

**PROPOSED CHANGES X-REF TO PC MUNICIPAL CODE**

<u>Declaration</u>	<u>Topic</u>	<u>Action</u>	<u>Replacement</u>	<u>Reason</u>	<u>XRef PC Code</u>
<b>STEP 1. REMOVE THE HOA PROVISION, including any architectural committee.</b>					
III.	Homeowners Association (HOA)	Replace	Owners hereby repeal Section III., Thaynes Canyon Homeowners Association, and other than this Declaration rescind all governing documents, including any articles of incorporation, bylaws (recorded or unrecorded), and rules and regulations. This Declaration, as amended herein, shall remain in full force and effect. No homeowner association, association of the lot owners, architectural committee or any other governing or enforcing body is formed or authorized by this Declaration or otherwise.	Remove HOA.	NA
IV.	Architectural Committee (ARC)	Replace	Owners hereby repeal Section IV., Architectural Committee.	Remove arch committee.	NA
<b>STEP 2. CLEAN UP remaining references to any HOA, and defer to state law and municipal code already in effect.</b>					
1.1	Purpose	Replace intro phrase with:	The intention of this instrument is. . .	Clarify.	NA
5.4	Signs	Replace	5.4 <u>Restrictions on Signs</u> : Signs shall be restricted in accordance with state law and municipal code.	Remove HOA.	Title 12 & 15-2.11-11
5.5	Animals	Replace	5.5 <u>Restrictions on Animals</u> : Animals shall be restricted in accordance with state law and municipal code.	Remove HOA.	Title 7 & 15-2.11-9
5.12	Unsightliness	Delete Paragraph 2		Covered under 6.6.	15-4.13
5.14	Cesspools	Replace	5.14 <u>No Cesspools or Septic Tanks</u> : No cesspools or septic tanks shall be permitted on any Property.	Remove HOA.	NA
5.15	Rules	Delete	x	Remove HOA.	NA
5.3 5.8 5.12	Approval	Delete	x	Remove HO.	NA
6.1	Buildings	Delete Paragraph 2	x	Remove arch committee.	NA

6.3	Dwellings	Delete "except as otherwise specifically permitted by the Architectural Committee".	x	Remove arch committee.	NA
6.4	Setbacks	Replace	6.4 <u>Setbacks</u> : All Buildings and structures on all Lots shall be setback at least 10 feet from the side and rear lot lines. Front setbacks shall be in accordance with municipal code.	Remove arch committee.	15-2.11-3
6.6	Towers and Antennae	Replace	6.6 <u>Towers and Antennae</u> : Towers and antennae shall be restricted in accordance with state law and municipal code.	Obsolete.	15-4.13
6.7	Approval	Replace "in accordance with Section 4.10 hereof" with:	. . . for occupancy by the city.	Remove HOA.	NA
6.8	Fences	Insert	6.8 <u>Fences</u> : Fences shall be restricted in accordance with state law and municipal code.	Remove HOA.	15-4.2
6.8	Fences	Delete last sentence	x	Remove HOA.	15.4.2
7.1	Enforcement	Delete three references to "the Association" and insert:	. . . and in any other manner allowed by law.	Remove HOA.	NA
7.3	Limited Liability	Replace	7.3 <u>Limited Liability</u> : Neither Declarant nor any owner, nor any agent or employee of any of the same, shall be liable to any party for any action or for any failure to act with respect to any matter if the action taken or failure to act was in good faith and without malice.	Remove HOA.	NA
8.3	Arbitration	Replace	8.3 <u>Arbitration of Disputes</u> : All controversies arising under or with respect to this Declaration or any Supplemental or Amended Declaration may be submitted to arbitration in accordance with state law.	Remove HOA.	NA