 2005, as Entry No. 9326566.

F. The Original Declaration was next amended by that certain instrument called the "Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas Amended and Restated", which was recorded with the Salt Lake County Recorder on March 1, 2006, as Entry No. 9650546.

G. The Original Declaration was then superseded and replaced by and through that certain instrument called the "Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on April 18, 2016, as Entry No. 12262065 ("Amended Declaration").

H. The Amended Declaration was first amended by that certain instrument called the "Approved Amendment to the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on October 19, 2017, as Entry No. 12639966.

I. The Amended Declaration was next amended by that certain instrument called the "Second Amendment to the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas", which was recorded with the Salt Lake County Recorder on October 12, 2023, as Entry No. 14162590.

J. The Amended Declaration, as amended from time to time, shall be referred to as the Declaration.

K. The Association desires to further amend certain provisions of the Declaration to decrease the composition of the Board of Directors from seven (7) to five (5) individuals, and to bring the amendment voting threshold into harmony with the Utah Condominium Ownership Act.

L. Article XXI, Section 21.1 of the Declaration provides that it may be amended with the affirmative vote of at least 75% of the voting power of the Unit Owners. However, the Act at U.C.A. §57-8-39 provides that the Declaration may not require a higher voting threshold than 67%. Therefore at least 67% of the Association's voting power is required to amend the Declaration.

M. At least 67% of the voting power of the Unit Owners have duly approved the amendments listed below.

N. All capitalized terms not otherwise defined herein shall have the meanings set forth in the Declaration.

O. Unless specifically modified herein, all remaining provisions of the Declaration shall remain in full force and effect.

AMENDMENTS

Amendment 1

Article IX, Section 9.3 of the Declaration is hereby amended to read as follows:

9.3 **COMPOSITION OF BOARD:** The Board shall be composed of five (5) Trustees, as further outlined in the Bylaws.

Amendment 2

Article IX, Section 9.4 of the Declaration is hereby amended to read as follows:

9.4 **FILLING OF VACANCIES:** The terms of the five (5) Trustees described in paragraph 9.3 above shall be staggered so that there is at least one (1) open Trustee position up for election at each annual meeting of the Association as provided in the Bylaws. Thereafter, at such annual meetings, successors to the Trustees whose terms then expire shall be elected to serve terms of three (3) years. If terms become unstaggered for any reason, the Board of Trustees may re-establish the terms among the Trustees so that they are staggered. There is no limit on the number of terms a Trustee may serve. A Trustee shall hold office until their successor is elected. Any Trustee who fails on three (3) successive occasions to attend Board meetings (whether regular or special) shall automatically forfeit his or her seat. Any Trustee may be removed from the Board with or without cause, by a majority vote of the Unit Owners. Subject to the Bylaws, any vacancy occurring on the Board prior to an annual meeting shall be filled by the affirmative vote of the remaining Trustees until the next annual meeting or, in the event there are no remaining trustees, by the affirmative vote of a majority of the votes of the Members at any special meeting of the Members held in accordance with the Association's Bylaws.

Amendment 3

Article XXI, Section 21.1 of the Declaration is hereby amended to read as follows:

21.1 **POWER TO AMEND:** Except as otherwise provided herein, additions to, changes in, or amendments to this Declaration shall require the consent of Unit Owners exercising not less than sixty-seven percent (67%) of the voting power of Unit Owners. Notwithstanding the foregoing:

21.1.1 The consent of all Unit Owners shall be required for any amendment effecting:

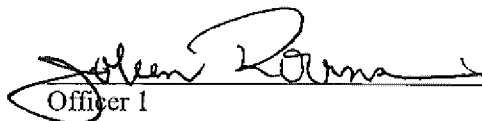
21.1.1.1 a change in the boundaries of any Unit; or

21.1.1.2 termination of the Project except as provided in Article XIII above.

CERTIFICATION

We, the undersigned officers of the Association, hereby certify, to the best of our knowledge, that the foregoing amendments were duly approved by at least 67% of the voting power of the Unit Owners pursuant to the requirements of Article XXI, Section 21.1 of the Declaration, as modified by the Act at U.C.A. §57-8-39. We are duly authorized by the Board to execute this document on the Association's behalf.

**HUNTER VILLAS CONDOMINIUM OWNERS
ASSOCIATION
A UTAH NON-PROFIT CORPORATION**

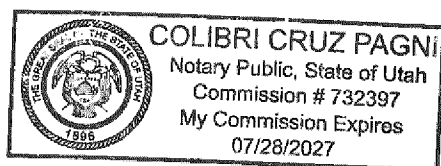


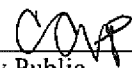
Officer 1

ACKNOWLEDGEMENT

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 8th day of March, 2024, by John Robinson, the President of the Hunter Villas Condominium Owners Association, A Utah non-profit Corporation.





Notary Public

Robert Duffin
Officer 2

ACKNOWLEDGEMENT

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 8th day of March, 2024, by Elizabeth Duffin, the Secretary of the Hunter Villas Condominium Owners Association, a Utah non-profit Corporation.

Cop
Notary Public

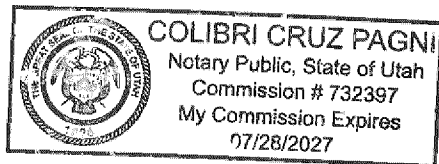


EXHIBIT A
(Legal Description)

96 Units + 1 Common Area = 97 total parcels

All Units (48 total units) and Common Areas of the **HUNTER VILLAS PHASE 1** condominium development according to the plat on file with the Salt Lake County Recorder's Office as **Entry No. 8124677** in Book 2002p on page 21.

Parcel Numbers: **14-27-329-001-0000** through **14-27-329-048-0000**; and

 14-27-329-107-0000 (Common Area)

All Units (48 total units) and Common Areas of the **HUNTER VILLAS PHASE 2** condominium development according to the plat on file with the Salt Lake County Recorder's Office as **Entry No. 8631178** in Book 2003p on page 109.

Parcel Numbers: **14-27-329-050-0000** through **14-27-329-053-0000**; and
 14-27-329-058-0000 through **14-27-329-065-0000**; and
 14-27-329-070-0000 through **14-27-329-097-0000**; and
 14-27-329-099-0000 through **14-27-329-106-0000**

 14-27-329-107-0000 (Common Area)