

## First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restriction and Reservation of Easement for the Village, a Planned Unit Development.

This First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restriction and Reservation of Easement for the Village, a Planned Unit Development (“Declaration”) is made effective May 1, 2024, by the vote of the Owners of The Village Property Owners Association (“Association”) present at a meeting duly noticed, with the requisite quorum present. The vote was 86% percent of the votes cast in favor of this First Amendment to the Declaration and 14% against, which vote meets the 67% minimum vote requirement. The Declaration amended hereby was recorded on June 8, 2005, as Entry Number 9398657 at Book 9142, Pages 3137 to 3168, in the office of the Salt Lake County Recorder. This amendment affects the real property identified on Exhibit A, attached hereto.

Article III Membership in Association is amended to replace the third full paragraph of Section 2 Transfer with the following:

Section 3. Reinvestment Fee Covenant and Assessment. In accordance with Utah Code § 57-1-46, the Association may charge a reinvestment fee upon the conveyance of a Unit, which conveyance is reflected by a change in ownership of the Unit pursuant to the records on file with the Salt Lake County Recorder’s office. In addition to all other assessments, and upon the conveyance of a Unit, there shall be a reinvestment fee assessment charged to the Unit. The amount of the reinvestment fee shall be in an amount established by the Board of Trustees and charged to the buyer or seller, as the buyer and seller may determine.

- (a) The reinvestment fee is charged and will be used for one or more of the following purposes and expenses of the Association: (i) common planning, facilities, and infrastructure; (ii) obligations arising from an environmental covenant; (iii) community programming; (iv) resort facilities; (v) open space; (vi) recreation amenities; (vii) charitable purposes; or (viii) Association expenses as provided for in Utah Code § 57-1-46(1)(a)
- (b) Pursuant to Utah Code § 57-1-46, the reinvestment fee assessment shall not exceed one-half of one percent (0.5%) of the fair market value of the Unit, including all improvements thereto. When the seller is a financial institution, the reinvestment fee shall be limited to the costs directly related to the transfer, not to exceed Two Hundred and Fifty Dollars (\$250.00). The Association may assign the administrative portion of the reinvestment fee directly to the Association’s Manager.
- (c) The reinvestment fee may not be enforced upon: (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 (iv) a transfer or change of interest due to death, whether provided in a will, trust, or decree of distribution.
- (d) The Association has the authority to: (i) record any notice required by law to effectuate the reinvestment fee assessment; and (ii) adopt rules as necessary to charge and collect the reinvestment fee assessment.

**IN WITNESS WHEREOF**, and execution of the same, the undersigned officer or director of the Association hereby certifies that the vote required for this Frist Amendment to the Amended and Restated Declaration of Covenants. Conditions and Restriction and Reservation of Easement for the Village, a Planned Unit Development has occurred and the same was approved by a vote in favor of at least sixty-seven percent (67%) of the Owners entitled to vote of the Association and, to the extent required, the approval of the first mortgagees, and the Amendment to the Declaration is therefore and hereby adopted for the Association.

Dated this 7<sup>TH</sup> day of May, 2024.

**THE VILLAGE PROPERTY OWNERS ASSOCIATION, INC.**

By: *Pamela A Mollner*  
Signature

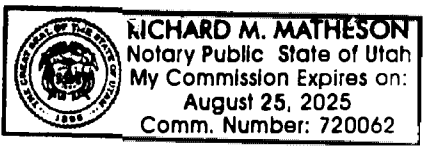
Pamela A Mollner  
Printed

Its: President  
Title

STATE OF UTAH            )  
  ) ss.  
COUNTY OF UTAH        )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of May, 2024 by Pamela A Mollner, who holds the office of President and is a Member of the Board of Trustees for Association.

*[Signature]*  
Notary Public



## Exhibit A

### (Legal Description and Parcel Nos.)

#### Phase 1:

Beginning at a point on the West line of 700 East Street, said point being South 619.43 feet and West 21.83 feet from the Northeast Corner of Section 30, Township 2 South, Range 1 East, Salt Lake Base and Meridian; Thence South 1°15'42" West along said West line 154.73 feet; Thence North 67°30'00" West 424.36 feet; Thence South 2°00'00" East 15.14 feet; Thence West 96.46 feet; Thence North 88°03'32" West 146.88 feet; Thence North 2°00'00" West 86.14 feet; Thence North 23°15'00" East 91.53 feet; Thence North 45°22'39" West 1.61 feet; Thence North 25°54'35" East 40.41 feet; Thence South 71°20'00" East 145.23 feet; Thence South 70°36'32" East 478.08 feet to the point of beginning. Containing 98,421 square feet or 2.259 acres.

Parcel Nos.: 22-30-227-030-0000 thru 22-30-227-032-0000, 22-30-227-035-0000 thru 22-30-227-046-0000, 22-30-227-081-0000, and 22-30-227-0990000.

**Phase 2 and 3:**

DESCRIPTION OF THE VILLAGE PHASE 2 (LOTS 17 THROUGH 45):  
BEGINNING AT A POINT WHICH IS SOUTH 551.050 FEET AND WEST 662.490 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 390.652 FEET; THENCE NORTH 1'30' EAST 108.302 FEET; TO A POINT ON A 240.353 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 27'06'31" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 15'37" A DISTANCE OF 65.511 FEET TO A POINT OF TANGENCY; THENCE NORTH 47'16'29" WEST 72.457 FEET; THENCE NORTH 42'43'31" EAST 108.496 FEET; THENCE NORTH 50'20'42" WEST 15.913 FEET; THENCE NORTH 42'51'43" WEST 12.019 FEET; THENCE NORTH 38'22'35" WEST 26.908 FEET; THENCE NORTH 204.603 FEET; THENCE NORTH 23'29'31" WEST 57.922 FEET; THENCE NORTH 61.006 FEET; THENCE EAST 201.860 FEET; THENCE SOUTH 0'17'43" EAST 224.280 FEET; THENCE SOUTH 45'22'40" EAST 440.870 FEET; THENCE SOUTH 23'15' WEST 91.530 FEET; THENCE SOUTH 2'00' EAST 15.260 FEET TO THE POINT OF BEGINNING. CONTAINS 184,323 SQUARE FEET OR 4.232 ACRES.

DESCRIPTION OF THE VILLAGE PHASE 3 (LOTS 46 THROUGH 60):  
BEGINNING AT A POINT WHICH IS SOUTH 551.05 FEET AND WEST 1053.142 FEET AND NORTH 1'30' EAST 103.517 FEET FROM THE NORTHEAST OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE MERIDIAN; THENCE WEST 139.209 FEET; THENCE NORTH 47'16'29" WEST 198.253 FEET; THENCE NORTH 6'00' EAST 80.353 FEET; THENCE NORTH 21'00' EAST 337.840 FEET; THENCE EAST 62.117 FEET; THENCE SOUTH 61.006 FEET; THENCE SOUTH 23'29'31" EAST 57.922 FEET; THENCE SOUTH 204.603 FEET; THENCE SOUTH 38'22'35" EAST 26.908 FEET; THENCE SOUTH 42'51'43" EAST 12.019 FEET; THENCE SOUTH 50'20'42" EAST 15.913 FEET; THENCE SOUTH 42'43'31" WEST 108.496 FEET; THENCE SOUTH 47'16'29" EAST 72.457 FEET TO A POINT OF A 240.353 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 15'37" A DISTANCE OF 65.511 FEET; THENCE SOUTH 1'30' WEST 48.75 FEET TO THE POINT OF BEGINNING. CONTAINS 81,919 OR 1.881 ACRES.

Parcel Nos.: 22-30-226-013-0000 thru 22-30-226-019-0000, 22-30-226-023-0000 thru 22-30-226-027-0000, 22-30-226-030-0000 thru 22-30-226-031-0000, and 22-30-226-048-0000 thru 22-30-226-077-0000.

**Phase 4:**

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 700 EAST STREET WHICH IS SOUTH 619.43 FEET AND WEST 21.83 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 70°36'32" WEST ALONG THE NORTH LINE OF THE VILLAGE P.U.D., A SUBDIVISION AS RECORDED WITH THE SALT LAKE COUNTY RECORDERS OFFICE 106.84 FEET TO A POINT ON A 74.50 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF SAID CURVE BEARS NORTH 63°03'09" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°32'01" 11.10 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT AND THROUGH A CENTRAL ANGLE OF 66°43'23" 23.29 FEET TO A POINT ON A 126.00 FOOT RADIUS CURVE TO THE LEFT, AND THE NORTHERLY RIGHT OF WAY LINE OF VILLAGER LANE, THE CENTER OF SAID CURVE BEARS SOUTH 58°45'29" WEST; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 8 COURSES: (1) ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 5°06'30" 11.23 FEET; (2) SOUTH 65°02'55" WEST 2.98 FEET TO A POINT OF A 2.00 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF SAID CURVE BEARS NORTH 24°57'11" WEST; (3) ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 77°25'12" 2.70 FEET TO A POINT OF REVERSE CURVE; (4) ALONG THE ARC OF A 121.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 48°06'12" 102.01 FEET TO A POINT OF REVERSE CURVE; (5) ALONG THE ARC OF A 138.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 32°05'46" 77.59 FEET TO A POINT OF REVERSE CURVE; (6) ALONG THE ARC OF A 171.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 53°43'19" 160.80 FEET TO A POINT OF REVERSE CURVE; (7) ALONG THE ARC OF A 138.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°55'18" 43.32 FEET; (8) NORTH 89°20'26" WEST 11.41 FEET TO THE SOUTHEAST CORNER OF LOT 16, THE VILLAGE P.U.D.; THENCE NORTH 23°45'00" EAST 60.67 FEET ALONG THE EAST PROPERTY LINE OF SAID LOT 16 TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SUBDIVISION; THENCE NORTH 71°20'00" WEST ALONG SAID NORTH BOUNDARY 135.63 FEET; THENCE NORTH 25°54'35" EAST 148.15 FEET TO THE SOUTH LINE OF #70 LUNDON STREET PHASE 1, A SUBDIVISION AS RECORDED WITH THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 71°20'00" EAST ALONG SAID SOUTH LINE 95.51 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE SOUTH 70°20'30" EAST 302.86 FEET ALONG SAID FENCE LINE; THENCE NORTH 18°40'00" EAST 5.25 FEET TO A POINT ON THE SOUTH LINE OF #70 LUNDON STREET PHASE 1; THENCE SOUTH 71°20'00" EAST ALONG SAID SOUTH LINE 158.30 FEET TO SAID WEST RIGHT OF WAY LINE OF 700 EAST STREET; THENCE SOUTH 1°15'41" WEST ALONG SAID WEST LINE 160.36 FEET TO THE POINT OF BEGINNING.  
CONTAINS 93.795 SQUARE FEET, OR 2.15 ACRES. 15 LOTS

Parcel Nos.: 22-30-227-082-0000 thru 22-30-227-089-0000, and 22-30-227-090-0000 thru 22-30-227-098-0000.