

AFTER RECORDING RETURN TO:

Corrine Putnam
C/O Foxboro North Berkeley HOA
PO Box 540265
North Salt Lake, UT 84054

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
12/11/2023 11:29 AM
FEE 192.00 Pgs: 5
DEP MEC REC'D FOR FOXBORO
NORTH BERKELEY HOA

06-291-0187

06-291-0101 THRU 06-291-0186

(Space Above Line for Recorder's Use Only)

**FIRST CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND
RESERVATION OF EASEMENTS
FOR
FOXBORO NORTH BERKELEY**

This **First** Certificate of Amendment to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Foxboro North Berkeley (this "*Amendment*") is made as of this 15th day of October, by the Board of Directors (the "*Board*") for **Foxboro North Berkeley Homeowners Association** (the "*Association*"). Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Declaration (as defined below).

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions of Foxboro North Berkeley was recorded in the official real estate records of Davis County on 10/24/2007, as Entry Number 2315805 in Book Number 4395 beginning at Page Number 160-205 (the "*Declaration*"), as amended to date; and

WHEREAS, the Board has obtained the requisite consent of the Association to amend the Declaration and the undersigned officer of the Association acknowledges and certifies below that such vote for amendment has occurred as required by the Declaration and Bylaws of the Association.

CERTIFICATION:

This Amendment was approved by a vote of at least 67% of the Association pursuant to the requirements of Utah State Bill 117 and the Declaration and Bylaws of the Association and with the consent of the Board.

Certified by:

FOXBORO NORTH BERKELEY HOA
a Utah non-profit corporation

By: Corrine S Putnam
Name: Corrine Putnam
Its: President

WHEREAS, the Board and the Association hereto desire to amend the Declaration as set forth herein.

NOW, THEREFORE, in consideration of the foregoing premises, and the provisions herein contained, the Declaration is hereby amended as follows:

1. **Reinvestment Fee Increase**. Section 6.15 Transfer Fee. of Section 6. Membership and Voting Rights of the Declaration is retained in its entirety with addition of the following:

“Each Owner shall file a copy of such conveyance documents (or contract) with the secretary of the Association, with a reinvestment fee of .5% of the purchase price of the Lot, who shall maintain a record of ownership of the Lots.”
3. **Effect of Amendment**. Except as expressly modified by this Amendment, the Declaration shall remain unmodified and in full force and effect.
4. **Counterparts**. This Amendment may be executed via facsimile or other electronic transmission and in one or more counterparts, each of which shall be deemed an original, and all of which shall constitute one instrument.
5. **Effective Date**. This Amendment shall take effect upon its being filed for record in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the Board for the Association has executed this Amendment the day and year first written above.

ASSOCIATION:

Foxboro North Berkeley
a Utah non-profit corporation

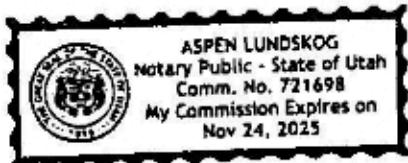
By: Corrine S Putnam
Corrine Putnam, President

STATE OF UTAH)

) ss

County of Davis)

The execution of the foregoing instrument was acknowledged before me this 1 day of December 2023, by Corrine Putnam an Authorized Representative of Sycamore Grove P.U.D., Inc., to sign this document, and who is personally known to me or who has provided an acceptable and adequate identification.



Aspen Lundskog
Notary Public
Residing at: Centerville MACU
My Commission Expires: 11/24/2025

EXHIBIT A
LEGAL DESCRIPTION- FOXBORO NORTH BERKELEY HOMEOWNERS ASSOCICAITON.
FOXBORO NORTH BEREKELY HOMEOWNERS ASSOCIATION

062910187

ALL OF COMMON AREA, BERKELEY NORTH PUD. CONT. 5.09000 ACRES. (THE INFORMATION SHOWN ON THIS PARCEL NUMBER IS FOR REFERENCE PURPOSES ONLY AND THIS PARCEL IS NOT TO BE CONSTRUED AS A SEPARATELY TAXABLE PARCEL OF LAND.)

062910101 ALL OF UNIT 101, BUILDING 3, BERKELEY NORTH PUD.
062910102 ALL OF UNIT 102, BUILDING 3, BERKELEY NORTH PUD.
062910103 ALL OF UNIT 103, BLDG 3, BERKELEY NORTH PUD.
062910104 ALL OF UNIT 104, BUILDING 3, BERKELEY NORTH PUD.
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