

**FIRST AMENDMENT
TO THE
BYLAWS
OF
LONE CEDAR CONSERVATION COMMUNITY HOA, INC.**

Lots 101-122 as shown on the plat entitled "FINAL PLAT OF LONE CEDAR SUBDIVISION – PHASE 1," which plat was recorded as entry no. 1342463 in the recorder's office of Cache County, Utah, on June 23, 2023.

<u>Lot No.</u>	<u>Parcel No.</u>	<u>Lot No.</u>	<u>Parcel No.</u>
101	04-269-0101	121	04-269-0121
102	04-269-0102	122	04-269-0122
103	04-269-0103	OS1*	04-269-8001
104	04-269-0104		
105	04-269-0105		
106	04-269-0106		
107	04-269-0107		
108	04-269-0108		
109	04-269-0109		
110	04-269-0110		
111	04-269-0111		
112	04-269-0112		
113	04-269-0113		
114	04-269-0114		
115	04-269-0115		
116	04-269-0116		
117	04-269-0117		
118	04-269-0118		
119	04-269-0119		
120	04-269-0120		

*OS1 – Open Space 1.

**FIRST AMENDMENT
TO THE
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OF
LONE CEDAR CONSERVATION COMMUNITY HOA, INC.**

ARTICLE 1 - RECITALS

1.1 WHEREAS, LONE CEDAR CONSERVATION COMMUNITY HOA, INC. (the “Association”) is organized as a Utah nonprofit corporation (the “Corporation”);¹ and

1.2 WHEREAS, CIRCLE BAR S, LLC, a Utah limited liability company is the “Declarant” of the Association/Corporation;² and

1.3 WHEREAS, the bylaws of the Association (the “Bylaws”),³ which are applicable to the real property described in **EXHIBIT A**, may be amended by the affirmative vote of more than fifty percent (50%) of the total voting power of the Corporation;⁴ and

1.4 WHEREAS, the Declarant holds more than fifty percent (50%) of the total voting power of the Corporation by virtue of owning more than fifty percent (50%) of the Lots in the Association; and

1.5 WHEREAS, the Declarant is within its Control Period as such is defined in the Declaration⁵ and may act without a meeting of Members at its sole discretion;⁶ and

1.6 WHEREAS, the Declarant may exclusively exercise all powers of the Board and its individual Directors during its Control Period;⁷ and

1.7 WHEREAS, the Declarant has, via the Articles of Incorporation of the Corporation, appointed each of the Directors on the Board of Directors;⁸

1.8 THEREFORE, the Declarant and the Corporation hereby amend the Bylaws to include these Recitals and the following amendment.

ARTICLE 2 - AMENDMENT TO THE BYLAWS

2.1 The text of **ARTICLE 7 – AMENDMENTS TO THE BYLAWS** of the Bylaws is hereby amended to read as, and is replaced with, the following:

¹ Decl., Art. 5.1

² First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lone Cedar Conservation Community, recorded as entry no. 1347060 in the Cache County, Utah Recorder’s Office on September 27, 2023 (the “Declaration”).

³ EXHIBIT D of the Decl.

⁴ Bylaws, Art. 7

⁵ Decl., Art. 14.1

⁶ Decl., Art. 14.1.1

⁷ Decl., 14.1.3

⁸ Articles of Incorporation (Nonprofit) of Lone Cedar Conservation Community HOA, Inc. filed with the Utah Division of Corporations on June 23, 2023, and EXHIBIT C of the Decl.

These Bylaws may be amended or restated by the Corporation at an annual meeting or at a duly constituted meeting of the Corporation. No amendment to or restatement of these Bylaws shall take effect unless by the affirmative votes of more than fifty percent (50%) of the total voting power of the Corporation and until such amendment or restatement has been properly recorded in the recorder's office of Cache County, Utah. Notwithstanding the foregoing and anything to the contrary in these Bylaws, during the Control Period as defined in the Declaration, only the Declarant may amend, restate, or record these Bylaws and it may do so at its sole discretion without a meeting of the Corporation and any approval of or advanced notice to the Owners.

IN WITNESS WHEREOF, the undersigned majority of the three Directors of the Corporation and the Declarant hereby certify that the Declarant holds more than fifty percent (50%) of the total voting power of the Corporation and that the Corporation hereby adopts this First Amendment to the Bylaws.

THE CORPORATION:

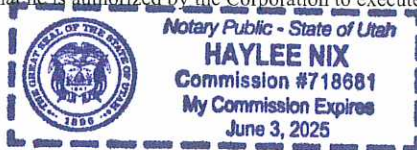
LONE CEDAR CONSERVATION COMMUNITY HOA, INC.

Signed: [Signature]
Jake Thurston, Director, Lone Cedar Conservation Community HOA, Inc.

State of Utah)
) SS.
County of)

On the 11 day of November, in the year 2023, the above-named individual, proven by satisfactory evidence, personally appeared before me and, while under oath or affirmation, did state that he is a Director of Lone Cedar Conservation Community HOA, Inc. (the "Corporation"), did certify that he is authorized by the Corporation to execute this instrument, and that the Corporation did thereby execute the same.

(Seal)



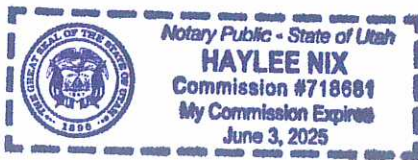
[Signature]
NOTARY PUBLIC SIGNATURE

Signed: [Signature]
Rob Jess, Director, Lone Cedar Conservation Community HOA, Inc.

State of Utah)
) SS.
County of)

On the 24 day of October, in the year 2023, the above-named individual, proven by satisfactory evidence, personally appeared before me and, while under oath or affirmation, did state that he is a Director of Lone Cedar Conservation Community HOA, Inc. (the "Corporation"), did certify that he is authorized by the Corporation to execute this instrument, and that the Corporation did thereby execute the same.

(Seal)



[Signature]
NOTARY PUBLIC SIGNATURE

EXHIBIT A

Phase 1 Legal Description

THE FOLLOWING REAL PROPERTY SITUATED IN CACHE COUNTY, STATE OF UTAH:

A PORTION OF THE NW1/4 OF SECTION 12, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LONE CEDAR SUBDIVISION, PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED AS ENTRY NO. 1342467 IN BOOK 2023 OF PLATS AT PAGE 3746 WITH THE CACHE COUNTY RECORDER, STATE OF UTAH INCLUDING BUT NOT LIMITED TO LOTS 101-122, AND OPEN SPACE 1, WHICH OPEN SPACE 1 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NW1/4 OF SECTION 12, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SUBDIVISION, LOCATED N0°07'42"W ALONG THE SECTION LINE 50.67 FEET AND EAST 78.74 FEET FROM THE WEST 1/4 CORNER OF SECTION 12, T12N, R1E, SLB&M; THENCE ALONG SAID LOT THE FOLLOWING 13 (THIRTEEN) COURSES AND DISTANCES: N3°58'17"W 14.57 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N0°35'51"E) TO THE RIGHT 12.33 FEET THROUGH A CENTRAL ANGLE OF 47°06'14" (CHORD: N65°51'02"W 11.99 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A 30.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N80°30'32"E) TO THE RIGHT 2.48 FEET THROUGH A CENTRAL ANGLE OF 4°44'16" (CHORD: N7°07'20"W 2.48 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF 333.00 FOOT RADIUS CURVE TO THE LEFT 46.97 FEET THROUGH A CENTRAL ANGLE OF 8°04'53" (CHORD: N8°47'38"W 46.93 FEET); THENCE N5°11'03"W 35.62 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 333.00 FEET RADIUS CURVE TO THE LEFT 21.32 FEET THROUGH A CENTRAL ANGLE OF 3°40'05" (CHORD: N7°01'06"W 21.32 FEET); THENCE N74°44'03"E 97.51 FEET; THENCE N77°51'27"E 310.10 FEET; THENCE S24°13'24"E 53.23 FEET; THENCE S59°36'49"W 238.70 FEET; THENCE ALONG THE ARC OF A 467.00 FOOT RADIUS CURVE TO THE RIGHT 169.82 FEET THROUGH A CENTRAL ANGLE OF 20°50'06" (CHORD: S70°01'52"W 168.89 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT 28.51 FEET THROUGH A CENTRAL ANGLE OF 54°27'30" (CHORD: N72°19'20"W 27.45 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 67.50 FOOT RADIUS CURVE TO THE LEFT 4.13 FEET THROUGH A CENTRAL ANGLE OF 3°30'34" (CHORD: N46°50'52"W 4.13 FEET TO THE POINT OF BEGINNING; and...

TOGETHER WITH: Beginning at the Northwest corner of parcel 19-030-0096 deeded to Hyde Park City by WD #1337875, said point being described as: A part of the Northwest Quarter of Section 12, Township 12 North, Range 1 East of the Salt Lake Base and Meridian more particularly described as follows: Beginning at a point on the East right of way line of 1000 East Street in Hyde Park City located S89°24'33"E 82.23 feet from the railroad spike monumenting the West Quarter corner of said Section 12 from which the aluminum cap monumenting the Northwest Corner of said Section 12 bears S00°08'02"E, a distance of 2,645.51 feet, thence N04°07'53"W along said right of way 43.30 feet to the true point of beginning, continuing thence North 04°07'53" West to the South line of Lone Cedar Subdivision Phase 1, thence Southeasterly along said South line to the North line of said Hyde Park City parcel, thence Northwesterly along said parcel to the point of beginning. CONT 0.01 +/-ACRES; and

THE ABOVE INCLUDING: Lots 101-122 as shown on the plat entitled "FINAL PLAT OF LONE CEDAR SUBDIVISION – PHASE 1," which plat was recorded in the Cache County, Utah, recorder's office on June 23, 2023, as entry no. 1342463, such lots also known as parcel nos. 04-269-0101 – 0122, and also including parcel nos. 04-269-8001 and 04-049-0021.