



W2708197



EH 2708197 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
27-OCT-14 2:37 PM FEE \$35.00 DEP JKC
REC FOR: CAROL HARRIS

**AMENDMENT TO
RESTRICTIVE COVENANTS & CONSTITUTIONAL BY-LAWS
ROSE LANE
RETIREMENT VILLAGE & HOMEOWNERS ASSOCIATION
A P. R. U. D. SUBDIVISION IN ROY, UT.**

Whereas a quorum, (fifty-one percent 51%) or more, of the General Membership of Rose Lane Homeowners Association, (who are the owners and residents of Rose Lane Retirement Village), elect to be a housing for older persons as set out in 24 CFR Part 100, as amended, they have signed before a notary public self certifying as to their age being within the requirements as set out in Part 100—Subpart E—Housing for Older Persons 100.304, UNDER THE FAIR HOUSING ACT and do hereby accept the following attached revisions of, and additions to the Restrictive Covenants and Constitutional By-Laws of Rose Lane.

Rose Lane has fifteen (15) of its eighteen (18) units, or 80% of its occupied units (as stated in 100.305... 80% occupancy), occupied by at least one person fifty-five (55) years of age or older, as required by Federal Regulations governing the Implementation of the Housing for Older Persons Act of 1995 (HOPA).

09-315-0001 thru 0018 / JS

Upon the signing hereof, all documents attached are immediately enforce.

STATE OF UTAH

COUNTY OF WEBER

IN WITNESS WHEREOF, the undersigned, being the Board of Directors of the Rose Lane Homeowners Association Inc., has hereunto set signature to, on this

27th day of October, 2014

Joe Bowden
Joe Bowden President
Dean Harris
Dean Harris Vice President
Carol Harris
Carol Harris Secretary/Treasurer

Kristin Garrett
NOTARY PUBLIC





W2708197



W2920619

**AMENDMENT TO
RESTRICTIVE COVENANTS & CONSTITUTIONAL BY-LAWS
ROSE LANE
RETIREMENT VILLAGE & HOMEOWNERS ASSOCIATION
A P. R. U. D. SUBDIVISION IN ROY, UT.**

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Rose Lane has fifteen (15) of its eighteen (18) units, or 80% of its occupied units (as stated in 100.305... 80% occupancy), occupied by at least one person fifty-five (55) years of age or older, as required by Federal Regulations governing the Implementation of the Housing for Older Persons Act of 1995 (HOPA).

Upon the signing hereof, all documents attached are immediately enforce.

STATE OF UTAH

COUNTY OF WEBER

EN 2920619 PG 1 OF 5
LEANN H KILTS, WEBER COUNTY RECORDER
15-MAY-18 231 PM FEE \$36.00 DEP DC
REC FOR: ROSE LANE HOA

IN WITNESS WHEREOF, the undersigned, being the Board of Directors of the Rose Lane Homeowners Association Inc., has hereunto set signature to, on this

14 day of May, 2018 State of Utah County of Weber
Subscribed and sworn before me on 05/14/18
Cecilia J. Laughlin (Notary Signature)
Cecilia J. Laughlin President

NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

State of Utah County of Weber
Subscribed and sworn before me on 05/14/18
Dean Harris (Notary Signature)
Dean Harris Vice President

NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

State of Utah County of Weber
Subscribed and sworn before me on 05/14/18
Carol Harris (Notary Signature)
Carol Harris Secretary/Treasurer

NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

CONSTITUTIONAL BY-LAWS

ROSE LANE RETIREMENT VILLAGE
ROSE LANE HOMEOWNERS ASSOCIATION INC.
 A P.R.U.D. SUBDIVISION
 ROY, UTAH

Whereas the General Membership of Rose Lane Homeowners Association (the owners and residents of Rose Lane Retirement Village) have elected to be housing for older persons as set out in 24 CFR Part 100 and have signed before a Notary Public, certifying their age being within requirements UNDER THE FAIR HOUSING ACT do hereby accept the following revisions of, and additions to, the Restrictive Covenants and Constitutional By-Laws of Rose Lane Homeowners Association.

ARTICLE I

The following By-Laws are immediately enforced. They may be revised and/or added to as required, and as directed by the Association.

It is the intent of Rose Lane Homeowner's Association (RLHOA) to be housing for older persons. As per Federal Regulations governing the implementation of the Housing for Older Persons Act of 1995 (HOPA), 80% of the homes shall be occupied by at least one person 55 years of age or older. The balance of 20% shall be at the discretion of, and approved by, the Board of Directors.

ARTICLE II

Overnight parking of residents vehicles shall NOT be permitted on the roadway from the times of dusk to dawn. Temporary on street parking is permitted for residents to load, unload and clean RV's. Overnight parking for guests shall be permitted for a reasonable period of time, approved by the Board of Directors.

Owners' of pets must keep them properly restrained, not allowing them to roam free. It is incumbent on owner's to make sure deposits are not left on neighbors properties. Owners' should also keep their front and back yards clean of deposits, etc., on a regular basis, so that odors do not disturb neighbors.

Per Roy City requirements, trees must be trimmed above six-feet at the curb so that snow removal, delivery vans', and garbage pickups' can traverse the roadway without interference.

Children, grandchildren are welcome guests but their control shall be the direct responsibility of the owner(s). Consideration shall be given at all times to other residents.

Use and care of the roadway and access gate shall be as directed by the Association, and shall conform to requirements for consideration of all residents. Keep in mind it is an easement, to be used by police and fire department vehicles, which requires that snow, vehicles, etc., cannot be in front of the gate.

During winter it would be impossible to correct problems when snow is on the properties. The snow removal company does its best to prevent problems – it is incumbent upon us all to be patient, and understand that it takes time to resolve problems that occur. Your directors will try to encourage the

CONSTITUTIONAL BY-LAWS

ROSE LANE RETIREMENT VILLAGE
ROSE LANE HOMEOWNERS ASSOCIATION INC.
A PUD SUBDIVISION
ROY, UTAH

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ARTICLE I

The following By-Laws are immediately enforced. They may be revised and/or added to as required, and as directed by the Association Directors.

It is the intent of Rose Lane Homeowner's Association (RLHOA) to be housing for older persons. As per Federal Regulations governing the implementation of the Housing for Older Persons Act of 1995 (HOPA), 80% of the homes shall be occupied by at least one person 55 years of age or older. The balance of 20% shall be at the discretion of, and approved by, the Board of Directors.

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Owners' of pets must keep them properly restrained, not allowing them to roam free. It is incumbent on owner's to make sure deposits are not left on neighbors properties. Owners' should also keep their front and back yards clean of deposits, etc., on a regular basis, so that odors do not disturb neighbors.

Per Roy City requirements, trees must be trimmed above ten (10) feet at the curb so that snow removal, delivery vans', and garbage pickups' can traverse the roadway without interference.

Children, grandchildren are welcome guests but their control shall be the direct responsibility of the owner(s). Consideration shall be given at all times to other residents.

Use and care of the roadway and access gate shall be as directed by the Association Directors, and shall conform to requirements for consideration of all residents. The access gate is an easement, used by police and fire department vehicles, which requires that snow or vehicles cannot be in front of the gate.

During winter it would be impossible to correct problems when snow is on the properties. The snow removal company does its best to prevent problems – it is incumbent upon us all to be patient, and understand that it takes time to resolve problems that occur.

removal company to push snow off the roadway toward the curbs, to eliminate snow accumulating at the gated end.

ARTICLE III

The Board of Directors consists of a President, Vice President, and Secretary/Treasurer, duly elected by a majority (51%) of the membership, and shall hold these positions for a period of time to be determined by circumstances. If a director cannot fulfill his/her position, the two remaining directors shall appoint a member to fill that position.

1. Duties of the President: Chair meetings, coordinate with Directors regarding all Association business. Check with Utah State every two years regarding changes in H.U.D. Rules and Regulations, and report to the State when there are changes in Directors. He/she may issue letters to the General Membership of items concerning the Association, contract for services for maintenance, and make sure all Directors are signatories on bank records.
2. Duties of the Vice President: Assume the duties of the President when he/she is not available, and coordinate on all Association business.
3. Duties of the Secretary/Treasurer: Coordinate with Directors' on Association business. Notify the General Membership of meetings and take Minutes of Meetings. Maintain records, and issue periodic newsletters of current and upcoming events. Notify members when dues are to be paid, collect and bank payments, and collect special assessments when they are required.

A General Membership Meeting may be called by the President, if issues arise that need to be addressed. If members cannot attend, written information, etc., can be distributed – with instructions governing responses.

Board Meetings may be called by the President, attended by all three directors, and open to members of the Association who wish to attend.

No remuneration will be made to any director. Reimbursement requests for business expenses must be accompanied by receipts, and approved by two Directors.

Signs are prohibited in front lawns, restricted to "For Sale" or "For Rent" only. Any other signs can be posted in windows on the inside of the buildings.

Membership dues will be assessed beginning the first of each year, with notices given out the end of the current year(s). Unpaid assessments will be delinquent after 30-days of the due date. Dues have been set at \$50.00 per year, but can be lowered or raised (on a current year basis only) depending on circumstances (such as a heavy snow year where more removals are required, etc.)

And audit of financial records will be made annually. The books are open to all residents who wish to view how assessments are spent.

Residents wintering in warmer climes shall be responsible for their share of all assessments.

ARTICLE III

The Board of Directors consists of a President, Vice President, and Secretary/Treasurer, duly elected by a majority (51%) of the membership, and shall hold these positions for a period of time to be determined by circumstances. If a director cannot fulfill his/her position, the two remaining directors shall appoint a member to fill that position.

1. Duties of the President: Chair meetings, coordinate with all directors regarding all association business. When changes in Directors are made they must be reported to the State. He/she may issue letters to the General Membership of items concerning the Association, contract for services for maintenance, and make sure all Directors are signatories on bank accounts.
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A General Membership Meeting may be called by the President, if issues arise that need to be addressed. If members cannot attend, written information, etc., can be distributed – with instructions governing responses.

Board Meetings may be called by the President, attended by all three directors, and open to members of the Association who wish to attend, and who are NOT delinquent in their assessments.

No remuneration will be made to any director. Reimbursement requests for business expenses must be accompanied by receipts, and approved by two Directors.

Signs are prohibited in front lawns, restricted to "For Sale" or "For Rent" only. Any other signs can be posted in the windows on the insides of the buildings.

Membership assessments will be due beginning the first of each year, with notices given out the end of the current year(s). Unpaid assessments will be delinquent after thirty (30) days of the due date, and interest and late fees will be assessed on a monthly basis thereafter. Annual assessments are necessary to cover the costs of snow removal, secondary water, and State fees. Special Assessments are required when an unforeseen problem arises such as a break in secondary water lines or repairs to the roadway. Annual assessments have been set at \$50.00 per year, but can be raised or lowered (on a current year basis only) depending on circumstances (such as a heavy snow year where more snow removals are required).

An audit of financial records will be made annually. The books are open to all residents who are current on their assessments, and who wish to view how assessments are spent.

Residents whose homes are for sale/sold should turn over the Restrictive Covenants/By-Laws to their realtor and/or title company, and will be reimbursed at time of sale for any portion of the annual assessment due them.

ARTICLE IV

Homeowners may not take any action in the name of the Association, either physical or financial, which does not have the approval of the Board of Directors.

No association member shall hold the Homeowners Association responsible for theft, vandalism, injury, or for any problems arising on members individual properties, nor will directors be held responsible, or become a party to any disturbances (or disagreements) between neighbors.

It is incumbent upon each/every association member to bring/take to the attention of the association directors any/all complaints. They are NOT to be addressed to any City, County, State, or Federal Agency (H.U.D.), for any reason.

All Roy City, County, State, and Federal Ordinances supersede Rose Lane Homeowners Association rules and regulations which are set forth in the Restrictive Covenants and By-Laws herein.

STATE OF UTAH

COUNTY OF WEBER

Upon signing hereof, this document shall immediately become effective.

IN WITNESS WHEREOF, the undersigned being the Board of Directors of Rose Lane Homeowners Association, Inc., has hereunto set signature to, on the 14 day of May, 2018.

President Cecilia Laughlin

Vice President Dean Harris

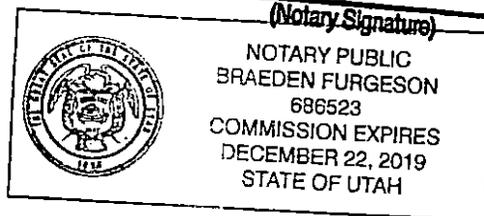
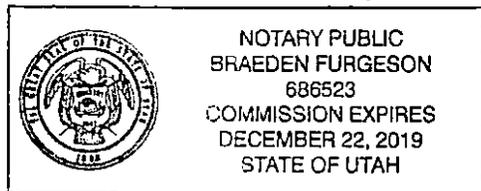
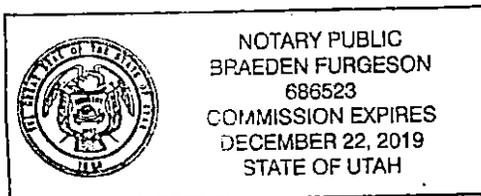
Secretary/Treasurer Carol Harris

State of Utah County of Weber
Subscribed and sworn before me on 05/14/18
(Date)
[Signature]
(Notary Signature)

State of Utah Notary Public Weber
Subscribed and sworn before me on 05/14/2018
(Date)
[Signature]
(Notary Signature)

All of Lots Number 1 through Number 18 of Rose Lane,
a P.R.U.D. Subdivision of Roy City, Utah.
09-315-0001-0018

State of Utah County of Weber
Subscribed and sworn before me on 05/14/18
(Date)
[Signature]
(Notary Signature)



Residents whose homes are for sale/sold should turn over the Restrictive Covenants/By-Laws to their realtor and/or title company, and will be reimbursed at time of sale for any portion of dues due them.

ARTICLE IV

Homeowners may not take any action in the name of the Association, either physical or financial, which does not have the approval of the Board of Directors.

No association member shall hold the Homeowners Association responsible for theft, vandalism, injury, or etc., nor will directors be held responsible and/or become a party to any disturbances (or disagreements) between neighbors.

All Roy City, County, State, and Federal Ordinances supersede Rose Lane Homeowners Association's rules and regulations, set forth in the Restrictive Covenants and By-Laws herein.

STATE OF UTAH

COUNTY OF WEBER

Upon signing hereof, this document shall immediately become effective.

IN WITNESS WHEREOF, the undersigned being the Board of Directors of Rose Lane Homeowners Association, has hereunto set signature to, on the 27th day of October 2014.

President [Signature]

Vice President [Signature]

Secretary/Treasurer [Signature]



[Signature]

All of Lots #1 through #18
of Rose Lane a P.R.U.D. Subdivision, Roy, UT.
09-315-0001-0018

RESTRICTIVE COVENANTS

ROSE LANE RETIREMENT VILLAGE

ROSE LANE HOMEOWNERS ASSOCIATION INC.,

A P.R.U.D. SUBDIVISION

ROY, UTAH

E# 2920619 PG 5 OF 5

Whereas the Rose Lane Homeowners Association, Inc. accepted the guidelines known as the Restrictive Covenants of Rose Lane Retirement Village and Rose Lane Homeowners Ass'n., said Association now sets its hand to enact the following revisions to the previous Restrictive Covenants, Entry #1684640, Book 2053, Page 1754 recorded with Weber County on January 14, 2000.

To protect and preserve property values, and rights of owners of Rose Lane, a P.R.U.D. Subdivision in Roy, Utah, homes and lots 01 through 18 inclusive, and conform to the rules and regulations of the State of Utah, and the Federal Regulations governing the implementation of the Housing for Older Persons Act of 1995, (HOPA), and all revisions thereof, as set out in 24 CFR Part 100, as amended, and restrictions set forth by H.U.D. regarding the 80/20 percent of residency.

The following Covenants are immediately enforce. They may be revised or added to as required, and as directed by the Association.

1. All structures have been erected per regulations set forth, and are in conformance with the requirements originally approved by Roy City and the Association. All persons residing within are members of the Rose Lane Homeowners Association (RLHOA).
2. All homes and yards shall be kept in accordance with and in consideration for the residents herein.
3. No owner/tenant shall accrue debris, and must dispose of any unsightly or obnoxious materials on his/her property, and on the roadway adjacent to their property.
4. No owner of Rose Lane may rent or lease his/her residence to anyone under the age of 55 years as stated in the By-Laws without permission from the Board of Directors. The Board has the power to deny any resident to buy or rent in the Retirement Village.
5. There shall be at least 80% of all residences in Rose Lane occupied by at least one person of the age of 55 years or older. The exception based on the 20% shall be at the discretion of the Board of Directors.
6. All home businesses are disallowed, except as defined by Roy City ordinances.
7. It is incumbent upon every homeowner selling his/her property to advise prospective buyers, realtors, and title insurance companies of the Restrictive Covenants and By-Laws of Rose Lane Homeowners Ass'n., Inc., prior to the sale of the property.
8. It is intended that all Roy City ordinances shall be enforced, and said ordinances take first priority over and above those herein contained for Rose Lane Homeowners Ass'n., Inc.

Upon the signing hereof, this document shall immediately become effective.

STATE OF UTAH

COUNTY OF WEBER

IN WITNESS WHEREOF, the undersigned, being the Board of Directors of the Rose Lane Homeowners Association, Inc. has hereunto set signature to, on this

day of 14 may, 2018

Cecelia J. Laughlin
Cecelia J. Laughlin President

State of Utah County of Weber
Subscribed and sworn before me on 05/14/2018
(Date)
Braeden Furgeson
(Notary Signature)

Dean Harris
Dean Harris Vice President

State of Utah County of Weber
Subscribed and sworn before me on 05/14/2018
(Date)
Braeden Furgeson
(Notary Signature)

Carol Harris
Carol Harris Secretary/Treasurer

State of Utah County of Weber
Subscribed and sworn before me on 05/14/2018
(Date)
Braeden Furgeson
(Notary Signature)

NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

 NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

(5)  NOTARY PUBLIC
BRAEDEN FURGESON
686523
COMMISSION EXPIRES
DECEMBER 22, 2019
STATE OF UTAH

RESTRICTIVE COVENANTS

EH 2708197 PG 5 OF 5

ROSE LANE RETIREMENT VILLAGE

ROSE LANE HOMEOWNERS ASSOCIATION INC.,

A P.R.U.D. SUBDIVISION

ROY, UTAH

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The following Covenants are immediately enforce. They may be revised or added to as required, and as directed by the Association.

1. All structures have been erected per regulations set forth, and are in conformance with the requirements originally approved by Roy City and the Association. All persons residing within are members of the Rose Lane Homeowners Association (RLHOA).
2. All homes and yards shall be kept in accordance with and in consideration for the residents herein.
3. No owner/tenant shall accrue debris, and must dispose of any unsightly or obnoxious materials on his/her property, and on the roadway adjacent to their property.
4. No owner of Rose Lane may rent or lease his/her residence to anyone under the age of 55 years as stated in the By-Laws without permission from the Board of Directors.
5. There shall be at least 80% of all residences in Rose Lane occupied by at least one person of the age of 55 years or older. The exception based on the 20% shall be at the discretion of the Board of Directors.
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8. It is intended that all Roy City ordinances shall be enforced, and said ordinances take first priority over and above those herein contained for Rose Lane Homeowners Ass'n., Inc.

Upon the signing hereof, this document shall immediately become effective.

STATE OF UTAH

COUNTY OF WEBER

IN WITNESS WHEREOF, the undersigned, being the Board of Directors of the Rose Lane Homeowners Association, Inc. has hereunto set signature to, on this

27th day of October, 2014.

Joe Bowden
Joe Bowden President

Dean Harris
Dean Harris Vice President

Carol Harris
Carol Harris Secretary/Treasurer

Kristin Garrett
NOTARY PUBLIC

