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DAVID O CARPENTER, Recorder
SAN JUAN COUNTY CORPORATION
For: LYON SCOTT

2020 AMENDMENT

TO THE AMENDED AND RESTATED DECLARATION OF BRIDGER JACK MESA SUBDIVISION PROPERTY OWNERS ASSOCIATION

This 2020 Amendment to the Amended and Restated Declaration of Bridger Jack Mesa Subdivision Property Owners Association ("2020 Amendment") is made and executed on the date shown below by the Bridger Jack Mesa Subdivision Property Owners Association Board of Directors ("Board") after having been voted on and approved by the members of the Bridger Jack Mesa Subdivision Property Owners Association ("Association"), a Utah nonprofit corporation.

Noted: 4-28-2020

RECITALS

WHEREAS, Bridger Jack Mesa Subdivision Property Owners Association ("Villa Nova") is subject to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for the Bridger Jack Mesa Subdivision, Phase II, recorded April 14, 2015, as Entry No. 123877, ("Restated Declaration") in the office of the San Juan County Recorder; and

WHEREAS, the members of the Association desire to adopt the following 2020 Amendment and record the same against the real property located in San Juan County, Utah, known as Bridger Jack Mesa Subdivision and more fully described on Exhibit "A" attached hereto; and

WHEREAS, the Board has observed and determined that over the years an excessive amount of time and expense has been incurred by the Association in connection with the transfer of a Lot within the Association from an existing owner to a new owner. Mortgage companies, real estate agents, lenders and underwriters require various forms to be filled out, completed and signed by the Association for the benefit of the parties buying and selling Lots; and

WHEREAS, the Board and members of the Association have determined that a Reinvestment Fee would be appropriate and is needed for the use and improvement of the Association's common areas and facilities and is required to benefit the common area property appurtenant to the Lots.

WHEREAS, to offset the additional cost borne by the Association in connection with the upkeep and maintenance of the common area, the members of the Association have determined that a new purchaser of a Lot within the Association shall be assessed a non-refundable Reinvestment Fee of \$100.00.

NOW THEREFORE, To accomplish the Lot owners' objectives, the following amendment is adopted. If there is any conflict between this 2020 Amendment and any provision in the Governing Documents, this 2020 Amendment shall prevail. This 2020 Amendment shall become effective upon recording. The Bridger Jack Mesa Governing Documents are amended as follows:

**ARTICLE 1
REINVESTMENT FEE**


- 1.1 The statements contained in the above Recitals are hereby incorporated. The words defined in the Governing Documents shall have the same meaning when used herein unless the context clearly requires a different meaning.
- 1.2 The Association hereby adopts a Reinvestment Fee. The amount of the Reinvestment Fee shall \$100.00. The Reinvestment Fee shall be paid by the purchaser/grantee of a Lot whenever a Lot is sold, transferred or conveyed to a new owner.
- 1.3 The Reinvestment Fee shall in no event exceed the amount of 0.5% of the value of the Lot being transferred.
- 1.4 The Reinvestment Fee and the covenant to pay the Reinvestment Fee runs with the property described in Exhibit "A," and is intended to bind successors in interest and assigns of the real property described in Exhibit "A," attached hereto.
- 1.5 The existence of this Reinvestment Fee precludes the imposition of an additional Reinvestment Fee on the property described in Exhibit "A," attached hereto.
- 1.6 The duration of the Reinvestment Fee covenant is for a period of 25 years.
- 1.7 The purpose of the Reinvestment Fee required to be paid herein is for the use and improvement of the Association's common areas and facilities and is required to benefit the common area property appurtenant to the Lots described in Exhibit "A," attached hereto, and to pay for association expenses as defined in UCA 57-1-46. Failure of the grantee to pay the fee within 10 days of the date of a Lot's transfer shall subject the Lot owner to a lien and payment of the Association's attorney fee to collect the fee.
- 1.8 The Reinvestment Fee shall not be enforced in the following circumstances or situations:
 - (a) an involuntary transfer;
 - (b) a transfer that results from a court order;
 - (c) 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;
 - (d) a transfer or change of interest due to death, whether provided in a will, trust, or decree of distribution; or

- (e) the transfer of burdened property by a financial institution, except, a financial institution shall be required to pay the Association's costs directly related to the transfer of the burdened property in an amount of \$100.

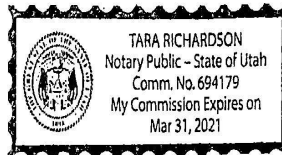
CERTIFICATION

It is hereby certified that Lot owners holding more than 67% of the undivided ownership interest in the common areas and facilities have voted to approve these amendments.

IN WITNESS WHEREOF, we have affixed our signatures this 10 day of April, 2020.

By 
 President - Scott Lyon

STATE OF UTAH)
 :SS
 COUNTY OF SAN JUAN)
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On this 10 day of April, 2020, personally appeared before me Scott Lyon who, being by me duly sworn, did say that (s)he is President of the Bridger Jack Mesa Subdivision Property Owners Association board of directors and that the within and foregoing instrument was signed in behalf of said board of directors and (s)he duly acknowledged to me (s)he executed the same.


 Notary Public

Exhibit "A"

Legal Description

The following parcels of land located in Section 36, Township 27 South, Range 22 East, Salt Lake Meridian, Utah:

Lots 3 (000380000030) through 46 (000380000460), Phase II, Bridger Jack Mesa Subdivision, according to the Final Plat thereof, as amended, recorded in the real property records of San Juan County, Utah.