



September 15, 2025

Dear Homeowners,

After much community feedback, meetings, and multiple revisions, the board is presenting **two amendments** to the CC&Rs for your consideration and vote.

You will find brief summaries of the amendments below to make it easy for owners to understand the implications of passing these amendments. We still encourage you to read the full text of the amendments as well as the letter from our attorney Blake Johnson regarding the amendments.

The voting period begins **September 15th**. There will be a special meeting on **September 25th at 7pm at the Clubhouse** to cast your ballot in person and have any questions answered about the CC&R amendments. **We ask that all homeowners, who are able to, attend this meeting and cast your ballot in-person on this date.**

Your ballots may be turned in at the Sep 25th meeting; or, during the voting period: be signed and mailed into Treo; given physically to a board member; or wet-ink signed, scanned, and emailed to natalie@treoproperties.com. **Once you turn in your vote, your vote is permanent and may not be changed.**

Individual votes are confidential from other owners. Treo and the Board will have access to individual ballots for verification.

October 9th at 11:59pm Mountain time is the deadline and final day of the voting period for owners to turn in their ballot. This is mostly to accommodate owners that don't live in the community or are out of state. The board asks that you **do not wait** until the October 9th deadline and **cast your ballot in person on September 25th**.

To pass, each amendment must independently receive at least 60% of the total outstanding votes (96 out of 159 total units).

Possible outcomes to this vote include:

- Neither amendment passing
- Both amendments passing
- Amendment 2 passing, but Amendment 3 failing
- Amendment 3 passing, but Amendment 2 failing (highly unlikely, and this would be strange if this happened; in this case, Amendment 3 will be re-named to Amendment 2 before recording)

Here are the brief summaries of what **Amendment 2** and **Amendment 3** do:

Amendment 2 - Clarifies our existing HOA and homeowner maintenance responsibilities, especially where our current CC&Rs are unclear. And makes a few changes - (see Blake's summary of change in his letter to the community) such as including fences and back patios as items covered by the HOA. The amendment also brings our CC&Rs in line with current Utah law.

This amendment should be widely accepted by the community and is beneficial for all. The board strongly encourages you to vote "yes" on this amendment.

If there is something you don't like about amendment 2, **make sure you understand whether it is a clarification or a change from our currently in place CC&Rs and Amendment 1.** We'd hate for the community to miss out on other improvements because someone thought a clarification of an existing rule is a change - voting "no" doesn't necessarily change the status quo. For example, if you are unhappy with the proposed reinvestment fee language please note that our current CC&Rs allow the same reinvestment fee. Regardless of the outcome of the Amendment 2 vote, the reinvestment fee will not change.

Amendment 3 - Introduces the **Unique Feature Special Assessment (UFSA)** and changes how cost sharing works in the community for projects where reserve funds are unable to cover the cost of the project (like the deck replacement project).

This amendment is designed primarily as a compromise in how costs are shared between the deck owners and non-deck owners of the community in regards to the upcoming deck replacement project.

The board created Amendment 3 as a separate amendment since this is the more controversial proposition and we did not want to prevent other necessary changes (presented in Amendment 2) from passing and making our community better.

Here are the immediate implications of Amendment 3 passing or failing:

If Amendment 3 passes:

- A deck owner can expect to pay approx. **\$23,300* in a UFSA** for the deck replacement project
- A non-deck owner can expect to pay approx. **\$8,800* in a UFSA** for the deck replacement project

If Amendment 3 fails:

- All 159 units of the community can expect to pay approx. **\$17,600* in a special assessment** for the deck replacement project.

**These amounts are approximations and may vary slightly from the final proposed amount. The board expects the presented amounts could vary +/- \$500. The amounts will be solidified and information sent out prior to the Special Meeting on October 16th.*

Regardless of whether Amendment 3 passes or fails, the community will still need to vote to approve the proposed Special Assessment or UFSA (whether it is a Special Assessment or UFSA depends on amendment 3 passing or failing) at the Special Meeting that will be held **October 16th at 7pm at the Clubhouse.**

If you have any questions about the two amendments to the CC&Rs, the best place to get those questions answered is at the **September 25th** meeting. You may also email natalie@treoproperties.com.

Sincerely,
The Independence Avenue HOA Board