

A/18

When recorded, please return to:

City Commons Owners Assn.
c/o Tara L. Isaacson
Bugden & Isaacson, L.L.C.
445 East 200 South, Suite 150
Salt Lake City, Utah 84111

10378280
03/20/2008 02:34 PM \$44.00
Book - 9584 Pg - 4792-4800
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
BRYCE PANZER
257 E 200 S #800
SLC UT 84111
BY: SLR, DEPUTY - WI 9 P.

THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE CITY COMMONS CONDOMINIUMS

This Third Amendment to Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums (the "Amendment") is executed as of March 18, 2008, by the City Commons Owners Association, Inc., a Utah nonprofit corporation (the "Association").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums (as amended, the "Declaration") was recorded on April 6, 2005, as Entry No. 9341790, in Book 9114, at Pages 8543-8588, in the office of the Salt Lake County Recorder. The Declaration has been amended by (a) First Amendment to Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums, recorded on November 7, 2005, as Entry No. 9547193, in Book 9214, at Pages 4468-4473; (b) Corrected First Amendment to Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums, recorded on February 21, 2006, as Entry No. 9642144, in Book 9257, at Pages 3507-3513; and (c) Second Amendment to Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums, recorded on October 5, 2006, as Entry No. 9867529, in Book 9361, at Pages 7433-7436.

B. The Record of Survey Map for the City Commons Condominiums was recorded on April 6, 2005, as Entry No. 9341789, in Book 2005P of Plats, at Page 93, and amended by City Commons Condominiums Amended plat, recorded on October 5, 2006, as Entry No. 9867525, in Book 2006P, at Page 290 (as amended, the "Plat").

C. The Plat, Declaration, and this Amendment, benefit and burden the following described real property, located in Salt Lake County, Utah:

All of the Units of the City Commons Condominiums, a condominium project, as the same is identified in the Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums, recorded on April 6, 2005, as Entry No. 9341790, in Book 9114, at Pages 8543-8588, in the office of the Salt Lake County Recorder, and the Record of Survey Map for the City Commons Condominiums, recorded on April 6, 2005, as Entry No. 9341789, in Book 2005P of Plats, at Page 93, in the office of the Salt Lake County Recorder, as the same may have heretofore been amended or supplemented, to wit:

Unit Nos. A1 through A8 (inclusive), B1 through B7 (inclusive), C1 and C2, and the common areas appurtenant thereto.

Tax Parcel Serial Nos. ^{SEE ATTACHED} _____ through _____, inclusive.

D. Pursuant to Article IV(4)(B)(iii) of the Declaration, the Association retains the authority to designate portions of the Common Areas as Limited Common Area for the use and benefit of the Owner or Owners of any Unit or Units. Pursuant to such authority, the Association has determined that certain portions of the Common Areas, as more particularly described herein, should be designated as Limited Common Areas. Further, the Association desires to correct certain errors and/or ambiguities in the legend of the City Commons Condominiums Amended plat.

NOW, THEREFORE, in consideration of the covenants and agreements contained herein, the Declaration and Plat are amended as follows:

1. Definitions. All capitalized terms not otherwise defined herein shall have the meanings set forth in the Declaration.

2. Amendment Establishing Certain Limited Common Areas. As permitted by Article IV(4)(B)(iii) of the Declaration, the Association, acting through its Board of Directors, has determined to designate certain portions of the Common Areas as Limited Common Area for the use and benefit of certain Owners of Units, as more specifically described below.

A. Building A. In Building A, the area described on Exhibit "A" hereto as "Limited Common Area X," is hereby designated as Limited Common Area appurtenant to Units A7 and A8, and, additionally, but for the limited purpose of locating and maintaining communications equipment only, as Limited Common Area appurtenant to Units A1 through A6, inclusive.

B. Building B. In Building B:

(1) The area described on Exhibit "B" hereto as "Limited Common Area Y" is hereby designated as Limited Common Area appurtenant to Units B5, B6 and B7.

(2) The area described on Exhibit "B" hereto as "Limited Common Area Z" is hereby designated as Limited Common Area appurtenant to Units B5, B6 and B7, and, additionally, but for the purpose of locating and maintaining communications equipment only, as Limited Common Area appurtenant to Units B1 through B4, inclusive.

3. Rights of Access to Limited Common Areas. The Owners of Units that are designated herein as having Limited Common Area rights for the purpose of locating and maintaining communications equipment only, shall have the right to access the subject Limited Common Area for such purpose upon reasonable advance notice to the Owner of the Unit or Units immediately adjacent thereto, and the Owner(s) of the adjacent Unit(s) shall cooperate in providing such access.

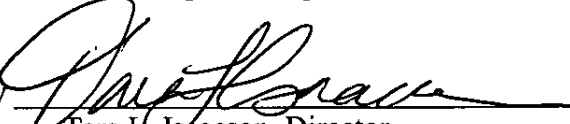
4. Correction of Legend. To correct and/or clarify certain portions of the legend on the City Commons Condominiums Amended plat, Exhibit "C" is hereby adopted and substituted for the legend on said amended plat.

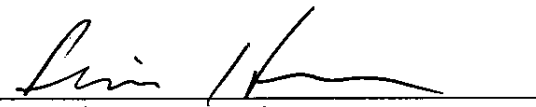
5. Certification of Approval. The undersigned Directors of the Association certify that this Amendment, and the recording hereof, have been approved by the Association, acting by and through its Board of Directors, in accordance with the Declaration.

6. Covenants to Run With Land. This Amendment and all of the provisions hereof shall constitute covenants to run with the land or equitable servitudes, as the case may be, and shall be binding upon and shall inure to the benefit of all parties who own or hereafter acquire any interest in a Unit or in the Common Areas, and their respective grantees, transferees, heirs, devisees, personal representatives, successors and assigns.

7. Effective Date. This Amendment shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, Utah.

**CITY COMMONS OWNERS ASSOCIATION,
INC., a Utah nonprofit corporation**


By 
Tara L. Isaacson, Director

By 
Phil Haggerty, Director

By 
David Wavrek, Director

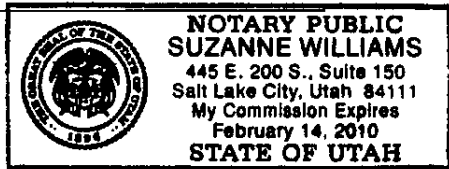
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ²¹18 day of March, 2008, by Tara L. Isaacson, Phil Haggerty, and David Wavrek, as the Directors of the City Commons Owners Association, Inc., a Utah nonprofit corporation.



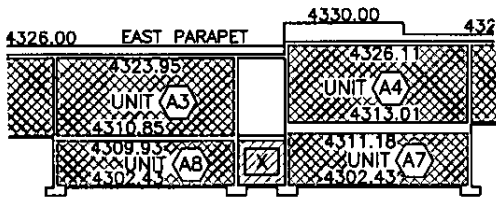
Notary Public
Residing in Salt Lake City, Utah

My Commission Expires:



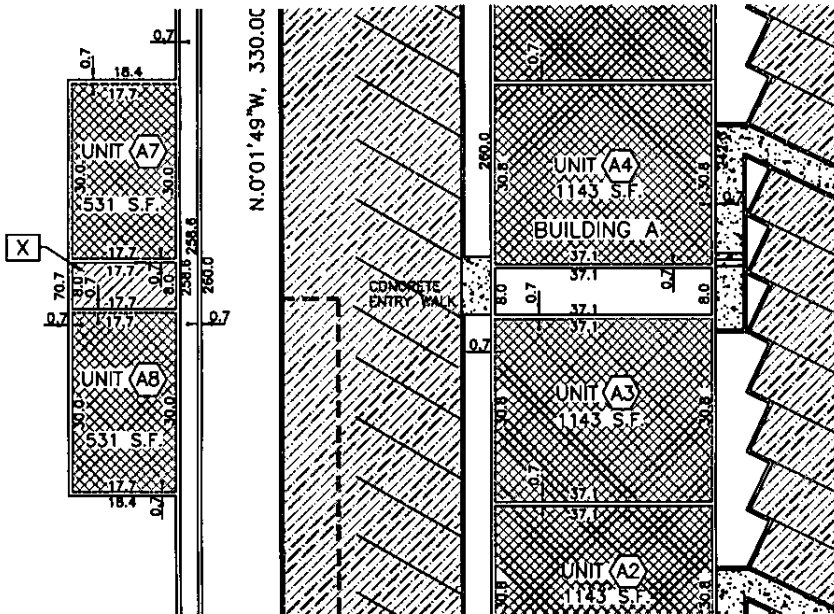
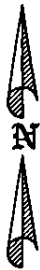
CITY COMMONS CONDOMINIUMS AMENDED EXHIBIT "A"

LEGEND



- UNITS/PRIVATE AREAS
- LIMITED COMMON AREAS
- COMMON AREAS
- GENERAL NOTE REFERENCE

BUILDING A - EAST SECTION



COMMON AREA "X" REDEFINED AS LIMITED COMMON (CITY COMMONS CONDOMINIUMS AMENDED PLAT RECORDED AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290, DEFINES AS COMMON)

THE PURPOSE OF THIS EXHIBIT IS TO REDEFINE CERTAIN COMMON AREAS AND LIMITED COMMON AREAS AS SHOWN ON THE RECORDED PLAT OF CITY COMMONS CONDOMINIUMS AMENDED AS RECORDED IN THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290.

**WILDING
ENGINEERING, INC**
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAHI 84065
(801)553-8112



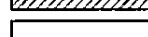

PROJECT NAME CITY COMMONS CONDOMINIUMS		
DRAWN DCC	CHECKED SWD	PROJECT # 08007
FILE NAME: G:\DATA\project_name\ACAD\drawing_name.DWG		

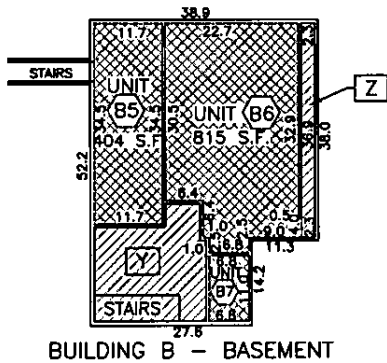
DATE 1/21/07
SCALE 1" = 30'
SHEET 1 OF 1

CITY COMMONS CONDOMINIUMS AMENDED

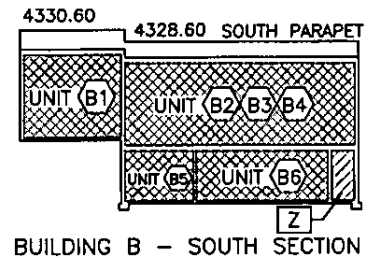
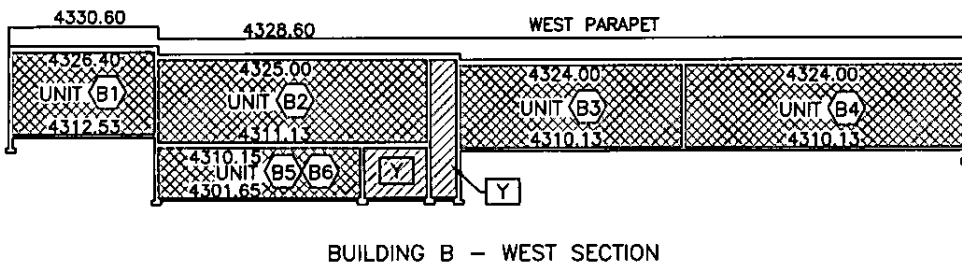
EXHIBIT "B"

LEGEND

-  UNITS/PRIVATE AREAS
-  LIMITED COMMON AREAS
-  COMMON AREAS
-  GENERAL NOTE REFERENCE



- Y** COMMON AREA "Y" REDEFINED AS LIMITED COMMON (CITY COMMONS CONDOMINIUMS AMENDED PLAT RECORDED AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290, DEFINES AS COMMON)
- Z** COMMON AREA "Z" REDEFINED AS LIMITED COMMON (CITY COMMONS CONDOMINIUMS AMENDED PLAT RECORDED AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290, DEFINES AS COMMON)



THE PURPOSE OF THIS EXHIBIT IS TO REDEFINE CERTAIN COMMON AREAS AND LIMITED COMMON AREAS AS SHOWN ON THE RECORDED PLAT OF CITY COMMONS CONDOMINIUMS AMENDED AS RECORDED IN THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290.



**WILDING
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14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
(801)553-8112

PROJECT NAME		
CITY COMMONS CONDOMINIUMS		
DRAWN	CHECKED	PROJECT #
DCC	SWD	08007
FILE NAME:		
G:\DATA\project_name\ACAD\drawing_name.DWG		

DATE	1/21/07
SCALE	1" = 30'
SHEET	1 OF 1

CITY COMMONS CONDOMINIUMS AMENDED EXHIBIT "C"

ORIGINAL LEGEND L E G E N D

Set 5/8 rebar & cap (Wilding Engineering)	⊙	BOUNDARY LINE ENTIRE TRACT
	⊕	CITY MONUMENT
		HANDICAP STALL
		UNITS
		LIMITED COMMON AREAS AND FACILITIES
		COMMON AREAS AND FACILITIES

AMENDED LEGEND L E G E N D

Set 5/8 rebar & cap (Wilding Engineering)	⊙	BOUNDARY LINE ENTIRE TRACT
	⊕	CITY MONUMENT
		PHYSICALLY DISABLED PARKING
		UNITS/PRIVATE AREAS
		LIMITED COMMON AREAS
		COMMON AREAS
		ASPHALT COMMON AREAS
	<input checked="" type="checkbox"/>	GENERAL NOTE REFERENCE

THE PURPOSE OF THIS EXHIBIT IS TO CORRECT THE LEGEND AS SHOWN ON THE RECORDED PLAT OF CITY COMMONS CONDOMINIUMS AMENDED AS RECORDED IN THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY NO. 9867525 IN BOOK 2006P AT PAGE 290.

 WILDING ENGINEERING, INC <small>14721 SOUTH HERITAGE CREST WAY BLUFFDALE, UTAH 84065 (801)553-8112</small>	PROJECT NAME		DATE	
	CITY COMMONS CONDOMINIUMS		1/21/07	
	DRAWN	CHECKED	PROJECT #	SCALE
	DCC	SWD	08007	1" = 30'
FILE NAME:			SHEET	
G:\DATA\project_name\ACAD\drawing_name.DWG			1 OF 1	

RXLP B FLG	CITY COMMONS BLK/BLDG	CONDO IND FLG	AMD FLG	LOT/QUAR	BLK, LOT-QUAR PARCEL NUMBER	OBSOLETE?
		U		A1	16-06-208-001-0000	YES
		U		A1	16-06-208-017-0000	NO
		U		A2	16-06-208-002-0000	YES
		U		A2	16-06-208-018-0000	NO
		U		A3	16-06-208-003-0000	YES
		U		A3	16-06-208-019-0000	NO
		U		A4	16-06-208-004-0000	YES
		U		A4	16-06-208-020-0000	NO
		U		A5	16-06-208-005-0000	YES
		U		A5	16-06-208-021-0000	NO
		U		A6	16-06-208-006-0000	YES
		U		A6	16-06-208-022-0000	NO
		U		A7	16-06-208-023-0000	NO
		U		A8	16-06-208-024-0000	NO
		U		B1	16-06-208-007-0000	NO
		U		B2	16-06-208-008-0000	NO
		U		B3	16-06-208-009-0000	NO
		U		B4	16-06-208-010-0000	NO
		U		B5	16-06-208-011-0000	NO

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN
 PF4=RETURN TO RXEN PF10=LAST RECORDS

RXLP CITY COMMONS B FLG	CONDO AMD BLK/BLDG	IND FLG	LOT/QUAR	BLK, LOT-QUAR PARCEL NUMBER	OBSOLETE?
		U	B5	16-06-208-011-0000	NO
		U	B6	16-06-208-012-0000	NO
		U	B7	16-06-208-013-0000	NO
		U	C1	16-06-208-014-0000	NO
		U	C2	16-06-208-015-0000	NO
		U	AREA	16-06-208-016-0000	YES
		U	AREA	16-06-208-025-0000	NO

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN
 PF4=RETURN TO RXEN PF10=LAST RECORDS