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ERNEST D. ROWLEY, WEBER COUNTY RECORDER
04-Nov-11 0450 PM FEE \$53.00 DEP SY
REC FOR: HELGESEN WATERFALL & JONES
ELECTRONICALLY RECORDED

AMENDED DECLARATION OF COUNTRY HILLS SQUARE CONDOMINIUM

This amendment (hereinafter "Amended Declaration") is made and executed on the date shown below by the Country Hills Square Condominium Management Committee after having been voted upon and approved by the Owners at Country Hills Square Condominium.

RECITALS

WHEREAS, Country Hills Square Condominium was created by the "Declaration Establishing a Condominium Project Known as Country Hills Square" (hereinafter "Enabling Declaration"), recorded in the records of Weber County, Utah, on March 31, 1975, in Book 1081, beginning on page 210, as Entry # 634597; and

WHEREAS, the Enabling Declaration has been amended by the adopting and recording of two documents entitled "Amendment to Declaration and Bylaws of Country Hills Square Condominium", which were each recorded in the records of Weber County, Utah, on October 28, 2002, as Entry # 1884864, and Entry # 1884865; and

WHEREAS, the property that is the subject of this Amended Declaration is situated in and upon that certain real property located in Weber County, State of Utah, as specifically described in Exhibit "A", attached hereto and incorporated herein by this reference, and including the Common Area that is appurtenant to each Unit as shown on the plat maps for Country Hills Square Condominium, as recorded in the office of the County Recorder for Weber County, State of Utah. There are 30 Units at Country Hills Square Condominium; and

WHEREAS, The Unit Owners in Country Hills Square are desirous to create the Country Hills Square Condominium Homeowners Association, Inc., a Utah non-profit corporation ("Association"), which will be created by filing Articles of Incorporation with the Utah Division of Corporations and Commercial Code, which Association shall operate for the purpose of managing the Common Area and enforcing the provisions of the Enabling Declaration and any amendments thereto. The Association will be the governing body of Country Hills Square Condominium and will operate in accordance with the Enabling Declaration, any amendments to the Enabling Declaration, this Amended Declaration, the Articles of Incorporation (Exhibit "B" attached hereto and incorporated herein by this reference) and the Association Bylaws as they are set forth in Article X of the "Amendment to Declaration and Bylaws of Country Hills Square Condominium," recorded in the records of Weber County, Utah, on October 28, 2002, in Book 2278, beginning on page 323,

as Entry # 1884865.

NOW THEREFORE, To accomplish the Unit Owners' objectives, the following amendment is adopted creating the Country Hills Square Condominium Homeowners Association, Inc., a Utah non-profit corporation. If there is any conflict between this Amended Declaration and the original Declaration and Bylaws, this document shall control.

AMENDMENT

Creation of Nonprofit Corporation

- 1.1 The Unit Owners hereby authorize and approve the creation of a Utah nonprofit corporation, to be known as the Country Hills Square Condominium Homeowners Association, Inc. ("Association"), by filing with the State of Utah the Articles of Incorporation for the Association in a form substantially similar to those contained in Exhibit "B", attached hereto. The Association shall be responsible for managing the Common Area within Country Hills Square and governing the affairs of Country Hills Square in accordance with the provisions of this Amended Declaration, the Enabling Declaration, any amendment to the Enabling Declaration, the Articles of Incorporation and the Bylaws.
- 1.2 By voting to approve this Amended Declaration, the Unit Owners hereby adopt the following documents:
 - a. this Amended Declaration;
 - b. the Articles of Incorporation (Exhibit "B" attached hereto);
 - c. and the Bylaws set forth in Article X of the "Amendment to Declaration and Bylaws of Country Hills Square Condominium," recorded in the records of Weber County, Utah, on October 28, 2002, as Entry # 1884865,as the governing documents of Country Hills Square Condominium Homeowners Association, Inc., which documents shall constitute equitable servitudes that shall run with the real property described in Exhibit "A".
- 1.3 This Amended Declaration shall become effective upon recording.

[Signatures on Following Page]

CERTIFICATION

It is hereby certified that unit owners holding at least sixty-six and two thirds percent (66 2/3%) of the voting power of the Association has voted to approve this amendment.

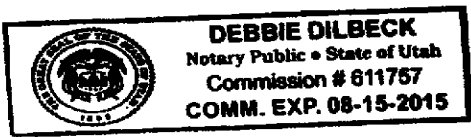
IN WITNESS WHEREOF, this 4 day of ~~October~~^{Nov.}, 2011.

COUNTRY HILLS SQUARE CONDOMINIUM

By Charity Haviland
President

STATE OF UTAH)
 :SS.
COUNTY OF WEBER)

On this 4 day of ~~October~~^{November}, 2011, personally appeared before me Charity Haviland who, being by me duly sworn, did say that she is President of Country Hills Square Condominium Association and that the within and foregoing instrument was signed in behalf of said Association and she duly acknowledged to me she executed the same.



Debbie Dilbeck
Notary Public

Exhibit A

Legal Description

Units 101 through 110, Building 1
Units 201 through 210, Building 1
Units 301 through 310, Building 1

**Country Hills Square Condominium Project Phase No. 1, Ogden City, Weber
County, Utah**

Tax I.D. #06-145-0001 through #06-145-0030

Exhibit B

Articles of Incorporation

Articles of Incorporation
For
COUNTRY HILLS SQUARE CONDOMINIUM
HOMEOWNERS ASSOCIATION, INC.

We, THE UNDERSIGNED NATURAL PERSONS, being of the age of eighteen years or more, acting as incorporators under the Utah Revised Non-Profit Corporation Act, adopt the following Articles of Incorporation:

Name. The name of the Corporation is Country Hills Square Condominium Homeowners Association, Inc. (herein referred to as the "Corporation").

Duration. The duration of the Corporation shall be perpetual, unless dissolved by the action of the Corporation or by operation of law.

Purposes. The purposes of the Corporation are to function in behalf of the members of the Country Hills Square Condominium Homeowners Association located in Weber County, Utah, and to enforce the Covenants, Conditions and Restrictions as set forth in the Declaration of Condominium of Country Hills Square Condominium and any amendments thereto, and to provide the other services and perform all of the other functions set forth in the Declaration of Condominium and as may become desirable or necessary for the benefit of the members. The Corporation shall have all powers, rights, and privileges available to corporations under the laws of the State of Utah.


Membership/Stock. Membership is appurtenant to the unit, and membership shall pass automatically to the owner of a unit upon conveyance of title to the unit. The Corporation shall not issue a physical stock certificate to any of the thirty(30) unit owners.

Registered Agent. The registered agent for the Corporation is:

Richard W. Jones, 4605 Harrison Blvd., Third Floor, Ogden, Utah 84403

Acceptance of Appointment

I, Richard W. Jones, hereby accept the appointment as the registered agent for Country Hills Square Condominium Owners Association, Inc.



Richard W. Jones

Bylaws. The Association has bylaws as currently set forth in Article X of the "Amendment of Declaration and Bylaws of Country Hills Square Condominium" as recorded in the records of Weber County, Utah, on October 28, 2002, in Book 2278, beginning on page 323, as

Entry # 1884865. The Corporation hereby adopts these bylaws by reference. Hereafter, bylaws may be adopted, amended or replaced by the vote of Members as provided in these bylaws.

Address of Corporation's Registered Office. The principal place of business of the Corporation, and its initial offices are located at 1091 Country Hills Dr. #306, Ogden UT 84403. The Corporation may establish such other offices and locations as it deems appropriate for the operation of its business.

Distributions. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its Directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered by other parties or persons and to make payments and distributions in furtherance of the purposes as set forth above.

Dissolution. Upon the dissolution of the corporation, assets shall be distributed to the members of the Corporation on the same percentage as votes and assessments are allocated and as set forth in the Country Hills Square Condominium Association Declaration and Bylaws.

Board of Directors. There will be five (5) Directors of the Corporation. The initial Board of Directors will consist of the four members who are currently serving on the Management Committee at the time of the filing of these Articles of Incorporation, who will serve until their respective terms expire and they are either re-elected or replaced by an election of Directors during an annual members' meeting. The initial Directors are:

<u>Name</u>	<u>Address</u>
Charity Haviland	1091 Country Hills Dr. #306, Ogden UT 84403
Joe Jay	1091 Country Hills Dr. #108, Ogden UT 84403
Deborah Campbell	1091 Country Hills Dr. #204, Ogden UT 84403
Joshua Penrod	1091 Country Hills Dr. #305, Ogden UT 84403

Officers. The initial officer of the corporation is:

Charity Haviland	President
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Annual Meeting. The annual meeting of the Association shall be held at such date, time and place as shall be stated in the notice of meeting distributed by the Board and consistent with the Declaration and Bylaws.

Limitations on Liability. The Officers, Directors, and Members of the Corporation shall not be held personally liable for the debts and obligations of the Corporation.

Incorporators. The incorporators of the Corporation are:

<u>Name</u>	<u>Address</u>
Charity Haviland	1091 Country Hills Dr. #306, Ogden UT 84403
Joshua Penrod	1091 Country Hills Dr. #305, Ogden UT 84403

Amendment. These Articles of Incorporation may be amended from time to time as authorized by the Enabling Declaration and as permitted by law.

In Witness Whereof, Charity Haviland and Joshua Penrod have executed these Articles of Incorporation this 4 day of ~~October~~^{Nov.}, 2011, and say: That we are the incorporators herein; that we have read the above and foregoing Articles of Incorporation; that we know the contents thereof and that the same is true to the best of our knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters we believe them to be true.

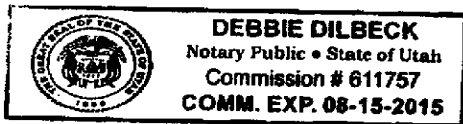
Charity Haviland
Incorporator

Joshua Penrod
Incorporator

State of Utah)
 : ss
County of Weber)

On the 4 day of ~~October~~^{Nov.}, 2011, the foregoing instrument was acknowledged and verified before me by Charity Haviland and Joshua Penrod who personally appeared before me, and being by me duly sworn declare under penalty of perjury that they are the incorporators of Country Hills Square Condominium Owners Association, Inc., and that they signed the foregoing, and that the statements contained therein are true and correct.

In witness whereof, I have set my hand and seal this 4 day of ~~October~~^{Nov.}, 2011.



Debbie Dilbeck
Notary Public