

mail to
Grant
65 W. Apricot Ave.
SLC, Utah 84103

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10/17/2017 3:28:00 PM \$19.00
Book - 10609 Pg - 8364-8366
ADAM GARDINER
Recorder, Salt Lake County, UT
MT OLYMPUS TITLE
BY: eCASH, DEPUTY - EF 3 P.

DECLARATION AMENDING
DECLARATION OF CONDOMINIUM
OF
MARMALADE CONDOMINIUM
JANUARY 29, 1981
AMENDED JUNE 22, 2015

Pursuant to a vote taken during the Annual Meeting of the Marmalade Home Owners Association on July 31, 2017 a majority vote of 3/5ths of the Owners voting, adopted amendments to the Original Declaration filed on January 29, 1981 and recorded at page 3531311 in the Office of the Salt Lake County Recorder and subsequently amended on June 22, 2015 as follows:

The undersigned Marmalade Homeowners Association, hereby adopts and certifies the following addition to the Declaration of Covenants, Conditions, and Restriction for Marmalade Condominiums. By this Declaration the Association intends to impose upon the Real Property mutually beneficial restrictions under a general plan of improvement for the benefit of all of said Units and the Owners thereof.

Moreover, the Association intends that the Project shall become a community for persons 55 or older and intends to qualify for the age restriction exemption under The Fair Housing Act (Title VII of the Civil Rights Act, 42 USC Sec (3601, et seq.).

By this declaration new Section 3.10.2 (AGE RESTRICTION) is adopted as follows:

100% of the occupied Units within the Marmalade Condominiums shall be occupied by at least one (1) person not less than fifty-five (55) years of age. Each Owner shall agree and acknowledge to be bound by the Age 55 Criteria and the Owners subsequent sale or transfer of any unit shall be restricted by the Age 55 Criteria.

In compliance with HOPA the Association, shall (i) publish and adhere to Age 55 Criteria policies and procedures that demonstrate the intent to operate this Project as a community for persons who are 55 years of age or older as such intent is set forth in this Section; and (ii) shall establish policies for age verification, such as a driver license, birth certificate, passport, immigration card or military identification.

The only exception to the Age 55 Criteria is for the non-age qualifying surviving spouse of an age qualified decedent Owner who had occupied the Unit, until such time as the non-age qualified surviving spouse remarries at which time the exception expires.

The provision of this paragraph 3.10.2 shall be strictly enforced, whether at law

Tax Paralel 08-36-291-001 thru 006 COURTESY RECORDING

This document is being recorded solely as a courtesy and an accomodation to the parties named herein. Mt. Olympus Title hereby expressly disclaims any responsibility or liability for the accuracy or the content thereof.

or equity and are enforceable by the HOA or any individual owner of a Unit within the project.

This amendment and Declaration of Condominium of Marmalade Condominiums shall take effect upon recording as authorized by The Fair Housing Act (Title VII of the Civil Rights Act, 42 USC Sec (3601, et seq.).

BY: *Rosemary Conder*
Rosemary Conder
President Marmalade Condominium HOA

NOTORIZATION

On this 16 day of October, 2017 personally appeared before me Rosemary Conder, who acknowledged that she is the President of the Marmalade Condominium HOA and is authorized to file the foregoing Declaration and Amendment on behalf of the Marmalade Condominium HOA and who executed this document in my presence.

Nathan Grover
Notary Public
Residing in Salt Lake County
My Commission expires:

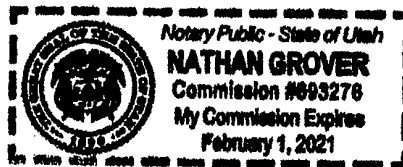


EXHIBIT "A"

COMMENCING at the Northwest corner of Lot 5, Block 12, Plat E, Salt Lake City Survey and running thence South 24°02'46" East 150.54 feet along the West Boundary of Lots 4 and 5; thence North 75°25' East 151.25 feet to the Easterly Boundary of said Lot 5; thence North 24°20'46" West 108.87 feet along the Easterly Boundary of said Lot 5; thence South 89°59'13" West 163.36 feet along the Southerly line of Apricot Street to the point of beginning.

ALSO Described as:

Units 1-5, contained within THE MARMALADE CONDOMINIUM, a Utah Condominium Project as identified in the Record of Survey Map recorded February 5, 1981, as Entry No. 3531312, in Book 81-2, at page 25 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 The Marmalade Condominium, recorded February 5, 1981, as Entry No. 3531311, in Book 5210, at Page 65 (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.

Tax Parcels: 08-36-291-001, 08-36-291-002, 08-36-291-003, 08-36-291-004, 08-36-291-005
and 08-36-291-006