

AMENDMENT TO FIRST AMENDED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE TOWNES, A CONDOMINIUM PROJECT

6721119  
This Amendment to the First Amended Declaration of Covenants, Conditions and Restrictions of the Townes, a condominium project, is made and executed this 16<sup>th</sup> day of August, 1997, upon the approval and consent of three-fourths of the votes of unit owners, hereinafter referred to as the "owners".

RECITALS: Whereas the First Amended Declaration of Covenants, Conditions and Restrictions of the Townes, a condominium project, (the "Amended Declaration") was recorded on April 17, 1989, in the office of the Salt Lake County Recorder in Salt Lake County, Utah, in Book 6118 at pages 1183 - 1216; and

WHEREAS, the legal description of the Townes Condominium project in Salt Lake County, Utah, is as follows:

See attached Exhibit "A"

POOR COPY  
CO. RECORDER

WHEREAS, the condominium owners, under Article 15 of the Amended Declaration, have the right to amend the Declaration upon the approval and consent of 3/4 of the votes of unit owners, which consent and approval shall be duly executed and recorded instruments and

WHEREAS, pursuant to Section 15 of the Amended Declaration and pursuant to Utah Code Ann. S 16-6-33, the undersigned unit owners, being three-fourths or more of the unit owners of the Townes, hereby amend the Amended Declaration as follows:

Section 38 is amended by inserting in Section 38, Payment of Expenses, the following

(Cont. Amendment to the First Amended Declaration of The Townes CCRs)

text in the fourth paragraph thereof, after the first sentence thereof:

However, the Management Committee shall not impose any increase in the amount of the annual assessment of more than five percent (5%) of the previous annual assessment, and shall not impose any special assessment or assessments exceeding Three Hundred (\$300) Dollars in any calendar year, until it has first given notice to each unit owner in writing, as provided in Section 20, of the amount and general purpose or purposes of the proposed new assessment or increase, and has obtained approval for the increase from the owners of at least fifty-one percent (51%) of the units. Such approval may be given either in writing without a meeting or by a vote at an Annual Meeting or Special Meeting of the units owners. In the case of a vote at an Annual or Special Meeting, the amount approved may vary from the amount set out in the notice.

IN WITNESS WHEREOF, the undersigned have executed this Amendment to the Amended Declaration.

Anne D. Tripp

PRINT OWNERS NAMES

Anne D. Tripp 2082

OWNERS SIGNATURES AND UNIT #

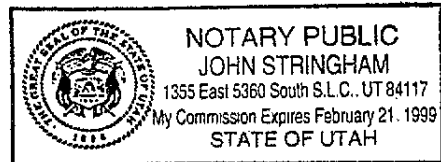
The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of

AUGUST . 1997, by ANNE D. TRIPP

*[Handwritten Signature]*

Notary Public

My Commission Expires: FEBRUARY 21, 1999

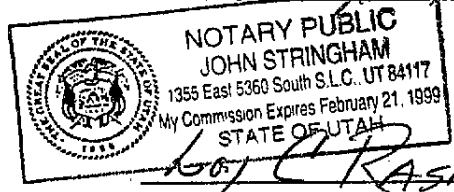


-POOR COPY- BK 7739 PG 24 11

JOHN H. KELLY  
KAY S KELLY  
PRINT OWNERS NAMES

John H. Kelly  
Kay S. Kelly  
OWNERS SIGNATURES AND UNIT # 2072

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by John H. Kelly + Kay S. Kelly

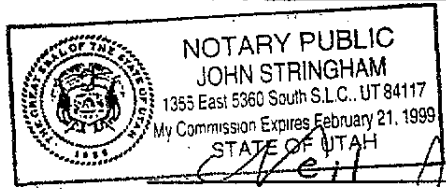


John Stringham  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

LOY C RASMUSON  
PRINT OWNERS NAMES

Loy C Rasmuson 2068  
OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by LOY C. RASMUSON

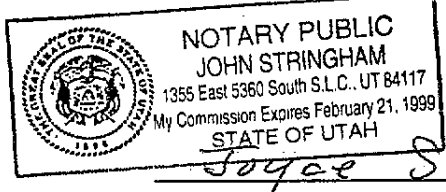


John Stringham  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Neil Astle  
PRINT OWNERS NAMES

Neil Astle 2064  
OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by NEIL ASTLE

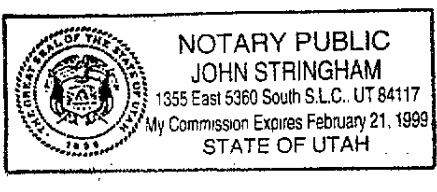


John Stringham  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Joyce Safford  
PRINT OWNERS NAMES

Joyce Safford 2066  
OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by JOYCE SAFFORD



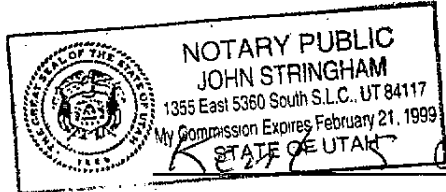
John Stringham  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

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BRUCE H. JENSEN  
JOHN JENSEN  
PRINT OWNERS NAMES

Bruce H. Jensen  
John Jensen  
OWNERS SIGNATURES AND UNIT # 2062

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by BRUCE H. JENSEN



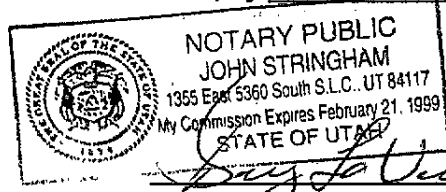
[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Kent S. Oviatt  
Geraldine K Oviatt  
PRINT OWNERS NAMES

Kent S Oviatt  
Geraldine K Oviatt 2076  
OWNERS SIGNATURES AND UNIT #

POOR COPY - CO. RECORDER

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by KENT S. OVIATT + GERALDINE K OVIATT

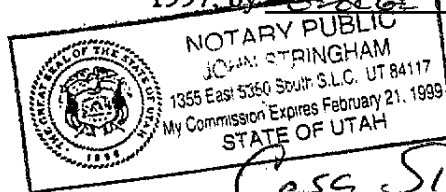


[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Gayle Ann Ough  
Geo L. Albright  
PRINT OWNERS NAMES

Gayle Ann Ough  
Barbara C Albright 2090  
OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by GEORGE LA VERN ALBRIGHT + BARBARA C ALBRIGHT

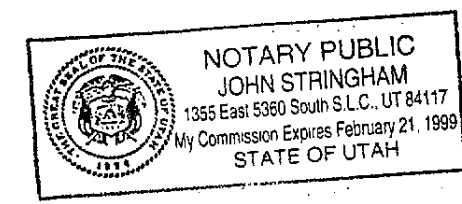


[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Cass Sicilia LLC  
by Scott Ough  
PRINT OWNERS NAMES

Barbara C Albright 2078  
OWNERS SIGNATURES AND UNIT #

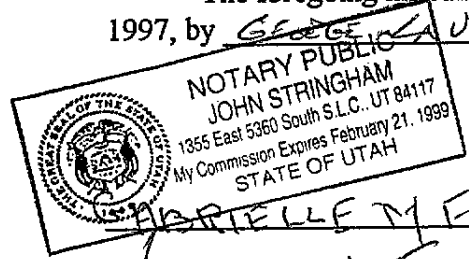
The foregoing instrument was acknowledged before me this 16 day of AUGUST, 1997, by GEORGE LA VERN ALBRIGHT AND BARBARA C ALBRIGHT



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

East Towne LLC by Barbara C Allright  
by George J. Vern Allright 2086  
PRINT OWNERS NAMES OWNERS SIGNATURES AND UNIT #

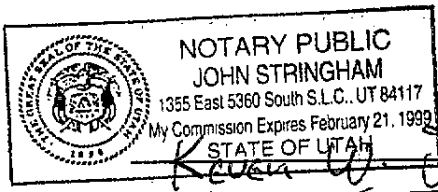
The foregoing instrument was acknowledged before me this 16 day of August  
1997, by GEORGE J. VERN ALLRIGHT AND BARBARA C. ALLRIGHT



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

ABRIELLE M FRANZ Gabrielle M. Franz 10B  
HENRY W FRANZ Henry W Franz 2052  
PRINT OWNERS NAMES OWNERS SIGNATURES AND UNIT #

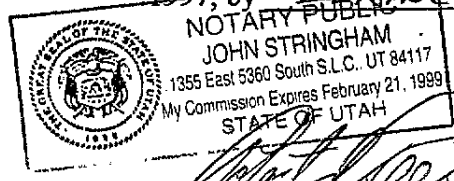
The foregoing instrument was acknowledged before me this 16 day of August  
1997, by GABRIELLE M FRANZ + HENRY W. FRANZ



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

KEVIN W. JOHANSEN Kevin W. Johansen  
ELANE S. JOHANSEN Elaine S. Johansen 2074  
PRINT OWNERS NAMES OWNERS SIGNATURES AND UNIT #

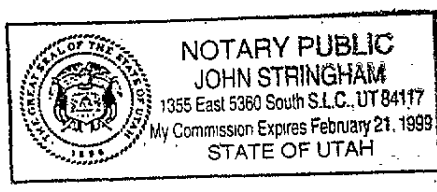
The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of August  
1997, by ELANE S. JOHANSEN AND KEVIN W. JOHANSEN



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

ROBERT J REESE Robert J Reese 2070  
[Signature]  
PRINT OWNERS NAMES OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 18 day of August  
1997, by ROBERT J. REESE



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

POOR COPY -  
CO. RECORDER

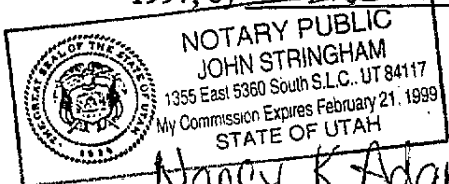
Sean McNabb

Sean McNabb #2056

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 18 day of August, 1997, by Sean McNabb



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

Nancy K Adams

Nancy K Adams #2054

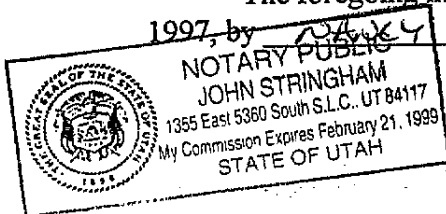
Alfred Krahenbuhl

[Signature]

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 18 day of August, 1997, by Nancy K. Adams & Alfred Krahenbuhl



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

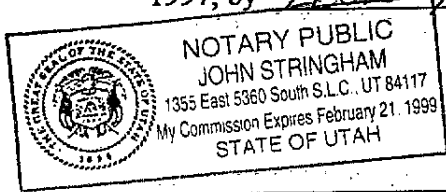
Louis Horowitz

Louis Horowitz #2084

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 18 day of August, 1997, by Louis Horowitz



[Signature]  
Notary Public - My Commission Expires: FEBRUARY 21, 1999

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1997, by \_\_\_\_\_

Notary Public - My Commission Expires: \_\_\_\_\_

POOR COPY - CO. REGORDER

(Cont. Amendment to the First Amended Declaration of The Townes CCRs)

text in the fourth paragraph thereof, after the first sentence thereof:

However, the Management Committee shall not impose any increase in the amount of the annual assessment of more than five percent (5%) of the previous annual assessment, and shall not impose any special assessment or assessments exceeding Three Hundred (\$300) Dollars in any calendar year, until it has first given notice to each unit owner in writing, as provided in Section 20, of the amount and general purpose or purposes of the proposed new assessment or increase, and has obtained approval for the increase from the owners of at least fifty-one percent (51%) of the units. Such approval may be given either in writing without a meeting or by a vote at an Annual Meeting or Special Meeting of the units owners. In the case of a vote at an Annual or Special Meeting, the amount approved may vary from the amount set out in the notice.

IN WITNESS WHEREOF, the undersigned have executed this Amendment to the Amended Declaration.

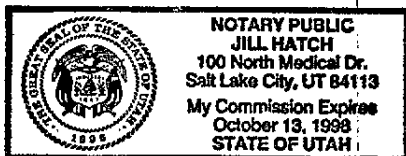
Amy N. Phelps  
PRINT OWNERS NAMES

Amy N Phelps 2060  
OWNERS/SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of August, 1997, by Amy N Phelps

Jill Hatch  
Notary Public

My Commission Expires: 10-13-98



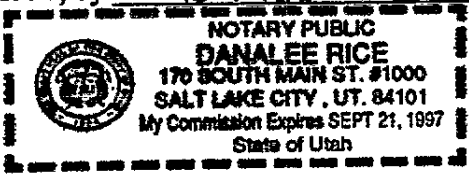
FILMED AS RECEIVED  
CO. RECORDER

Louise A. Rausch      Louise A. Rausch # 2080

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of August, 1997, by Louise A. Rausch



Danalee Rice  
Notary Public - My Commission Expires: 9-21-97

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1997, by \_\_\_\_\_

Notary Public - My Commission Expires: \_\_\_\_\_

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1997, by \_\_\_\_\_

Notary Public - My Commission Expires: \_\_\_\_\_

PRINT OWNERS NAMES

OWNERS SIGNATURES AND UNIT #

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1997, by \_\_\_\_\_

Notary Public - My Commission Expires: \_\_\_\_\_

BK7739PG2417



EXHIBIT "A"

Parcel No. 1

Beginning at point 66.0 feet south from the southeast corner of Block 9, Sunnyside Park, according to the plat thereof, as recorded in the office of the County Recorder of said County and running thence south 351.39 feet; thence west 165.98 feet to Foothill Drive, thence north 33°15' west, along said drive, 252.33 feet; thence north 56°45'; east 80 feet; thence north 24°28'40" west 106.16 feet; thence east 281.34 feet to the point of beginning.

TOGETHER WITH the north 33 feet of the vacated street abutting said property on the south.

PARCEL NO. 2

Beginning at a point 28.72 feet north from the southeast corner of Lot 15, Block 27, five acre plat "C", Big Field Survey, Salt Lake County, Utah, and running thence north 57 feet, thence west 165.98 feet to the State highway, thence south 33°15' east along said highway to a point due west of the point of commencement, thence east to the point of beginning.

TOGETHER WITH the south 33 feet of the vacated street abutting said property on the north.

POOR COPY -  
CO RECORDER

6721119  
08/22/97 2:10 PM 46.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
THE TOWNES  
2076 MICHIGAN AVE  
SLC UT 84108  
REC BY: P ANDERSON , DEPUTY - WI

3K7739PG2418