When Recorded, Mail To:

Dennis K. Poole POOLE & ASSOCIATES, L.C. 4543 South 700 East, Ste. 200 Salt Lake City, Utah 84107 11398718
05/29/2012 11:00 AN \$28.00
Book - 10020 Ps - 7481-7487
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
POOLE & ASSOCIATES LC
4543 S 700 E STE 200
SALT LAKE CITY UT 84107
BY: ZJM, DEPUTY - WI 7 P.

Space above for County Recorder's Use

AFFECTS THE FOLLOWING PARCELS:

Parcel # 16063050280000

AMENDMENT TO THE DECLARATION OF CONDOMINIUM CITY CENTRE CONDOMINIUMS, A UTAH CONDOMINIUM PROJECT

This Amendment ("Amendment") to the Declaration of Condominium for City Centre Condominiums, a Utah Condominium Project, is made and executed this <u>/</u> day of April, 2012, pursuant to the provisions of the Utah Condominium Ownership Act.

RECITALS

WHEREAS, the City Centre Condominiums are governed by that Declaration of Condominium, City Centre Condominiums, a Utah condominium project, recorded in the Office of the Salt Lake County Recorder on June 26, 2008, as Entry No. 10465458, in Book 9621, beginning at Page 5880 (referred to herein as the "Declaration"), covering the real property more particularly described on Exhibit "A" attached hereto (the "Project"); and

WHEREAS, the Board of Directors (the "Board") recommended to the City Centre Condominiums Master Association, Inc. (the "Association"), this amendment to Section 6.01 of the Declaration to increase the number of Directors from two (2) to three (3) and to clarify that actions and decisions of the Board shall be taken and made only by unanimous agreement of the Directors; and

WHEREAS, the Board also recommended a change in the Bylaws consistent with the foregoing, and

WHEREAS, in order to amend the Declaration, the Declaration requires (1) the affirmative vote of Unit Owners holding at least seventy-five percent (75%) of the votes allocated to all Units (based upon the Interest in General Common Elements attributable to each Unit), and (2) the consent of Mortgagees holding at least sixty-seven percent (67%) of the votes of Units subject to First Mortgages held by such Mortgagees (based on the Interest in General Common Elements attributable to each Unit covered by a First Mortgage held by a Mortgagee); and

WHEREAS, this Amendment, including the amendment to the Bylaws, was put before the Unit Owners for vote, and the requisite number of affirmative votes have been obtained; and

WHEREAS, there are no First Mortgages upon Units and therefore no Mortgagees need vote upon this Amendment.

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NOW THEREFORE, in consideration of these Recitals and for good and valuable consideration, the Association amends the Declaration as set forth herein:

A. Section 6.01 is hereby deleted in its entirety and the following new Article III, Section 24 is enacted in its stead:

6.01 Number and Appointment of Directors.

The Board of Directors shall consist of three (3) Directors. The initial Directors shall hold office until the election or appointment of their successors at the first annual meeting. Thereafter, subject to the terms and conditions of Sections 6.03 and 6.04 below, each Director will hold office for a term of one (1) year and the Owners shall appoint the Directors at the annual meetings. One (1) Director shall be appointed by the Owner(s) of the Below-grade Parking Units (herein "Group 1"), or the designated representative of any such Owner(s), and two (2) Directors shall be appointed by the Owner(s) of the Above-grade Parking Units and the Residential Unit ("Group 2"), or the designated representative of any such Owner(s). In the event the Owners of a Group identified in this Section 6.01 cannot agree upon a representative, then the Owner who holds the greatest Interest in the Common Elements within such Group shall be entitled to appoint the representative.

- B. The Bylaws attached to the Declaration as Exhibit "B" are deleted in their entirety and are of no further force and effect, and the Amended Bylaws attached hereto as Amended Exhibit "B" are adopted.
- C. <u>Ratification</u>. The Declaration, as amended by this Amendment, is hereby ratified as if fully set forth hereat.
- D. <u>Effective Date</u>. This Amendment shall take effect upon recording in the Office of the County Recorder of Salt Lake County, Utah.
- E. <u>Certification</u>. The individual who signs this Amendment to the Declaration hereby certifies that this Amendment was authorized by Owners of the Association and the Eligible Morgagees pursuant to the requirements of the Declaration, and that he or she is authorized to execute this Amendment on behalf of the Association.

IN WITNESS WHEREOF, this Third Amendment has been executed the day and year first above appearing.

CITY CENTRE CONDOMINIUMS MASTER ASSOCIATION., a Utah nonprofit corporation

Ву:

Name: Rick Seven Title: President STATE OF UTAH : ss COUNTY OF SALT LAKE)

RICK SEVEN, being first duly sworn, says that he is the President of the City Centre Condominiums Master Association, Inc., a Utah nonprofit corporation, that he has read the foregoing Amendment and knows the contents thereof, and that the same is true of his own knowledge, and further that he executed said document on behalf of said Association.

Dated the Aday of April, 2012.

CAROLYN I. BERGER
MOTARY PUBLIC - STATE OF UTAH
My Cornm. Exp. 04/17/2013
Commission # 577970

EXHIBIT A

(Attached to and forming a part of the Declaration of Condominium for City Centre Condominiums)

Legal Description of the Land

The "Land" referred to in the foregoing Declaration of Condominium is located in Salt Lake County, Utah, and is more particularly described as follows:

Lot 2 of the City Center Minor Subdivision as described in Entry #7441098, Book 8301, at Page 8904, more particularly described as:

BEGINNING AT A POINT North 0°02'22" West 141.25 feet from the Southeast corner of Block 53, Plat "A," Salt Lake City Survey, and running thence South 89°58'05" West 96.41 feet; thence North 0°01'55" West 59.17 feet; thence South 89°58'05" West 111.83 feet; thence North 0°01'55" West 85.92 feet; thence South 89°57'29" West 104.25 feet; thence North 0°02'31" West 143.86 feet; thence North 89°57'26" East 312.48 feet to the East line of said Block 53; thence South 0°02'22" East along said East line 288.99 feet to the POINT OF BEGINNING.

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AMENDED EXHIBIT B

(Attached to and forming a part of the Declaration of Condominium for City Centre Condominiums)

Amendment to Bylaws

A copy of the Amendment to Bylaws of City Centre Condominiums Association, Inc. follows this cover sheet.

FIRST AMENDMENT TO

BYLAWS

CITY CENTRE CONDOMINIUMS MASTER ASSOCIATION, INC.

The Board of Directors of City Centre Condominiums Master Association, Inc. (the "Association") hereby adopts the following amendment to the Bylaws of the Association:

- 1. Section 4.1 of the Bylaws of the Corporation is hereby deleted in its entirety and the following new Section 4.1 is substituted in its stead:
 - Section 4.1 Number. The affairs of the Association shall be managed by a Board of Directors of three (3) individuals. Individual Unit Owners, spouses of Unit Owners, Mortgagees (or designees of Mortgagees), partners of partnerships owning a Unit, managers or members of limited liability companies owning a Unit, and trustees or officers of corporations owning a Unit, shall be eligible for Membership on the Committee.
- 2. Section 4.2 of the Bylaws of the Corporation is hereby deleted in its entirety and the following new Section 4.2 is substituted in its stead:
 - Section 4.2 Appointment and Term of Office. Each Director will hold office for a term of one (1) year and shall be appointed by the Owners according to the procedures herein below contained, at the annual meeting of Owners. One (1) Director shall be appointed by the Owner(s) of the Below-grade Parking Units as defined in the Declaration (herein "Group 1"), or the designated representative of any such Owner(s), and two (2) Directors shall be appointed by the Owner(s) of the Above-grade Parking Units and the Residential Unit ("Group 2"), or the designated representative of any such Owner(s). In the event the Owners of a Group identified in this Section 4.2 cannot agree upon a representative, then the Owner who holds the greatest Interest in the Common Elements within such Group shall be entitled to appoint the representative.
- 3. Except as modified herein, the Bylaws of the Association are ratified in all other respects.

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IN WITNESS WHEREOF, we, being all of the Directors of the Association have hereunto set our hands this 15 day of April, 2012.

Meg

JUSTIN BELLIVEAU

RICK SEVEN

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