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DOC # 20180029637

Amended Restrictive Covenants  
Russell Shirts Washington County Recorder  
07/19/2018 09:41:30 AM Fee \$ 21.00  
By JENKINS BAGLEY

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Recorded at the request of:  
Escapes at the Ledges Owners Association, Inc.

**Record against the Property  
described in Exhibit A**

After Recording mail to:  
Jenkins Bagley, PLLC  
285 W. Tabernacle, Ste 301  
St. George, UT 84770

**FIRST AMENDMENT TO THE NEIGHBORHOOD DECLARATION  
FOR  
ESCAPES AT THE LEDGES  
(Sections 4.7 & 10.2)**

As more particularly stated herein, this First Amendment to the Neighborhood Declaration for Escapes at the Ledges (hereinafter "Amendment"), amends the following:

- (i) The Neighborhood Declaration for Escapes at the Ledges recorded with the Washington County Recorder on February 3, 2015, as Document No. 20150003651.
- (ii) Any and all supplements or amendments to the Neighborhood Declaration prior to the date of this Amendment, whether or not such were recorded in the records of the Washington County Recorder (the foregoing are collectively referred to herein as the "Neighborhood Declaration").

In the event of a conflict between this Amendment and the Neighborhood Declaration, the Articles of Incorporation, Bylaws or the Rules and Regulations of Escapes at the Ledges Owners Association, Inc. this Amendment shall control.

This Amendment is undertaken pursuant to Article 15, Sections 15.2 and 15.4 of the Neighborhood Declaration. This Amendment is adopted and approved unilaterally by the Declarant with the written consent of the Master Association.

This Amendment shall take effect upon the date it is recorded in the records of the Washington County Recorder (the "Amendment Date"). All of the Property known as the "Escapes at the Ledges" (described in Exhibit A attached hereto and made a part hereof) shall be held, sold and conveyed subject to the Neighborhood Declaration as amended by this Amendment.

**Section 4.7**

The following amends, wholly replaces, and substitutes for Section 4.7 of Article 4 in the Neighborhood Declaration – all other terms of the Neighborhood Declaration and other governing documents that do not contradict the terms of this Amendment shall remain in full force and effect:

SECTION 4.7 OF THE NEIGHBORHOOD DECLARATION IS AMENDED AS FOLLOWS (AMENDMENTS ARE IN ITALICS)

**4.7. Specific Assessments and Resort Assessments.**

(a) *Specific Assessments.* The Neighborhood Association shall have the power to levy specific assessments against a particular Unit to cover costs incurred in bringing any Unit into compliance with the Governing Documents, or costs incurred as a consequence of the conduct of the Owner or occupants of the Unit, their agents, contractors, employees, licensees, invitees, or guests; provided, the Neighborhood Board shall give the Owner prior written notice and an opportunity for a hearing, in accordance with the Bylaws, before levying any specific assessment under this subsection.

(b) *Resort Assessments.* Each time a Unit is rented for a period of less than twenty-nine (29) consecutive days the Owner of the Unit shall pay the Neighborhood Association a Resort Assessment which amount shall be established and set forth by Rule of the Board. The Resort Assessment shall be due and payable prior to any such rental and shall be paid to the management company (see Section 10.2) which company will then forward said payment to the Neighborhood Association. Resort Assessments may be levied and collected by the Neighborhood Association against an Owner in the same way as any other assessment set forth in this Article.

**Section 10.2**

The following amends, wholly replaces, and substitutes for Section 10.2 of Article 10 in the Neighborhood Declaration – all other terms of the Neighborhood Declaration and other governing documents that do not contradict the terms of this Amendment shall remain in full force and effect:

SECTION 10.2 OF THE NEIGHBORHOOD DECLARATION IS AMENDED AS FOLLOWS (AMENDMENTS ARE IN STRIKEOUTS AND ITALICS)

10.2 *Use of Units as Short-term Rentals.* Owners may rent their Units as Short-term Rentals. Owners opting to rent their units as Short-term Rentals are required to use the service of a property management company that is (1) licensed in accordance with state law and local ordinances and (2) approved by the Neighborhood Association and the Master Association to manage Short-term Rentals within the Neighborhood. The Neighborhood Board shall establish the procedures, rules, and regulations for any Short-term Rentals, including check-in, access to Units and common amenities and facilities, etc. Any such procedures, rules, and regulations must be approved by the Master Association. The Owner shall at all times the Unit is rented assure compliance with the Master Declaration, the Governing Documents, and any rules and regulations for the Property. *Notwithstanding any language in this Neighborhood Declaration to the contrary, Short-term Rentals shall be deemed a permissible commercial activity under this Neighborhood Declaration.*

[SIGNATURES ON FOLLOWING PAGE]



Exhibit A  
(Legal Description)

This First Amendment to the Neighborhood Declaration for the Escapes at the Ledges, affects the following real property, all located in Washington County, State of Utah, according to the official plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL NUMBERS: SG-ESLE-1-101 through SG-ESLE-1-131

PARCEL NUMBERS: SG-ESLE-2-201 through SG-ESLE-2-221

PARCEL NUMBERS: SG-ESLE-3-301 through SG-ESLE-3-329

PARCEL NUMBERS: SG-ESLE-4-401 through SG-ESLE-4-431

PARCEL NUMBERS: SG-ESLE-5-501 through SG-ESLE-5-531

PARCEL NUMBERS: SG-ESLE-6-601 through SG-ESLE-6-612