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Gary W. Ott  
Recorder, Salt Lake County, UT  
RICHARDS LAW OFFICE  
BY: eCASH, DEPUTY - EF 3 P.

After Recording Return To:

RICHARDS, KIMBLE & WINN, PC  
2040 Murray Holladay Rd., Suite 106  
SLC, UT 84117

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM  
AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
THE PRESERVE  
A RESIDENTIAL CONDOMINIUM PROJECT**

RECITALS

A. Certain real property in Salt Lake County, Utah, known as The Preserve condominiums was subjected to certain covenants, conditions and restrictions pursuant to a Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for The Preserve recorded October 25, 1999, as Entry No. 7497565 in the Recorder's Office for Salt Lake County, Utah (the "Declaration").

B. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto, as described in **Exhibit "A."**

C. In order meet the underwriting requirements of institutional lenders and to comply with requirements for certification of the Project by the Federal Housing Administration (FHA), The Preserve Owners' Association (the "Association"), by and through the Board of Directors, has determined that it is in the best interests of the Association to delete a provision in the Declaration that is preventing certification of the Project by FHA.

D. Section 9.11(b) of the Declaration places discretion with the Board of Directors to require rentals to be conducted through the Association and to require lease agreements to be approved by the Board of Directors and the Board of Directors wishes to exercise that discretion by electing not to require rentals to be conducted through, or to require lease agreements to be approved by, the Board of Directors.

E. Accordingly, the undersigned hereby certifies that the Board of Directors has adopted this amendment as a proper exercise of the discretionary power granted in that Declaration provision being amended.


**NOW, THEREFORE,** the Association hereby amends Article 9, Section 9.11 of the Declaration by deleting subparagraph 9.11(b) in its entirety.

The deleted language is shown in strikethrough format as follows:

~~(b) The Association may require the rental of Condominium Units to be conducted through the Association or a designated management company, and may require that all lease agreements be reviewed and approved by the Association or the management company; that any Tenants be screened and approved by the Association or the management company prior to renting the Condominium, and that the approval of the Homeowner's Association or the management company shall not be unreasonably withheld.~~

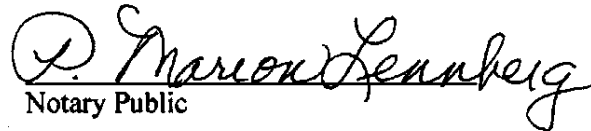
IN WITNESS WHEREOF, THE PRESERVE OWNERS' ASSOCIATION has executed this Amendment to the Declaration as of the 2<sup>nd</sup> day of JULY, 2012.

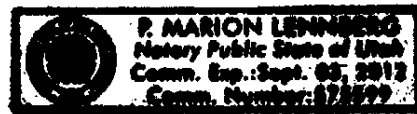
**THE PRESERVE  
OWNERS' ASSOCIATION**

  
Print Name: FRANKLIN HUGGINS  
Its: PRESIDENT

State of Utah            )  
                                  :SS  
County of Salt Lake    )

On the 2<sup>nd</sup> day of July, 2012, personally appeared before me Franklin Huggins who, being first duly sworn, did say that they are the authorized agent of the Association, and that this instrument was signed on behalf of the Association by authority of its Board of Directors; and he or she acknowledge said instrument to be their voluntary act and deed.

  
Notary Public



**EXHIBIT A**

**Legal Description**

**All Units, (107 total), PRESERVE CONDOMINIUMS, according to the official plat thereof on record with the Recorder's Office of Salt Lake County, Utah.**

**First Serial Number: 16053861080000**