

4126147

AMENDED DECLARATION

OF

TWO PINES CONDOMINIUMS

Declarants, Kent Dawes and Barbara Dawes, pursuant to the provisions of the Utah Condominiums Ownership Act, as amended, do hereby amend the Declaration of Two Pines Condominiums previously recorded with the office of the Salt Lake County Recorder on the 1st day of April, 1985, Book 5641, Page 1411, Entry No. 4067802 as follows:

1. The introductory paragraph of the Declaration shall be amended to read as follows:

THIS DECLARATION is made and executed by Kent Dawes and Barbara Dawes ("declarants"), pursuant to the provisions of the Utah Condominium Ownership Act, as amended, Utah Code Annotated (1953) 57-8-1 through 57-8-36 (Repl. Vol. 1974), hereinafter referred to as the "act".

2. Section 1.1 shall be amended to read as follows:

1.1 Declarants, are the sole owner of the real property and improvements ("property") located at approximately 1833 South West Temple, Salt Lake City, Utah hereinafter more particularly described.

3. The first paragraph of Section 5 shall be amended to read as follows:

The common areas and facilities shall mean and include: the land on which the building is located and all portions of the property not contained within any unit, including, but not by way of limitation: the foundations, columns, girders, beams, supports, main walls, roofs, stairs, grounds, gardens, uncovered parking areas, general uncovered boat or camper storage, installations of all central services, including water and garbage collection; and in general all apparatus and installations existing for common use; all patios, courts and driveways; any utility pipes, lines or systems servicing more than a single unit and all ducts, flues, chutes, wires, conduits and other accessories and utility installations to the outlets used therewith; all limited common areas and facilities hereinafter described; all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally common in use, or which have been designated as common areas and facilities in the map; and all repairs and replacements of any of the foregoing.

4. Section 8.2.6 shall be amended to read as follows:

A unit owner shall not permit any animals of any kind to be raised, bred, or kept in his unit or in the limited common areas and facilities appurtenant to his unit unless approved by the management committee.

5. The heading for Section 10 shall be amended to read as follows:

10. Association of Unit Owners: Board of Trustees
(hereinafter known as Management Committee)

6. Section 16.3 shall be amended to read as follows:

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BOOK 56829 2860

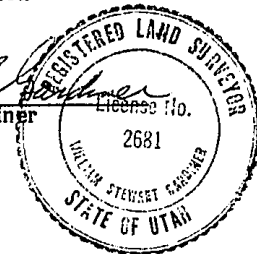
AFFIDAVIT

WILLIAM STEWART GARDINER a registered land surveyor, having previously executed and submitted for recordation with the office of the Salt Lake County Recorder, a Record of Survey Map for Two Pines Condominiums (reference No. 85-4-56) (hereinafter the "Map"), does hereby amend the Map as follows:

1. All references upon the Map to Vernon H. Smith and Alice M. Smith shall be deleted in their entirety.

2. All other representation, drawings and dates otherwise contained within the Map are hereby reaffirmed except as specifically set forth in this Affidavit.

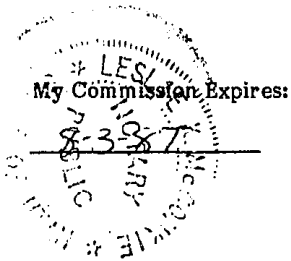
William Stewart Gardiner
William Stewart Gardiner



STATE OF UTAH)
COUNTY OF SALT LAKE) :SS

SUBSCRIBED and SWORN to be for me by William Stewart Gardiner, this 14th day of Aug, 1985.

Leslie H. McCombe
Notary Public
Residing in: Salt Lake County



Affidavit

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Should this declaration or related documents be amended to include a "right of first refusal", said right of first refusal shall not impair the rights of a first mortgagee to: (i) foreclose or take title to a condominium unit pursuant to the remedies provided in the mortgage, or (ii) accept a deed (or assignment) in lieu of foreclosure in the event of default by a mortgagor, or (iii) interfere with a subsequent sale or lease of a unit by the mortgagee. Any such amendment shall first be approved by the Veterans Administration or equivalent government agency.

7. Section 16.9 shall be amended to read as follows:

Any agreement for professional management of the condominium project, or any contract providing for services of the developer, sponsor or builder, may not exceed three (3) years. Any such agreement must provide for termination by either party without cause and without payment of a termination fee on thirty (30) days or less written notice.


8. Section 25 shall be amended to read as follows:

The declarant shall have the same rights as other condominium owners to access of the common areas as may be reasonably necessary incidental to the completion, development, management and sale of all the units.

9. Page 20 of the Declaration shall be deleted from the Declaration in its entirety together with any other references to Vernon A. Smith and Alice M. Smith within the original document.

10. Declarants reaffirm all other provisions of the original Declaration except as specifically amended or otherwise directly inconsistent with the provisions contained herein.

IN WITNESS WHEREOF, the undersigned has executed this Amendment of Declaration this 16th day of August, 1985.



Kent Dawes

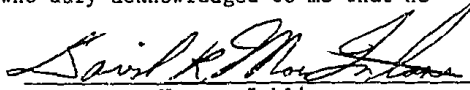


Barbara Dawes

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STATE OF UTAH)
)ss
County of Salt Lake)

On the 16th day of August, 1985, personally appeared before me KENT DAWES,
the signer of the within instrument who duly acknowledged to me that he
executed the same.


Notary Public

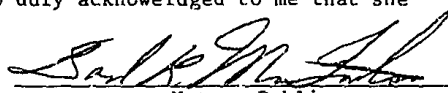
My Commission Expires: 8-26-85

Residing at: Salt Lake City, Utah



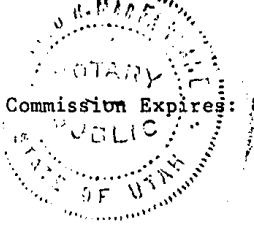
STATE OF UTAH)
)ss
County of Salt Lake)

On the 16th day of August, 1985, personally appeared before me BARBARA DAWES,
the signer of the within instrument who duly acknowledged to me that she
executed the same.


Notary Public

My Commission Expires: 8-26-85

Residing at: Salt Lake City, Utah



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EXHIBIT "A"

BEGINNING at a point on the Easterly right of way, line of West Temple Street said point being 142.24 feet North 0°01'10" West and 27.96 feet East from the city monument at the intersection of West Temple Street and Layton Avenue and running thence East 347.72 feet; thence North 0°06'16" East 104.85 feet; thence West 347.74 feet, more or less to the Easterly right of way line of West Temple Street; thence South 0°05'33" West 104.85 feet to the point of BEGINNING.

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MADE BY
RECORDED
SALT LAKE COUNTY,
UTAH

AUG 19 4 27 PM '85

FOUNDER'S TITLE
\$ _____ DEP _____

Evelyn Progett
EVELYN PROGETT

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