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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
JONES WALDO HOLBROOK MCDONOUGH
170 S MAIN ST STE 1500
SLC UT 84101
BY: ZJM, DEPUTY - WI 13 P.

WHEN RECORDED, PLEASE RETURN TO:

Susan B. Peterson
Jones, Waldo, Holbrook & McDonough, P.C.
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101

**THIRD AMENDMENT TO
RESTATED AND AMENDED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
BRIARWOOD SPRINGS CONDOMINIUM PROJECT**

THIS THIRD AMENDMENT TO RESTATED AND AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF BRIARWOOD SPRINGS CONDOMINIUM PROJECT (this "Amendment") is entered into as of June 26th, 2012, by BRIARWOOD SPRINGS CONDOMINIUM, INC., a Utah nonprofit corporation (the "Association").

RECITALS

- A. That certain real property located in the Salt Lake County, Utah, and more particularly described in Exhibit A attached hereto is subject to that certain Restated and Amended Declaration of Covenants, Conditions and Restrictions of Briarwood Springs Condominium Project, recorded on December 9, 1986 as Entry No. 4365955 in Book 5851 at Page 3090, in the Official Records of Salt Lake County, Utah (the "Declaration"). The Declaration was previously amended by (i) an amendment recorded as Entry No. 6417938 in Book 7455 at Page 97; and (ii) an amended recorded as Entry No. 11095231 in Book 9888 at Page 2480-2496 (the "Second Amendment").
- B. The Second Amendment imposed certain restrictions on the rental of Units, as more particularly set forth therein.
- C. The Association, acting pursuant to its Bylaws and the Declaration, desires to further amend the Declaration to clarify a portion of the rental restrictions imposed by the Second Amendment, all as set forth in this Amendment.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declaration is hereby amended as follows:

- 1. **CAPITALIZED TERMS.** All initially capitalized terms, unless specifically defined herein, shall have the meanings ascribed thereto in the Declaration.

2. AMENDMENT TO DECLARATION. The following is hereby added to the Declaration as Section 6.01(g):

(g) For purposes of this section 6.01, in accordance with Section 57-8-10(9)(a) of the Condominium Act, a Unit shall be deemed to be “leased” or “rented” if (i) the Unit is owned by an individual or individuals and is occupied by someone while no Unit Owner occupies the Unit as the Unit Owner’s primary residence; or (ii) the Unit is owned by a business entity or a by a trust or other entity created for estate planning purposes, regardless of who occupies the Unit. This means, among other things, that a Unit owned by a trust or other entity created for estate planning purposes qualifies for the exemption set forth in Section 6.01(e)(iv) above only if the occupant of the Unit is (A) the person for whose estate the trust or other estate planning entity was created, or (B) the parent, child, or sibling of that person.

3. MISCELLANEOUS PROVISIONS.

3.1 Confirmation of Declaration and Bylaws. The Association hereby affirms and agrees to be bound by all of the terms of the Declaration and Bylaws, as amended hereby.

3.2 Non-Impairment. Except as expressly provided herein, nothing in this Amendment shall alter or affect any provision, condition, or covenant contained in the Declaration or Bylaws or affect or impair any rights, powers, or remedies of the Association thereunder, it being the intent of the Association that, except as amended hereby, all of the terms, covenants and conditions of the Declaration and Bylaws shall remain in full force and effect.

3.3 Entire Agreement. This Amendment constitutes the entire agreement with respect to the subject matter hereof.

3.4 Governing Law. This Amendment shall be governed by and construed in accordance with the laws of the State of Utah.

[Signature Page to Follow]

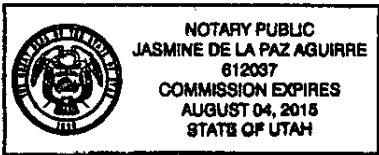
IN WITNESS WHEREOF, this Amendment has been executed as of the date first set forth above.

BRIARWOOD SPRINGS CONDOMINIUM, INC.
a Utah nonprofit corporation

By Timothy Elliott
Name: TIMOTHY ELLIOTT
VICE President

STATE OF Utah)
COUNTY OF Salt Lake) :ss.

The foregoing instrument was acknowledged before me this 20 day of June, 2012, by Timothy Elliott ^{VICE} President of Briarwood Springs Condominium, Inc., a Utah nonprofit corporation.



Jasmine Aguirre
NOTARY PUBLIC
Residing at: Salt Lake

My Commission Expires: August 04, 2015

CERTIFICATION

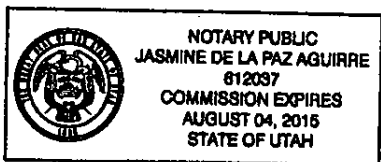
The undersigned, on behalf of the Management Committee of Briarwood Springs Condominium, Inc., a Utah nonprofit corporation, hereby certify that each of (a) the foregoing Second Amendment to the Restated and Amended Declaration Covenants, Conditions and Restrictions of Briarwood Springs Condominium Project, and (b) the foregoing First Amendment to the Restated and Amended Bylaws of Briarwood Springs Homeowners Association, Inc. was duly proposed, voted on and passed at a duly called and noticed meeting of the Association.

DATED: June 21, 2012.

Timothy Elliott
Name: TIMOTHY ELLIOTT
~~Secretary~~ Vice President

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

The foregoing certification was acknowledged before me this 21 day of June, 2012, by Timothy Elliott, vice president Secretary of Briarwood Springs Condominium, Inc., a Utah nonprofit corporation.



Jasmine Aguirre
NOTARY PUBLIC
Residing at: Salt Lake

My Commission Expires:
August 04, 2015

EXHIBIT A
Legal Description

PHASE 1 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 1 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 1, Units 1 through 6; Building 2, Units 1 through 6; Building 3, Units 1 through 6; Building 4, Units 1 through 6; Building 28, Units 1 through 6.

Tax Parcel ID Numbers:

22-30-479-001	22-30-479-011	22-30-479-021
22-30-479-002	22-30-479-012	22-30-479-022
22-30-479-003	22-30-479-013	22-30-479-023
22-30-479-004	22-30-479-014	22-30-479-024
22-30-479-005	22-30-479-015	22-30-479-025
22-30-479-006	22-30-479-016	22-30-479-026
22-30-479-007	22-30-479-017	22-30-479-027
22-30-479-008	22-30-479-018	22-30-479-028
22-30-479-009	22-30-479-019	22-30-479-029
22-30-479-010	22-30-479-020	22-30-479-030

PHASE 2A AMENDED

All the Units of Briarwood Springs Condominiums, Phase 2A Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 5, Units 1 through 6; Building 6, Units 1 through 6.

Tax Parcel ID Numbers:

22-30-480-002	22-30-480-008
22-30-480-003	22-30-480-009
22-30-480-004	22-30-480-010
22-30-480-005	22-30-480-011
22-30-480-006	22-30-480-012
22-30-480-007	22-30-480-013

PHASE 2B AMENDED

All the Units of Briarwood Springs Condominiums, Phase 2B Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:
Building 25, Units 1 through 6; Building 26, Units 1 through 6; Building 27, Units 1 through 6.

Tax Parcel ID Numbers:

22-30-481-002	22-30-481-008	22-30-481-014
22-30-481-003	22-30-481-009	22-30-481-015
22-30-481-004	22-30-481-010	22-30-481-016
22-30-481-005	22-30-481-011	22-30-481-017
22-30-481-006	22-30-481-012	22-30-481-018
22-30-481-007	22-30-481-013	22-30-481-019

PHASE 3A AMENDED

All the Units of Briarwood Springs Condominiums, Phase 3A Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 29, Units 1 through 6.

Tax Parcel ID Numbers:

22-30-482-001	22-30-482-004
22-30-482-002	22-30-482-005
22-30-482-003	22-30-482-006

PHASE 4 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 4 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 30, Units 1 through 3.

Tax Parcel ID Numbers:

22-30-483-001
22-30-483-002
22-30-483-003

PHASE 5 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 5 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 31, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-484-001	22-30-484-003
22-30-484-002	22-30-484-004

PHASE 6 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 6 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 34, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-485-001	22-30-485-005
22-30-485-002	22-30-485-006
22-30-485-003	22-30-485-007
22-30-485-004	

PHASE 7 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 7 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 32, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-486-001	22-30-486-005
22-30-486-002	22-30-486-006
22-30-486-003	22-30-486-007
22-30-486-004	

PHASE 8 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 8 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 36, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-487-001	22-30-487-005
22-30-487-002	22-30-487-006
22-30-487-003	22-30-487-007
22-30-487-004	

PHASE 9 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 9 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 37, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-488-001	22-30-488-005
22-30-488-002	22-30-488-006
22-30-488-003	22-30-488-007
22-30-488-004	

PHASE 10 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 10 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 38, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-489-001	22-30-489-005
22-30-489-002	22-30-489-006
22-30-489-003	22-30-489-007
22-30-489-004	

PHASE 11 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 11 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 39, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-490-001	22-30-490-005
22-30-490-002	22-30-490-006
22-30-490-003	22-30-490-007
22-30-490-004	

PHASE 12 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 12 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 35, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-491-001	22-30-491-005
22-30-491-002	22-30-491-006
22-30-491-003	22-30-491-007
22-30-491-004	

PHASE 13 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 13 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 40, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-492-001	22-30-492-003
22-30-492-002	22-30-492-004

PHASE 14 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 14 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 41, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-493-001	22-30-493-003
22-30-493-002	22-30-493-004

PHASE 15 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 15 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 42, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-494-001	22-30-494-003
22-30-494-002	22-30-494-004

PHASE 16 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 16 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 43, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-495-001	22-30-495-003
22-30-495-002	22-30-495-004

PHASE 17 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 17 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 44, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-496-001	22-30-496-003
22-30-496-002	22-30-496-004

PHASE 18 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 18 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 45, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-497-001	22-30-497-003
22-30-497-002	22-30-497-004

PHASE 19 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 19 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 46, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-498-001	22-30-498-003
22-30-498-002	22-30-498-004

PHASE 20 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 20 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 50, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-499-001	22-30-499-003
22-30-499-002	22-30-499-004

PHASE 21 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 21 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 49, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-499-006	22-30-499-010
22-30-499-007	22-30-499-011
22-30-499-008	22-30-499-012
22-30-499-009	

PHASE 22 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 22 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 48, Units 1 through 7.

Tax Parcel ID Numbers:

22-30-498-006	22-30-498-010
22-30-498-007	22-30-498-011
22-30-498-008	22-30-498-012
22-30-498-009	

PHASE 23 AMENDED

All the Units of Briarwood Springs Condominiums, Phase 23 Amended, a Condominium Project, Sandy, Salt Lake County, Utah, according to the record of survey map filed with the Salt Lake County Recorder and as described in the declaration filed with said Salt Lake County Recorder and any amendments thereto;

Together with an undivided ownership interest in the common areas and facilities appurtenant to said Units as disclosed in the Declaration of said development, which Units are more particularly identified as follows:

Building 47, Units 1 through 4.

Tax Parcel ID Numbers:

22-30-489-009

22-30-489-010

22-30-489-011

22-30-489-012