

WHEN RECORDED, MAIL TO:

WEST VIEW HOMEOWNERS ASSOCIATION
c/o CCI Law
577 S 150 E
Smithfield, Utah 84335

Ent 1377313 Bk 2488 Pg 731
Date: 30-May-2025 11:56 AM Fee \$68.00
Cache County, UT
Tennille Johnson, Rec. - Filed By DN
For WEST VIEW HOA

**SECOND AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR THE
WEST VIEW SUBDIVISION**

North Logan, Cache, Utah

Lots 1 through 24 as depicted on the Plat entitled "WEST VIEW SUBDIVISION," recorded on May 28, 2020, as Entry No. 1247675 in the office of the Cache County Recorder, State of Utah. These Lots are also known as Parcel Nos. 04-242-0001 through 04-242-0024.

<u>Lot No.</u>	<u>Parcel No.</u>	<u>Lot No.</u>	<u>Parcel No.</u>
1	04-242-0001	13	04-242-0013
2	04-242-0002	14	04-242-0014
3	04-242-0003	15	04-242-0015
4	04-242-0004	16	04-242-0016
5	04-242-0005	17	04-242-0017
6	04-242-0006	18	04-242-0018
7	04-242-0007	19	04-242-0019
8	04-242-0008	20	04-242-0020
9	04-242-0009	21	04-242-0021
10	04-242-0010	22	04-242-0022
11	04-242-0011	23	04-242-0023
12	04-242-0012	24	04-242-0024

SECOND AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS
FOR THE
WEST VIEW SUBDIVISION
North Logan, Cache, Utah

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions for the West View Subdivision is made as of the date executed below and shall be effective upon its recording in the office of the Recorder of Cache County, Utah.

1. RECITALS

- A. WHEREAS, the West View Subdivision (the "Subdivision"), comprising twenty-four (24) Lots as described in **EXHIBIT A – Legal Description**, was established by the recording of a plat of the same name on May 28, 2020, as Entry No. 1247675, in the office of the Cache County Recorder, State of Utah (the "Plat"); and
- B. WHEREAS, a Declaration of Covenants, Conditions and Restrictions for the West View Subdivision was recorded on June 18, 2021, as Entry No. 1290430 in the office of the Cache County Recorder, State of Utah (the "Original Declaration"); and
- C. WHEREAS, the Subdivision was organized as the West View Homeowners Association, a Utah nonprofit corporation (the "Association"), through the filing of Articles of Incorporation with the Utah Division of Corporations on June 21, 2021, and was registered as Entity No. 12359962-0140; and
- D. WHEREAS, Article 13.1 of the Original Declaration established a reinvestment fee in the amount of "0.5% of the value of the unit being sold" (the "Original Reinvestment Fee"); and
- E. WHEREAS, an Amendment to the Declaration was recorded on June 29, 2021, as Entry No. 1291424 in the office of the Cache County Recorder, State of Utah (the "First Amendment"); and
- F. WHEREAS, the First Amendment replaced Article 13.1 of the Original Declaration, revising the amount of the Original Reinvestment Fee to Three Hundred Fifty Dollars (\$350) (the "First Amended Reinvestment Fee"); and
- G. WHEREAS, Articles 8.1 and 18.5(a) of the Original Declaration, as amended, provide that it may be amended by the affirmative vote or written consent of Members representing at least sixty-seven percent (67%) of the twenty-four (24) Lots in the Subdivision—which equates to seventeen (17) written consents—provided that all required consents are obtained within ninety (90) days from the date the first written consent is secured; and
- H. WHEREAS, Members representing at least sixty-seven percent (67%) of the twenty-four (24) Lots in the Subdivision voted, by written ballot, to approve an increase to the First Amended Reinvestment Fee from Three Hundred Fifty Dollars (\$350) to an amount equal to zero-point-two percent (0.2%) of the purchase price of a Lot, and all required written consents were obtained between February 22, 2025, and May 7, 2025, a period of seventy-five (75) days, which is within the ninety (90) days permitted under Article 18.5(a) of the Original Declaration, as amended;
- I. NOW THEREFORE, to effectuate the intent of the Members and in accordance with the procedures set forth in the Original Declaration, the following Second Amendment is hereby adopted. In the event of any conflict between this Second Amendment and any provision of the Original Declaration, as previously amended, the terms of this Second Amendment shall control. Unless otherwise expressly provided herein, all capitalized terms shall have the meanings assigned to them in Article 1 of the Original Declaration.

2. SECOND AMENDMENT

Section 13.1 of the Original Declaration, as amended by the First Amendment, is hereby deleted by the Second Amendment in its entirety and is replaced with the following.

13.1 Adoption of Reinvestment Fee. Pursuant to Utah Code § 57-1-46, as it may be amended from time to time, the Association hereby adopts a Reinvestment Fee in the amount of zero-point-two percent (0.2%) of the purchase price of the Lot. The Reinvestment Fee shall be paid by the purchaser each time a Lot is sold, transferred, or otherwise conveyed to a new Owner, subject to the exceptions set forth in Article 13.6.

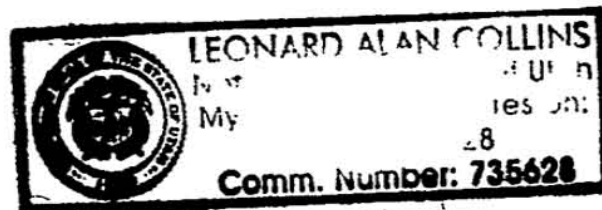
The Reinvestment Fee Covenant in Article 13 of the Original Declaration, as amended, is intended to comply with Utah Code § 57-1-46, as it may be amended from time to time, and shall be interpreted consistent with its requirements, including the exceptions and limitations set forth therein.

IN WITNESS WHEREOF, the undersigned, being the duly authorized member of the Board of Directors of the West View Homeowners Association, a Utah nonprofit corporation, has executed this Second Amendment to the Declaration on the date set forth below.

WEST VIEW HOMEOWNERS ASSOCIATION

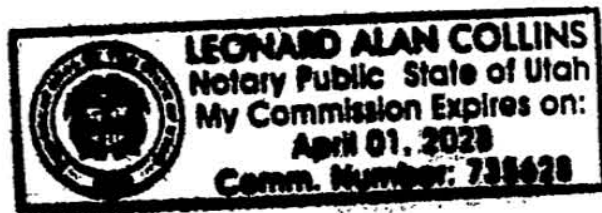
By: *Porter Wilkins* Date: 5-30, 2025
Porter Wilkins, Director

State of Utah)
) ss.
County of Cache)



On the 30 day of May, in the year 2025, before me, the undersigned notary public, personally appeared the above-named individual, who proved to me through satisfactory evidence of identity to be the person whose name is subscribed to this instrument, and who acknowledged that he/she is a Director of the West View Homeowners Association, a Utah nonprofit corporation, and that he/she executed this instrument on behalf of the Association by authority of its Board of Directors.

(Seal)



NOTARY PUBLIC SIGNATURE
Leonard Alan Collins – Comm. No. 735628 – Exp. 2028-04-01

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EXHIBIT A – Legal Description

Lots 1 through 24 as depicted on the Plat entitled “WEST VIEW SUBDIVISION,” recorded on May 28, 2020, as Entry No. 1247675 in the office of the Cache County Recorder, State of Utah. These Lots are also known as Parcel Nos. 04-242-0001 through 04-242-0024.

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