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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/01/2023 11:37:11 AM
FEE: \$76.00 Pgs: 5
DEP eCASH REC'D FOR: HELGESEN HOUTZ &
JONES

AMENDMENT

TO THE

AMENDED AND RESTATED

DECLARATION OF CONDOMINIUM

FOR

NEW DORDRECHT CONDOMINIUMS

OCTOBER 2022

AMENDMENT
TO
ENABLING DECLARATION
OF
NEW DORDRECHT CONDOMINIUMS

This Amendment to the Amended and Restated Declaration of Condominium for New Dordrecht Condominiums ("Amendment") is made and executed on the date shown below by the New Dordrecht Condominiums Management Committee ("Committee") after having been voted on and approved by the members of the New Dordrecht Condominiums Home Owners Association, Incorporated.

RECITALS

WHEREAS, the Amended and Restated Declaration of Condominium for New Dordrecht Condominiums ("Restated Declaration") was recorded on October 22, 2015, as entry number 2900397, in the office of the Davis County Recorder; and

WHEREAS, the Restated Declaration, the concomitant Bylaws, and any amendments to the Restated Declaration and Bylaws, are collectively referred to herein as the "Governing Documents"; and

WHEREAS, the Unit Owners desire to adopt the following Amendment and record the same against the real property located in Davis County, Utah, known as New Dordrecht Condominiums and more fully described on Exhibit "A" attached hereto; and

WHEREAS, the Committee has observed and determined that over the years, an excessive amount of time and expense has been incurred by the Unit Owners in connection with the transfer of a unit within the Project from an existing owner to a new owner. Mortgage companies, real estate agents, lenders, and underwriters require various forms to be filled out, completed, and signed by the Association for the benefit of the parties buying and selling condominium units; and

WHEREAS, the Committee and Unit Owners have determined that a Reinvestment Fee would be appropriate and is needed for the use and improvement of the common areas and facilities and is required to benefit the common area property appurtenant to the units; and

WHEREAS, to offset the additional cost borne by the Unit Owners in connection with the upkeep and maintenance of the common area, the Unit Owners have determined that a new purchaser of a unit within the Association shall be assessed a non-refundable Reinvestment Fee of 0.5% of the value of the unit being sold; and

NOW THEREFORE, To accomplish the unit owners' objectives, the following Amendment is adopted. If there is any conflict between this Amendment and any provision in the Governing Documents, this Amendment shall prevail. The words defined Article I of the Declaration shall have the same meaning when used herein unless the context clearly indicates otherwise. This Amendment shall become effective upon recording. The New Dordrecht Governing Documents are amended as follows:

**ARTICLE I
REINVESTMENT FEE**

The statements contained in the above Recitals are hereby incorporated. The words defined in the Governing Documents shall have the same meaning when used herein unless the context clearly requires a different meaning.

- 1.1 The Unit Owners hereby adopt a Reinvestment Fee. The amount of the Reinvestment Fee shall be 0.5% of the contract price of the unit being sold. The Reinvestment Fee shall be paid by the purchaser of a unit whenever a unit is sold, transferred or conveyed to a new owner.
- 1.2 The Reinvestment Fee shall in no event exceed the amount of 0.5% of the contract price, or value of the unit being transferred.
- 1.3 The Reinvestment Fee and the covenant to pay the Reinvestment Fee runs with the property described in Exhibit "A," and is intended to bind successors in interest and assigns of the real property described in Exhibit "A," attached hereto.
- 1.4 The existence of this Reinvestment Fee precludes the imposition of an additional Reinvestment Fee on the property described in Exhibit "A," attached hereto.
- 1.5 The duration of the Reinvestment Fee covenant is for a period of 50 years.
- 1.6 The purpose of the Reinvestment Fee required to be paid herein is for the use and improvement of the common areas and facilities and is required to benefit the common area property appurtenant to the units described in Exhibit "A," attached hereto, and to pay for association expenses as defined in UCA 57-1-46.
- 1.7 The Reinvestment Fee shall not be enforced in the following circumstances or situations:
 - a) an involuntary transfer;
 - b) a transfer that results from a court order;
 - c) a bona fide transfer to a family member of the seller within three degrees of consanguinity who, before the transfer, provides adequate proof of consanguinity;
 - d) a transfer or change of interest due to death, whether provided in a will, trust, or decree of distribution; or


- e) the transfer of burdened property by a financial institution, except, a financial institution shall be required to pay the Association's costs directly related to the transfer of the burdened property in an amount of \$250.

CERTIFICATION

It is hereby certified that Unit Owners holding more than 67% of the voting rights of the Association have voted to approve this Amendment.

IN WITNESS WHEREOF, we have affixed our signatures this 15 day of November, 2022.

**New Dordrecht Condominiums Home
Owners Association, Incorporated**

By 

President

STATE OF UTAH)
 :SS

COUNTY OF DAVIS)

On this 15 day of November, 2022, personally appeared before me Boyd Fisher who, being by me duly sworn, did say that (s)he is President of New Dordrecht Condominiums Home Owners Association, Incorporated ("Association") and that the within and foregoing instrument was signed in behalf of said Association and (s)he duly acknowledged to me (s)he executed the same.



Notary Public

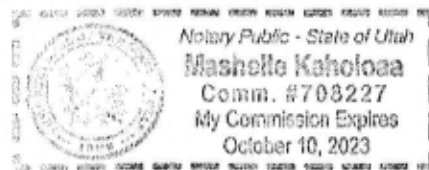


Exhibit "A"

Legal Descriptions for New Dordrecht Condominium

NEW DORDRECHT CONDOMINIUMS,

BLDG: 1 Units A, B

BLDG: 2 Units A, B

BLDG: 3 Units A, B, C, D

BLDG: 4 Units A, B, C, D

BLDG: 5 Units A, B, C, D, E

BLDG: 6 Units A, B, C

BLDG: 7 Units A, B, C, D

BLDG: 8 Units A, B, C, D

COMMON AREA

All as according to the official plat thereof recorded in the records of the Davis County Recorder.

Land Serial No's: 05-116-0001 through 05-116-0029