

EXHIBIT 8

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IN THE FIFTH JUDICIAL DISTRICT COURT FOR WASHINGTON COUNTY

STATE OF UTAH

EVELYN OBERG, an individual,

Plaintiff,

v.

DIXIE SPRINGS ARCHITECTURAL
CONTROL COMMITTEE, an entity
organized under the laws of the state of Utah,

Defendant.

**DECLARATION OF KIMBERLY
BOYER**

Civil No. 230500079

Judge G. Michael Westfall

DIXIE SPRINGS ARCHITECTURAL
CONTROL COMMITTEE, a domestic non-
profit Utah corporation,

Counterclaimant,

v.

EVELYN OBERG, an individual

Counterclaim Defendant.

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Kimberly Boyer, under criminal penalty, hereby declares as follows:

1. I am over 18 years of age and have firsthand knowledge of the facts and events attested to herein.
2. I own property within the Dixie Springs Subdivision in Hurricane, Utah.
3. My property is subject to the CC&Rs.
4. I am familiar with the terms of the CC&Rs and the subsequent amendments.
5. I am familiar with the Fifth Amendment that was recorded on or around November 1, 2022.
6. I am connected and well informed in the community.
7. One day, in approximately late 2020 or early 2021, two women came to my home with papers on a clipboard.
8. The women asked if I was aware that the ACC's board members were corrupt and stealing money.
9. The women also asked if I wanted to join in getting rid of the ACC.
10. They never handed me anything to review.
11. I disputed their assertions of corruption and stealing money.
12. The women left and never returned.
13. I was informed that the women made a post to a Facebook group (a group that I do not have access to) asserting that I chased them down the street, which I certainly did not.
14. Several persons involved in the group supporting the Fifth Amendment made remarks about how I chased the women down the street.

15. After this experience, I was never provided any additional information, whether through mail, door-to-door canvassing, or otherwise, regarding the Fifth Amendment or voting on it.

16. Since the recordation of the Fifth Amendment, I have had conversations with other property owners trying to make sense of the Fifth Amendment's effect on the CC&Rs.

17. Since the recordation of the Fifth Amendment, I am aware of several property owners who have refused to abide by the guidelines, rules, and covenants set forth in the CC&Rs.

18. Since the recordation of the Fifth Amendment, I am aware of property owners who have had a difficult time determining whether they can take certain actions on their property because they are unsure whether the CC&Rs and/or the Fifth Amendment are valid and binding.

19. Since the recordation of the Fifth Amendment, I am aware of property owners who are not sure whether the ACC has authority to enforce the CC&Rs.

20. Since the recordation of the Fifth Amendment, I am aware of property owners who are not sure how to handle violations or fines issued against them prior to or after the recordation of the Fifth Amendment.

21. Many of my conversations and interactions regarding the foregoing topics (§§ 16-20) have come through the community's Facebook page, which I currently manage.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on this 17th day of March, in Washington County, Utah.



Kimberly Boyer, Declarant