WHEN RECORDED RETURN TO: James R. Blakesley Attorney at Law 2102 East 3300 South Salt Lake City, Utah 84109 6811234

12/10/97 4:05 PM 16-00

HANCY WORKMAN

RECORDER, SALT LAKE COUNTY, UTAH

JAMES R BLAKESLEY

2102 E 3300 S

SLC, UT 84109

REC BY:R FRESQUES , DEPUTY - WI

(

# AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR CENTURY PARK EAST CONDOMINIUMS

This Amendment to the Declaration of Condominium for Century Park East Condominiums is made and executed this 31 day of October, 1997 by the CENTURY PARK EAST CONDOMINIUMS HOMEOWNERS ASSOCIATION of 3370 South 300 East, Salt Lake City, Utah 84115 (hereinafter referred to as the "Association").

#### RECITALS

- A. The original Declaration of Condominiums was recorded in the office of the County Recorder of Salt Lake County, Utah on March 1, 1996, in Book 7342, at Page 1558, and as Entry No. 6293173 of the official records (the "Original Declaration").
- B. The Unit Owners desire to modify the procedures to remove and replace members of the Management Committee.
- C. The voting requirements of Section 16.3 of the Declaration and Section 14 of the By-Laws have been satisfied.
- D. The Association is managed, operated and controlled by its agent, a Management Committee duly elected by the Unit Owners pursuant to the terms and provisions of the original Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, the Association hereby executes this AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR CENTURY PARK EAST CONDOMINIUMS AND BY-LAWS for and in behalf of all of the Unit Owners.

- 1. Section 5.13 of the Original Declaration should be deleted in its entirety and the following language substituted in lieu thereof:
  - 5.13 Removal and Resignation of Member of Management Committee. Members of the Management Committee may be removed at any time by the affirmative vote of at least a majority of the members of the Association; provided, however, the member must be given at least thirty (30) days prior written notice of the special

meeting called to remove him from office and the opportunity to respond. Any member of the Management Committee may resign at any time by giving written notice to the president of the Association or the remaining members of the Management Committee.

- 2. Section 5.14 of the Original Declaration should be deleted in its entirety and the following language substituted in lieu thereof:
  - 5.14 Replacement. Each replacement for a member of the Management Committee, who before the expiration of his term is removed pursuant to Section 1 above, shall be elected by the affirmative vote of a majority of the members of the Association, who must be present either in person or by proxy at a special meeting called for that purpose. On the other hand, if a member of the Management Committee is dismissed pursuant to Section 5.12, resigns or is otherwise unwilling or unable to serve, then his replacement shall be appointed by the remaining members of the Management Committee.
- 3. Section 5.7 of the By-Laws dealing with the "Resignation and Removal" of members of the Board of Directors is hereby deleted in its entirety.
- 4. <u>Conflict</u>. In the event of any conflict, inconsistency, or incongruity between the provisions of this document and the provisions of the Original Declaration and By-Laws, as heretofore amended, the provisions of this document shall in all respects govern and control.
- 5. Effective Date. This document shall become effective the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first above written.

CENTURY PARK EAST CONDOMINIUMS HOMEOWNERS ASSOCIATION

Title: Tim Sylte Secretary PRESIDENT

Title: Kay Abston, Vice-President

Title: Jen Cragun, Secretary

K7827P6203

STATE OF UTAH	)
	)SS:
COUNTY OF SALT LAKE	)

On the 31 day of October, 1997 personally appeared before me JIM SYLTE, KAY ABSTON and JEN CRAGUN, who by me being duly sworn, did say that they are the President, Vice-President and Secretary of the CENTURY PARK EAST CONDOMINIUMS HOMEOWNERS ASSOCIATION, and that the within and foregoing instrument was signed in behalf of said Association by authority of a resolution of its Board of Directors, and said JIM SYLTE, KAY ABSTON and JEN CRAGUN duly acknowledged to me that said Association executed the same.

Notary Public
LORI CHRISTENSEN
1070 South Main
Salt Lake City, Utah 84101
My Commission Expires
June 26, 2001
State of Utah

OTARY PUBLIC

Residing at: Salt Jake Commission Expires: 4/26/01

### EXHIBIT "A" LEGAL DESCRIPTION

The Property described in the foregoing Declaration is located in Salt Lake County, Utah and is described more particularly as follows:

#### SURVEYOR'S CERTIFICATE

I, Kenneth W. Watson, do hereby certify that I am a Registered Civil Engineer, and Land Surveyor, and that I hold certificate No. 152300/158397, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as CENTURY PARK EAST CONDOMINIUMS.

BOUNDARY DESCRIPTION

## PARCEL LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 11, BLOCK 17, TEN ACRE
PLAT "A", BIG FIELD SURVEY: SAID POINT ALSO BEING SOUTH 00"18'16" WEST 607.253
FEET AND SOUTH 89"55'08" WEST 33.000 FEET FROM A MONUMENT FOUND IN 3300 SOU :1
AND 300 EAST STREET, AND RUNNING THENCE SOUTH 00"18'16" WEST 198.000 FEET,
89"55"08" WEST 343.200 FEET, THENCE SOUTH 00"18'16" WEST 8.100 FEET, THENCE SOUTH
89"55"08"WEST 157.150 FEET, THENCE NORTH 00"18'16" EAST 51.000 FEET, THENCE
SOUTH. 89"55"05 WEST 210.768 FEET, THENCE NORTH 00"08"07" EAST 155.100
FEET, THENCE NORTH 89"55"08" EAST 711.576 FEET TO THE POINT OF BEGINNING.
AREA CONTAINING 3.05 ACRES (133,065 SQ.FT.)

2-12.96

DATE

No. 158397

KENNETH W. WATSON

K

51