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**SECOND AMENDMENT TO THE CONDOMINIUM
DECLARATION FOR FOOTHILL GARDENS,
A Utah Condominium Project**

This Second Amendment to the Condominium Declaration for Foothill Gardens (hereinafter "Second Amendment") is made and executed by Foothill Gardens Owners Association, Inc., A Utah Nonprofit Corporation. This Second Amendment amends the Condominium Declaration for Foothill Gardens which was filed for record by the Salt Lake County Recorder as Entry Number 3286652 in Book 4870, at pages 746 through 801 (hereinafter "Declaration") and also the First Amendment to the Condominium Declaration for Foothill Gardens which was filed for record by the Salt Lake County Recorder as Entry Number 3725664 in Book 5417, at pages 136 through 141 (hereinafter "First Amendment"). This Second Amendment affects the following real property located in Salt Lake County, Utah :

All Units, Building 1 through 7, FOOTHILL GARDENS, a Utah Condominium Project, according to the record of survey map filed for record as Entry Number 3286653 in Book 79-5 of Plats at page 206, together with the appurtenant undivided ownership interest in the common areas and facilities, all of which is defined and described in the Condominium Declaration for Foothill Gardens, filed for record as Entry Number 3286652 in Book 4870, at pages 746 through 801 of official records and as amended by the First Amendment to the Condominium Declaration for Foothill Gardens, filed for record as Entry Number 3725664 in Book 5417, at pages 136 through 141 of official records.

Foothill Gardens Owners Association, Inc. is the membership association described in the Declaration. Said nonprofit Corporation is owned in total by the owners of the individual condominium units comprising Foothill Gardens Condominiums. Foothill Gardens Owners Association, Inc. is the successor to all previous Declarants, and as such successor, it makes and executes this Second Amendment in the capacity of the Declarant with the consent of more than two-thirds of the condominium ownership pursuant to the Declaration.

1. The first seventeen words of the fifth sentence in paragraph (b) of ARTICLE XII at page 14 of the Declaration state that "At each annual meeting, members of the Board of Directors shall be elected for one year terms, ". These seventeen words shall be stricken in their entirety and the following words substituted in their place:

Board members shall serve three year rotating terms. One-third of the Board (2; 2; 3) shall be elected each year at the annual meeting, .

2. The following sentence shall be inserted after the fifth sentence in paragraph (b) of ARTICLE XII at page 14 of the Declaration and shall become the sixth sentence in said paragraph:

A Board Member may serve two consecutive three year terms, after which he or she must take a one year bye before running again.

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3. The last sentence of paragraph 1 of ARTICLE V at page 4 of the ARTICLES OF INCORPORATION OF FOOTHILL GARDENS OWNERS'S ASSOCIATION, INC., a Utah Nonprofit Corporation, which is part of Exhibit "B" to the Declaration, states "Each Director shall hold office until the next annual meeting of the Members and until his successor has been duly elected and qualifies.". This sentence shall be stricken in its entirety and the following sentence substituted in its place:

Board Members shall serve three year rotating terms. One-third of the Board (2; 2; 3) shall be elected each year. A Board Member may serve two consecutive three year terms, after which he or she must take a one year bye before running again. Board Members shall hold office until his or her successor has been duly elected and qualifies.

4. The last sentence in Section 2.1 of ARTICLE II at page 1 of the BYLAWS OF FOOTHILL GARDEN'S OWNER'S ASSOCIATION, INC., A NONPROFIT CORPORATION, which is also part of Exhibit "B" to the Declaration, states "At such meeting, the members shall elect Directors for one (1) year terms to serve until their successors shall be elected Directors; provided, however, that officers and / or duly authorized agents of corporate members may also be elected Directors of the Association. This sentence shall be stricken in its entirety and the following sentence substituted in its place:

At such meeting the members shall elect one-third of the Directors for one term of three years each to serve until their successors shall be elected Directors; provided, however, that officers and / or duly authorized agents of corporate members may also be elected Directors of the Association.

5. The following paragraph shall be added to ARTICLE III of the BYLAWS OF FOOTHILL GARDEN'S OWNER'S ASSOCIATION, INC., A NONPROFIT CORPORATION, which is part of "Exhibit "B" to the Declaration, and shall be designated as Section 3.9:

Section 3.9. Term. Board Members shall serve three year rotating terms. One-third of the Board (2; 2; 3) shall be elected each year. A Board Member may serve two consecutive three year terms, after which he or she must take a one year bye before running again.

6. Paragraph 3 at page 2 of the First Amendment renumbers subparagraph 6 of paragraph (b) of ARTICLE VII at page 9 of the Declaration to subparagraph 7 of paragraph (b) of ARTICLE VII of the Declaration. Paragraph 4 at pages 2 and 3 of the First Amendment amends said new subparagraph 7 of paragraph (b) of ARTICLE VII of the Declaration. The language in said new subparagraph 7 of paragraph (b) of ARTICLE VII, which was created in said First Amendment, shall be stricken in its entirety and replaced by the following language:

(7) No animals of any kind which are not traditional, customary household pets, shall be allowed, kept, bred, or raised in any Unit or on any of the Common Areas in the Project. Without limiting the generality of the foregoing, livestock, fowl, poultry, rabbits, rats, or wild animals are not traditional and

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KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
JACK JENSEN
PO BOX 58985
SLC, UT 84158-0985
REC BY: BEVERLY CARTER, DEPUTY

customary household pets and are prohibited. Dogs shall not be kept in any Unit or any of the common areas, except seeing eye or similar dogs for the blind or handicapped. Subject to additional rules and regulations established by the Management Committee consistent with the rules contained in this subparagraph, cats, and other such customary and traditional pets (excepting dogs) may be kept in Units provided: (i) They are not kept, bred or maintained for any commercial purpose; (ii) No more than one cat shall be kept in any one Unit; (iii) The Unit Owner (Tenant) shall immediately remove any stools, dirt, or soilage, and repair any damage occasioned by the pet in any area of the Project; (iv) All pets shall be carried, caged or leashed, and accompanied by a responsible person at all times when in any of the Common Areas; (v) No pets shall be permitted in the clubhouse, pool area, or any other such facility, nor in the landscaped areas of the Project, nor on any balcony or patio; (vi) All pets shall be kept quiet, clean and free of disease and shall be of a placid disposition; (vii) Pets shall relieve themselves of bodily wastes only in areas specified by the Committee and all stools shall be removed immediately by the person accompanying the pet; and (viii) If any pet causes or creates a nuisance or unreasonable disturbance or if the owner of a pet violates any of the foregoing restrictions, the pet shall be permanently removed from the property upon ten (10) days written notice from the Management Committee.

In Witness Whereof the undersigned have caused this Second Amendment to be executed this 26th day of June, 1991.

Foothill Gardens Owners Association, Inc.

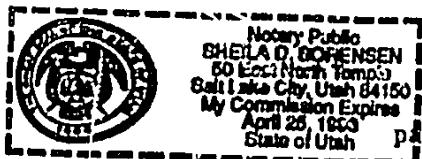
By: *Darrel J. Vorwaller*
Darrel J. Vorwaller, President

Attest:

Jack C. Jensen, Jr.
Jack C. Jensen, Jr., Secretary

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On the 26th day of June, 1991, personally appeared before me Darrel J. Vorwaller and Jack C. Jensen, Jr. who, being by me first duly sworn declared that they are the President and Secretary, respectively, of Foothill Gardens Owners Association, Inc., and that the foregoing instrument was executed by them on behalf of said corporation pursuant to the authorization of its Board of Directors and its By-Laws, and they duly acknowledged to me that said corporation executed the same.



Sheila D. Borenson
Notary Public
Residing in: *Salt Lake City, Utah*
Commission Expires: *April 25, 1993*

BR 6332 PG 1822