



**Stagecoach Estates Lot Owners Association
(SELOA)**

October 26, 2022 Board Meeting Minutes

5:45PM-7:45PM Meeting hosted at the Summit County Library (Kimball Junction) and online via Zoom.

- 1) 5:53PM Call to order by the President. All Board/Committee members present in person at the Summit County Library. SELOA VP attended via Zoom. Director Brian Tiley not present.

| | | | |
|-----------------------------------------|------------------------------------------|---------------------------------------------------------|------------------------------------------------------|
| President: Roger Bitner | Vice President: Naomi Williams | Secretary / Fire Committee: Andrew Jordan | Director: Megan Robinson |
| Road Committee: Natalie Shein | Director: Casey Marsh | Director / ACC Committee: Rosie Moore | Director / ACC Committee: Kathy Borden |

- 2) 5:54PM Drew Jordan put forth a motion to approve the 24 August 2022 Meeting Minutes and Executive Minutes. Naomi Williams seconded the motion with all Board members in favor.
- 3) 5:55PM **Secretary Report** presented by Drew Jordan.
 - a) Board has been discussing in executive sessions an issue with a property owner adjoining the Stagecoach Estates property.
 - b) The Board has been increasing the tasks assigned to our property manager Sea to Ski. All real estate inquiries on lots for sale and title research information required to be provided by the Association are now being handled by Sea to Ski.
- 4) 6:02PM **Treasurer Report** presented by Drew Jordan.
 - a) SELOA Board has a vacant position and does not have a member from the Association appointed to the Board Treasurer position. The Accounting Department of Sea to Ski Property handles all financial transactions and performs all financial recording tasks on behalf of SELOA.
 - b) Currently Sea to Ski has nothing to report.
 - c) SELOA President Roger Bitner is unclear on the process of how SELOA is notified of disbursement payments.
 - d) SELOA needs better checks and balances and financial oversight of Sea to Ski's management of the Associations funds.
 - e) SELOA Board needs to fill the vacant Board position of Treasurer.
 - f) Ms. Megan Robinson has not been reimbursed \$50.00 for filing fees performed on behalf of SELOA. SELOA Secretary will follow up with Sea to Ski on this action item.
- 5) 6:09 PM **Fire Committee Report** presented by Drew Jordan

- a) No Committee report.
- 6) 6:10PM **Gate/camera Committee Report** presented by Rosie Moore.
 - a) Cameras installed and operational.
 - b) Boulders placed along sides of gate entrance at Kimball to prevent motorcycles from bypassing gate.
 - c) Boulders placed in front of the mechanical swing arm box to prevent damage to gate activator and to camera mounting pole.
 - d) Gate camera tutorial offered to membership but reviewed only by Rosie Moore, Brian Tiley, Mark Robinson. Mr. Brian Tiley has all camera documentation in his possession.
 - e) Offer still exists to have more people in the Association involved in the gates and camera operation.
 - f) Need a Rules & Fines Document in place to make camera operation effective.
 - g) LOT 109 Mr. Caleb Fisher notes that locks provided by the Association on the dumpsters tend to freeze in the early AM hours making manipulation of the code keys not possible.
 - h) Drew Jordan Lot 106 notes that the locks have been effective and less illegal trash from people outside of SELOA has been deposited in the dumpsters.
- 7) 6:14PM **Architectural Committee Report** presented by Kathy Borden.
 - a) See addendum #1.
 - b) SELOA fees assessed for new construction are well below neighboring associations fee structures and needs to be updated.
- 8) 6:22PM **Road Committee Report** presented by Natalie Shein
 - a) Test road repair (Lower Cove Lot 55-64) consisted of a full depth reclamation utilizing existing roto-mill and crowned road and widened it from variable width as narrow as 15' to a standard 33' width. Drainage along the road was improved.
 - b) Total cost \$16,000 for 2/10 of a mile. (3 lot owners within the road test area contributed \$6,000 towards the repairs)
 - c) All road repairs were performed within the platted easements.
 - d) Good data points on road repair test portion to apply to future road repairs.
 - e) Kimball Canyon Road repairs
 - f) SELOA has a difficult time bringing road repair materials to our property since we are not a big customer. Manufacturing plants and truck delivery vendors focus on higher demand customers in the local area.
 - g) Basin Canyon Road from the "Y" to Lot 2 will be the first priority in 2023.
 - h) We do not have water truck access (budgeted) to re-bind the roto-mill roads after being repaired. Binding the repaired roto-mill roads and then rolling them out will ensure a better end product.
 - i) Roto-mill roads tend to have washboard sections when automobiles utilize 2-wheel drive only. All vehicles when driving on loose roto-mill roads should be in 4-wheel drive.
 - j) Road Committee needs signs to provide notification/instructions to vehicles when road repairs are being performed and to inform them on how to drive on newly repaired sections of road until they have completely compacted.
 - k) Lower Cove Rd above Lot 22 needs to be addressed. This section of road has the potential to slide if repairs are not made soon.
 - l) Lot 106 owner Ms. Lucy Jordan question: Are we using the PEPG Engineering report ordered by SELOA in 2021 which outlines road repair parameters at SELOA? Answer (Natalie Shein): Yes the PEPG report is a critical reference tool moving forward with the Road Committees projected repairs.

- m) Road Committee had an \$80K budget for 2022. Money leftover from 2022 budget will be rolled over in to 2023 Road budget.
 - n) Kathy Borden input: the Road Committee needs more volunteers.
 - o) Megan Robinson input: the only way the roads will get fixed is with monetary inputs from the Association. The membership does not desire to volunteer their time making repairs. As Director of the Road Committee Natalie you need to present to the Board a monetary amount to fix the roads at SELOA.
 - p) Natalie Shein: I will absolutely layout and present to the membership the costs to repair/improve our roads.
 - q) Justin Bitner Lot 66 input: Yes we have a lot of road repairs to perform but there have been many volunteers in the past that performed road repairs to get us to this point.
- 9) Rules and Fines
- a) Kathy Borden to the membership.
 - i) The question this evening is: Do you want to enforce the covenants that all members of the Association agreed to when purchasing their individual lots? The Board has created a document titled "Rules & Fines" with the assistance of legal counsel to provide SELOA with a means of financially fining members who do not follow the Associations covenants. Except for 3 rules added per the advice of SELOA's legal counsel all rules in the Rules and Fines document are found in Stagecoach Estates covenants and governing documents.
 - ii) Currently the SELOA Board has no ability to enforce the Associations covenants and governing documents.
 - b) 30 minute open discussion among the SELOA membership on the draft Rules and Fines Document.
 - i) Denver and Mary Lou Lots 19 & 20: This document if passed will result in multiple lawsuits against the Association. The Association does not have the proper protections in place to protect itself from a lawsuit.
 - ii) Director Rosie Moore: The Board is legally liable if we do not enforce our CC&R's.
 - iii) Director Megan Robinson: What if we had no Association? The Association is liable for any action they take. No rules and no services provided (have we entertained the idea of dissolving the Association?).
 - iv) Justin Bitner Lot 66: The Rules document is too broad. We should take small steps. Maybe get just the fines passed and not the rules document.
 - v) Director Kathy Borden: We have been working on this document for 2 years and asked the membership for input along the way. No input from the membership until the last minute. The Association has a duty to uphold and enforce the Covenants and governing documents.
 - vi) Denver Lot 19&20: We should put a referendum vote out to the membership to determine if they want an Association. My personal belief is that they do want an Association (HOA). We need to get new CC&R's in place. We are liable if someone gets injured. If we let the county take over our roads then we reduce our liability and gain services like trash collection at the bottom of our driveways. We might not like it, but it is an option.
 - c) Director Kathy Borden puts forth a motion for a Board vote on the current draft of the Rules and Fines Document.
 - d) President Roger Bitner input: I disagree with the vote on the Rules and Fines document being only a Board vote. I believe that the vote should be open to all the membership. I know it goes against the guidelines of our SELOA Bylaws but I disagree with the SELOA Bylaws.
 - e) Director Casey Marsh input: We have more people living at Stagecoach and we have more engagement among the membership. No guarantees but maybe we now have the impetus in place to change the CC&R's.

- f) Director Megan Robinson input: Our membership is all over the board on what they want out of their Association. Maybe we let the Association lapse and in 12 months when there are unsolved road issues or trash issues the membership will want to have an Association again. We need to get back to a sense of community and work together if we are going to move forward.
 - g) Director Rosie Moore: To update the CC&R's and get them approved would take several years. Members of SELOA when they purchased their lots agreed to abide by the CC&R's. We as a Board are trying to get a tool in place to enforce against violations to our governing documents.
 - h) Director Casey Marsh: If the vote on the Rules and Fines document were to pass this evening the membership still has a mechanism with a 60% membership action vote to remove the Rules and Fines document.
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-7:25PM Director Kathy Borden put forth the motion to vote on the current draft of the Rules and Fines document to be incorporated in the SELOA governing documents (addendum #2).

-Director Megan Robinson Seconded the motion

-Board members IN Favor

Rosie Moore

Kathy Borden

Drew Jordan

Brian Tiley (Via proxy representation by Rosie Moore)

-Board members NOT in favor

Roger Bitner

Megan Robinson

Casey Marsh

Naomi Williams

-Note: A Board 2/3rd majority vote is required for the approval of the Rules and Fines document. With a Board vote of 4 in favor and 4 against the Rules and Fines document does not pass.

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- i) Drew Jordan puts forth a motion to terminate the Architectural Committee but informed the committee is a standing committee cannot be terminated.
 - j) Casey Marsh, Megan Robinson, Roger Bitner would support voting in the fines but not the rules.
 - k) Unable to vote this evening on just incorporating the fines. Association needs to discuss with legal counsel.
 - l) Rosie Moore & Drew Jordan: Legal counsel has advised us that the current CC&R's are so vague that adding a fine structure to CC&R's is ineffective due to vagueness of the covenant document.
 - m) Drew Jordan: The Board has no direction from the membership. We need to send out a referendum to the membership to understand what direction the Association wants to go in. The Board also needs new volunteers to step forward and volunteer in this effort.
 - n) Rosie Moore: We need to discuss the Matt Wilken lot (S. border of SELOA Lot 54) (~3.6 acres not platted as part of SELOA but need to work together with Mr. Wilken on water

and access issues to the lot). Summit County allows the owner to build and owner entitled to access their lot. What do SELOA and the lot owner want to do?

- i) Incorporate the lot in to SELOA?
- ii) keep lot separate from SELOA but pay annual membership dues to SELOA for access to the lot?
- o) Board attempted to put forth a vote on including Mr. Wilken's ~3.6 acre lot in to SELOA but not enough information without talking to legal counsel. Majority of Board members abstain from vote and Board decision is made to return an answer to Mr. Wilken within 30 days.
- p) Rosie Moore: We need to fill a vacant Board position. Two members of the Association have expressed interest:
 - i) Mr. Jackson Sterling
 - ii) Mr. Matt Wilken
- q) Megan Robinson: Church camp signs are up and entry/exit instructions have been updated by the camp administration. 2023 we should see better compliance with church camp access on our Association roads.
- r) Roger Bitner: I have drafted a document with legal counsel so when road widening needs to occur the Association will utilize this form to be signed by the lot owner and the Association to enter an agreement on the road widening parameters.
- s) Caleb Fisher Lot 108: I have a road very close to my house and am concerned about any road widening on my lot.
- t) Drew Jordan: The Hailes Loop Road through the Fisher's lot is platted as a utility easement in Morgan County with a defined maximum width of 20'. The dwelling setbacks for Lot 108 were determined off of the North Church Road easement that transits through Lot 108.
- u) Roger Bitner: We need to accept Cry Baby Hill Road in to the SELOA road system. Currently Cry Baby Hill Road is a private road. Cry Baby should have a 50' wide easement.
- v) The incorporation of Cry Baby Hill Road in to a SELOA easement 50' wide will affects 5 lots.
- w) Roger Bitner: If your road is less than 50' wide easement it is your road, and you are responsible for the road. SELOA will do no maintenance on it.
- x) Drew Jordan: If we incorporate Cry Baby Hill Road into the Association what kind of liability do we assume? Cry Baby Hill Road has a very steep grade, and we risk someone getting hurt.
- y) Roger Bitner: Upper Cove Road has a similar steep gradient.
- z) I would like to mention that the lot owners utilizing Cry Baby Hill Road desire to pave the road and that SELOA put monetary funds towards some of the costs for this. Everyone just think about it and we can talk more about it down the road.
- aa) Roger Bitner: I want to spend SELOA funds to survey the trash dumpster area outside the Kimball gate area. This is Bitner property, and the documents show SELOA has an easement to put trash cans and park there but not police the area. I think if we survey the area it might give us better definition and possibly more area for SELOA utilization.

bb) 7:55PM Drew Jordan puts forth the motion to adjourn the Board meeting. Roger Bitner
Seconds the motion.

Addendum #1

SELOA ACC COMMITTEE

Email: acc.selo@gmail.com

10/26/22

KATHY BORDEN, CHAIR

ROSIE MOORE

VINCE HEYD

ACC Document Revision

- Need more discussion for Amendment to Building Fees – comments from Rosie, Drew, Naomi, Megan
- Approval requires – Board and 50% of Lot owners at Meeting
- Increases tied to Cost of Living year/year
- Need to Define fees for Additions/barns?

Cost of Living Adjustment Sample

2022 Not set yet, projected to >8%

| | | | | | |
|------|------|-------------------|-----|------|-----|
| 1976 | 6.4 | 1996 | 2.9 | 2016 | 0.3 |
| 1977 | 5.9 | 1997 | 2.1 | 2017 | 2.0 |
| 1978 | 6.5 | 1998 | 1.3 | 2018 | 2.8 |
| 1979 | 9.9 | 1999 ^a | 2.5 | 2019 | 1.6 |
| 1980 | 14.3 | 2000 | 3.5 | 2020 | 1.3 |
| 1981 | 11.2 | 2001 | 2.6 | 2021 | 5.9 |
| 1982 | 7.4 | 2002 | 1.4 | | |
| 1983 | 3.5 | 2003 | 2.1 | | |
| 1984 | 3.5 | 2004 | 2.7 | | |
| 1985 | 3.1 | 2005 | 4.1 | | |
| 1986 | 1.3 | 2006 | 3.3 | | |
| 1987 | 4.2 | 2007 | 2.3 | | |
| 1988 | 4.0 | 2008 | 5.8 | | |
| 1989 | 4.7 | 2009 | 0.0 | | |
| 1990 | 5.4 | 2010 | 0.0 | | |
| 1991 | 3.7 | 2011 | 3.6 | | |
| 1992 | 3.0 | 2012 | 1.7 | | |
| 1993 | 2.6 | 2013 | 1.5 | | |
| 1994 | 2.8 | 2014 | 1.7 | | |

Consider change

CURRENT FEES

- **PERFORMANCE (DEPOSIT RETURNED AFTER BUILD)**
 - MIN \$2000 UP TO 3500 SQ FT.
 - PLUS .50 PER SQ FT ABOVE SQ FT.
- **IMPACT FEES**
 - MIN. \$2000 UP TO 3500 SQ FT - PLUS .50 PER SQ. FT. ABOVE SQ FT
- **BRR FEE (NO CHANGE)**
 - \$1500

NEW METHODOLOGIES?

OPTIONS:

- STRAIGHT \$ PER SQ. FT
- ADJUST MIN SQ FT AND BASE FEE MIN/INCREASE OVER SQ FT
- MILEAGE BASED – SLIGHT INCREASE TO FEES FOR IMPACT TO ROADS TRAVELED FURTHER DISTANCES

ACC Construction Activity Report 10/26/2022

Get your final inspection

| | |
|---------|--------------------------------------------------------------|
| Lot 70 | Barn – approved; final approved completed |
| Lot 23 | Conducted Soil samples; need site meeting and plan approval |
| Lot 24 | Nearing completion – October 2022, need CO & ACC final |
| Lot 38 | New construction – Plans for Spring 2021 |
| Lot 47 | New addition Completed – Barn addition |
| Lot 46 | New addition – nearing completion? Need final ACC |
| Lot 119 | New Construction Final approved – completed 2022 |
| Lot 120 | New construction – Final approved 2021 |
| Lot 9 | Addition – Approved, Final Completed 2021 |
| Lot 14 | Nearing completion; need final ACC |
| Lot 64 | Nearing completion, waiting on CO, need ACC final 10/2022 |
| Lot 65 | New Construction - Final Approved, 10.25.22 |
| Lot 69 | No further action on new build; Lot pending sold? |
| Lot 78 | Under Construction, Approved, Spring 2021 |
| Lot 117 | New Construction, plans approved, pending begin Spring 2023? |
| Lot 41 | New Construction, plans approved 2022 – building on hold |
| Lot 61 | New Construction planning – need site meeting & ACC approval |
| Lot 55 | New Construction – under construction 2022 |
| Lot 13 | Garage addition – plans approved 2021 |

Addendum #2



RULES AND FINES OF

**Stagecoach Estates Lot
Owners Association Effective Date:**

FINAL DRAFT AUG 23, 2022

Pursuant to Utah Code Ann. § 57-8a-1, *et seq.*, and other Utah applicable law, the Board of Directors (the “Board”) of Stagecoach Estates Lot Owners Association (the “Association”) has adopted the following Rules and Fines (the “Rules and Fines”) for the Stagecoach Estates Subdivision (“the Subdivision”).

ARTICLE I. AUTHORITY, RESPONSIBILITY, AND PROCEDURES

1. Recognition of Governing Documents

These Rules and Fines are in addition to and do not supersede or revoke other governing documents of the Subdivision and/or the Association, including but not necessarily limited to the most updated version of (a) Protective Covenants for Stagecoach Estates Subdivision (dated 1/19/1977) (the “Covenants”); (b) the Subdivision Plats recorded with Summit and Morgan counties; (c) the Architectural Controls for Stagecoach Estates Lot Owners Association (dated 3/30/2011) (the “Architectural Controls”); (d) the Articles of Incorporation (dated 5/22/1991); (e) the Bylaws of Stagecoach Estates Lot Owners Association (dated 3/1/2022) (the “Bylaws”); (f)

Annexation into Mountain Regional Water Special Service District (dated 3/26/2008); (g) Mountain Regional Water operating agreement (dated 8/14/2008), and Rules and Regulations Regarding Water System for SELOA (dated 1/1/1992). These documents, together with these Rules and Fines, are collectively referred to as “Governing Documents” herein.

2. Enforcement of Governing Documents

The Board is authorized to enforce the Governing Documents. In so doing, the Board may take all measures available under the Governing Documents and otherwise available under Utah law. Such measures include, without limitation, (a) imposition of fines as set forth herein and in other Governing Documents; (b) requirement that the Lot Owner remedy a violation; (c) application of liens to assist in the collection of dues, fees, fines, remedies, and assessments; and/or (d) filing suits in Court for damages, injunctive relief, specific performance lien foreclosure or other such remedies. All the above shall be cumulative and not exclusive or limiting.

UCAA, CC7R ARTICLE 3.5, BYLAWS ARTICLE 6.1

3. Fees for Violations of Governing Documents (Per Bylaws, Egregious violations require super majority vote by the board)

The Board hereby adopts the Fee Schedule attached hereto as Exhibit A for examples of violations of the Governing Documents. The Board will use its discretion in assessing exact fines. Fines may be assessed even in instances where the violation has been remedied. The Board is authorized to change the fees contained in the Fee Schedule with thirty (30) days’ advance written notice to Subdivision Lot Owners. All Fines shall be due within thirty (30) calendar days of assessment.

4. Responsibility of Lot Owners.

Lot owners shall be responsible for violations of Governing Documents, and for any violations of Governing Documents by their tenants, guests, and contractors, those traveling on community roads to access or occupy their property at their request or with their authorization.

5. Notification of Violation

If a Lot Owner is found in violation by The Board, The Board shall notify the Lot Owner in writing to the email of record of the specific violation, the steps needed to remedy the violation, and the fine assessment, if any, that will be charged to the Lot Owner. The Lot Owner shall have up to thirty (30) days to remedy the violation from the date of notification, unless the Board grants an extension. A previous violation that has not caused the Lot Owner to receive a Notification of Violation from the Board does not constitute a permission for that violation.

6. Willful Violation

A Lot Owner who, after receipt of a notification of violation from The Board and the period to remedy has passed, willfully continues to be in violation of one or more Governing Documents specifically referenced in the notice of violation, shall be fined, and/or suspended, depending on the violation, if so ordered by The Board. The Board may assume willful violation if another instance of the same violation occurs.

7. Enforcement

The Board may use its authority to collect any fines and/or remedy the violation. If the Lot Owner still has not remedied the violation specifically addressed in the notification of violation after the time to remedy has expired, the Board shall be authorized to abate the violation as specified below.

8. Suspension

A suspended Lot Owner is not a Lot Owner in Good Standing, may not be a member of The Board or a committee, and may not vote on any matter before The Association. However, suspended Lot Owners shall continue to pay dues, assessments, and other charges, and shall remain subject to the Governing Documents. A suspended Lot Owner shall remain suspended until all dues, assessments, fines, penalties, and accrued interest are paid and/or any violation has been remedied to the reasonable satisfaction of The Board.

9. Abatement

The violation of any of the Governing Documents, and after the steps required in Notification of Violation and Willful Violation are addressed, shall give The Board, subject to applicable law, the right and duty to seek and enforce all applicable legal or equitable remedies at the expense of the Lot Owner(s) in violation and to recover from the Lot Owner(s) in violation The

Association's expenses including but not limited to legal fees, costs, and all other expenses incurred by The Association in seeking to remedy the violation.

10. Definition of Egregious Violations

Egregious violations of the Governing Documents are actions that result in permanent damage, cost SELOA over \$1000-to remedy, jeopardize the Association's infrastructure, threaten security or well-being of lot owners, obstruct passage on Subdivision roads, or are deemed blatant or repetitive violations of a serious nature.

ARTICLE II. RULES

1. Speed Limits on Subdivision Roads

The maximum speed limit on all Subdivision roads at all times shall be 20 miles per hour. Legal counsel advises this rule should remain in the rules document even though it is difficult to enforce – for the purpose of injury accident, repetitive incidents or blatant violation)

2. Winter road restriction (Moratorium) for heavy vehicles and trailers

No heavy equipment (greater than or equal to 10,000 pounds gross vehicular weight) or towing of trailers with commercial building materials, or trailers with heavy equipment shall be allowed on Subdivision roads between November 1 and May 1 (the moratorium period) unless the Lot Owner has prior written permission from the ACC, or unless for emergency utility service. This rule is to minimize damage to the roads and prevent accidents that may block traffic on Subdivision roads. Even if permission is granted by the ACC for passage of heavy equipment or commercial trailers, it is the lot owner's responsibility if damage to the roads occur, or roads are obstructed. Lot owners are advised to use extreme caution when towing trailers during the moratorium period or when the roads are very wet, muddy, snowy, or unstable outside of this time period.

CC&R ARTICLE 1.5 (NUISANCES & ARTICLE 1.14 ROADS) - TRAILERS

3. Commercial use

Lots shall be used for residential or agricultural purposes only.

There shall be no commercial use of any lot that involves *regular* visits from customers, clients, employees, suppliers, or visitors for business purposes. No *regular* deliveries of bulk commercial goods shall be delivered to or picked up from a residence or a Subdivision delivery shed.

CC&R ARTICLE 1.1, ACC ARTICLE 2.8.7 AND 3.1.2

(Legal counsel added the word "regular" to this rule)

4. Rentals

Lot owners who rent their home for any length of time must provide the following to the Board or Sea to Ski *before* the home is rented: Lot owner name, Lot number, Name of tenant, Contact info for tenant (cell number preferred), and Dates the tenant will occupy the property. The collection of this data is for safety, security, and emergency purposes. Lot owners shall also provide all tenants with copies of all of SELOA's governing documents, although the Lot Owner will be liable if damage to SELOA property or safety results.

(Legal Counsel approved)

5. Construction and home/lot improvements

- a.) Lot Owners must have a lot survey completed by a licensed surveyor prior to submitting building plans to the Architectural Controls Committee; otherwise, building plans will not be considered.
- b.) Lot owners must check with the ACC prior to painting a home, barn, or structure (with the exception of re-painting the same or similar color), installing siding (except repair or replacement of the same or similar color), roofing (except repair), driveway improvements, solar panels, wind turbines, construction of a pool or home additions.
- c.) All fencing must be approved by the ACC prior to being installed. Fenced areas shall be limited to no larger than two (2) acres which must include the one (1)-acre area of disturbance. Only wildlife-safe fencing shall be allowed, as defined by the United States Department of Agriculture. No barbed wire, razor wire, or other similar fencing shall be allowed. Fencing shall comply with county ordinances and rules.
- d.) Privacy: All construction and renovation activities, including clearing of vegetation, shall be limited to the one-acre area of disturbance and shall avoid creating sight lines to neighboring dwellings and yards to protect privacy of all in the Subdivision. Thinning of vegetation outside of the one-acre area of disturbance for fire prevention purposes is still allowed.

CC&R ARTICLE 1.2 (IMPROVEMENTS), 1.3, 3.6 AND ACC

6. Animals

No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, or maintained for any commercial purpose, except that household pets such as dogs, cats or other domestic pets may be kept, including two (2) horses, on the premises as long as said animals are secured so that said animals will in no way trespass on any other property.

CC&R ARTICLE 1.9, ACC 2.8.8

7. Temporary Residential Living

No mobile homes shall be placed permanently on any lots. No RVs, camping trailers, or other mobile shelters shall be used for residential purposes except as allowed temporarily during construction, or for recreational use.

CC&R 1.6, ACC ARTICLE 2.8.7

8. Nuisances

No illegal, noxious, or offensive activity shall be conducted in any portion of the Subdivision, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to other owners or occupants.

CC&R ARTICLE 1.5

(Legal counsel recommends leaving as is – vague but same wording as in CC&Rs and to emphasize unforeseen nuisances)

9. Hunting and Firearms (ACC)

No hunting of any kind, or discharge of firearms of any kind, shall be allowed in the Subdivision, regardless of whether any other applicable law or regulation allows hunting.

ACC 4.9

10. Fireworks, Recreational Outside Fires, Residential Open Burns, and Fire Danger

- a. No fireworks are allowed in Stagecoach Estates.
- b. Recreational Outside Fires: A “recreational outside fire” is defined as any fire that has been ignited intentionally outside a dwelling for recreational purposes. Recreational outside fires are allowed only in an approved fire pit that conforms to standards established by the county in which the lot exists (Summit County or Morgan County). An ABC 10-pound fire extinguisher and/or a hose connected to a working water source shall be nearby before any recreational outside fire may be started.
- c. Residential Open Burns: A “residential open burn” is a controlled burn of vegetation piles to reduce wildfire fuel load. Residential open burns are permitted only when the county in which the lot exists has deemed burning as permissible. An open burn permit must be obtained from the county fire warden before burning in Summit or Morgan Counties.
- d. Extreme Fire Danger: The Association may ban all fires in the case of extreme fire danger. In such cases, the Board shall post notice at the gates of Stagecoach Estates.

CC&R ARTICLE 1.10, 1.13, ACC 4.10

11. Parking

Unattended parking is prohibited at all times in the Kimball Gate Area Easement (outside of the gate by the dumpsters, gate shed, key pad, etc.) to keep this area clear as an emergency muster station and for free movement of garbage/recycling and delivery vehicles. Unattended parking is also prohibited immediately outside or inside of the Basin Gate. Parking immediately inside the Kimball gate area shall be limited to two (2) weeks. Vehicles parked in violation of these Rules and Fines may be towed and/or impounded, at the Lot Owner’s expense, without notice.

ACC ARTICLE 4.5 - partial

12. Obstructing Roads

No commercial vehicle, heavy equipment or physical obstacles shall be placed within the easement or right of way of existing roadways that obstructs a minimum width of 20 feet of road surface required for the safe passage of all residents, guests, contractors, and

emergency vehicles. Violation of this Rule may result in removal of the obstruction at the Lot Owner's expense, without notice. See Egregious Violation for complete blockage of a road.

CC&Rs – ROADS ARTICLE 1.14

13. Vehicle Storage

No non-working vehicles and/or trailers shall be stored on a lot visible to the road of common area or neighbors. Vehicles stored in violation may be towed and/or impounded at the Lot Owner's expense.

CC&Rs ARTICLE 1.5, 1.6, ACC

14. Tampering

Any tampering with gates, keypads, sheds, cameras, roads, dumpsters, signs, or any Subdivision property is prohibited. Damage or loss of security will result in a violation.

Adopted by vote of the Board on _____, 2022.

STAGECOACH ESTATES LOT OWNERS ASSOCIATION:

Name here, President

Name here, Secretary

EXHIBIT A

Fine Schedule

The Board has the sole discretion for assessing fines. The Utah Community Association Act requires fines to be fair and equitable.

| | |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| LATE PAYMENT OF DUES, FEES, FINES AND ASSESSMENTS | Fine of up to \$500 plus cost of removal/remediation |
| | 10% penalty and 1% monthly charge on unpaid balance |
| FINES FOR VIOLATION | First Level (or offense) up to \$250 |
| | Second Level (or offense) up to \$500 |
| | Third Level (or offense) up to \$1,000 |
| EGREGIOUS VIOLATION | Up to \$5,000 per incident per day (to a maximum of \$25,000 per incident) plus Association repair costs, if any |
| HUNTING | Up to \$5,000 per person per occurrence per day at the discretion of the Board |