



**AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE BOULDERS SUBDIVISION
(Use / Rental Restrictions)**

This Amendment to Declaration of Covenants, Conditions and Restrictions of the Boulders Subdivision, dated September 22, 2016 ("Amendment"), amends that certain Declaration of Covenants, Conditions and Restrictions of the Boulders Phase I Subdivision, dated September 14, 1993, as recorded on October 15, 1993, bearing Entry No. 446598, in Book 764, Pages 150-170, of the Washington County, Utah Recorder's Office, as restated and amended by that certain Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase I Subdivision, dated December 7, 1993, as recorded December 7, 1993, bearing Entry No. 451526, in Book 777, Pages 719-740, of the Washington County, Utah Recorder's Office, as further amended by: (i) the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase I Subdivision, dated April 5, 1994, as recorded May 25, 1994, bearing Entry No. 468304, in Book 822, Pages 866-871, of the Washington County, Utah Recorder's Office; (ii) the Amendment to Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase I Subdivision, dated September 12, 1994, as recorded September 13, 1994, bearing Entry No. 478566, in Book 850, Pages 151-157 of the Washington County, Utah Recorder's Office; (iii) the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase I Subdivision (Affecting Phase III), dated April 4, 1996, as recorded April 23, 1996, bearing Entry No. 530336, in Book 995, Pages 225-229, of the Washington County, Utah Recorder's Office; (iv) the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase IV Subdivision, dated May 26, 2000, as recorded June 9, 2000, bearing Entry No. 687737, in Book 1371, Pages 629-632, of the Washington County, Utah Recorder's Office; (v) the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of the Boulders Phase 4 Amended and Extended Subdivision, dated November 21, 2000, as recorded February 6, 2001, bearing Entry No. 709645, in Book 1394, Pages 1037-1039, of the Washington County, Utah Recorder's Office; and (vi) the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions for the Boulders Phase 5 Subdivision, dated July 27, 2001, as recorded March 25, 2002, bearing Entry No. 758181, in Book 1457, Pages 1498-1500, of the Washington County, Utah Recorder's Office (collectively, the CC&Rs).

The CC&Rs are hereby amended as follows:

USE / RENTAL RESTRICTIONS

1. **Single Family Residential Use Only.** All homes in the Boulders are single family use only. Single family use shall be defined as:
 - a. An individual, or two (2) or more persons within the immediate family related by blood, marriage, adoption or legal guardianship, living together as a single housekeeping unit in a dwelling unit and/or with not more than one additional unrelated person living with them as a single housekeeping unit in a dwelling unit; or
 - b. A group of not more than four (4) persons, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit; or
 - c. Two (2) unrelated persons and any children related to either of them living together as a single housekeeping unit.

If the owner is a corporation, limited liability partnership, limited liability company, general partnership, trust or other legal entity then such entity must designate in writing to the Board the primary resident of the Lot which must be an officer, manager, member or partner of the legal entity. Such entities may not use the property in any form of fractionalized use.

2. **No Short Term Rentals.** All rental or lease agreements must be for a minimum period of 30 days. No home shall be rented or leased for transient hotel purposes, commercial purposes, vacation share time, or overnight lodging.
3. **Must Rent or Lease Entire Property.** No owner may rent or lease less than the entire home.
4. **Twelve Month Ownership Requirement.** Prior to leasing or renting any property an owner must own their home for at least twelve (12) months whether occupied or not by the owner.
5. **Rental Limit.** The maximum number of homes which may be rented within the Association shall be eighteen (18), which is 15% of the total properties. If the limit of 18 is reached, the Board shall maintain a list based on chronological order received of owners wishing to rent or lease their property and shall grant permission to rent or lease as space becomes available within the 18 limit. The earliest application shall have first opportunity to rent or lease. The board shall establish a waiting list form and any rules it deems necessary to implement this section.
6. **Hardship Exemptions.** Notwithstanding the general limit of eighteen (18) rental or leased homes, to avoid undue hardships or practical difficulties such as owner job relocation, extended vacation, disability, military service, death in the family, charitable service or

other similar circumstances, the Board, in its sole discretion, may elect to exceed the 18 limit based on hardship and to approve or disapprove an owner's application to temporarily rent or lease the owner's home. The Board will review each application on an individual case-by-case basis, and no action by the Board shall be regarded or considered to be precedential or binding on the Board's action on subsequent applications.

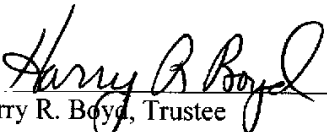
7. **Exception for Current Rentals.** As of the effective date of this Amendment, any owner who is renting or leasing their home may continue to do so until such time as the home is sold or title is otherwise transferred to a new owner or the home is re-occupied as a residence by the owner even if the number of homes then rented exceeds eighteen (18).

This Amendment affects the parcels of real property described in Exhibit 1 attached hereto, which Exhibit 1 is hereby incorporated as though fully set forth herein.


This Amendment is pursuant to an instrument, signed by not less than sixty percent (60%) of the lot owners of The Boulders Homeowners Association, on file in the records of The Boulders Homeowners Association.

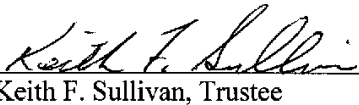
This Amendment shall be effective as of the date of recordation in the Office of the Recorder of Washington County, State of Utah.

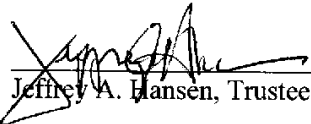
IN WITNESS WHEREOF, this Amendment is executed as of the date first above written.


Harry R. Boyd, Trustee


Blaine Crawford, Trustee


Jerry D. Twigg, Trustee

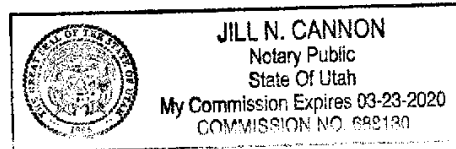

Keith F. Sullivan, Trustee


Jeffrey A. Hansen, Trustee

State of Utah)
) ss.
County of Washington)

On January 9, 2017, before me, a Notary Public, personally appeared Harry R. Boyd
& Blaine Crawford, whose
identity(ies) is/are personally known to me (or proven on the basis of satisfactory evidence) and acknowledged
to me that he/they signed the within instrument in his/their authorized capacities as Trustee(s) of The Boulders
Homeowners Association, a Utah Non-Profit Corporation, and that by his/their signature(s) on the within
instrument said Corporation executed the same.

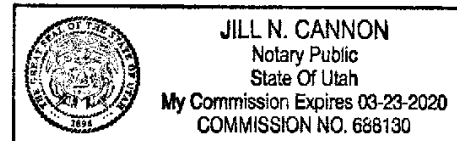
[Signature]
NOTARY PUBLIC
My commission Expires: 3-23-20



State of Utah)
) ss.
County of Washington)

On January 9, 2017, before me, a Notary Public, personally appeared Jerry D. Twigg
& Keith F. Sullivan, whose
identity(ies) is/are personally known to me (or proven on the basis of satisfactory evidence) and acknowledged
to me that he/they signed the within instrument in his/their authorized capacities as Trustee(s) of The Boulders
Homeowners Association, a Utah Non-Profit Corporation, and that by his/their signature(s) on the within
instrument said Corporation executed the same.

[Signature]
NOTARY PUBLIC
My commission Expires: 3-23-20



State of Utah)
) ss.
County of Washington)

On January 9, 2017, before me, a Notary Public, personally appeared Jeffrey A. Hansen, whose
identity(ies) is/are personally known to me (or proven on the basis of satisfactory evidence) and acknowledged
to me that he/they signed the within instrument in his/their authorized capacities as Trustee(s) of The Boulders
Homeowners Association, a Utah Non-Profit Corporation, and that by his/their signature(s) on the within
instrument said Corporation executed the same.

[Signature]
NOTARY PUBLIC
My commission Expires: 3-23-20

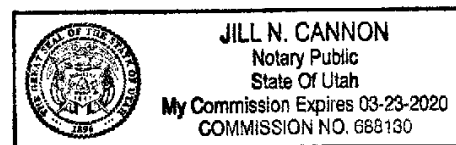


Exhibit 1

Lots 1 through 36 (1-A, 1-B, 2 through 8, 9-A, 9-B, 10-A, 10-B, 11-A, 11-B, 12-A-1, 12-B, 13-A, 14-A-1, 15 through 36), The Boulders Phase 1, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

- Tax Parcel No. SG-BOU-1-1-A
- Tax Parcel No. SG-BOU-1-1-B
- Tax Parcel No. SG-BOU-1-2 through 8
- Tax Parcel No. SG-BOU-1-9-A
- Tax Parcel No. SG-BOU-1-9-B
- Tax Parcel No. SG-BOU-1-10-A
- Tax Parcel No. SG-BOU-1-10-B
- Tax Parcel No. SG-BOU-1-11-A
- Tax Parcel No. SG-BOU-1-11-B
- Tax Parcel No. SG-BOU-1-12-A-1
- Tax Parcel No. SG-BOU-1-12-B
- Tax Parcel No. SG-BOU-1-13-A
- Tax Parcel No. SG-BOU-1-14-A-1
- Tax Parcel No. SG-BOU-1-15 through 36

Lots 37 through 59 and 61 through 65 (37 through 43, 44-A, 45 through 59, 61 through 65), The Boulders Phase 2, Second Amended, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

- Tax Parcel No. SG-BOU-2-37 through 43
- Tax Parcel No. SG-BOU-2-44-A
- Tax Parcel No. SG-BOU-2-45 through 59
- Tax Parcel No. SG-BOU-2-61 through 65

Lots 66 through 72 and 74 through 95 (66 through 71, 72-A, 75-A, 76 through 81, 82-A, 84-A, 85 through 95), The Boulders Phase 3, Amended, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

- Tax Parcel No. SG-BOU-3-66 through 71
- Tax Parcel No. SG-BOU-3-72-A
- Tax Parcel No. SG-BOU-3-75-A
- Tax Parcel No. SG-BOU-3-76 through 81
- Tax Parcel No. SG-BOU-3-82-A
- Tax Parcel No. SG-BOU-3-84-A
- Tax Parcel No. SG-BOU-3-85 through 95

Lots 96 through 121, The Boulders Phase 4, Amended & Extended, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

- Tax Parcel No. SG-BOU-4-96 through 121

Lots 122 through 126, The Boulders Phase 5, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

- Tax Parcel No. SG-BOU-5-122 through 126