

AMENDMENTS TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF MILLCREEK COVE PHASE I
(a Utah Condominium Project)

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The undersigned being all of the Unit Owners of the condominium project known as Millcreek Cove Condominium or Millcreek Cove Phase I hereby adopt certain amendments to that certain Declaration of Covenants, Conditions and Restrictions of Millcreek Cove Phase I, as amended, which was recorded in the office of the County Recorder of Salt Lake County, Utah, on August 14, 1981, as Entry No. 3595315 (hereinafter the "Declaration") in accordance with the provisions of the "Utah Condominium Ownership Act", the same to be effective immediately upon the execution, acknowledgement and recordation of this instrument.

RECITALS

A. The Project. The project (hereinafter the "Project") consists of the land more particularly described in Exhibit "A" attached hereto and incorporated herein by reference, together with all buildings and other improvements constituting the Millcreek Cove Phase I Condominium Project, a Utah Condominium Project, as more particularly described in the Declaration and the Record of Survey Map, as amended, which was recorded in the office of the County Recorder of Salt Lake County, Utah, on August 14, 1981, as Entry No. 3595314, in Book 81-8, at Page 121, et seq., as amended (hereinafter the "Record of Survey Map").

B. Definitions. For purposes of the amendments made hereby, the definitions set forth in the Declaration and the Utah Condominium Ownership Act shall be applicable except to the extent amended hereby or supplemented hereby. Any definitions not defined in the Declaration or in these amendments shall have the meaning set forth in the Utah Condominium Ownership Act.

C. Application of Amendments. The amendments adopted hereby are intended to amend, supplement and clarify the Declaration and the Record of Survey Map, and these amendments shall be controlling in resolving any conflicts between these amendments and the Declaration and the Record of Survey Map to the extent any other provisions of the Declaration or Record of Survey Map are inconsistent herewith. These amendments shall be binding upon and inure to the benefit of all of the Unit Owners, their Mortgagees, lessees, successors and assigns.

D. Purpose for Amendments. These amendments are made and adopted primarily for the purpose of providing and describing a method by which the Declaration and Record of Survey Map may be amended consistent with the Utah Condominium Ownership Act.

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NOW THEREFORE THE FOLLOWING AMENDMENTS ARE DULY ADOPTED:

1. Amendment to Clarify Name of Project. ARTICLE II, SECTION I, of the Declaration is amended by repealing the same as it presently appears and replacing it with the following:

ARTICLE II

SECTION I: Condominium Name:

The name of the Condominium is:

MILLCREEK COVE PHASE I CONDOMINIUMS

2. Amendment to Clarify Name of Association. ARTICLE III, SECTION I, of the Declaration is amended by repealing the same as it presently appears and replacing it with the following:

ARTICLE III

SECTION I: Name of Organization of Unit Owners:

The name of the organization of Unit Owners is:

MILLCREEK COVE PHASE I HOMEOWNERS ASSOCIATION

a non-profit corporation duly organized under the laws of the State of Utah with its principal place of business at Salt Lake City, Utah. Millcreek Cove Phase I Homeowners Association, herein referred to as "Association" has enacted by-laws pursuant to the Non-Profit Corporation Act of the State of Utah.

3. Amendment to Clarify Description of By-Laws. ARTICLE I, SECTION I, of the Declaration is amended in pertinent part to refer to the title of the By-laws as the "By-laws of Millcreek Cove Phase I Homeowners Association".

4. Unit Owners Right to Amend and Method for Amending Declaration and Record of Survey Map. ARTICLE XIX, SECTION I, of the Declaration is hereby amended by repealing the same as it presently appears and replacing it with the following:

ARTICLE XIX

SECTION I: General Provisions.

1. Provisions for Amendments to Declaration and Record of Survey Map. Except as otherwise provided herein and by law, the Unit Owners may, by the affirmative vote or written consent of at least three-fourths of such Unit Owners (as defined in the

Declaration or if less restrictive, as defined in the Utah Condominium Ownership Act, Utah Code Ann. § 37-8-10(8)(b)), amend the Declaration or Record of Survey Map by an instrument executed by the duly authorized officers or directors of the Association, which shall be immediately recorded in the office of the County Recorder of Salt Lake County, Utah and shall thereupon be binding upon all of the Unit Owners, their Mortgagees, successors and assigns. In any case where an amendment requires the written consent of all or a portion of the Unit Owners or the written consent of all or a portion of the Mortgagees, the instrument affecting such amendment may be signed and certified by the appointed and duly authorized officers or directors of the Association, who shall state under oath that the required written consents are in their possession and have been obtained and upon such certification and the signatures of such management representatives, the instrument shall be effective and may be recorded for all purposes. In any case where an amendment requires the proper execution and acknowledgment of the Unit Owners and/or of the Mortgagees to be manifested upon the instrument to be recorded in order to become properly effective upon recordation, then for convenience the necessary execution of individual Unit Owners or Mortgagees may be obtained by separate signature page counter-parts, which may be affixed to the final document and recorded and shall become effective and be deemed to be a single instrument for all purposes.

2. Service of Process. The person to receive the service of process in cases provided for under the Declaration or under the Utah Condominium Act shall be the registered agent for the non-profit corporation constituting the representative of the Association. Such registered agent may be changed from time to time in accordance with Utah law on non-profit corporations.

3. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision which shall remain in full force and effect.

4. Captions. Captions used in the Declaration are inserted solely as a matter of convenience and shall not be relied upon or used in construing the effect or meaning of any of the text of the Declaration.

IN WITNESS WHEREOF, the undersigned Unit Owners have duly adopted the foregoing amendments by unanimous written consent as manifested by their execution of this instrument or of counterparts to be appended to and made a part of this instrument, duly

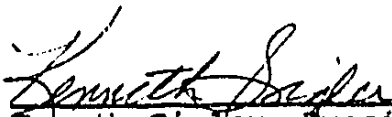
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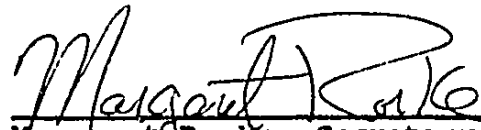
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acknowledged and setting forth with respect to each individual Unit Owner, the designation of the Unit owned by them with their signatures duly acknowledged thereto and bearing the date of their separate execution, which shall be deemed to be effective upon the completion of the execution hereof by all Unit Owners and the due recording of this instrument.

MILLCREEK COVE PHASE I
HOMEOWNERS ASSOCIATION,
a Utah non-profit corporation,

BY:


Kenneth Sigler, President

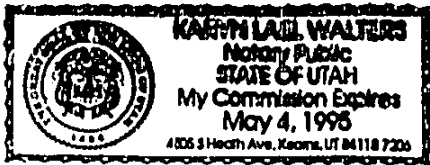

Margaret Rorke, Secretary

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ACKNOWLEDGEMENT

STATE OF Utah)
COUNTY OF Salt Lake) ss.

The foregoing instrument was acknowledged before me this 11th day of March, 1992, by Kenneth Sigler, whose title or representative capacity is President of Millcreek Cove Phase I Homeowners Association, a Utah non-profit corporation.



Karyn Lael Walters
Notary Public

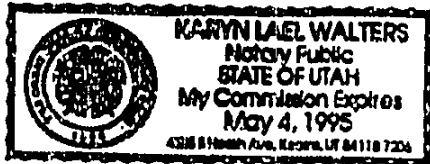
My Commission Expires:

May 4, 1995

Residing At:
Salt Lake City, Utah

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

The foregoing instrument was acknowledged before me this 11th day of March, 1992, by Margaret Rorke, whose title or representative capacity is Secretary of Millcreek Cove Phase I Homeowners Association, a Utah non-profit corporation.



Karyn Lael Walters
Notary Public

My Commission Expires:

May 4, 1995

Residing At:
Salt Lake City, Utah

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EXHIBIT "A"

DESCRIPTION OF LAND CONSTITUTING THE PROJECT

That certain real property located in Salt Lake County, Utah and more particularly described as follows:

BEGINNING at a point on the South line of 3800 South Street, said point being S 00 degrees 13'44" W along the Wasatch Blvd. monument line (Section line bearing is S 00 degrees 25'12" E) 206.69 feet and East 149.617 feet from the West 1/4 Corner of Section 36, Township 1 South, Range 1 East, Salt Lake Base & Meridian, said point of beginning being N 00 degrees 13'44" E 685.018 feet along the Wasatch Blvd. monument line and East 149.617 feet from the monument at the intersection of 3900 South Street and Wasatch Blvd.; thence N 87 degrees 56'10" E along said South line 1066.452 feet; thence S 01 degrees 48'00" E 160.63 feet; thence West 455.00 feet; thence N 80 degrees 00'00" W 343.000 feet; thence West 248.608 feet; thence N 25 degrees 10'12" W 69.15 feet to the point of beginning.

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KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
GUARDIAN TITLE
REC BY: SHARON WEST , DEPUTY