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Gary W. Ott
Recorder, Salt Lake County, UT
INTEGRATED TITLE INS. SERVICES
BY: eCASH, DEPUTY - EF 8 P.

WHEN RECORDED, PLEASE MAIL TO:

Rockwell Housing, LLC
124 South 600 East
Salt Lake City, Utah 84102

**AMENDMENT NO. 2
TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM
AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
ROCKWELL SQUARE CONDOMINIUMS**

THIS AMENDMENT NO. 2 TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ROCKWELL SQUARE CONDOMINIUMS (this "Amendment") is made as of October 1, 2012, by ROCKWELL HOUSING, LLC, a Utah limited liability company ("Declarant").

This Amendment amends that certain Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums dated January 7, 2011 and recorded January 11, 2011, as Entry No. 11114069, in Book No. 9897, on Page Nos. 4942-5027 in the Official Records of the Salt Lake County Recorder's Office, as amended by that Supplemental Declaration No. 1 to Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums, recorded January 11, 2011, as Entry No. 11114070, in Book No. 9897, on Page Nos. 5028-5031, and that certain Amendment No. 1 to Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums, recorded August 3, 2011, as Entry No. 11222809, in Book 9941, on Page Nos. 1090-1098 (collectively, the "Original Declaration"). The Original Declaration, as amended pursuant to this Amendment, is collectively referred to herein as the "Declaration," which term, shall for all purposes thereof or of any related document, mean and refer to the Declaration as so amended, supplemented, or otherwise modified. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

A. The Declarant previously subjected to the Declaration certain real property located in Salt Lake County, Utah, more particularly described on Exhibit A attached hereto and incorporated herein.

B. Declarant hereby desires to amend certain terms of the Declaration, upon the terms and conditions provided herein.

NOW, THEREFORE, in consideration of the foregoing premises, Declarant hereby amends and restates the following provisions of the Declaration,

1. Addition of Section 2.04. Article II is hereby amended by adding the following entirely new Section 2.04

2.04 Affordable Housing Covenants.

A. Definitions:

"Homebuyer" means the person who purchases a Residential Property from the Declarant for use as a single family residence who qualifies as a Low-, Moderate-, and Middle Income Household.

"Low, Moderate and Medium Income Household" means a Household with an income of not greater than one hundred twenty percent (120%) of the AMI.

"Other Purchaser" means the purchaser of a Retail Unit or any portion of the Excess Residential Property or any portion of the Convertible Land. An Other Purchaser is not required to qualify as a member of a Low, Moderate and Medium Income Household.

"Property" means the property more particularly defined in Exhibit A attached hereto.

"Residential Property" means that portion of the Property listed in Exhibit A attached hereto under the heading "Residential Units 20 through 49, inclusive in Building 1."

"Retail Units" means that portion of the Property listed in Exhibit A attached hereto under the heading "Retail Units 2 through 4, inclusive, in Building 1."

B. Residential Property. The Residential Property has been acquired for the specific purposes of rehabilitation and resale to a Low-, Moderate-, and Middle Income Household. Declarant will rehabilitate or has rehabilitated that portion of the Property constituting Residential Property and the Retail Units and shall re-sell the Residential Property to Homebuyers who are living in Low-, Moderate-, and Middle Income Households (as such terms are more particularly defined below). The Residential Property is subject to requirements for the initial sale of the Residential Property by Declarant as housing for Low-, Moderate-, and Middle Income Households.

C. Affordability. Affordability will be maintained for the Property, as an NSP funded project, in accordance with HOME regulation at 24 CFR Part 92.254, and as may be amended. The Utah Department of Housing and Community Development, as the Participating Jurisdiction, has chosen the recapture option based upon HUD HOMEfires - Vol. 5 No.5, November, 2003 which states:

"The recapture option for HOME-assisted homebuyer units is described at 24 CFR 92.254(a)(5)(ii) and as may be amended. Under the recapture option, the Participating Jurisdiction recovers all or a portion of the HOME assistance to the homebuyers, if the housing does not continue to be the principal residence of the qualified low-income family that purchased the unit for the duration of the period of affordability."

D. Release. Each Residential Property shall be deemed automatically released from the covenants and terms of this Section 2.04 in the event that the Residential Property is fully and completely released from any and all liens and encumbrances that secure or include any portion of Neighborhood Stabilization Program funding. Each Retail Unit shall be deemed automatically released from these covenants upon the sale of a Retail Unit to an Other Purchaser.

2. Amendment to Section 10.16(c). Section 10.16(c) is hereby deleted in its entirety and replaced with the following:

10.16(c) Use of Residential Units. Any Residential Unit subject to affordable housing requirements, including Neighborhood Stabilization Program grants or HUD financing (collectively, "Affordable Housing Requirements") must comply with the Affordable Housing Requirements, including, but not limited to, occupying the Residential Unit as a primary residence.

3. Amendment to Section 10.16. Section 10.16 is hereby amended to include the following provision:

10.16(d) Rental Cap; Lease Requirements. Notwithstanding Section 10.16(c), no more than twenty percent (20%) of the total Residential Units within the Condominium Project may be rented or leased at any given time. Prior to the rental of a Residential Unit, a written request shall be made to the Management Committee, which shall approve or disapprove the request to lease or rent the Residential Unit based on its determination that (i) the lease or rental will not exceed the twenty percent (20%) maximum percentage of rentals of Residential Units allowed and; (ii) the request to for a rental or lease does not violate the restrictions contained in the Declaration. The minimum term for all lease agreements shall be for one (1) year, and shall state that the lease agreement is subject to the Declaration, and any rules applicable to the Residential Unit. No Owner shall be permitted to lease his/her Residential Unit for transient, hotel, or timeshare purposes, and no Owner may lease less than the entire Residential Unit. The Management Committee shall have the authority to create and enforce reasonable rules related to non-Owners and tenants occupying Residential Units.

4. Full Force and Effect; Defined Terms. The Declaration, subject to this Amendment, is hereby ratified, approved, and confirmed and shall remain unmodified in all other respects and in full force and effect. Any capitalized term not otherwise defined herein shall have the meaning given it in the Declaration.


5. Incorporation. The recitals set forth above and the exhibits attached to this Amendment are each incorporated into this Amendment as if set forth in full herein.

6. Effective Date. This Amendment shall be effective as of the date of its recordation in the Office of the Recorder of Salt Lake County, Utah.

[SIGNATURE PAGE FOLLOWS]

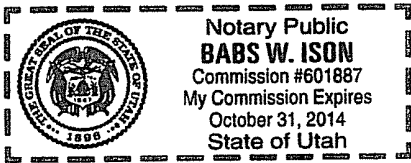
IN WITNESS WHEREOF, Declarant has executed and delivered this Amendment as of the date and year first above written.


ROCKWELL HOUSING, LLC,
a Utah limited liability company

By: 
Name: MARK B COHEN
Title: DIRECTOR OF GENERAL PARTNER

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

On this 1st day of October, 2012, before me personally appeared Mark B. Cohen, who acknowledged himself to be the Director of General Partner of ROCKWELL HOUSING, LLC, a Utah limited liability company, and being authorized to do so, he executed the foregoing instrument for the purpose therein contained, by signing the name of the company, by himself or such officer.




NOTARY PUBLIC
Residing at: S.L.C. UT

My Commission Expires:
10-31-14

**EXHIBIT A
TO
AMENDMENT NO. 2
TO AMENDED AND RESTATED DECLARATION
OF CONDOMINIUMS AND DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS OF
ROCKWELL SQUARE CONDOMINIUMS**

Retail Units 1 thru 4, inclusive, in Building 1, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-163 (Unit 1), 34-06-328-164 (Unit 2), 34-06-328-165 (Unit 3), 34-06-328-166 (Unit 4).

Units 20 thru 49, inclusive, in Building 1, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-003 thru 34-06-328-032, inclusive.

Retail Units 1 thru 4, inclusive, in Building 2, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-167 (Unit 1), 34-06-328-168 (Unit 2), 34-06-328-169 (Unit 3) and 34-06-328-170 (Unit 4).

Units 20 thru 49, inclusive, in Building 2, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-035 thru 34-06-328-064, inclusive.

Retail Units 1 thru 4, inclusive, in Building 3, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-171 (Unit 1), 34-06-328-172 (Unit 2), 34-06-328-173 (Unit 3) and 34-06-328-174 (Unit 4).

Units 20 thru 49, inclusive, in Building 3, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium

of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-067 thru 34-06-328-096, inclusive.

Retail Units 1 and 2, in Building 4, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-097 (Unit 1) and 34-06-328-098 (Unit 2)..

Units 20 thru 49, inclusive, in Building 4, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-099 thru 34-06-328-128, inclusive.

Retail Units 1 thru 4, inclusive, in Building 5, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book

2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-175 (Unit 1), 34-06-328-176 (Unit 2), 34-06-328-177 (Unit 3) and 34-06-328-178 (Unit 4).

Units 20 thru 49, inclusive, in Building 5, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-131 thru 34-06-328-160, inclusive.