



W2960172

E# 2960172 PG 1 OF 8
LEANN H KILTS, WEBER COUNTY RECORDER
08-JAN-19 1113 AM FEE \$126.00 DEP DC
REC FOR: KEN GRAHAM

**CORRECTIVE AMENDMENT
TO THE
AMENDED AND RESTATED DECLARATION
OF
COVENANTS, CONDITIONS & RESTRICTIONS
FOR
BELLE ISLE
HOMEOWNERS ASSOCIATION
(A Utah Planned Unit Development)**

This Corrective Amendment to the Amended and Restated Declaration of Covenants, Conditions & Restrictions for Belle Isle Homeowners Association (“Corrective Amendment”) is made and executed on the date shown below by the president of the Belle Isle Homeowners Association for the reasons and purposes set forth below.

RECITALS

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions & Restrictions for Belle Isle Homeowners Association (“2012 Restated Declaration”) was recorded in the office of the Weber County Recorder on March 2, 2012, as entry number 2564895; and

WHEREAS, one of the purposes the 2012 Restated Declaration was voted on and approved by the Belle Isle Lot Owners was, as stated in that document, “to subdivide and convey the Common Area adjoining their Dwelling Units to the adjoining Lot Owner, thereby reducing the amount of Common Area that will be owned and maintained in Belle Isle and reducing the overall cost of maintenance to the Association;” and

WHEREAS, as set forth in Article 2.2 of the 2012 Restated Declaration, the Association and Lot Owners agreed to convey and transfer to the appropriate and designated Lot Owners any and all interest the Association possessed in those portions of the Common Area identified in the 2012 Restated Declaration as Exhibits “D” and “E”. However, Exhibits “D” and “E” were not included with nor attached to the 2012 Restated Declaration as intended and as approved by a vote of the Lot Owners. Subsequently, Exhibits “D” and “E”, omitted from the 2012 Restated Declaration, have been revised into one exhibit (“Exhibit B” attached). Exhibit “B” sets forth the transfers and changes to lot boundaries and common area as intended by the 2012 Restated Declaration; and

WHEREAS, the property that is the subject of this Corrective Affidavit is situated in and upon that certain real property located in Weber County, State of Utah, as specifically described in Exhibit

“A”, attached hereto and incorporated herein by this reference.

NOW THEREFORE, to accomplish the lot owners’ objectives, this Corrective Amendment is presented and recorded to reform and correct the omission of exhibits and to otherwise fulfill the purpose and intent of the 2012 Restated Declaration.

This Corrective Amendment shall become effective upon recording.

CORRECTIVE AMENDMENT

- 1. The Recitals set forth above are hereby incorporated as part of this Corrective Amendment.
- 2. The 2012 Restated Declaration is hereby reformed to include Exhibit “B” attached hereto. Exhibit “B” is added to replace Exhibits “D” and “E” which were omitted from the 2012 Restated Declaration. The executed original of Exhibit “B” is on file at Weber County.
- 3. In conjunction with the recording of this Corrective Amendment, and as expressly authorized in Article 2.2 of the 2012 Restated Declaration, the Association is also recording quit claim deeds herewith, thereby deeding the appropriate common area to adjoining Lot Owners as described in Exhibit “B”, attached.

CERTIFICATION

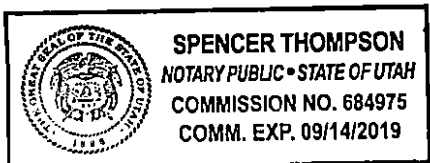
It is hereby certified that the president of the Belle Isle Homeowners Association is authorized to execute this Corrective Amendment pursuant to the express language of the 2012 Restated Declaration.

IN WITNESS WHEREOF, this 2 day of ~~December, 2012~~ ^{JANUARY, 2019}.

By 
President

STATE OF UTAH)
 :SS.
COUNTY OF WEBER)

On this 2 day of ~~December, 2012~~ ^{January, 2019}, personally appeared before me Blake Mitchell, who, being by me duly sworn, did say that he is President of the Belle Isle Board of Directors and that the within and foregoing instrument was signed in behalf of said Board and he duly acknowledged to me he executed the same.



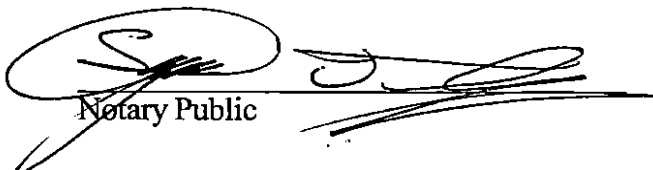

Notary Public

EXHIBIT "A"**Legal Description of Lots**

Belle Isle Planned Residential Unit Development, Ogden City, Weber County,
Utah

Phase One *Roylence Farms PRUD*
 Lots 3-12 [17-227-0003 through 17-227-0012]
 Lots 13-16 [17-228-0001 through 17-228-0004]

Phase Two *Roylence Farm PRUD*
 Lots 25-36 [17-260-0001 through 17-260-0012]
 Lots 37-50 [17-261-0001 through 17-261-0014]
 Lots 51-58 [17-262-0001 through 17-262-0008]
 Lots 59-75 [17-261-0015 through 17-261-0031]
 Lots 76-90 [17-262-0009 through 17-262-0023]

Phase Three *Roylence Farms PRUD*
 Lots 1-4 [17-240-0001 through 17-240-0004]
 Lots 14-17 [17-240-0005 through 17-240-0008]
 Lots 5-9 [17-241-0001 through 17-241-0005]
 Lots 10-13 [17-241-0006 through 17-241-0009]

Phase Four *Roylence Farms PRUD*
 Lots 401-406 [17-301-0001 through 17-301-0006]

**EXHIBIT “
“B”**

Plat

Phase II, 4th Amendment

31
32

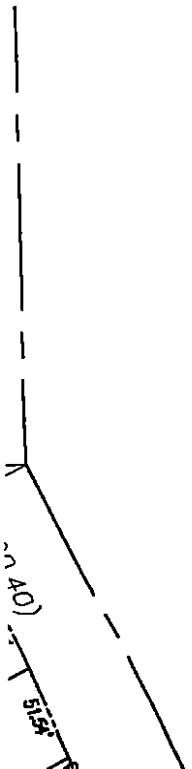
N01°42'14"W
(N01°43'06"W 2749.51')

West Quarter Corner of Sec. 32,
T. 7 N., R. 1 W., S.L.B.&M.
Found Weber County Brass Cap
Monument. Dated 2003 good
condition.

Northwest Corner of Sec. 5,

BEN LOMOND GOLF
COURSE, INC.
17-071-0045

A Par
and a P



OWNER(S)

SIGNATURE

SIGNATURE


STATE OF UT,
COUNTY OF W

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APPEARED BE
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Belle Isle Homeowners Association

A special meeting of the Belle Isle board of directors was held on the 26th day of December, 2018. In attendance by phone or in person were the following members of the board:

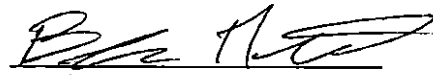
1. Blake Mitchell
2. Ken Graham
3. 
- 4.
- 5.

A motion was made by Ken Graham and seconded by Blake Mitchell to record a Corrective Amendment for the purpose of reforming the Belle Isle 2012 Restated Declaration. The need for the Corrective Amendment was created by the omission of two exhibits from the 2012 Restated Declaration.

After discussion, a vote was held. All members of the board in attendance voted in favor of the motion.


The motion to record a Corrective Amendment and thereby reform the 2012 Restated Declaration passed and the president of the board of directors is authorized to execute the Corrective Amendment.

Belle Isle Homeowners Association
Board of Directors



President
11/2/19

Attest:



Secretary
11/2/19

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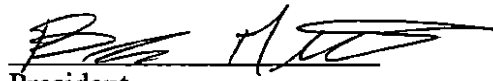
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3. *ERIC CEMERD*
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Board of Directors



President

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Secretary