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SCPLOA Property Transfer Fee Rule

Adopted July 12, 2025

RULE REGARDING
PROPERTY TRANSFER FEES
SWAINS CREEK PINES LOT OWNERS ASSOCIATION
(A Community Association Incorporated in the State of Utah)

WHEREAS, at a Board meeting of the Swains Creek Pines Lot Owners Association (the "Association") held on July 12, 2025, which meeting was called pursuant to Utah Code § 57-8a-217, the following Rules were adopted.

WHEREAS, pursuant to Utah Code § 57-8a-217(2)(a), reasonable notice was sent fifteen (15) days in advance of the meeting that the Board was considering adopting the following Rules, to align with law and local standards and practices.

WHEREAS, at the meeting, the Board provided an open forum giving Owners the opportunity to be heard before the Board would take action regarding these Rules. (Utah Code § 57-8a-217(2)(b)).

WHEREAS, a copy of this Rule, in its entirety, was delivered to Owners within 15 days after the Board meeting. (Utah Code § 57-8a-214 and -217(2)(c)).

WHEREAS, Pursuant to Utah Code § 57-8a-217(4), notice is given to Owners that they have 60 days after the Board meeting to disapprove of the Board's adoption of this Rule. Disapproval is only effective if there is a vote of at least 51% of the allocated voting interests of the Owners in the Association and the vote is taken at a special meeting called for that purpose by the Owners as provided for in the Declaration, Articles of Incorporation, or Bylaws. However, the Board has no obligation to call a special meeting of the Owners to consider disapproval unless the Owners submit a petition, in the same manner as provided for in the Declaration, Articles of Incorporation, or Bylaws for a special meeting to be held. Should the Board receive such petition, the Rule will remain in effect, but actions to enforce will be stayed pending and subject to the outcome of the special meeting.

NOW THEREFORE, BE IT HEREBY RESOLVED THAT the following rules are adopted:

1. Any prior Rule. Policy, or Resolution regarding Property Transfer Fees is superseded by this Rule.

2. A Property Transfer Fee shall be assessed upon each transfer of ownership of a property within the Association. Unless otherwise agreed upon in writing by the parties to the transfer, this fee shall be the responsibility of the grantee (buyer).

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3. The amount of this Fee shall be defined in the SCPLOA Fee Schedule in effect at the time of the transfer.

4. **Exemptions:** This fee shall not apply to gratuitous transfers, including but not limited to, transfers to a trust where the current owner is a named trustee and remains a beneficiary, or transfers between spouses.

Adopted on July 12, 2025 by a Majority or more of the Association's Board of Directors.

Signed by:
Don Gannon-Jones
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_____, Board Chair

Pursuant to Utah Code § 57-8a-217, a copy of these Rules were sent to each Member of the Association within 15 days after the Board meeting, via Email and/or US Mail.

Attest: Signed by:
Mckenzie Johnson
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_____ Administrative Business Solutions