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Mary Ann Trussell, Summit County Utah Recorder

10/14/2014 10:28:19 AM Fee \$214.00

By FABIAN & CLENDENIN

Electronically Recorded

WHEN RECORDED RETURN TO:
Glenwild Community Association, Inc.
c/o Diane H. Banks
Fabian & Clendenin
215 South State Street, Suite 1200
Salt Lake City, Utah 84111-2323

**SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS,
FOR GLENWILD**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GLENWILD ("Declaration") is made as of this 9 day of September, 2014, by the Glenwild Community Association, Inc. ("Association").

RECITALS:

A. The Association is governed by the Declaration recorded as Entry No. 00570161, Book 01328, Page 00006-00061 on August 2, 2000 in the official records of the Summit County Recorder, State of Utah, as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions for Glenwild recorded as Entry No. 00903541, Book 2041, Page 0777-0780 on July 27, 2010 in the official records of the Summit County Recorder;

B. All capitalized terms contained herein without definition shall have the definitions set forth in the Declaration, as amended;

C. The Association now desires to further amend the Declaration concerning lot combinations and minimum house size as more particularly set forth below. The necessary approvals from the Members to adopt and record this amendment to the Declaration have been obtained by ballot initiative.

D. The Board of Directors of the Association ("Board") shall administer the Declaration, as amended hereby, consistent with and subject to all provisions of applicable law, including without limitation those provisions of Utah Code Ann. § 57-8a-218(11) concerning application of the amendments to existing structures and plans previously submitted to the Architectural Review Committee.

AMENDMENTS:

NOW, THEREFORE, the Association, by and through its Board, hereby further amends the Declaration as follows:

1. Lot Combination Amendments:

- a. Section 1.29 of the Declaration is hereby amended by adding the following sentence to such section (The additional sentence appears in bold lettering):

1.29 “Lot” means a portion of the Project intended for independent ownership and residential use and designated as a lot on any Plat and, where the context indicates or requires, shall include any Residence, building structure or other Improvements situated on the Lot. **From and after the Effective Date (defined below), each originally platted Lot shall constitute an Assessable Property, regardless of any subsequent combination, lot line adjustment or replatting of such Lot.**

- b. Section 1.6 of the Declaration is hereby amended by adding the following sentence to such section (The additional sentence appears in bold lettering):

1.6 “Assessable Property” means each Lot or Parcel, except for Exempt Property. **From and after the Effective Date , Lots or Parcels that are combined into one Lot or Parcel are required to pay assessments, special assessments, fees and fines on each Lot or Parcel that existed prior to any such combination. Lots that were combined prior to the recordation of this Amendment are specifically excluded from this provision, and are required to pay assessments, special assessments, fees and fines on only one (1) Lot.**

- c. Section 5.7.1 is hereby amended by adding the following sentence to such section (The additional sentence appears in bold lettering).

5.7.1 There shall be one (1) vote to each Lot. **Any two or more Lots that have been combined into a single Lot from and after the Effective Date shall be entitled to one vote for each Lot that existed prior to any such combination. Any Lots combined prior to recordation of this Amendment shall be entitled to only one vote for the combined Lot.**

2. Land Use Amendment:

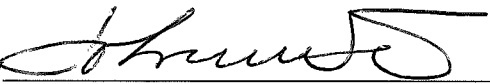
- a. Section 3.1 of the Declaration is hereby amended effective for all Lots other than a Lot for which a building application was submitted to the Architectural Review Committee prior to the Effective Date by adding the following sentence to such section (The additional sentence appears in bold lettering):

3.1 Land Uses. The Property shall be used exclusively for single family detached residential homes, along with ancillary uses such as public or private pedestrian, bicycle and equestrian trails, public or private parks, Common Area and the Like. **The minimum living area within any residence, excluding the garage, shall be 4500 square feet. The maximum living area shall be as set forth in the Plat.**

3. Certification. The undersigned hereby certifies that the provisions hereof were approved and adopted pursuant to Section 9.3 of the Declaration. This amendment shall modify and amend the Declaration and shall run with and bind and benefit the property subject thereto as of the date of recordation of this amendment (the "Effective Date") against the Glenwild subdivision as more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

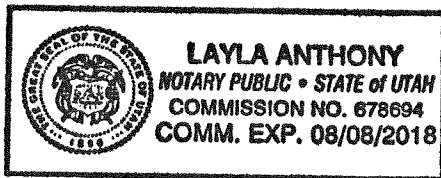
THIS SECOND AMENDMENT TO MASTER DECLARATION is executed as of the date first stated above and shall be effective as of the Effective Date.

GLENWILD COMMUNITY ASSOCIATION, INC.,

By 
John L. West, President

STATE OF UTAH)
) : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 9th day of September, 2014, by John L. West, President of Glenwild Community Association, Inc. who voluntarily executed it on behalf of the Association for its stated purpose.





NOTARY PUBLIC

EXHIBIT A

**TO AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS &
RESTRICTIONS FOR GLENWILD**

The Property to which the aforementioned Amendment to Declaration of Covenants, Conditions & Restrictions for Glenwild shall attach is located in County of Summit, State of Utah, and is more particularly described as follows, to wit:

Lots 1-104, inclusive, Glenwild Phase I, according to the official Plat thereof recorded in the office of the Summit County Recorder on August 1, 2000 as Entry No. 570156; GWLD-I thru 104

Lots 105-162, inclusive, Glenwild Phase II, according to the official Plat thereof recorded in the office of the Summit County Recorder on September 27, 2000, as Entry No. 573678; GWLD-II-105 thru 162

Lots 163-195, inclusive, Glenwild Phase III, according to the official Plat thereof, recorded in the office of the Summit County Recorder on October 2, 2000, as Entry No. 573955; GWLD-III-163 thru 195

And

All of Lots 11,12,13 and 14, The Preserve Phase I, Subdivision according to the official Plat thereof on file and of record

In the Summit County Recorder's office, which Lots have been annexed into and made part of Glenwild and made subject

To the Declaration of Covenants, Conditions and Restrictions for Glenwild pursuant to the Second Amendment to the

Declaration of Covenants, Conditions and Restrictions for Glenwild recorded in the office of the Summit County Recorder

On June 30, 2006, as Entry No. 782635
PRESRV-I-11 thru 14