

19/8

E 2705644 B 5662 P 1013-1020
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
12/06/2012 03:05 PM
FEE \$79.00 Pgs: 8
DEP RT REC'D FOR VIAL FOTHERINGHAM
LLP

WHEN RECORDED RETURN TO:
Vial Fotheringham LLP
602 East 300 South
Salt Lake City, Utah 84102

**AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
WILD HORSE MEADOWS SUBDIVISION**

This AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WILD HORSE MEADOWS SUBDIVISION is made and executed on the date set forth below and shall be effective upon recording in the Davis County Recorder's Office.

RECITALS

A. Certain real property in Davis County known as Wild Horse Meadows Subdivision (hereafter "Wild Horse Meadows") was subjected to certain covenants, conditions, and restrictions as contained in the Declaration of Covenants, Conditions and Restrictions for Wild Horse Meadows Subdivision, recorded in the Recorder's Office for Davis County, Utah on October 14, 2005 as Entry No. 2114108 ("Declaration");

B. This Amendment shall be binding against the property described in "Exhibit A";

C. This Amendment is intended to preserve and protect the investment made by the Lot Owners at Wild Horse Meadows, and to improve the efficient and effective governance and operations of the Wild Horse Meadows Homeowners Association, Inc. ("Association");

D. This Amendment was duly adopted by the Lot Owners in fulfillment of the requirements set forth in Article IX, Section 9.5 of the Declaration, and the Utah Community Association Act at U.C.A. 57-8a-104 to which Wild Horse Meadows and the Association are subject.

AMENDMENT ONE

Article II, Section 2.8 is hereby deleted and amended and replaced as follows:

"2.8 Livestock, Poultry and Pets: *As per city ordinance.*"

AMENDMENT TWO

Article II, Section 2.10 is hereby deleted and amended and replaced as follows:

"2.10 Service Yards: *As per city ordinance.*"

AMENDMENT THREE

Article II, Section 2.11 is hereby deleted and amended and replaced as follows:

“2.11 Maintenance of Property: *As per city ordinance.”*

AMENDMENT FOUR

Article II, Section 2.14 is hereby deleted and amended and replaced as follows:

“2.14 No Unsightliness:

a: No unsightliness is permitted on any lot. This shall include, without limitation, the open storage of any building materials (except during construction of any Dwelling unit or addition), open storage or parking of farm or construction equipment, camper shells, trucks larger than pick-up trucks (except during periods of actual loading and unloading) or inoperable motor vehicles; accumulations of lawn or tree clippings or trimmings; accumulations of construction debris or waste; household refuse or garbage except as stored in light containers in an enclosure such as a garage, lawn or garden furniture except during the season of use; and the storage or accumulation of any other material, vehicle, or equipment on the Lot in a manner that is visible from any other Lot or any public street.

b: Boats, campers, and commercial made trailers are exceptions, but need to be stored on a RV pad consisting of concrete.”

AMENDMENT FIVE

Article II, Section 2.15 is hereby deleted and amended and replaced as follows:

“2.15 No Annoying Lights: *Any outdoor lighting shall be subject to approval by the Architectural Committee. This shall not apply to street lighting maintained by the City.”*

AMENDMENT SIX

Article II, Section 2.16 is hereby deleted and amended and replaced as follows:

“2.16 No Annoying Sounds: *No noise making devices may be used or maintained on any Lot which create noise that might reasonably be expected to be unreasonably or annoyingly loud to adjoining Lots, except for security or fire alarms.”*

AMENDMENT SEVEN

Article II, Section 2.20 is hereby deleted and amended and replaced as follows:

“2.20 Vehicles Restricted to Roadways: *No motor vehicle will be operated on the Subdivision except on improved roads, sidewalks, and drive ways.”*

AMENDMENT EIGHT

Article II, Section 2.21 is hereby deleted and amended and replaced as follows:

“2.21 Kennels: *As per city ordinance.”*

AMENDMENT NINE

Article III, Section 3.2(B) is hereby deleted and removed.

AMENDMENT TEN

Architectural Guidelines, section G is hereby deleted and removed.

AMENDMENT ELEVEN

Article VI, Section 6.1 is hereby deleted and amended and replaced as follows:

“6.1 Landscaping Required: *As soon as practical following completion of the construction of the Dwelling, but in no event later than the summer immediately following completion of construction, or not later than 18 months from the issuance of a building permit, whichever first occurs, each Owner is encouraged to fully landscape his or her Lot. The Owner may plant lawns, which are encouraged to be pre-grown sod, gardens, plant shrubbery, trees or other ornamental plantings or replace natural species. Front yard landscaping shall include a balance of natural turf, ground covers, shrubs and trees. Provisions should be made for Spring and Summer seasonal color in the ground covers shrubs and trees. The use of rock and stone as part of the landscaping is encouraged.”*

AMENDMENT TWELVE

Article VI, Section 6.3 is hereby deleted and amended and replaced as follows:

“6.3 Fencing: *Fencing of lots along the Lot line shall be permitted in the Subdivision. The area that may be fenced shall be limited to the side yards and the rear yards of the Lots. All Fences are required to be vinyl and standard in height, unless otherwise approved by the architectural control committee.”*

AMENDMENT THIRTEEN

Article VIII, Section 8.1 is hereby deleted and amended and replaced as follows:

“8.1 Duty to Maintain: *It is the obligation of the Owner of each Lot to maintain his Lot and the improvements to the lot in a good state of repair and in an attractive, safe, and healthy condition, and adhere to all city ordinances.”*

AMENDMENT FOURTEEN

There shall be added to the Declaration Article IX, Section 9.10, as follows:

“9.10 Voting Rights : *All Owners shall be equally privileged to attend all membership meetings and take part in all membership meetings, and shall be eligible to hold any office or position within the Association, so long as they are current on their assessments.”*

CERTIFICATION

The foregoing amendments to the Declaration were duly approved by the Lot Owners as set forth in Article IX, Section 9.5 of the Declaration and the Utah Community Association Act at U.C.A. 57-8a-104.

EXECUTED this 29th day of November, 2012.



Authorized Member of the Association Board of Trustees

STATE OF UTAH)
) SS:
COUNTY OF WEBER)

On the 29th day of November 2012, personally appeared before me Brent Davis, who by me being duly sworn, did say that he/she is a member of the Board of Trustees of Wild Horse Meadows Homeowners Association, Inc., that he/she is authorized by the Board of Trustees to execute this amendment, and that the foregoing statements are true and accurate to the best of his/her knowledge.


Notary Public

EXHIBIT A

Legal Descriptions and Serial Numbers

All of Phases I, II, and III of Wild Horse Meadows.

The Davis County serial numbers and legal descriptions within Phases I, II, and III of Wild Horse Meadows are the following:

<u>Serial Number</u>	<u>Legal Description</u>
126170001	ALL OF LOT 1, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.
126170002	ALL OF LOT 2, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.30000 ACRES.
126170003	ALL OF LOT 3, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.30000 ACRES.
126170004	ALL OF LOT 4, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.32000 ACRES.
126170005	ALL OF LOT 5, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.37000 ACRES.
126170006	ALL OF LOT 6, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.35000 ACRES.
126170007	ALL OF LOT 7, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.30000 ACRES.
126170008	ALL OF LOT 8, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.
126170009	ALL OF LOT 9, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.26000 ACRES.
126170010	ALL OF LOT 10, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.26000 ACRES.
126170011	ALL OF LOT 11, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.27000 ACRES.
126170012	ALL OF LOT 12, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.27000 ACRES.
126170013	ALL OF LOT 13, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.34000 ACRES.
126170014	ALL OF LOT 14, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.41000 ACRES.
126170015	ALL OF LOT 15, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.32000 ACRES.
126170016	ALL OF LOT 16, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.39000 ACRES.

126170017 ALL OF LOT 17, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.34000 ACRES.

126170018 ALL OF LOT 18, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.26000 ACRES.

126170019 ALL OF LOT 19, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.27000 ACRES.

126170020 ALL OF LOT 20, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.27000 ACRES.

126170021 ALL OF LOT 21, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.

126170022 ALL OF LOT 22, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170023 ALL OF LOT 23, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170024 ALL OF LOT 24, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170025 ALL OF LOT 25, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170026 ALL OF LOT 26, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170027 ALL OF LOT 27, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES

126170028 ALL OF LOT 28, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.

126170029 ALL OF LOT 29, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.27000 ACRES.

126170030 ALL OF LOT 30, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.26000 ACRES.

126170031 ALL OF LOT 31, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.

126170032 ALL OF LOT 32, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170033 ALL OF LOT 33, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.30000 ACRES.

126170031 ALL OF LOT 31, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.

126170035 ALL OF LOT 35, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.39000 ACRES.

126170036 ALL OF LOT 36, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.30 ACRES.

126170037 ALL OF LOT 37, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.28000 ACRES.

126170038 ALL OF LOT 38, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.

126170039 ALL OF LOT 39, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170040 ALL OF LOT 40, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.38000 ACRES

126170041 ALL OF LOT 41, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.32000 ACRES.

126170042 ALL OF LOT 42, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170043 ALL OF LOT 43, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170044 ALL OF LOT 44, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170045 ALL OF LOT 45, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170046 ALL OF LOT 46, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170047 ALL OF LOT 47, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170048 ALL OF LOT 48, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

126170049 ALL OF LOT 49, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.

- 126170050 ALL OF LOT 50, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.
- 126170051 ALL OF LOT 51, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.
- 126170052 ALL OF LOT 52, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.
- 126170053 ALL OF LOT 53, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.23000 ACRES.
- 126170054 ALL OF LOT 54, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.25000 ACRES.
- 126170055 ALL OF LOT 55, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.31000 ACRES.
- 126170056 ALL OF LOT 56, WILD HORSE MEADOWS SUBDIVISION. CONT. 0.35000 ACRES.