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07/28/94 3:35 PM 48.00
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
PAUL H ASHTON
660 S 200 E # 301 SLC 84111
REC BY: J FERGUSON , DEPUTY - WI

**AMENDMENTS TO THE DECLARATION OF
GATEWOOD CONDOMINIUMS**

5885233
Pursuant to the requirements of the Declaration of Condominium - Gatewood Condominium, recorded at Book 5577, Page 2661, Salt Lake County Recorders Office, and the Utah Condominium Ownership Act (hereafter the "Declaration"), Paul C. Yoon and Gatewood Homeowners Association, Inc., a Utah non-profit corporation, representing 100% of the unit owners and voters of the Gatewood Condominiums, do hereby amend the Declaration of said Gatewood Condominiums on this 24 day of July, 1994. Nothing contained herein shall be deemed as removing the Gatewood condominium project from the protection and provisions of the Utah Condominium Ownership Act. The property affected by these amendments is located at 9100 South 790 East, Sandy, Utah, and is more particularly described as follows:

Beginning at a point North 1860.695 feet and East 713.26 feet from the Southwest corner of Section 5, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point of beginning is also the Northwest corner of Lot 434, of Pebble Glen No. 4 Subdivision, and running thence South 0 degrees 07 minutes west 116.50 feet to the North line of Lazon Drive; thence North 89 degrees 22 minutes 15 seconds West along said North line 200.0 feet; thence North 0 degrees 07 minutes East 232.11 feet; thence South 89 Degrees 14 minutes 13 seconds East 810.89 feet; thence South 115.09 feet to a point on the North line of Pebble Glen No. 1 Subdivision; thence North 89 degrees 13 minutes 13 seconds West along the North line of Pebble Glen Subdivision No. 1 & 4; 611.12 feet to the point of beginning.

AMENDMENTS - To the extent provisions of the Declaration, Bylaws and/or Articles of Incorporation of Gatewood Condominiums, Inc. are inconsistent with these Amendments, the Amendments control, and the inconsistent provisions are null and void. The Amendments are as follows:

Article 9 of the Declaration is amended to include the following provision:

9.7 A Unit Owner may not lease less than an entire Unit and may not lease the Unit for less than thirty (30) days. All leases shall be in writing and shall be provided to the Management Committee. All leases shall be subject to the provisions and requirements of the Declaration, by-laws and/or Articles of Incorporation of the Gatewood Homeowner's Association, Inc.

Article 11 of the Declaration is amended to include the following provision:

11.7 Upon the sale of seventy (70%) percent of the condominium units, for purposes of owner occupancy, and the obtaining of FHA financing, the management committee shall review the insurance coverage provided to the condominium project to determine if it complies with the minimum requirements of Appendix 24 (effective on the date of these

Amendments) issued by the U.S. Department of Housing and Urban Development. To the extent that the insurance coverage do not meet the minimum requirements of Appendix 24, the management committee shall obtain and maintain insurance that meet or exceed those requirements.

Article 12 of the Declaration is amended to include the following provision:

12.4 Notwithstanding any other provision in the Declaration, no restoration or repair of the condominium buildings, following damage due to an insurable hazard, shall vary from the original plans and specifications for the condominium buildings unless approval is first obtained from those holder(s) of first mortgages on condominium units, which units are entitled to at least fifty one (51%) percent of the votes under the terms of the Declaration, Bylaws and/or Articles of Incorporation of the Gatewood Condominium Association, Inc.

12.5 Notwithstanding any other provision in the Declaration, no election to terminate the condominium regime, after substantial damage to the condominium buildings (whether through an insurable hazard or a taking) shall take place unless approval is first obtained from those holder(s) of first mortgages on condominium units, which units are entitled to at least fifty one (51%) percent of the votes under the terms of the Declaration, Bylaws and/or Articles of Incorporation of the Gatewood Condominium Association, Inc.

12.6 Notwithstanding any other provision in the Declaration, no reallocation in the common areas, after a partial destruction or partial taking, may be effected unless approval is first obtained from those holder(s) of first mortgages on condominium units, which units are entitled to at least fifty one (51%) percent of the votes under the terms of the Declaration, Bylaws and/or Articles of Incorporation of the Gatewood Condominium Association, Inc.

Article 15 of the Declaration is amended to include the following provisions:

15.7 In addition to the notice requirement of 15.3 above, the management committee shall provide written notice to a mortgagee on the roster of :

- (a) Any proposed amendment of the declaration, bylaws and/or Articles of Incorporation of the Gatewood Homeowners Association, Inc., effecting a change in (i) the boundaries of any unit or the exclusive easement rights appertaining thereto, (ii) the interests in the general or limited common areas appertaining to any unit or the liability for common expenses appertaining thereto, (iii) the number of votes in the association appertaining to any unit or (iv) the purposes to which any unit or the common areas are restricted;
- (b) Any proposed termination of the condominium regime;
- (c) Any condemnation loss or any casualty loss which affects a material portion of the

condominium project or which affects any unit on which there is a first mortgage held, insured or guaranteed by such eligible holder;

(d) Any lapse, cancellation or material modification of any insurance policy maintained by the association pursuant to Article 11.

15.8 Notwithstanding any other provision in the Declaration, no election to terminate the condominium regime (other than that referenced in Article 12), shall take place unless approval is first obtained from those unit owners entitled to sixty seven (67%) percent of the vote and from those holder(s) of first mortgages on condominium units, which units are entitled to at least sixty seven (67%) percent of the vote under the terms of the Declaration, Bylaws and/or Articles of Incorporation of the Gatewood Condominium Association, Inc.

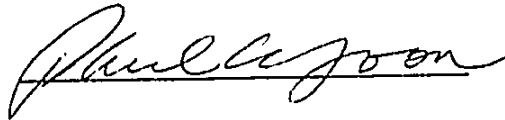
15.9 Notwithstanding any other provision in the Declaration, the consent of owners of units entitled to sixty seven (67%) percent of the vote and the consent of those holder(s) of first mortgages on condominium units, which units are entitled to at least fifty one (51%) percent of the vote under the terms of the Declaration, Bylaws and/or Articles of Incorporation of the Gatewood Condominium Association, Inc., are required for any material amendment of the declaration, bylaws, and/or Articles of Incorporation of Gatewood Homeowners Association, Inc. or to add any material provision thereto. A material amendment or addition relates to the following:

- (a) Voting;
- (b) Assessment, assessment liens or subordination such liens;
- (c) Reserves for maintenance, repair and replacement of common elements;
- (d) Insurance or Fidelity Bonds;
- (e) Rights to use of the common elements;
- (f) Responsibility for maintenance and repair of the several portions of the condominiums;
- (g) Expansion or contraction of the condominium regime or the addition, annexation or withdrawal of property to or from the regime;
- (h) Boundaries of any unit;
- (i) The interest in the general or limited common elements;
- (j) Convertibility of units into common elements or of common elements into units;
- (k) Leasing of units;
- (l) Imposition of any right of first refusal or similar restriction on the right of a unit owner to sell, transfer, or otherwise convey his or here unit in the project;
- (m) Amendment of any provision which are for the express benefit of holders or insurers of first mortgages.

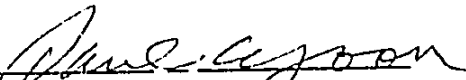
Article 29 of the Declaration is amended to change the name and address of the Designated Agent as provided in Article 29 of the Declaration. The new agent to receive process in connection to the project for purposes of the Utah Condominium Ownership Act is Paul H. Ashton, 660 South 200 East, Salt Lake City, Utah 84111.

Adopted and executed by Declarant as of the same date the Declaration was executed.

PAUL C. YOON



**GATEWOOD HOMEOWNERS
ASSOCIATION, INC.**

By: 
Paul C. Yoon, President

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 24 day of July, 1994, personally appeared before me, Paul C. Yoon, who duly acknowledged to me that he is President of Gatewood Homeowners Association, Inc, a Utah non-profit corporation, as well as the owner of 100% of the units in the project, and that the foregoing instrument was signed on his own behalf and on behalf of said Association by authority of the Declaration, and by authority of the Management Committee/Board of Trustees of the corporation.

Dated this 24 day of July, 1994, in Salt Lake City, Utah.

Notary Public

