

Rockwell Square
%248 East 13800 South, #27
Draper, Utah 84020

RESOLUTION TO AMEND THE DECLARATION OF CONDOMINIUM

**AMENDMENT NO. 4
TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM
AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
ROCKWELL SQUARE CONDOMINIUMS**

THIS AMENDMENT NO. 4 TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ROCKWELL SQUARE CONDOMINIUMS (this "Amendment") is made and effective as of April 25, 2017, by the HOMEOWNERS ASSOCIATION OF ROCKWELL SQUARE, INC., a Utah nonprofit corporation (the "Association"). All capitalized terms not otherwise defined in the Amendment shall have the meanings ascribed to them in the Amended and Restated Declaration (defined below).

RECITALS

- A. That certain real property located in Salt Lake County, Utah and more particularly described on **Exhibit A** attached hereto (the "Condominium Project") is subject to 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, Utah Recorder's Office (the "Official Records") as amended and supplemented by that Supplemental Declaration No. 1 to Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for Rockwell Square Condominiums (Exercise of Option to Withdraw Land), recorded January 11, 2011, as Entry No. 11114070, in Book No. 9897, on Page Nos. 5038-5031 of the Official Records; 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 of the Official Records; and that certain Amendment No. 2 to Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for Rockwell Square Condominiums, Recorded October 3, 2012, as Entry No. 11484496, in Book No. 10062, on Page Nos. 8241-8248 of the Official Records (all of which shall be referred to herein as the "Amended and Restated Declaration"); and that certain Amendment No. 3 to Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for Rockwell Square Condominiums, dated March 11, 2015 and subsequently recorded in the Official Records; and that certain Record of Survey Map for Rockwell Square Condominiums Amended, a Professional, Retail and Residential Utah Condominium

Tax ID: 34-06-328-604

Project, recorded on October 8, 2008, as Entry No. 10532621, in Book 2008, beginning at Page 255 of the Official Records (the "Plat").

- B. Pursuant to Section 18.03 of the Declaration, the amendments described herein were duly placed on the agenda of a special meeting of the Owners, at which meeting the Owners held a vote with respect to the Amendment of Sections 3.01 (a) and 3.02 (a) of the Declaration, as set forth herein. Following the preparation of this amendment, the Declaration was reviewed and ratified by the vote of more than 67% of the Owners, all as reflected by the minutes of the Association. The undersigned are executing this Amendment for the purposes of recording said amendment to the Declaration, as set forth herein.

NOW, THEREFORE, pursuant to the terms of the Declaration, the Declaration is hereby amended as follows:

1. Section 3.01 (a) of the Declaration is hereby replaced and superseded by the following:

3.01 The Building.

- (a) The improvements included in the Condominium Project are now located on the land. The significant Improvements contained in the Condominium Project include: one (1) Building, thirty (30) Residential Units; four (4) Retail Units, and one (1) Residential Parking Facility, storage areas, asphalt or concrete driveways, and Common Elements. The location and configuration of the Improvements referred to in the foregoing sentence are depicted on the Plat. The Condominium Project also contains other improvements of a less significant nature that are not depicted on the Plat, such as outdoor lighting, area landscaping and concrete sidewalks and walkways. The Plat shows the number of stories and number of Units that are contained in the Building included in the Condominium Project.

2. Section 3.02 (a) of the Declaration is hereby replaced and superseded by the following:

3.02 Units.

- (a) Declarant hereby creates thirty (30) Residential Units and four (4) Retail Units within the Condominium Project. The Plat shows the Unit Number of each Unit, its location, dimensions from which its Area may be determined, and the General Common Elements and Limited Common Elements to which it has access. Each Unit shall be capable of being separately owned, encumbered and conveyed. Each Owner of a Unit shall be entitled to the exclusive ownership and possession of

such Owner's Unity, subject to the terms and conditions of this Declaration.

3. Effectiveness of Amendment. This Amendment shall become effective on the date (the "Effective Date") on which: (i) this Amendment has been duly executed by the Association, (ii) has been signed by all officers of the Management Committee (iii) this Amendment has been recorded in the Official Records.
4. Full Force and Effect: Defined Terms. The Declaration, as amended by this Amendment, is hereby ratified, approved and confirmed and shall remain unmodified in all other respects and in full force and effect.

IN WITNESS WHEREOF, we the undersigned have executed and delivered this Amendment as of the date and year first above written.

Association:

MANAGEMENT COMMITTEE OF
HOMEOWNERS' ASSOCIATION OF
ROCKWELL SQUARE, INC.,
a Utah nonprofit corporation

By: GARY GIBSON
Name: Gary Gibson
Title: HOA President - Rockwell Square

By: Laure D. Edhouse
Name: Laure D. Edhouse
Title: Treasurer

By: Deon Morlock
Name: Deon Morlock
Title: _____

By: Kelly Lane
Name: Kelly Lane
Title: Director

By: Darci Anderson
Name: Darci Anderson
Title: Director

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

The foregoing certification was acknowledged before me this 26 day of April, 2017
by Gary Gibson, President of Homeowner's Association of
Rockwell Square, Inc., a Utah nonprofit corporation.

Shelly J Fry
NOTARY PUBLIC
Residing at: SLC Utah

My Commission Expires: 7/23/17

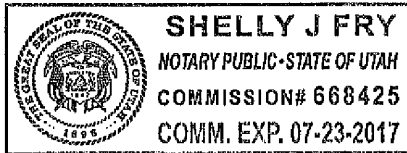


EXHIBIT A

[Legal Description of Declaration of Condominium Project]

Located in the Southwest Quarter of Section 6,
Township 4 South, Range 1 East,
Salt Lake Base and Meridian.

Beginning at a point on the South line of 13800 South Street said point being West 244.00 feet along the center line of said 13800 South Street and South 40.00 feet from a found Street Monument at the Intersection of 13800 South Street and 300 East Street said monument also being used as the Center of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian in some surveys, and running:

thence South 313.91 feet;
thence West 215.35 feet;
thence North 36.81 feet
thence South 89°54'32" West 50.69 feet;
thence North 00°57'29" West 117.20 feet to the southeast corner of the Cutler

Subdivision;

thence North 160.00 feet along the east line of said Cutler Subdivision to a point on the south line of said 13800 South Street;

thence East 268.00 feet along the south line of said 13800 South Street to the point of beginning.

Contains 82,078 Square Feet or 1.88 Acres

Additional Parking Stall Parcel:

Located in the Southwest Quarter of Section 6,
Township 4 South, Range 1 East,
Salt Lake Base and Meridian.

Beginning at a point on the west line of the Wheadon Preserve said point being West 244.00 feet along the center line of said 13800 South Street and South 316.76 feet from a found Street Monument at the Intersection of 13800 South Street and 300 East Street said monument also being used as the Center of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian in some surveys, and running:

thence South 37.15 feet along the west line of said Wheadon Preserve;
thence West 215.35 feet;
thence North 36.81 feet;
thence North 89°54'32" East 215.35 feet to the point of beginning.

Contains 7,964 Square Feet or 0.18 Acres

