

**FIRST AMENDMENT TO THE
AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM FOR
EDINBURGH OF HOLLADAY CONDOMINIUMS**

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF CONDOMINIUM FOR EDINBURGH OF HOLLADAY CONDOMINIUMS (“**Amendment**”) is made by the Edinburgh of Holladay Homeowners Association, Inc., a Utah nonprofit corporation (“**Edinburgh**”). This Amendment shall be effective as of the date of its recordation in the Salt Lake County Records.

RECITALS

- A. The *Declaration of Condominium of The Edinburgh of Holladay Condominium Project* was recorded on May 23, 1986, in the office of the Salt Lake County Recorder as Entry No. 4250018, in Book 5770, and beginning at Page 1162 (“**Enabling Declaration**”).
- B. The *First Amendment to the Declaration of Covenants, Conditions, and Restrictions at The Edinburgh of Holladay Condominium Project* was recorded on December 10, 1992, in the office of the Salt Lake County Recorder as Entry No. 5392310.
- C. The *Second Amendment to the Declaration of Covenants, Conditions, and Restrictions at The Edinburgh of Holladay Condominium Project* was recorded on May 7, 1993, in the office of the Salt Lake County Recorder as Entry No. 5498920.
- D. The *Third Amendment to the Declaration of Condominium of The Edinburgh of Holladay Condominium Project* was recorded on April 29, 2015, in the office of the Salt Lake County Recorder as Entry No. 12040860.
- E. The *Amended and Restated Declaration of Condominium of Edinburgh of Holladay Condominiums* (the “**Declaration**”) was recorded on February 16, 2022, in the office of the Salt Lake County Recorder as Entry No. 13892303.
- F. The Association now desires to further amend the Declaration.
- G. This Amendment constitutes an amendment to the Declaration. In the event of a conflict or inconsistency between the terms of this Amendment and the terms of the Declaration, the terms of this Amendment shall control.
- H. Pursuant to Article 15, Section 15.1, the Declaration can be amended at any time with the affirmative vote of at least sixty-seven percent (67%) of the Allocated Interests of the Association.
- I. Sixty-seven percent (67%) of the Allocated Interests of the Association have approved this Amendment.

- J. Except as amended in this Amendment, all of the terms, conditions, agreements and provisions in the Declaration are reaffirmed, ratified, confirmed, and approved in their entirety and remain in full force and effect
- K. This Declaration affects the real property situated in Salt Lake County, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this Declaration by reference (the "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.

NOW, THEREFORE, the Association by and through its Board of Directors, hereby amends the Declaration as follows:

AMENDMENT

Declaration is hereby supplemented and amended with the addition of the following Section 6.14:

6.14 Reinvestment Fee. The Board may establish a "Reinvestment Fee" assessment in accordance with this Section and Utah Code §57-1-46. The following terms and conditions shall govern the Reinvestment Fee:

(a) Upon the occurrence of any sale, transfer, or conveyance of any Unit as reflected in the office of the Salt Lake County Recorder, regardless of whether it is pursuant to the sale of the Unit or not (as applicable, a "Transfer"), the party receiving title to the Unit (the "Transferee") shall pay to the Association a Reinvestment Fee in the amount of 0.5% of the purchase price.

(b) The Association shall not levy or collect a Reinvestment Fee for: (i) any Transfer made to the Association, (ii) any Transfer made for estate planning purposes by a Unit's current Owner to a trust or other entity owned and controlled by the Owner as determined by the Board of Directors, or (iii) any other Transfer so exempted in Utah Code §57-1-46(8).

(c) The Reinvestment Fee shall be due and payable by the Transferee to the Association at the time of the Transfer giving rise to the payment of such Reinvestment Fee and shall become part of the Assessment to which such Owner and that Owner's Unit are subject and may be collected as an Assessment.

CERTIFICATION

This Amendment was duly approved by at least sixty-seven percent (67%) of the Allocated Interests of the Association required by Article 15, Section 15.1 of the Declaration.

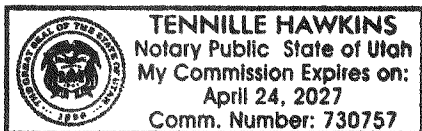
IN WITNESS WHEREOF, the Association has executed this Amendment to the Declaration as of this 12 day of June, 2022, to be effective as of the date of its recordation in the office of the County Recorder of Salt Lake County, Utah.

EDINBURGH OF HOLLADAY HOMEOWNERS
ASSOCIATION, INC., a Utah nonprofit corporation

By: Lynn Christensen
Authorized Representative

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

On June 12, 2023, personally appeared before me
Lynn Christensen, who by me being duly sworn, did acknowledge before me
and say that he/she is an authorized representative of the Edinburgh of Holladay
Homeowners Association, Inc., that the foregoing amendments to the Declaration were
approved by at least a majority of the Members, and that he/she executed this Amendment
with authority from the Board.



Hawkins
NOTARY PUBLIC

**EXHIBIT A
LEGAL DESCRIPTION**

All of **The Edinburgh of Holladay Condominium Project**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder as Entry Number 4250017.

Including all 43 Units, Buildings, and Common Area

Parcel Numbers: 22082050020000 through 22082050440000

All of **The Edinburgh of Holladay Condominium Project Phase II**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder as Entry Number 5392309.

Including all 6 Units, Buildings, and Common Area

Parcel Numbers: 22082060010000 through 22082060060000

All of **The Edinburgh of Holladay Condominium Project Phase III**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder as Entry Number 5498919.

Including all 5 Units, Buildings, and Common Area

Parcel Numbers: 22082070010000 through 22082070060000

