

SPRING CREEK WATER USERS, INC.

P.O. BOX 1765 CEDAR CITY, UTAH 84721-1765 (801) 586-1595

DECLARATION OF ADOPTED RESOLUTIONS FOR SPRING CREEK PHASE 1
All of Lots 1 through 12, Block "A" ; All of Lots 1 through 16, Block "B" ; All of Lots 1 through 11, Block "C" ; and All of Lots 1 through 6 , Block "D" ; inclusive: all being situated in SPRING CREEK DEVELOPMENT SUBDIVISION, Phase One according to the official Plat thereof on file in the office of the Iron County Recorder.

AND

DECLARATION OF ADOPTED RESOLUTIONS FOR SPRING CREEK PHASE 2
All of Lots 1 through 10, Block "A" ; All of Lots 1 through 12, Block "B" ; all of Lots 1 through 7, Block "C" ; All of Lots 1 through 11, Block "D" ; and All of Lots 1 through 6, Block "E" ; inclusive: all being situated in SPRING CREEK DEVELOPMENT SUBDIVISION, Phase Two, according to the official Plat thereof on file in the office of the County Recorder.

KNOW ALL MEN BY THESE PRESENTS:

That listed below, are the "Resolutions" passed by the majority of Property Owners present at previous General Meetings of the Spring Creek Water Users Association, Incorporated. Notices of such Meetings were sent in advance to all Property Owners, and Proxies were offered to those unable to attend. The "Resolutions" below are in addition to the original CC&Rs for Spring Creek Phase One & Phase Two, and are intended to supplement and update those CC&Rs.

June 12, 1993

1. "RESOLVED that Board Members would be elected for a term of three years."
2. "RESOLVED FURTHER that once 50% of the lots in Spring Creek were sold, a committee consisting of the Board of Trustees will then act as the Spring Creek Water Users, Inc, and will be the Architectural Control Committee."

July 11, 1994

1. "RESOLVED that a \$4.00 a month Special Assessment would be assessed to all Landowners starting this month. The fee is for a contingency fund for any emergency that might arise. This special assessment will be billed quarterly."
2. "RESOLVED FURTHER that for any payment not made by 90 days, the Board has a right to place a Lien on the property , and the Board has the right to disconnect the water hook-up, this in addition to the right to Lien. Payments shall be considered delinquent after 90 days have passed. It is at the discretion of the Board to grant any exceptions for cases of hardship. The Board has the right to recover any and all costs associated with recovery of fees, and has the right to assess interest at prime rate on any delinquent account."
3. "RESOLVED FURTHER that effective Monday, 07/11/97, the Association will pay for a back flow preventer to be installed on 3 non-conforming water hook-ups out of Association funds. That, within 30 days, the lot owner would be required to have a conforming water meter in place. The Association would be paid back by such owner for the installation of the back flow preventer with appropriate financial arrangements made with the Board. The lot owner will pay the \$200.00 connection fee over a 9 month period. If the lot owner is not in compliance by installing a water meter, and has not paid for the back flow preventer installation by 08/11/94, the Board has the right to shut off (disconnect) the water to such lot. Any lot owner who is determined to have a non-conforming water hook-up will be required to comply within 90 days, or the Board shall have the right to shut-off (disconnect) the water."
4. "RESOLVED FURTHER that mobile homes will be limited to: 'no older than 6 years, as of the date of delivery to the property'. Only existing mobile homes that currently have Architectural Control Committee approval, and are older than 6 years old will be 'grand fathered' in."
5. "RESOLVED FURTHER that existing mobile homes older than 6 years, currently in the Subdivision as of this date, will have 30 days to meet with the County Building Inspector and Spring Creek Architectural Committee. Thirty days following that date, the mobile home must meet all State and County Codes. In addition, one year from that date, the mobile home must meet the Spring Creek

(Continued)

00381397 Bk00608 Pg00436-00438

DIXIE B MATHESON - IRON COUNTY RECORDER
1997 JUL 28 15:09 PM FEE \$104.00 BY PTC
REQUEST: SPRING CREEK WATER USERS ASSOCI

Architectural Control requirements. The Architectural Control Committee has the right to extend these dates if satisfactory improvement has been made. The Board has the authority to pursue legal remedies in the event of non-compliance."

6. "RESOLVED FURTHER that the Spring Creek Board of Directors are not to accept the water system as is'. If system is not brought up to standards outlined in Agreement between land developer and land owners, dated 02/24/94, the Board is authorized to seek legal remedies to accomplish this."

June 24, 1995

1. "RESOLVED that as of 06/24/95, single wide mobile homes and single wide modular homes will not be allowed in Spring Creek, except for those already existing before that date."
2. "RESOLVED FURTHER that as of 06/24/95, all new mobile homes or modular homes brought into Spring Creek must be place on a permanent foundation."
3. "RESOLVED FURTHER that as of 07/01/95, the water connection fee will be raised to \$1200.00. This fee will include the water meter, back flow inhibitor, and installation."
4. "RESOLVED FURTHER that all water meters are the property of Spring Creek Water Users Association, Inc, and as such, will be maintained by said Association."
5. "RESOLVED FURTHER that the Association will allow the Board of Trustees to obtain liability insurance on the Board Members and for the equipment involved in the water system."
6. "RESOLVED FURTHER that the Board would release Sherry Van Der Meer from her position as Corporate Secretary with a special vote of "Thanks".
7. "RESOLVED FURTHER that Lisa Bilyeu a property owner, would assume the duties of Corporate Secretary/Treasurer."
8. "RESOLVED FURTHER that Mark Swagger, temporary Board Appointee, assume the position of Board Member/Water Director for the normal term."
9. "RESOLVED FURTHER that a vote of confidence be given to the current Board of Directors of Spring Creek, Watermaster, and New Appointees for their past, current, and future efforts for the Subdivision."

June 22, 1996

1. "RESOLVED that as of 08/01/96, the Water Connection Fee for New Meters for Spring Creek Water Users Association, Inc will be \$1800.00. This fee will be payable BEFORE the new meter is installed."
2. "RESOLVED FURTHER that as of 07/01/96, the Monthly Special Assessment for all property owners, both Users and Non-users, will be \$10.00 per month. As with all Monthly Fees and Assessments, the Special Assessment will be due by the 15th of the first month of the billing period."

June 7, 1997

1. "RESOLVED that as of 08/18/96, all Spring Creek properties beginning construction must have a 12" minimum, galvanized or double plastic, culvert installed for each driveway which will be in regular use. These culverts must be installed prior to start of construction, or water service will not be initiated." (Previous board decision-passed by Membership)
2. "RESOLVED FURTHER that all property owners that currently have residences on their property, are required to have a 12" minimum, galvanized or double plastic, culvert installed for each driveway which is in regular use. Per County Order, if the culvert(s) is not already installed, the situation must be rectified immediately." (Previous board decision-passed by Membership)

00381397 Bk00608 Pg00437

- 3. "RESOLVED FURTHER that all new stick built homes or modular homes brought into Spring after 02/09/97 will be at least 1000 square feet of living space." (Previous board decision-passed by Membership)
- 4. "RESOLVED FURTHER that all new stick built homes or modulars must have a least a single car, attached or detached garage, or must have a carport, plus a shed that is at least 80 square feet." (Previous board decision-passed by Membership)
- 5. "RESOLVED FURTHER that a limit be put into effect in Spring Creek regarding animal limits to protect our water source protection and water supply. All lots that are at least 2 acres may be allowed up to 8 large animals. All lots that are under 2 acres may be allowed up to 4 large animals. These large animals include horses, cows, llamas, ostriches, goats, sheep, pigs, and other similar species." (Previous board decision-passed by Membership)

Phillip L. Strahan
Phillip L. Strahan
Secretary/Treasurer
Spring Creek Water Users Association, Inc

RESOLUTIONS:PS/JS

Bruce J. Forsyth
NOTARY PUBLIC
BRUCE J. FORSYTH
310 South Main, Suite 308
Salt Lake City, Utah 84101
My Commission Expires
October 26, 1998
STATE OF UTAH