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Recorded at the request of:  
La Paloma Condominium Association

Record against the Property  
described in Exhibit A

After Recording mail to:  
Vial Fotheringham SG, LLP  
285 W. Tabernacle St., Suite 301  
St. George UT 84770

**DOC # 20150001299**

Amended Restrictive Covenants  
Russell Shirts Washington County Recorder  
01/14/2015 12:59:33 PM Fee \$ 66.00  
By LA PALOMA

Page 1 of 28



**THIRD AMENDMENT TO THE AMENDED DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
LA PALOMA CONDOMINIUMS**

**RECITALS**

WHEREAS, the original Declaration of Covenants, Conditions , and Restrictions of La Paloma Condominiums was recorded in the records of the Washington County Recorder on September 16, 1994, as Entry No. 00478898, in Book 0851, beginning at Page 82 (the "Original Declaration"); and

WHEREAS, an Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums was recorded in the records of the Washington County Recorder on December 14, 1994, as Entry No. 00486846, in Book 872, beginning at Page 245 (the "Amended Declaration"); and

WHEREAS, an Amendment to Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums and Declaration of Annexation of La Paloma Condominiums, Phase II, was recorded in the records of the Washington County Recorder on March 31, 1995, as Entry No. 00496252, in Book 897, beginning at Page 120; and

WHEREAS, an Amendment to Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums and Declaration of Annexation of La Paloma Condominiums, Phase III, was recorded in the records of the Washington County Recorder on September 15, 1995, as Entry No. 00509928, in Book 935, beginning at Page 628; and

WHEREAS, this Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment") amends the Amended Declaration and any and all supplements or amendments to the Declaration prior to the date of this Third Amendment, whether or not such were recorded in the records of the Washington County Recorder. Specifically, this Third Amendment replaces and supercedes Article IX, Section 7, and Article XIII, Section 1, of the Amended Declaration. In the event of a conflict between the Declaration, the Articles of Incorporation, the Bylaws or the Rules and Regulations for the La Paloma Condominium Association, this Third Amendment shall control; and

WHEREAS, Article XIII, Section 4, of the Amended Declaration provides the Amended Declaration may be amended by an instrument signed by not less than sixty-seven percent (67%) of the owners; and

WHEREAS, on the 10<sup>th</sup> day of December 2014, a meeting was held and as evidenced in Exhibit B hereto, sixty-seven percent (67%) or more of the owners approved this Third Amendment by signing Exhibit B, which is a true and correct copy of the signatures of the owners; and

WHEREAS, this Third Amendment is made by the La Paloma Condominium Association, a Utah nonprofit corporation (the "Association") and is executed this 10<sup>th</sup> day of December 2014, which affects all the property described in Exhibit A, attached hereto. The capitalized terms in this Third Amendment shall have the same meanings and definitions of said terms as provided in the Amended Declaration.

NOW, THEREFORE, all of the Property (described in Exhibit A attached hereto and made a part hereof) shall be held, sold and conveyed subject to the Declaration as amended by this Third Amendment, which shall take effect upon the date it is recorded in the records of the Washington County Recorder ("Amendment Date").

#### AMENDMENTS

NOW, THEREFORE, the La Paloma Condominium Association hereby amends the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums as follows:

A. NOW, THEREFORE, Article IX, Section 7, of the Amended Declaration, titled "Quiet Enjoyment" is hereby replaced in its entirety and amended to read as follows:

Section 7. Quiet Enjoyment.

(a) No noxious or offensive activity shall be carried on upon any part of the properties nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood, or which shall in any way interfere with the quiet enjoyment of each of the owners or which shall in any way increase the rate of Insurance.

(b) The Condominium Project shall be a non-smoking community. To the fullest extent permitted by law, including without limitation the Condominium Ownership Act, Utah Code 57-8-1, *et seq.*, and the Utah Indoor Clean Air Act, Utah Code 26-38-1, *et seq.*, the smoking of tobacco and/or nicotine products in any form intended for inhaling, exhaling, burning or heating through an oral smoking device, cigar, cigarette, e-cigarette, pipe, bong or hookah, within the Condominium Project by owners, members, their family members, tenants, guests, or invitees constitutes a nuisance and therefore is prohibited at all times and all places within the Condominium Project, including without limitation in the Common Areas and Facilities, Limited Common Areas, stairways, exterior walkways, driveways, yards, recreational areas and facilities, Condominiums and Units anywhere within the Condominium Project. Unit Owners shall be

responsible for the conduct of themselves, their family members, tenants, guests, and invitees. Infractions of this provision shall, after notice and an opportunity for a hearing, be subject to a fine, charge and/or fee as provided by Utah law, the Declaration, Bylaws, Rules and Regulations and any other governing documents of the Association.

The Association, Management Committee, or any Unit Owner is specifically empowered to bring suit against a Unit Owner for all infractions of this provision, and the suit may seek to enjoin further violations, collect any fines or charges levied hereunder, or both. In the event legal action is necessary to enforce this provision, the Association, Management Committee or Unit Owner shall be entitled to an award of all reasonable costs and all attorney's fees incurred in the enforcement hereof, including costs and attorney's fees incurred prior to the commencement of litigation, if an action is filed.

B. NOW, THEREFORE, Article XIII, Section 1, of the Amended Declaration titled "Enforcement" is hereby replaced in its entirety and amended to read as follows:

Section 1. Enforcement. The Association, Management Committee, or any Unit Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens, charges, fines and/or fees now or hereafter imposed by the provisions of the Declaration, Bylaws, or any rule of the Association, including but not limited to any proceeding at law or in equity against any person or persons violating or attempting to violate any covenant or restriction, either to restrain violation or to recover damages, and against the land to enforce any lien created by these covenants. Failure of the Association, Management Committee or any owner to enforce any covenant or restriction herein contained or any rule of the Association shall in no event be deemed a waiver of the right of the Association, Management Committee or any owner to do so thereafter. In the event action, with or without suit, is undertaken to enforce any provision hereof or any rule or bylaw of the Association, the party against whom enforcement is sought shall pay to the Association, Management Committee, or enforcing owner reasonable attorney fees and costs. The Association or Management Committee may levy a charge, fee, or fine not to exceed ten percent (10%) of the amount of the maximum annual assessment against any owner and/or occupant, and/or owner's agent for each violation of the Declaration, Bylaws, or any rule of the Association if said violation is not cured within three (3) days of the notice of violation and an opportunity for a hearing has been provided.

Said charges and fees may be collected in the same manner as Assessments as outlined in Article V of the Declaration. Further, fines may also be collected in the same manner as Assessments as outlined in Article V of the Declaration provided one-hundred eighty (180) days has passed from the day on which a final decision from the hearing is issued or one-hundred eighty (180) days after the day on which the time to request a hearing expired. The Association and/or the Management Committee, including its members, shall not be liable to any lessee, tenant, Unit Owner, member or other person for mistake in judgment, or for any negligence arising in connection with the performance or nonperformance of duties under the Declaration or Bylaws.

The following procedures shall govern a hearing of the Association or Management Committee:

- (a) Scheduling a Hearing/Continuances/Failure to Appear: The hearing shall, within reason, be conducted within seven (7) days from the receipt of the request. The Association or Management Committee shall give notice of the date, time, and location of the hearing to the requesting Owner. Notice of the hearing shall be delivered to the requesting person/owner at the last known address by USPS first-class mail, postage prepaid, hand delivery or e-mail if the requesting party consents to notice by e-mail. If the hearing date is unacceptable to the requesting person/Owner, they shall be entitled to one (1) continuance of the hearing date. To receive a continuance, the requesting person/Owner shall deliver a written request for continuance to the Association or Management Committee. The request must be received by the Association or Management Committee prior to the original hearing date. The request for continuance shall contain three (3) alternate dates and times when the requesting Owner may meet. The alternate dates shall not exceed twenty-one (21) days from the original hearing date. Failure by a requesting person/Owner to appear at a hearing or continued hearing shall result in a waiver of the requesting person/Owner's right to hearing and the fine(s), charge(s) and/or fee(s) shall be deemed uncontested.
- (b) Hearing Procedures/Decision: The hearing shall be conducted by a minimum of three (3) persons who may be members of the Management Committee. The requesting person/Owner shall be given fifteen (15) minutes to present his/her case, unless for cause shown a longer period of time is required. The requesting person/Owner may present documentation or witnesses in support of his/her case. The Management Committee, or other persons conducting the hearing, may question the requesting person/Owner or witnesses during the hearing. In the event there is a complaining Owner at the hearing, such party shall have an equal time to present their case. After hearing the requesting person/Owner's position and evidence, the Management Committee, or other persons conducting the hearing, may either render its decision at the hearing or take the evidence and argument under advisement. If the matter is taken under advisement, they shall render a final decision within seven (7) business days of the hearing. Once a decision is rendered, written notice of the decision shall be provided to the requesting person and Owner. In the case of a fine(s), as part of the decision, the person/Owner found in violation shall be informed payment of the fine is due within fourteen (14) days or interest and late fees will accrue. All decisions of the Management Committee are final.

IN WITNESS WHEREOF, on the 10<sup>th</sup> day of DECEMBER, 2014, the President of the Association hereby represents that a meeting was held regarding this Third Amendment to the Amended Declaration and sixty-seven percent (67%) or more of the owners approved of the Third Amendment to the Amended Declaration. Exhibit B hereto contains true and correct copies of the signatures of the members/owners that assent to this Third Amendment.

**LA PALOMA CONDOMINIUM ASSOCIATION**  
a Utah nonprofit corporation

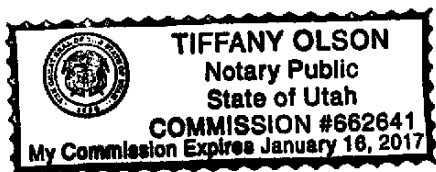
Cynthia L. Edmondston  
By:  
Its: President

Witnessed:

Marie Harner  
Secretary  
La Paloma Condominium Association

STATE OF UTAH,       )  
                                  : ss.  
County of Washington. )

On the 10 day of December, 2014, personally appeared before me Cynthia L. Edmondston, who being by me duly sworn, did say that he/she is the President of the La Paloma Condominium Association, the authorized individual empowered to sign this Third Amendment and the Third Amendment was signed on behalf of said Association and said person acknowledged to me that said Association authorized the execution of same.



Tiffany Olson  
Notary Public

## EXHIBIT A

### Legal Description

#### BOUNDARY DESCRIPTION for PHASE 1

ALL THAT PORTION OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH, ALSO LYING WITHIN BLOCK 13, PLAT "E", ST. GEORGE CITY SURVEY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29;  
THENCE N00°43'13"W, 1903.77 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 29;  
THENCE S89°51'16"E, 360.48 FEET ALONG THE CENTER LINE OF 400 SOUTH STREET TO THE CENTERLINE OF 1200 EAST STREET, A TYPE 1 CITY MONUMENT;  
THENCE N00°08'44"E, 340.00 FEET ALONG THE CENTERLINE OF SAID 1200 EAST STREET;  
THENCE N89°51'16" W, 25.00 FEET TO THE POINT OF BEGINNING  
THENCE N89°51'16"W, 177.51 FEET;  
THENCE NORTH, 68.50 FEET;  
THENCE N89°51'16"W, 20.58 FEET;  
THENCE NORTH 64.50 FEET;  
THENCE S89°51'16"E, 20.58 FEET;  
THENCE NORTH, 120.00 FEET TO THE SOUTH LINE OF 300 SOUTH STREET;  
THENCE S89°51'16" E, 158.15 FEET ALONG SAID SOUTH LINE TO A CURVE CONCAVE SOUTHWESTERLY AND HAVING A 20.00 FOOT RADIUS;  
THENCE SOUTHEASTERLY, 31.42 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" TO THE WEST LINE OF 1200 EAST STREET;  
THENCE S00°08'44" W, 233.00 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

CONTAINING 1.061 ACRES.

#### BOUNDARY DESCRIPTION for PHASE 2

ALL THE PORTION OF SECTION 29 TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH ALSO LYING WITHIN BLOCK 13, PLAT "E", ST. GEORGE CITY SURVEY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29;  
THENCE N 00°43'13" W, 2243.82 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 29 TO THE POINT OF BEGINNING;  
THENCE N 00°43'13" W ALONG SAID SECTION LINE, 253.03 FEET TO THE SOUTH LINE OF 300 SOUTH STREET;  
THENCE S 89°51'16" E, 166.29 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF LaPALOMA CONDOMINIUMS - PHASE 1A;  
THENCE THE FOLLOWING (5) COURSES AND DISTANCES ALONG SAID WEST LINE;  
SOUTH, 120.00 FEET;  
N 89°51'16" W, 20.58 FEET;  
SOUTH 64.50 FEET;  
S 89°51'16" E, 20.58 FEET;  
SOUTH, 68.50 FEET;  
THENCE N 89°51'16" W, 163.11 FEET TO THE POINT OF BEGINNING

CONTAINING 0.926 ACRES

#### BOUNDARY DESCRIPTION for PHASE 3

ALL THAT PORTION OF SECTION 29, TOWNSHIP 42 SOUTH RANGE 15 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH, ALSO LYING WITHIN BLOCK 13, PLAT "E", ST. GEORGE CITY SURVEY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29;  
THENCE N 00°43'13" W, 2212.83 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 29 TO THE POINT OF BEGINNING;  
THENCE N 89°51'16" W, 273.85 FEET;  
THENCE N 00°08'44" E, 305.68 FEET TO A POINT ON A 50.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY (A RADIAL LINE WHICH BEARS N 86°21'00"E);  
THENCE SOUTHEASTERLY, 114.50 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 131°12'16" TO A 35.36 FOOT RADIUS REVERSE CURVE CONCAVE SOUTH EASTERLY;  
THENCE NORTHEASTERLY, 27.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°00'00" TO A POINT OF TANGENCY;  
THENCE S 89°51'16" E, 159.31 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE CENTER SECTION LINE OF SECTION 29, SAID LINE ALSO BEING THE WEST BOUNDARY LINE OF "LA PALOMA CONDOMINIUMS PHASE II";  
THENCE S 00°43'13" E 284.02 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 1.737 ACRES

**EXHIBIT B**

By signing this Exhibit B, you are approving and indicating your assent to the Third Amendment to the Amended Declaration of Covenants, Condition and Restrictions of La Paloma Condominiums. In the event 67% of the members assent to the Third Amendment, it will be recorded in the Washington County Recorder's Office, along with a copy of your signature on Exhibit B. Exhibit B to the Third Amendment may be executed in counterparts, all of which together shall constitute one and the same instrument. Photocopies and facsimiles may be used as originals and shall have the same force and effect.

Printed Name	Signature of assenting member	Unit #	Date
Marie Harker	Marie Harker	A-101	12/10/14
Marie Harker	Marie Harker	A-102	12/10/14
Marie Harker	Marie Harker	A-201	12/10/14
Marie Harker	Marie Harker	B-103	12/10/14
Marie Harker	Marie Harker	B-104	12/10/14
Marie Harker	Marie Harker	B-203	12/10/14
Marie Harker	Marie Harker	B-204	12/10/14
Marie Harker	Marie Harker	C-105	12/10/14
Marie Harker	Marie Harker	C-106	12/10/14
Marie Harker	Marie Harker	C-205	12/10/14
Marie Harker	Marie Harker	C-206	12/10/14
Marie Harker	Marie Harker	D-108	12/10/14
Marie Harker	Marie Harker	E-109	12/10/14
Marie Harker	Marie Harker	F-111	12/10/14
Marie Harker	Marie Harker	F-211	12/10/14
Marie Harker	Marie Harker	G-112	12/10/14
Marie Harker	Marie Harker	G-113	12/10/14
Marie Harker	Marie Harker	G-212	12/10/14

Marie Harker	Marie Harker	H-214	12/10/14
Marie Harker	Marie Harker	I-116	12/10/14
Marie Harker	Marie Harker	I-117	12/10/14
Marie Harker	Marie Harker	I-216	12/10/14
Marie Harker	Marie Harker	I-217	12/10/14
Marie Harker	Marie Harker	J-118	12/10/14
Marie Harker	Marie Harker	J-119	12/10/14
Marie Harker	Marie Harker	J-218	12/10/14
Marie Harker	Marie Harker	J-219	12/10/14
Marie Harker	Marie Harker	K-120	12/10/14
Marie Harker	Marie Harker	K-121	12/10/14
Marie Harker	Marie Harker	K-221	12/10/14
Marie Harker	Marie Harker	L-123	12/10/14
Marie Harker	Marie Harker	L-222	12/10/14
Marie Harker	Marie Harker	L-223	12/10/14
Marie Harker	Marie Harker	M-125	12/10/14
Marie Harker	Marie Harker	M-126	12/10/14
Marie Harker	Marie Harker	M-127	12/10/14
Marie Harker	Marie Harker	M-226	12/10/14



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DAN M COX DMD

PAGE 01/01

**LA PALOMA OWNERS ASSOCIATION**

**DIRECTED AND LIMITED PROXY**

Member Owning Unit No(s). L-222 & G-212 (Note: List all lots for which you separately pay dues.)

Print Name(s): COX DAN M  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 26 day of November, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: Nov. 26, 2014

  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). F-2114I-217 (Note: List all lots for which you separately pay dues.)

Print Name(s): Barrett Craig Gary  
Last First Middle Initial  
Barrett Rockelle M  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the \_\_\_\_ day of \_\_\_\_\_, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), **I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy**, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: October 27, 2014

Gary G. Barrett  
Member/authorized agent

DATE: October 27, 2014

Rockelle Barrett  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). J118-J119-J218-J219 (Note: List all lots for which you separately pay dues.) N126-N127-N226 + M125

Print Name(s): ELMER ENTERPRISES LLC —  
Last First Middle Initial  
MERL PRINCE (owner) (MGR) —  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

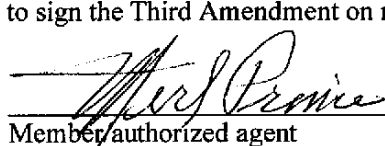
(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the \_\_\_\_ day of \_\_\_\_\_, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 10-24-14, 2014

 435 586-6675  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). 1178 E. 300 S. #D108 (Note: List all lots for which you separately pay dues.)

Print Name(s): Caldera Kelly W.  
Last First Middle Initial  
Caldera Condi R.  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 21 day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 10-21, 2014

Gilberto Caldera  
Member/authorized agent

DATE: 10-21, 2014

Condi Caldera  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s) L-123 (Note: List all lots for which you separately pay dues.)

Print Name(s): Harker Paul  
Last First Middle Initial  
Harker Marie  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☒ Marie & Paul Harker (Specify Owner's Name)

☐ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Paul Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 20 day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), **I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.**

DATE: 10/20, 2014

Marie Harker  
Member/authorized agent

DATE: 10/20, 2014

Paul Harker  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION  
DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). A-201 (Note: List all lots for which you separately pay dues.)

Print Name(s):	<u>NYMAN</u>	<u>R.</u>	<u>Brent</u>
	Last	First	Middle Initial
	<u>NYMAN</u>	<u>Ellen</u>	<u>D.</u>
	Last	First	Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 21 day of OCTOBER, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: OCTOBER 21, 2014

R. Brent Nyman  
Member/authorized agent

DATE: October 21, 2014

Ellen D. Nyman  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). A-102, B-104, F-111, G-112, K-121, L-223 (Note: List all lots for which you separately pay dues.)

Print Name(s): EDMONDSTON CYNTHIA L.  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☒ CYNTHIA EDMONSTON (Specify Owner's Name)  
☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 21<sup>st</sup> day of Oct, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: Oct 21, 2014

Cynthia S. Edmondston  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). B 204 (Note: List all lots for which you separately pay dues.)

Print Name(s): Bohman Brad  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 18 day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), **I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy**, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: October 18, 2014

Brad Bohman  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent



2 UNITS

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s) C-105 & G-113 (Note: List all lots for which you separately pay dues.)

Print Name(s): McDonald Kent & Carolyn  
Last First Middle Initial  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 20<sup>th</sup> day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 20 October, 2014

DATE: 20 OCT, 2014

Carolyn McDonald  
Member/authorized agent  
Kent B. McDonald  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION  
DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). A101 (Note: List all lots for which you separately pay dues.)

Print Name(s): Nelson William P.  
Last First Middle Initial  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS

(Please place a check or an X in the applicable area)

☒ FOR (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ AGAINST

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 21 day of OCTOBER, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 10/21/14, 2014

  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). C 205 (Note: List all lots for which you separately pay dues.)

Print Name(s): Quek Cheng Chye —  
Last First Middle Initial  
Seah Joann —  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), ~~I~~ we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 20<sup>th</sup> day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: October 20<sup>th</sup>, 2014

[Signature]  
Member/authorized agent

DATE: October 20<sup>th</sup>, 2014

[Signature]  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). B 203 (Note: List all lots for which you separately pay dues.)

Print Name(s): Macumber Marilyn S.  
Last First Middle Initial  
Macumber John P  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 18 day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: October 18, 2014

Marilyn S. Macumber  
Member/authorized agent

DATE: October 18, 2014

John P. Macumber  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). C-106, K-120 (Note: List all lots for which you separately pay dues.)

Print Name(s): Morrell Jonathan A  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

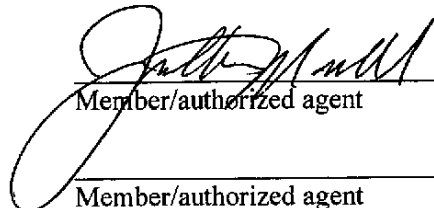
☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the \_\_\_\_ day of \_\_\_\_\_, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: Oct 17, 2014

DATE: \_\_\_\_\_, 2014

  
\_\_\_\_\_  
Member/authorized agent  
\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). B103 ? C206 ? E109 (Note: List all lots for which you separately pay dues.)

Print Name(s): Atkin Jeremy R  
Last First Middle Initial  
Atkin Joe R (the Malvern Group)  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☒ Jeremy Atkin (Specify Owner's Name)

☐ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 17 day of October, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: Oct 17, 2014

  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

Member/authorized agent

## **DIRECTED AND LIMITED PROXY**

Member Owning Unit No(s). H-214

(Note: List all lots for which you separately pay

Print Name(s): Lee Linda J.  
Last First Middle Initial

Last	First	Middle Initial
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As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

[ ] \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

[ ] AGAINST

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 9 day of November, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), **I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy**, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: November 9, 2014

Linda J. Leer  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

Member/authorized agent

## **DIRECTED AND LIMITED PROXY**

Member Owning Unit No(s). I-117 (Note: List all lots for which you separately pay dues.)

Print Name(s): RASBAND, Valois S.  
 Last First Middle Initial  
 Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

[ ] AGAINST

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 5<sup>TH</sup> day of NOVEMBER, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I **agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy**, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 11-5-14, 2014

DATE: 11-5-14, 2014

Valerie H. Pasband  
Member/authorized agent

Lorette R. Staheli  
Member/authorized agent



**LA PALOMA OWNERS ASSOCIATION**  
**DIRECTED AND LIMITED PROXY**

Member Owning Unit No(s). K221 (Note: List all lots for which you separately pay dues.)

Print Name(s): BEVANS Stefanie  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 3 day of November, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: Nov 3, 2014

Stefanie H Bevans  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

**LA PALOMA OWNERS ASSOCIATION**  
**DIRECTED AND LIMITED PROXY**

Member Owning Unit No(s). I 116 I 216 (Note: List all lots for which you separately pay dues.)

Print Name(s): Steele Mike E  
Last First Middle Initial  
\_\_\_\_\_  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the \_\_\_\_ day of \_\_\_\_\_, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 10 25, 2014

WLS  
Member/authorized agent

DATE: \_\_\_\_\_, 2014

\_\_\_\_\_  
Member/authorized agent

LA PALOMA OWNERS ASSOCIATION  
DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). F110 & F210 (Note: List all lots for which you separately pay dues.)

Print Name(s): DONNA MAE WARNER TRUST U/D/I 11/22/85  
Last First Middle Initial  
DONNA MAE WARNER, TRUSTEE  
Last First Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

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☐ **AGAINST**

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DATE: November 18, 2014

DATE: \_\_\_\_\_, 2014

Donna Mae Warner Trust  
Member/authorized agent

by Sheila Alexander  
Member/authorized agent

Attorney in fact

Please change address to:

6734 So. 1530 E.

SLC Ut. 84121

Phone # 801-755-4740

LA PALOMA OWNERS ASSOCIATION

DIRECTED AND LIMITED PROXY

Member Owning Unit No(s). K 220 (Note: List all lots for which you separately pay dues.)

Print Name(s):	<u>WENDLING</u>	<u>SCOTT</u>	<u>W</u>
	Last	First	Middle Initial
	<u>WENBLING</u>	<u>EILEEN</u>	<u>B</u>
	Last	First	Middle Initial

As provided in the Bylaws of La Paloma ("Association"), I/we hereby designate the following person: (check one)

☐ \_\_\_\_\_ (Specify Owner's Name)

☒ Secretary of the La Paloma Association (Marie Harker)

to act as my true and lawful attorney, substitute, and proxy for me and in my name, place and stead, for quorum purposes and to vote and sign on my behalf as directed and limited herein with the same effect as I might or could do were I personally present at the Special Meeting of the Members of the La Paloma Association ("Special Meeting") scheduled for December 10, 2014, to be held at 11:00 a.m. at the Community Association Management Office. I hereby revoke any proxy or proxies heretofore given by me to any person or persons whatsoever for the aforementioned Special Meeting. This directed and limited proxy shall extend only to the aforementioned Special Meeting, and any adjournment or adjournments thereof.

I hereby give my proxy the powers expressly set forth herein, including voting as follows:

1. Adopt the **THIRD AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LA PALOMA CONDOMINIUMS**

(Please place a check or an X in the applicable area)

☒ **FOR** (i.e. amend the CCR's to become a NON-SMOKING Community)

☐ **AGAINST**

IN WITNESS WHEREOF, I have executed this Directed and Limited Proxy on the 10 day of November, 2014. It is understood that if I am able to attend the Special Meeting and any adjournment or adjournments thereof, this proxy can be revoked and I may vote in person. In the event two-thirds of the members assent to the Third Amendment to the Amended Declaration of Covenants, Conditions and Restrictions of La Paloma Condominiums ("Third Amendment"), I agree to be bound by, and hereby consent to recording the Third Amendment, along with a copy of this Directed and Limited Proxy, in the records of the Washington County Recorder, State of Utah. I understand and agree that by voting for the Third Amendment my proxy is authorized to sign the Third Amendment on my behalf.

DATE: 11/10/2014, 2014

Scott W. Wendling  
Member/authorized agent

DATE: 11/10/2014, 2014

Eileen B. Wendling  
Member/authorized agent