

## **BYLAWS OF FALCON RIDGE ESTATES HOME OWNERS ASSOCIATION**

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The following are the Bylaws of Falcon Ridge Estates Home Owners Association ("Bylaws"), a Utah nonprofit corporation ("Association"). Upon recordation of these Bylaws with the Davis County Recorder, they are binding upon the Association and all present and future Owners and/or occupants.

### **RECITALS**

- (A) These Bylaws affect and concern certain real property located in Davis County, Utah and more particular set forth in **Exhibit "A"** (the "Property").
- (B) **Adoption Statement.** As evidenced by signature below, the Management Committee, without the need for member approval, hereby adopts the initial Bylaws for the Association.
- (C) These Recitals are made a part of these Bylaws.

### **ARTICLE I DEFINITIONS**

**Section 1.1 Definitions.** All terms used but not defined herein shall have the meanings given them under that certain Declaration for Falcon Ridge Estates recorded on September 5, 1997 in the Official Records of the Davis County Recorder's Office, as Entry No. 1345280 ("Declaration"), and as the same may be amended from time to time as therein provided.

### **ARTICLE II MEETINGS OF OWNERS**

**Section 2.1 Meetings Of Owners.** Meeting shall be noticed, held and conducted in accordance with Article VI A of the Declaration.

**Section 2.2 Action Taken Without a Meeting.** Under the direction of the Management Committee, any action that may be taken at any annual or special meeting of Owners may be taken without a meeting and without prior notice, if the required written ballots or consents are obtained, setting forth the action taken, and signed by the Owners having not less than the minimum voting power that would be necessary to authorize or take the action at a meeting at which all Owners eligible to vote on the action were present and voted, unless a different approval percentage for the action is specifically set forth in the Declaration. The Management Committee may obtain such approvals and conduct business through mail or email/electronic ballots.

Ballots shall set forth each proposed action and provide the option of voting for or against each proposed action. The ballot must specify the period of time, up to 90 days, during which the Association shall accept written ballots. Following this period, the Association shall provide notice if such action was approved.

**Section 2.3 Voting Eligibility.** Only an Owner that is current on all assessments and charges due and owing at least thirty (30) days prior to a meeting or written vote shall be deemed in good standing and eligible vote. Voting shall be in accordance with the Declaration.

### ARTICLE III MANAGEMENT COMMITTEE

**Section 3.1 Management Committee.** The affairs of the Association shall be managed by the Management Committee in accordance with Article VI B of the Declaration.

**Section 3.2 Eligibility.** All members of the Management Committee shall be Owners or an Owners' spouse or legal partner. Notwithstanding, only one member of a single household can be a member of the Management Committee at any one time.

**Section 3.3 Officers.** The appointment, election and duties of the officers shall be in accordance with Article VI C of the Declaration.

### ARTICLE IV MEETINGS OF THE MANAGEMENT COMMITTEE

**Section 4.1 Meetings Of the Management Committee.** Meeting shall be noticed, held and conducted in accordance with Article VI B of the Declaration.

### ARTICLE V – MISCELLANEOUS

**Section 5.1 Waiver of Procedural Irregularities.** All inaccuracies and irregularities in calls or notices of meetings, in the manner of voting, in the form of proxies, in the method of asserting persons present, in the method of making decisions, or in the method of accepting or counting votes shall be deemed waived under the following circumstances:

- (a) If the objecting person attended the meeting and no objection to the particular procedural issue was made at the meeting;
- (b) If the objecting person was not in attendance at the meeting but had proper notice of the meeting; or
- (c) 12 months following the meeting.

**Section 5.2 Requirements for Objections.** All objections except those made at a meeting shall be in writing. Whenever made, objections must specifically describe the circumstances giving rise to the objection and reference the specific provision of the

Governing Documents or law that is alleged to have been violated, with a brief statement of the facts supporting the claimed violation.

**Section 5.3 Irregularities that Cannot Be Waived.** Any irregularity that is the result of fraud or that was done intentionally in violation of the Governing Documents or Utah law.

**Section 5.4 Fiscal Year.** The fiscal year of the Association shall begin on the first day of January and end on the 31<sup>st</sup> day of December of every year.

**Section 5.5 Amendment.** Any amendment to these Bylaws shall require the unanimous consent of the Management Committee or the consent of at least fifty-one percent (51%) of eligible Member votes, which shall be effective immediately upon recordation in Davis County Recorder, State of Utah.

The foregoing Bylaws were adopted by the Management Committee and made effective upon recordation in the Office of the Davis County Recorder, State of Utah.

FALCON RIDGE ESTATES HOME OWNERS ASSOCIATION

By:

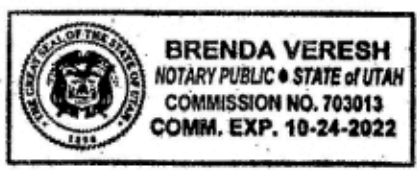
DocuSigned by:  
*Elizabeth Quinney*  
By: Elizabeth Quinney  
Its: President/Chair

STATE OF UTAH                                    )  
                                                                  ): ss  
COUNTY OF                                    )

On the 10<sup>th</sup> day of November, 2021, before me the undersigned, a notary public in and for said state, personally appeared Elizabeth Quinney, known or identified to me to be the President/Chair of Falcon Ridge Estates Home Owners Association, and the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged that such corporation executed the same.

IT WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

*Brenda Veresh*  
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Notary Public



**Exhibit A**  
**Legal Description**

**All of Units 1 - 4, Bldg. A, Falcon Ridge Estates, Phase A, including common area  
Tax I.D. Nos. 12-292-0001 – 0005**

**All of Units 5 - 8, Bldg. B, Falcon Ridge Estates, Phase B, including common area  
Tax I.D. Nos. 12-293-0005 – 0009**

**All of Units 1 - 4, Bldg. C, Falcon Ridge Estates, Phase C, including common area  
Tax I.D. Nos. 12-294-0001 – 0005**

**All of Units 5 - 8, Bldg. D, Falcon Ridge Estates, Phase D, including common area  
Tax I.D. Nos. 12-295-0005 – 0009**

**All of Units 1 - 4, Bldg. E, Falcon Ridge Estates, Phase E, including common area  
Tax I.D. Nos. 12-299-0001 – 0005**

**All of Units 5 - 8, Bldg. F, Falcon Ridge Estates, Phase F, including common area  
Tax I.D. Nos. 12-300-0005 – 0009**

**All of Units 1 - 4, Bldg. G, Falcon Ridge Estates, Phase G, including common area  
Tax I.D. Nos. 12-354-0001 - 0005**

**All of Units 5 - 8, Bldg. H, Falcon Ridge Estates, Phase H, including common area  
Tax I.D. Nos. 12-355-0005 - 0009**