

When Recorded, Please Mail To:

Daniel K. Watkins  
PECK HADFIELD BAXTER & MOORE, LLC  
399 N. Main, Suite 300  
Third Floor  
Logan, Utah 84321  
(435) 787-9700

**AMENDMENT  
TO  
AMENDED AND RESTATED DECLARATION OF CONDOMINIUM  
OF  
APEX OFFICE CONDOMINIUM, PLAT "A"**

**Utah County, Utah**

THIS AMENDMENT ("Amendment"), made on the 14 day of February 2014, amends that certain Amended and Restated Declaration of Condominium of Apex Office Condominium Plat "A" Utah County, Utah, recorded on September 7, 2011, as Entry No. 62808:2011 in the Utah County Recorder's Office (the "Declaration") relating to the following described Property:

Units 1, 2, 4, 5, 6, 7, 8, Plat "A", APEX OFFICE CONDOMINIUMS, including a vacation of Lot 3, Phase III-C, Riverwoods Research Planned Unit Development, recorded in Utah County, Utah, as Entry No. 135086 and in the Declaration of Condominiums of Apex Office Condominiums recorded in Utah County, Utah, as Entry No. 135087:2006 and any and all amendments thereto and restatements thereof.

Together with a right and easement of use and enjoyment in and to Unit 3, the Common Areas described, and as provided for, in said Declaration of Condominiums, which include, without limitations, an easement for vehicular ingress and egress over and across said Common Area to and from said Units.

34-440-0001 thru 0010

**RECITALS**

- A. The Riverwoods Office Condominiums Owners Association, Inc., (the "Association"), a Utah nonprofit corporation, has been lawfully established by filing Articles of Incorporation with the Utah Division of Corporations and Commercial Code;
- B. The Board of Directors/Trustees for the Association has determined that certain clarification amendments should be made to the Declaration, and at least sixty-six percent (66%) of the votes allocated to the Owners have voted to approve this Amendment;

C. The undersigned President of the Association under Section 28 of the Declaration, hereby certifies the vote of owners and approves the filing of this Amendment

NOW THEREFORE, the Declaration is hereby amended as follows:

- I. Article I, Section 6, is amended and restated as follows:
  6. Common Areas or the Common Areas and Facilities shall mean and refer to and include:
    - a) The land on which the buildings and other improvements are constructed and submitted by this Declaration or the terms of the Act.
    - b) Those Common Areas and Facilities specifically set forth and designated in the respective Units as hereinafter defined.
    - c) That part of the Condominium Project not specifically included in the respective Units as hereinafter defined.
    - d) All Limited Common Areas and Facilities.
    - e) All exterior walkways, streets, yard, gardens, fences, open parking spaces, installation of central services such as power, light, gas, all apparatus and installations existing for common use, such recreational and community facilities as may be provided for.
    - f) All other parts of the Project normally in common use or necessary or convenient to its use, existence, maintenance, safety or management.
    - g) All of Unit 3, as designated and indicated on the Map.
- II. Article III, Section 3 is amended and restated as follows:
  3. Exhibit "B" Contents. Exhibit "B" attached to this Declaration and made a part hereof furnishes the following information with respect to each Unit: (a) the Unit designation; (b) square footage of each Unit; (c) its appurtenant Undivided Ownership Interest in the Common Areas; and (d) the number of votes allocated to each Unit.
- III. Article III, Section 5 is amended and restated as follows:
  5. Determination of Interest of Common Areas. The proportionate share of the Unit Owners in the Common Areas of the Project is based on ratio of the square footage of each Unit to the total square footage of all the Units not taking into consideration any square footage of Unit 3. The proportionate ownership of the Common Areas shall be used for all purposes, including but not limited to, all assessments provided for herein and the

allocation of votes. The interest for each of the Unit Owners in the Common Areas shall be set forth in the aforesaid Exhibit "B".

IV. Exhibit B is amended and restated as follows:

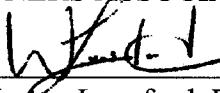
**EXHIBIT B**

Unit Number	SQ Footage	Undivided Ownership Interest	Votes	Description
1	4,279	10.35%	1035	Main Level North Office Suite
2	11,895	28.76%	2876	Filming Stage
3	3,466	0.00%	0	Common Area
4	4,233	10.24%	1024	Main Level Southwest Office Suite
5	7,781	18.81%	1881	South Warehouse
6	4,872	11.78%	1178	2 <sup>nd</sup> Level North Office Suite
7	4,801	11.61%	1161	2 <sup>nd</sup> Level Southwest Office Suite
8	2,802	6.77%	677	Main Level Middle Office Suite
9	693	1.68%	168	Basement Storage

V. The remainder of the Declaration remains unchanged.

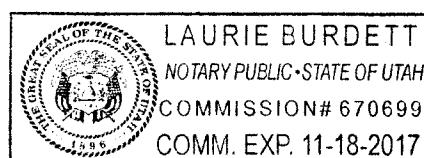
IN WITNESS WHEREOF, the undersigned, on behalf of the Association, has caused this Amendment to be executed as of the date first written above.

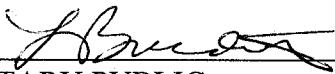
RIVERWOODS OFFICE CONDOMINIUMS  
OWNERS ASSOCIATION, INC

  
\_\_\_\_\_  
J Weston Lunsford, President

STATE OF UTAH )  
COUNTY OF Utah ) : ss

The foregoing instrument was acknowledged before me this 4 day of February 2014, by J Weston Lunsford, President of Riverwoods Office Condominiums Owners Association, Inc, a Utah non-profit corporation.



  
\_\_\_\_\_  
NOTARY PUBLIC