

SUMMERWOOD ESTATES HOA

SUMMERWOOD ESTATES HOMEOWNER ASSOCIATION

HOME LIGHTING RULES

DATED NOVEMBER 3, 2022

Background

WHEREAS, Summerwood Estates was developed pursuant to a master plan to create and maintain an exclusive and secluded neighborhood with a mountain-like atmosphere, consistent with the natural surroundings and beauty of the east-bench mountainside of the City of Bountiful, Utah.

WHEREAS, for purposes of implementing the Summerwood Estates master plan, it was specifically decided, among other things, that city streetlights would not be installed and that members of Summerwood Estates would be encouraged to use soft, warm and professional residential landscape lighting to promote the desired "look and feel" of the neighborhood.

WHEREAS, the Board of Directors of Summerwood Estates (the "Board") has determined it is necessary and desirable (i) to preserve and enhance the natural environment of the neighborhood with as little city influence as reasonably possible, and (ii) to maintain a neighborhood that is secluded from the city and the light pollution caused by unnatural lighting.

WHEREAS, the purposes and objectives of the First Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Summerwood Estates Subdivision Phases 1, 2, 3 and 4 (the "CC&Rs") include the following: (i) "to ensure the Lots are used in a manner not to interfere with or disturb other Owners' use, safety or enjoyment of their respective Lots, thereby respecting the rights and privileges of all Owners;" and (ii) to prohibit certain activities and uses of Lots that are incompatible or inconsistent with the foregoing..."

WHEREAS, each member of Summerwood Estates is entitled to the quiet enjoyment of such member's own property without interference that comes from light pollution and other unwanted disturbances.

WHEREAS, the Board is aware that non-natural lights, including permanent holiday lighting and similar year-round residential lighting that has been growing in popularity and residential adoption, interfere with the quiet enjoyment by other members of their properties.

Existing CC&Rs and Consideration of New Rules

WHEREAS, the existing CC&Rs, including, without limitation, Section 2.2(b), Section 5.4, Section 8.2, and Section 8.13, require approval from the Architectural Committee whenever any changes, modifications, improvements or alterations are made to a member's home, yard or as part of the member's property, including, without limitation, attaching anything to a member's home.

WHEREAS, notwithstanding the existing CC&Rs, there has been a prevailing practice of non-enforcement with respect to the widespread use of home lighting for the holiday season generally occurring from Thanksgiving through early January of each year. The Home Lighting Rules adopted below do not impact, modify or affect such practice.

WHEREAS, although no new rules are required to enforce and achieve the purposes, objectives and desired outcomes discussed above related to home lighting, the Board nevertheless has concluded that, given the growing use of year-round residential lighting, specific rules should be considered to provide predictability and uniformity with respect to the neighborhood and home lighting practices.

WHEREAS, pursuant to the Board's rulemaking authority in Section 3.6 of the CC&Rs and Article 12 of the Bylaws, the Board provided notice and an open forum for members to be heard pursuant to Section 3.7 of the CC&Rs with respect to the Board's consideration of adopting specific rules regarding the use of permanent holiday lighting and similar year-round residential lighting. The notice was sent to all members in the Notice of 2022 Annual Meeting dated April 1, 2022, and the open forum for member discussion was held at the Annual Meeting on May 12, 2022.

Annual Meeting

WHEREAS, at the Annual Meeting, all members present had the opportunity to present and share their opinions, ideas and observations regarding home lighting. A robust discussion was held and a majority of members present provided their input, all of which was against the use of permanent holiday lighting and similar year-round residential lighting. There was, however, one member present who supported such lighting, but such member acknowledged that such lighting was already installed on such member's home.

WHEREAS, the discussion at the Annual Meeting included various options ranging from a complete prohibition to a limited use during recognized holidays. No vote of the members was taken at the Annual Meeting regarding the adoption of specific rules. Rather, the Board sought the input and discussion of the members in connection with its consideration of specific rules.

Board Consideration

WHEREAS, following the Annual Meeting and at a Board meeting held on August 4, 2022, the Board discussed and considered prospective rules regarding the use of permanent holiday lighting and similar year-round residential lighting. The Board reviewed and evaluated the discussion held during the open forum by the members at the Annual Meeting, noting the member input was overwhelmingly against the use of such lights. The Board also noted that the officers and members of the Architectural Committee had talked with several other members following the Annual Meeting to obtain their input. The Board discussed the impact and effects of permanent holiday lighting, including year-round lighting, on members and the overall neighborhood. After further discussion of various options and issues, the Board agreed to adopt and begin drafting specific rules.

WHEREAS, at a meeting of the Board held on November 3, 2022, the Board again noted the extensive input from members that had been obtained at the Annual Meeting held on May 12, 2022 and in various subsequent conversations over the past six months. After further discussion, the Board concluded that the proposed Home Lighting Rules set forth below represented the input and desires of the vast majority of the members. The Board also concluded the rules were in the best interests of Summerwood Estates and all members.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the following Home Lighting Rules are adopted for Summerwood Estates Subdivision Phases 1, 2, 3 and 4:

HOME LIGHTING RULES

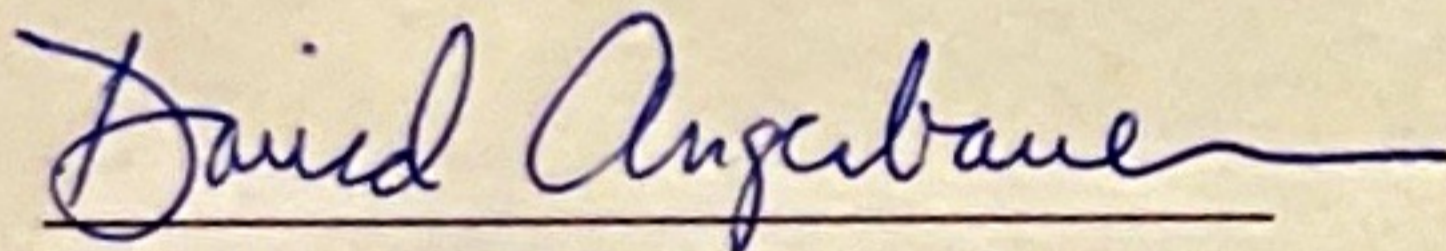
Section 1. Prohibition. Any use of permanent holiday lighting and similar year-round residential lighting in Summerwood Estates is prohibited. Any violation of these rules is subject to all of the consequences, fines, penalties and actions set forth in the CC&Rs, as amended, and/or duly adopted or to be adopted from time to time by the Board, including, without limitation, the Fine Schedule approved by the Board on September 12, 2018. Nothing in these rules shall adversely affect or modify the existing prohibitions, rules, remedies and provisions available for enforcement as contained in

the CC&Rs, as amended, and/or duly adopted or to be adopted from time to time by the Board.

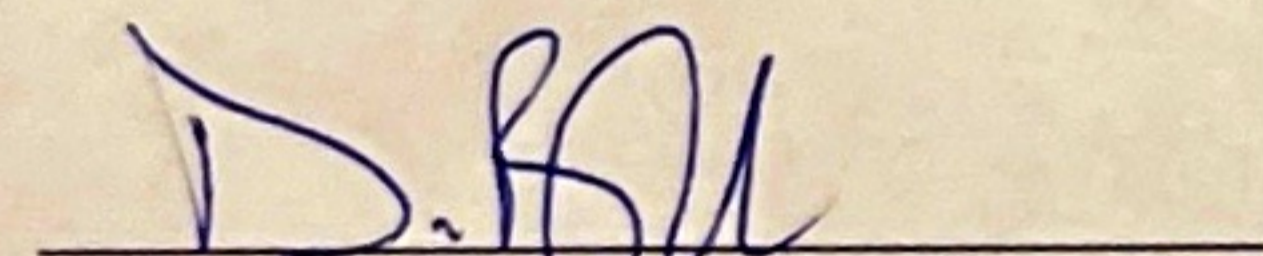
Section 2. Limited Exception. With respect to permanent holiday lighting and similar year-round residential lighting installed and in use by the members of Lot 140 and Lot 210 prior to the Annual Meeting on May 12, 2022, such lighting shall be available for a limited exception from the prohibition in Section 1 above and may be used each year (i) on Valentine's Day, St. Patrick's Day, Easter, Independence Day (July 4), Pioneer Day (July 24) and two days prior to each of the foregoing holidays, and (ii) on Halloween and six days prior thereto. The foregoing limited exception is only available for as long as the current members of Lot 140 and Lot 210 continue to own such lots. If and when there is any transfer of either Lot 140 or Lot 210 and there is a new record owner, then the limited exception applicable to such lot contained in this Section 2 shall immediately terminate, and the new owner of such lot shall be subject to the same CC&Rs and Home Lighting Rules as all other members of Summerwood Estates without the limited exception set forth in this Section 2.

PASSED by unanimous consent of the Board on the date first set forth above.

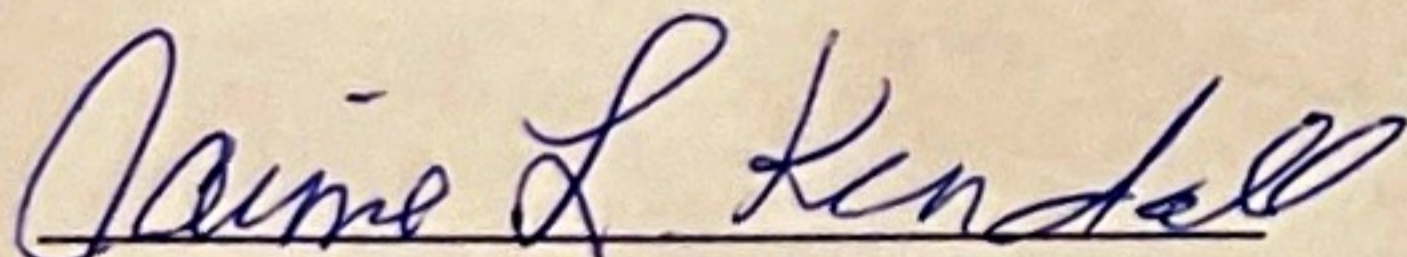
BOARD OF DIRECTORS
SUMMERWOOD ESTATES HOMEOWNER ASSOCIATION



Print Name: David Angerbauer



Print Name: Dain Black



Print Name: Jaime Kendall