

**BY-LAWS  
OF  
PINE MOUNTAINS WATER AND MANAGEMENT INC.**

ARTICLE I

Offices

The principal office of the Corporation in the State of Utah shall be located in the city of Salt Lake, County of Salt Lake. The Corporation may have such other offices, either within or without the State of Utah, as the board of Trustees may designate or as the business of the Corporation may require from time to time.

The registered office of the Corporation required by the Utah Business Corporation Act to be maintained in the State of Utah may be, but need not be; identical with the principal office in the State of Utah, and the address of the registered office may be changed from time to time by the Board of Trustees.

ARTICLE II

Shareholders

Section 1. Annual Meeting

The annual meeting of the shareholder members shall be at a time and date designated by the Board of Trustees during the month of September in each year, for the purpose of electing Trustees and for the transaction of such other business as may come before the meeting. If the election of Trustees shall not be held on the day designated herein for any annual meeting or at any adjournment thereof, the Board of Trustees shall cause the election to be held at a special meeting of the shareholder members as soon thereafter as conveniently may be.

Section 2. Special Meetings

Special meetings of the shareholder members, for any purpose or purposes, unless otherwise prescribed by statute, may be called by the President or by the Board of Trustees, and shall be called by the President at the request of the holders of not less than one-tenth of all the outstanding shares of the Corporation entitled to vote at the meeting.

Section 3. Place of Meeting

The Board of Trustees may designate any place within the State of Utah as the place for any annual meeting or special meeting. A waiver of notice signed by all shareholder members entitled to vote at a meeting may

designate any place within the State of Utah as the place for the holding of such meeting. If no designation is made or if special meetings are otherwise called, the place of meeting called shall be the registered office of the Corporation in the State of Utah.

#### Section 4. Notice of Meeting

Written notice stating the place, day and hour of the meeting, either annual or special and the purpose or purposes of which the meeting is called, shall be delivered not less than ten nor more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the President, or the Secretary, or the officer or persons calling the meeting, to each shareholder member of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the shareholder member at his address as it appears in the books and records of the Corporation with postage thereon prepaid.

#### Section 5. Closing of Transfer Books or Fixing of Record Date

For the purpose of determining shareholder members entitled to notice of or to vote at any meeting of shareholder members or any adjournment thereof, or in order to make a determination of shareholder members for any other proper purpose, the Board of Trustees may provide that the stock transfer books shall be closed for a stated period not to exceed, in any case, fifty days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholder members, such books shall be closed for at least ten days immediately preceding such meeting. In lieu of closing the stock transfer books, the Board of Trustees may fix in advance a date as the record date for any such determination of shareholders, such date in any case to be not more than fifty days, and in case of a meeting of shareholder members, not less than ten days prior to the date on which the particular action, requiring such determination shareholder members is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholder members entitled to notice of or to vote at a meeting of shareholders, the date on which notice of the meeting is mailed shall be the record date for such determination of shareholder members. When a determination of shareholders entitled to vote at any meeting of shareholders has been made as provided in this section, such determination shall apply to any adjournment thereof.

#### Section 6. Voting Lists

The officer or agent having charge of the stock transfer books for shares of the corporation shall make, at least ten days before each meeting of

shareholder members, a complete list of the shareholders entitled to vote at such meeting, or any adjournment thereof, arranged in alphabetical order, with the address of and the number of shares held by each, which list, for a period of ten days prior to such meeting, shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder member at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder member during the whole time of the meeting. The original stock transfer book shall be prima facie evidence as to who are the shareholder members entitled to examine such list or transfer books or to vote at any meeting of shareholders.

#### Section 7. Quorum

One-third of the outstanding shares of the Corporation entitled to vote, represent in person or by proxy, shall constitute a quorum at a meeting of shareholder members. A majority of the shares voted by members present or represented by proxy shall be necessary to prevail upon any issue at all meetings of shareholder members. If less than one-third of the outstanding shares are represented at the meeting, a majority of the shares so represented may adjourn the meeting from time to time without further notice. At such adjourned meetings at which a quorum shall be present, any business may be transacted which might have been transacted at the meeting as originally notified.

#### Section 8. Proxies

At the meetings of shareholder members, a shareholder member may vote by proxy executed in writing by him or by his duly authorized attorney in fact. Such proxy shall be filed with the Secretary of the Corporation before or at the time of the meeting. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy.

#### Section 9. Voting of Shares

Each outstanding share of stock of the Corporation shall be entitled to one vote upon each matter submitted to a vote at a meeting of shareholder members.

#### Section 10. Voting of Shares of Certain Holders Thereof

Shares standing in the name of another corporation may be voted by such officer, agent, or proxy as the by-laws of such corporation may prescribe, or, in the absence of such provision, as the Board of Directors of such corporation may determine.

Shares held by an administrator, executor, guardian, or conservator may be voted by him, either in person or by proxy, without a transfer of such

shares into his name. Shares standing in the name of a trustee may be voted by him either in person or by proxy, but no trustee shall be entitled to vote shares held by him without a transfer of such shares into his name.

Shares standing in the name of a receiver may be voted by such receiver, and shares held by or under the control of a receiver may be voted by such receiver without the transfer thereof into his name if authority to do so be contained in an appropriate order of the court by which such receiver was appointed.

A shareholder member whose shares are pledged shall be entitled to vote such shares until the shares have been transferred into the name of the pledgee, and thereafter the pledgee shall be entitled to vote the share so transferred.

Shares of its own stock belonging to the Corporation or held by it in a fiduciary capacity shall not be voted, directly or indirectly, at any meeting, and shall not be counted in determining the total number of outstanding shares at any given time.

#### Section 11. Informal Action by Shareholders

Any action required to be taken at a meeting of the shareholders, or any other action which may be taken at a meeting of the shareholder members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholder members entitled to vote with respect to the subject matter thereof.

### ARTICLE III Board of Trustees

#### Section 1. General Powers

The business and affairs of the Corporation shall be managed by its Board of Trustees.

#### Section 2. Number, Tenure and Qualifications

The number of Trustees of the Corporation shall be seven. Commencing at the Annual Meeting in September 1990, three (3) trustees shall be elected to the Board. In 1991 at the Annual Meeting four (4) trustees shall be elected to the Board. Thereafter three (3) trustees shall be elected on all **even** numbers years and four (4) trustees shall be elected to the Board on all **odd** numbered years, thus each term of office shall be for two (2) years duration. In the event of a tie, the Board will meet immediately after the Annual Meeting, to decide the new Trustee by one of the following method:

1. By the flipping of a coin. The President will flip the coin and the incumbent will call heads or tails. The winner will be the next member of the Board.

-or-

2. Shuffle a new deck of cards and spread on the table. Each person who tied will draw a card. The one with the highest card will be the next member of the Board.

Each trustee shall hold office until his successor shall have been elected and qualified. Trustees need not be residents of the State of Utah or shareholders of the corporation.

### Section 3. Regular Meetings

A regular meeting of the Board of Trustees shall be held without another notice than this by-law immediately after, and at the same place as, the annual meeting of shareholder members. The Board of Trustees may provide, by resolution, the time and place for holding of additional regular meetings without other notice than such resolution.

### Section 4. Special Meetings

Special meetings of the Board of Trustees may be called by or at the request of the President or any two trustees. The person or persons authorized to call special meetings of the Board of Trustees may fix any place, either within or without the State of Utah, as the place for holding any special meeting of the Board of Trustees called by them.

### Section 5. Notice

Notice of any special meeting shall be given at least four days previously thereto by written notice delivered personally or mailed to each trustee at his address. If mailed, such notice shall be deemed to be delivered when deposited in the United States Mails so addressed, with postage thereon prepaid. Any trustee may waive notice of any meeting. The attendance of a trustee at a meeting shall constitute a waiver of notice of such meeting, except where a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Trustees needs to be specified in the notice or waiver of notice of such meeting.

### Section 6. Quorum

A majority of the number of trustees fixed in these by-laws shall constitute a quorum for the transaction of business at any meeting of the Board of Trustees, but if less than such majority is present at a meeting, a

majority of the trustees present may adjourn the meeting from time to time without further notice.

Section 7. Manner of Acting

The act of the majority of the trustees present at a meeting at which a quorum is present shall be the act of the Corporation.

Section 8. Vacancies

Any vacancy occurring in the Board of Trustees may be filled by the affirmative vote of the majority of the remaining trustees though less than a quorum of the Board. A trustee elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

Section 9. Compensation

By resolution of the Board of Trustees, the Trustees may be paid their expenses, if any, for attendance at each meeting of the Board, and may be paid a fixed sum for attendance at each meeting of the Board or a stated salary as trustee. No such payment shall preclude any trustee from serving the Corporation in any other capacity and receiving compensation therefore.

Section 10. Presumption of Assent

A trustee of the corporation who is present at a meeting of the Board at which action on any corporate matter is taken shall be presumed to be assented to the action unless his dissent shall be entered in the minutes of the meeting or unless he shall file his written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a trustee who voted in favor of any such action.

ARTICLE IV

Officers

Section 1. Number

The officers of the Corporation shall be a President, one or more Vice Presidents (the number thereof to be determined by the Board of Trustees), a Secretary and a Treasurer, each of whom shall be elected by the Board of Trustees. Any two or more offices may be held by the same person; except the offices of President and Secretary.

Section 2. Election and Term of Office

The officers of the Corporation to be elected by the Board of Trustees shall be elected annually by the Board at the first meeting held after each annual meeting of the shareholder owners. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as

conveniently may be. Each officer shall hold office until his successor shall have been duly elected and shall have qualified or until his death, or until he shall resign or shall have been removed in the manner hereinafter provided.

### Section 3. Removal

Any officer or agent elected or appointed by the Board of Trustees may be removed by the Board whenever, in its judgment, the best interests of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

### Section 4. Vacancies

A vacancy in any office because of death, resignation, removal, disqualified or otherwise, may be filled by the Board of Trustees for the unexpired portion of the term.

### Section 5. President

The President shall be the principal executive officer of the Corporation and subject to the control of the Board of Trustees, shall in general supervise and control all of the business and affairs of the Corporation. He shall, when present, preside at all meetings of the shareholder owners and of the Board of Trustees. He shall sign, with the Secretary or any other proper officer of the Corporation thereunto authorized by the Board of Trustees, certificates for shares of the Corporation, any deed, mortgages, bonds, contracts, or other instruments which the Board of Trustees has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Trustees to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Trustees from time to time.

### Section 6. The Vice Presidents

In the absence of the President or in the event of his death, inability or refusal to act, the Vice President (or in the event there is more than one Vice President, the Vice Presidents in the order designated at the time of their election, or in the absence of any designation, then in the order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice President may sign, with the Secretary or an Assistant Secretary, certificates for shares of the Corporation and shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Trustees.

### Section 7. The Secretary

The Secretary shall: (a) keep the minutes of the shareholder members' meetings and the Board of Trustees' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; (c) be custodian of the corporate records and of the seal of the Corporation and see that the seal of the Corporation is affixed to all documents the execution of which on behalf of the Corporation under its seal is duly authorized; (d) keep a register of the post office address of each shareholder member; (e) sign with the President, or a Vice President, certificates for shares of the Corporation, the issuance of which shall have been authorized by resolution of the Board of Trustees; (f) have general charge of and perform stock transfer books for the Corporation; and (g) in general perform all of the duties incident to the office of Secretary and such duties as are assigned to him by the President or by the Board of Trustees.

### Section 8. The Treasurer

If required by the Board of Trustees, the Treasurer shall give a bond for the faithful discharge of his duties in such sums and with such surety or sureties, as the Board of Trustees shall determine. He shall: (a) have charge of and be responsible for all funds and securities of the Corporation; receive and give receipts for money due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositaries as shall be selected in accordance with the provision of Article V of these By-Laws; and (b) in general perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Trustees.

### Section 9. Assistant Secretaries and Assistant Treasurers

The Assistant Secretaries, when authorized by the Board of Trustees, may sign with the President or a Vice President, certificates for share of the Corporation the issuance of which shall have been authorized by a resolution of the Board of Trustees. The Assistant Treasurers shall respectively, if required by the Board of Trustees, give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board of Trustees shall determine. The Assistant Secretaries and Assistant Treasurers, in general, shall perform such duties as shall be assigned to them by the Secretary or the Treasurer, respectively, or by the President or the Board of Trustees.



### Section 10. Salaries

The salaries of the officers shall be fixed from time to time by the Board of Trustees and no officer shall be prevented from receiving such salary by reason of the fact that he is also a trustee of the corporation.

## ARTICLE V

### Contracts, Loans, Checks and Deposits

#### Section 1. Contracts

The Board of Trustees may authorize any officer or officers; agent or agents, to enter into a contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

#### Section 2. Loans

No loans shall be contracted on behalf of the Corporation and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Trustees. Such authority may be general or confined to specific instances.

#### Section 3. Checks, Drafts, etc.

All checks, drafts, or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution by the Board of Trustees.

#### Section 4. Deposits

All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Trustees may select.

## ARTICLE VI

### Certificates of Shares and Their Transfer

#### Section 1. Certificates for Shares

Certificates representing shares of the Corporation shall be in such form as shall be determined by the Board of Trustees. Such certificates shall be signed by the President, or a Vice President, and by the Secretary or an Assistant Secretary. All certificates for shares shall be consecutively numbered or otherwise identified. The name and address of the person to whom the shares represented thereby are issued, with the number of shares and date of issue, shall be entered on the stock transfer books of the Corporation. All certificates surrendered to the Corporation for transfer shall

be canceled and no new certificates shall be issued until the former certificates for a like number of shares shall have been surrendered and canceled, except that in the case of a lost, destroyed or mutilated certificate a new one may be issued therefor upon such terms and indemnity to the corporation as the Board of Trustees may prescribe.

Section 2. Transfer of Shares

Transfer of shares of the Corporation by the holder of record thereof or by his legal representative, who shall furnish proper evidence of authority to transfer, or by his attorney thereunto authorized by power of attorney duly executed and filed with the Secretary of the Corporation, and on surrender for cancellation of the certificate for such shares. The people in whose name shares stand on the books of the Corporation shall be deemed by the Corporation to be the owner thereof for all purposes.

ARTICLE VII

Fiscal Year

The fiscal year of the Corporation shall begin on the first day of October and end on the thirtieth day of September in each year.

ARTICLE VIII

Seal

The Board of Trustees shall provide a corporation seal, which shall be circular in form and shall have inscribed thereon the name of the corporation, and the state of incorporation and the words, "Corporate Seal."

ARTICLE IX

Waiver of Notice

Whenever any notice is required to be given to any shareholder member or trustee of the Corporation under the provisions of these By-Laws or under the provisions of the articles of incorporation or under the provisions of the Utah Business Corporation Act, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed, equivalent to the giving of such notice.

ARTICLE X

Amendments

These By-Laws may be altered, amended or repealed and new By-Laws may be adopted by the Board of Trustees at any regular or special meeting of

the Board or by a majority of the shareholder members present at a special meeting called for such purpose, alter, amend or repeal the By-Laws from time to time.

ARTICLE XI

Specific Powers of the Board of Trustees

The Board of Trustees among other things shall have the power to (a) enforce these By-Laws; (b) establish and enforce rules and regulations necessary for the implementation of these By-Laws and publish these rules and regulations by posting said rules and regulations in conspicuous places within or on Pine Mountains for a 30-day period and publish said proposed rules and regulations in the newsletter with such rules or regulations to be ratified by the shareholders at the next regularly scheduled meeting; (c) provide for the reconstruction and all replacement of any portion of the water system or roadways when necessary; and (d) secure a right of way for entry and exit into and upon any unit , lot or other parcel of land serviced by the Corporation’s water system for the purpose of inspection and/or maintenance for which the Corporation is responsible; (e) check building and plot plan for requirements consistent with existing restrictive covenants for all construction of structures and physical improvements; (f) provide security for the development through locks, gates, fences, electric lights, patrols and other appropriate measures; (g) maintain all general improvements for development; (h) establish “Rules of Road” for all development roads; (i) provide regulations for the common public health, welfare and safety. (Refer to Pine Mountains Rules Appendix “A” attached). (j) levy fines which if not paid, will become a lien against the real property owned by the person fined, which shall be levied for the violation of the rules and regulations of Pine Mountains Water and Management Inc. Said fine shall not exceed the amount of Seventy-five and no/100 Dollars (\$75.00) a day for each day the violation exists. (k) The power to set rates or charges for the service to be rendered by the Corporation in an amount sufficient to cover costs of operation or to provide assessments as provided by the Articles of Incorporation to meet authorized expenditures and to provide for adequate reserves for replacements and reasonable method of assessing each shareholder owner for the pro-rata share thereof as well as the power to impose and collect interest at the highest lawful rate and the costs of collection of these assessments and charges; (l) the power to subject any sub-divider of land serviced by the Corporation to the same charges, rates and assessments as any other unit bought or parcel owner or unsold portions and the power and authority to sell

on behalf of the Corporation the entire water system and all of its assets for the benefit of all the shareholder owners upon their election to do so.

The undersigned secretary of Pine Mountains Water and Management Inc. hereby certifies that the foregoing is a true and correct copy of the By-Laws of said Pine Mountains Water and Management Inc., as last amended at the Board meeting of February 20, 2015.

The undersigned secretary of Pine Mountains Water and Management Inc. hereby certifies that the foregoing is a true and correct copy of the By-Laws of said Pine Mountains Water and Management Inc., as of February 20, 2015.

Dated this 20<sup>th</sup> day of February, 2015

Signed Ronald J Taylor

Secretary

PINE MOUNTAINS RULES  
(PINE MOUNTAINS WATER AND MANAGEMENT INC.)

OWNERS ARE RESPONSIBLE FOR COMPLIANCE WITH THE RULES. OWNERS ARE RESPONSIBLE FOR THEIR GUESTS AND EMPLOYEES. ARTICLE XI(j) OF OUR BY-LAWS PROVIDES FOR THE BOARD OF TRUSTEES TO IMPOSE PENALTIES FOR VIOLATIONS OF THE RULES. A PENALTY NOT EXCEEDING SEVENTY-FIVE DOLLARS (\$75.00) SHALL BE LEVIED FOR EACH OFFENSE. THE FINE OF SEVENTY-FIVE DOLLARS (\$75.00) CAN BE ASSESSED FOR EACH DAY THE VIOLATION EXISTS. THE FINES MAY BE IMPOSED FOR VIOLATIONS AFTER DUE AND PROPER WARNING HAS BEEN GIVEN. ANY FINES NOT PAID SHALL BECOME A LEIN AGAINST THE REAL PROPERTY OF THE LOT OWNERS. OWNERS SHALL DISPLAY THESE RULES IN A CONSPICUOUS PLACE IN THEIR RESIDENCE.

1. **NO HUNTING OR SHOOTING** allowed in or within 500ft. on Pine Mountain area (Summit County Ordinance) or in the timber area above the subdivision. This includes all firearms, BB guns, pellet guns and bow and arrows.
2. **PLEASE DRIVE SLOWLY AND SAFELY.** A maximum speed of 15 m.p.h. applies to **ALL** vehicles on all Pine Mountains property unless otherwise posted.
3. **NO TRESPASSING ON PRIVATE PROPERTY. STAY ON THE ROADS.** Any person trespassing on private property by walking or riding an ATV, snowmobile, motorcycle, horse or any conveyance.
4. **NO RECREATIONAL MOTOR VEHICLES** i.e., ATV's, motorcycles, snowmobiles, etc. will only be driven by a person of qualifying age of eight (8) years or older, properly trained, mentally and physically capable of handling the machine in a safe and proper manner to ensure their safety and the safety of others. The vehicles shall be properly maintained with all safety equipment working properly including lights, brakes, and noise abatement mufflers with spark arresters.
5. **NO VEHICLES** are to be parked on Pine Mountains' roads. Every lot owner must provide off road parking to accommodate family and guests. Parking is available in the parking lots. Guests may be shuttled back and forth.
6. **ALL VEHICLES** will display Pine Mountain decals. Place automobile decals on the lower right side of the windshield. Guests may display the approved 6" x 6" white plate with Pine Mountain logo and black I.D. Numbers affixed, (members lot number). All motorbikes, ATV's and

snowmobiles will visibly display the lot owner's number for identification. These I.D. numbers (3" x 3" white or black Scotch lite decals) must be displayed visibly against a contrasting background on the back of the vehicle whichever is the most visible on ATV's, snowmobiles, motorbikes, etc. The authorized Pine Mountains plate with the authorized numbers may be used in lieu of the stuck-on numbers. Authorized decals and plates are available from Board members at no cost. If motorcycles, ATV's and snowmobiles do not display the lot owners' number by placement of decals on the vehicles (or a 6" x 6" white plate) then such vehicles will not be allowed on Pine Mountain property and doing so will be subject to a fine.

7. **ALL ENTRANCE GATES** to Pine Mountains shall be locked at all times. This includes the gate from the East snowmobile sheds into the picnic area. Do not let vehicles enter unless you personally know the people or the vehicle has a Pine Mountains decal. Members are responsible for their guests and employees. Keys loaned to employees must be returned to said owners.
8. **FOR FIRE PROTECTION** you must keep your lot clean and remove all trash, dead trees, dry vegetation, etc. All garbage, concrete, metal, etc. must be hauled to a proper Summit County disposal facility. Each homeowner must have 75 ft. of garden hose 5/8" or greater in diameter with an attached nozzle by their yard hydrant for fire protection. The hose should be drained of water and hung up by, but not attached to the hydrant, during freezing weather.
9. **OPEN FIRES ARE PROHIBITED IN THE PINE MOUNTAINS AREA** including the upper timberline area, except in the controlled Pine Mountain burn pile. Gas or charcoal barbecues will be allowed. **NO FIREWORKS**, including sparklers, permitted in the Pine Mountains area and in the upper timberline area.
10. **NO LITTERING** in or around Pine Mountain area. No dumping of garbage, concrete, metal, tree stumps, or any non-combustible materials in the Pine Mountains burn pile. The burn pile is restricted to natural vegetation. If it didn't grow in Pine Mountain, it doesn't go in the burn pile.
11. **EVERY LOT** is considered as residential in use with only one single dwelling not to exceed two (2) stories in height above street level (excluding the basement) one single story garage and/or one small single storage utility shed to be erected or placed upon the lot. No garage or shed, or any part thereof, shall be used as living quarters.
12. **NO DWELLING, GARAGE, SHED, OR L.P. GAS TANK** shall be placed on any residential lot nearer than thirty (30) feet from the exterior property

line and from the road right of way line, except with prior written approval from the Board of Trustees.

13. **NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED** on any residential lot until building plans, specifications, and plot plans showing the location of the proposed building(s) on the lot including distances from the property lines, road right of way line, and other structures to be placed on the property, have been approved in writing by the Board of Trustees. Approval shall also include the conformity and harmony of the external design to existing structures in the subdivision and also to the location of the building with respect to topography and finished ground elevation. All construction or placement of structures including decks and outbuildings, or exterior remodeling, etc. must be approved by the Board of Trustees in writing prior to the starting of the excavation on the property and obtaining a building permit. This also includes proposed driveways, concrete slabs, gateposts, gates, fences, and the location of L.P. gas tanks. (Refer to guidelines for L.P. gas tanks for further details.)
14. **AN IMPACT FEE** must be paid to the Treasurer of the Pine Mountains Water and Management Inc. by the property owner prior to approval of the plans of new dwellings by the Board of Trustees. All specifications listed in the Water Hookup specifications must be adhered to including an inspection by the Water Company of the installation when completed before the excavation trench is back filled. Failure to do so may require the owner to uncover the installation in order that the Water Company can complete the inspection.
15. **EACH RESIDENTIAL LOT** is subject to the right of way for roads and easements for utilities as presently established or as shown on the official recorded plot of this subdivision. No permanent obstructions, including gateposts, gates, etc. are to be placed in the road right of way without express approval of the Board of Trustees. The gate should swing into the property and not into the roadway. Chains or cables across driveways must be properly marked so that can be seen both day and night. No wire or cable is to be used for fences on lots due to the extreme danger to people and wildlife.
16. **NO UNAUTHORIZED DIGGING OR EXCAVATIONS** for buildings or installations of driveways, or culverts, etc. in the road right of ways or other right of ways and easements without permission of the Board of Trustees. Blue Stakes must also be notified.
17. **TO INSURE PROPER DRAINAGE** lot owners may be required to install culverts for driveways at the curb line and elsewhere when necessary.

Culverts, when required, must be of durable material i.e., metal, concrete or tile pipe of at least (10) inches in diameter. Please check with the Board of Trustees prior to starting installation.

18. **NO CAMPER, TRAILER, MOTOR HOME, TENT, SHACK, GARAGE, ETC.** shall be placed or erected on any residential lot for use as a temporary or permanent residence or living quarters. A small tent or pop up trailer may be used for overnight sleeping on lots with occupied cabins on a day to day basis for no more than three (3) days without special permission from the Board of Trustees. No camping on lots in Pine Mountains or in the upper timberline area and picnic grounds.
19. **NO PARKING OR STORAGE** of campers, motor homes, large covered trailers, large trucks or large boats, etc. is allowed on residential lots. These vehicles must be parked in designated areas after owners have received proper approval. However, small boats, small flat-bed utility/snowmobile trailers (single or double-axle), not to exceed nineteen (19) feet can be allowed, provided they are limited to one per lot and subject to the prior permission of the Board of Trustees. **CONSTRUCTION TRAILERS AND EQUIPMENT** are acceptable for temporary use with prior permission from the Board of Trustees but are not to be parked on the road except by approval of said Board. (The Board believes this is a reasonable compromise to accommodate the broadest spectrum of perspectives on this issue through out the community.)
20. **ALL LIVING TREES**, bushes, natural vegetation and soil should be left in place as much as possible except when removal is necessary for construction of approved structures, driveways, and parking areas. The Board of Trustees should be notified before removal. It is recommended that a thirty-foot (30') firebreak be cleared around all structures. (Utah State Lands and Forestry recommendation.)
21. **NO SIGNS, BILLBOARDS, ETC.** may be erected or displayed on lots except the following: Official Pine Mountains signs, no trespassing signs and one sign not to exceed 2 ft. by 3 ft. in size advertising a lot or house for sale. No real estate or other advertising signs are to be posted by the entrance gates or along roadways. A sign bearing the owner's name and lot number is permitted and highly encouraged and shall be located at the front of the property and be visible from the road. Overhead archway type signs are permitted but are not to be placed in the road right of way.
22. **NO OBNOXIOUS OR OFFENSIVE ACTIVITY**, which may become an annoyance or a nuisance to others, shall be carried on in or about the



subdivision. The Golden Rule applies here. Subdivision lots are not storage yards or parking lots for vehicles for extended periods of time.

23. **QUIET TIME** is in effect between 10:00 p.m. and 8:00 a.m. Please observe and instruct families, guests and your employees to do the same.

24. **PET CONTROL - NO ANIMALS OR FOWL** shall be kept, raised or housed on any lot or tract except the usual house pets i.e. dogs and cats, limited to not more than three (3) in number. Any person owning, possessing or harboring four and more dogs must obtain a kennel permit from the Department of Animal Control. The Board has analyzed the Summit County animal control regulations identified as "Amended Ordinance No. 113-J." The 18 - page ordinance can be found on the Internet by going to <http://www.summitcountyanimalcontrol.org>. Although the complete ordinance covers more ground than is probably necessary for Pine Mountains it does set a standard countywide and has the backing of Summit County Animal Control within the framework of Summit County government. The Board believes it is in the best interest of the Association as a gated, private, community to adopt the Summit County Ordinance related to animal control. This is a superior resource for management of this issue. In summary, the county ordinance provides for the general control of pets that is important to our community:

**1. All companion animals must be properly contained on owners' property. Neighbors do not need to accept your pet on their property. When your dog is not on your property, it must be on a leash with a responsible person holding it.**

**2. It is illegal to allow your animal, for whatever reason, to make noise to the point it disturbs neighbors. Many good training programs exist to correct this problem.**

**3. Your animals should not be allowed to relieve themselves on someone else's property. You are legally responsible to clean up after your pet, so be prepared when you take your animal for a walk. You must also keep your own property clear of feces.**

**4. No more than three dogs can be owned, cared for, or registered at one residence.**

**5. Letting animals run loose is a violation of these ordinances. If any individual finds a stray dog or cat they must contact Summit County Animal Control within 24 hours.**

**6. Any person in care of an animal causing a nuisance listed as follows is in violation of the code: (a) causes damage to property; (b) is vicious, fierce or dangerous; (c) unreasonably fouls the air;**

**(d) causes unsanitary conditions in surroundings; (e) defecates on public property or private property without consent of owner; (f) barks, whines, howls or makes other disturbing noises in excessive continuous or untimely fashion; (g) molests passers-by or vehicles; and/or (h) attacks other domestic animals**

- 25. NO COMMERCIAL BUSINESS or Rentals** shall be conducted upon or in connection with any lot within the subdivision.
- 26. GROUP USE OF THE PICNIC AREA**, on a one-day basis, is to be by reservation only. Please contact the Board of Trustee's Secretary. Failure to clean up the area after use may result in a twenty-five dollar (\$25.00) fine.
- 27. DRINKING WATER SAFETY**, Pine Mountains Water and Management Inc. shall maintain an accurate monthly measurement and record of water used within the system. These records shall be submitted to the Division of Water Rights on a calendar-year basis for inclusion in the Annual Reports of Municipal, Commercial, Industrial or related uses.

All members must comply with the provisions to protect our drinking water from contamination and pollution. This includes a prohibition on dumping, spilling or placing of toxic materials, petroleum products, etc. on the roads or soil or dumping such substances down drains. To prevent the back flow of contaminated material into the water system, the use of garden hoses in the following manner is prohibited:

1. Flushing drain lines and septic tanks or anti-freeze from motor vehicles.
  2. The use of hose connected sprayers for insecticides, pesticides, etc.
  3. Placing the open end of garden hose that is connected to a yard hydrant or hose bib into a pool or container of stagnant water or into a container of any kind of chemicals, which could accidentally be drawn back into the water system.
- 28. CONSERVE WATER** Wasting water is prohibited. Trees and shrubs may be hand watered only. No sprinklers or rain birds allowed. **DO NOT LEAVE WATER RUNNING TO PREVENT PIPES FROM FREEZING IN THE WINTER.** Pine Mountains Water supply is limited and cannot support any massive usage of water; such as large hot tubs or swimming pools, therefore they cannot be approved. Pine Mountains' water is for culinary use only.

**29. PARENTS ARE RESPONSIBLE FOR THE CONDUCT AND SAFETY OF THEIR CHILDREN. *PARENTS, PLEASE WATCH YOUR CHILDREN.***

**Pine Mountains is a multi-use recreational, residential area enjoyed by members and their guests for recreational activities. It is a place of residence, both seasonal and full time and as a mountain retreat. For these diverse activities to be compatible and harmonious, we must all be aware of and be considerate of others desires and needs. We ask your help in abiding by, and supporting, the foregoing rules, which serve as practical, common sense guidelines necessary for the present and future beauty, peace, and safety of Pine Mountains.**

**We solicit your comments and suggestions on ways to keep Pine Mountains the best area of its kind.**

**--Thank You --**

**Pine Mountains Water and Management Inc. Board of Trustees**