

FIRST AMENDMENT TO THE
BYLAWS
OF
THE PONDS AT SLEEPY RIDGE
A PLANNED UNIT DEVELOPMENT
OREM, UTAH

This FIRST AMENDMENT TO THE BYLAWS OF THE PONDS AT SLEEPY RIDGE ("Amendment") has been approved and adopted by the Board of Directors/Trustees of The Ponds at Sleepy Ridge Property Owners' Association, a Utah nonprofit corporation ("Association") and becomes effective when recorded with the Utah County Recorder's Office.

RECITALS

A. The Association governs the affairs of The Ponds at Sleepy Ridge, a planned unit development located in Orem, Utah, Utah County ("Property").

B. The Property was made subject to certain covenants, conditions, and restrictions as provided in the "Declaration of Easements, Covenants, Conditions and Restrictions The Ponds at Sleepy Ridge" as recorded on November 18, 2013 as Entry Number 106090:2013 with the Utah County Recorder ("Declaration").

C. The Association is also governed by the "Bylaws The Pond at Sleepy Ridge", as recorded with the Declaration as "Exhibit 'B'" ("Bylaws"), and the "Articles of Incorporation of The Ponds at Sleepy Ridge Property Owners' Association" as filed on March 14, 2014 with the Utah Department of Commerce, Division of Corporations and Commercial Code ("Articles").

D. The Association desires to amend the Bylaws as provided below.

E. Article XIV of the Articles authorizes the Association's Board of Directors/Trustees ("Board") to amend the Bylaws.

F. The Board has approved the Bylaws amendments listed herein, which shall be binding upon the Property. See Exhibit A.

G. Unless specifically modified herein, all remaining provisions of the Bylaws whether listed above or not, shall remain in full force and effect.

H. In case of any conflict between the terms of this Amendment and the terms of the Bylaws, the provisions of this Amendment shall control.

I. Unless otherwise provided in this Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration and/or Bylaws.

AMENDMENTS

Amendment One

Article I, Section 3 of the Bylaws is hereby amended to read as follows:

3. Registered Agent; Principal Office. The registered agent of the Association will accept service of process on behalf of the Association. The registered agent shall be listed in the entity filings with the Utah State Department of Commerce, Division of Corporations and Commercial Code. The Board may change the registered agent without Owner vote or approval. The principal office of the Association shall be the address listed for the Association with the Utah State Department of Commerce, Division of Corporations and Commercial Code until another office is duly selected by the Board. The Board may change the principal office without Owner vote or approval.

Amendment Two

Article II, Section 3 of the Bylaws is hereby amended to read as follows:

3. Owner Meeting Notices. The Board shall cause written or printed notice of the date, time, and place (and in the case of a special meeting of the Owners, the purpose or purposes) for all Owner meetings. Such written or printed notice shall be delivered to each Owner of record entitled to vote at such meeting not more than thirty (30) nor less than ten (10) days prior to the meeting. Such notice may be sent via email, text, hand-delivery, regular mail, or as otherwise allowed by the Utah Community Association Act. If sent by email or text, such notice shall be deemed delivered and effective on the date transmitted to the Owner's email address or telephone number registered with the Association. If mailed, such notice shall be deemed to be delivered and effective on the date deposited in the U.S. mail if addressed to the Owner's address registered with the Association. Each Owner shall register with the Association such Owner's current email address, phone number, and mailing address for purposes of notice hereunder. Such registered email, phone number, and mailing address may be changed from time to time by notice in writing to the Association. If no address is registered with the Association, the Owner's Unit shall be deemed to be the Owner's registered address and notice to the Unit address may be made by first-class mail or by posting the meeting notice on the front door. An Owner may opt out of receiving notices from the Association via email or text by giving written notice to the Board stating that the Owner will not accept notices by way of email or text.

Amendment Three

Article II, Section 6 of the Bylaws is hereby amended to read as follows:

6. Quorum and Voting. At any meeting of the Owners, the presence of any Owners represented in person or by proxy shall constitute a quorum for the transaction of business. With respect to each matter submitted to a vote of the Owners, each Owner entitled to vote at the meeting shall have the right to cast, in person or by proxy, the number of votes appertaining to the Lot of such Owner, as shown in the Declaration. The affirmative vote of a majority of the voting interests entitled to be cast by the Owners present or represented by proxy at a meeting at which a quorum was initially present shall be necessary for the adoption of any matter voted on by the Owner, unless a greater proportion is required by the Articles, these Bylaws, the Declaration, or the Utah Community Association Act. When more than one (1) Person owns an interest in a Lot, any Person who is the Owner may exercise the vote for such Lot on behalf of all co-Owners of the Lot. In the event of two (2) conflicting votes by co-Owners of one (1) Lot,

no vote shall be counted for that Lot. In no event shall fractional or cumulative votes be exercised with respect to any Lot.

Amendment Four

Article II, Section 10 of the Bylaws is hereby amended to read as follows:

10. Action Taken Without a Meeting. The Board may take action in the absence of a meeting which could be taken at a Board meeting pursuant to the Utah Revised Nonprofit Corporation Act at U.C.A. §16-6a-813, as amended, or as may be allowed the Utah Community Association Act.

Amendment Five

Article II, Section 11 of the Bylaws is hereby amended to read as follows:

11. Executive Session. The Board may close a Board meeting and reconvene in an executive session as allowed by the Utah Community Association Act, including to: (i) consult with an attorney for the purpose of obtaining legal advice; (ii) discuss ongoing or potential litigation, mediation, arbitration, or administrative proceedings; (iii) discuss a personnel matter; (iv) discuss a matter relating to contract negotiations, including the review of a bid or proposal; (v) discuss a matter that involves an individual if the discussion is likely to cause the individual undue embarrassment or violate the individual's reasonable expectation of privacy; or (vi) discuss a delinquent assessment or fine.

Amendment Six


Article VIII, Section 1 of the Bylaws is hereby amended to read as follows:

1. Other Notices. Any notice required or permitted to be given to any Owner according to the provisions of the Bylaws or the Rules and Regulations shall be deemed to have been properly furnished if delivered in a manner permitted by the Utah Community Association Act.

CERTIFICATION

IN WITNESS WHEREOF, each of the foregoing amendments were duly approved by the Association's Board of Directors/Trustees as required by Article XIV of the Association's Articles.

THE PONDS AT SLEEPY RIDGE PROPERTY OWNERS' ASSOCIATION

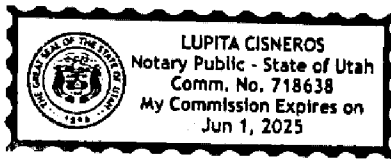
By: 

Name: Denise Gardner

Its: Board Member

STATE OF UTAH)
) ss.
COUNTY OF Utah)

On the 22nd day of June, 2022, personally appeared before me Lupita Cisneros, who by me being duly sworn, did say that she/he has been authorized by the Board of The Ponds at Sleepy Ridge Property Owners' Association to execute this instrument, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



Notary Public: _____

A handwritten signature in black ink, appearing to be "LPC", written over a horizontal line.

EXHIBIT A

Legal Description & Parcel Numbers

Phase 1

All Lots (101-125) and Common Areas as shown on The Ponds at Sleepy Ridge Phase 1 Plat, recorded in the Office of the Utah County Recorder.

Parcel Numbers: 49:759:0101 through 49:759:0125
49:759:0126 (Common Area)

Phase 2

All Lots (201-271) and Common Areas as shown on The Ponds at Sleepy Ridge Phase 2 Plat, recorded in the Office of the Utah County Recorder.

Parcel Numbers: 49:760:0201 through 49:760:0271
49:760:0272 (Common Area)
49:760:0273 (Common Area)

Phase 3

All Lots (301-329) and Common Areas as shown on The Ponds at Sleepy Ridge Phase 3 Plat, recorded in the Office of the Utah County Recorder.

Parcel Numbers: 49:775:0301 through 49:775:0329
49:775:0330 (Common Area)
49:775:0331 (Common Area)

Phase 4

All Lots (401-424) and Common Areas as shown on The Ponds at Sleepy Ridge Phase 4 Plat, recorded in the Office of the Utah County Recorder.

Parcel Numbers: 49:778:0401 through 49:778:0424
49:778:0425 (Common Area)
49:778:0426 (Common Area)