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WHEN RECORDED RETURN TO:

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12/21/98 2:42 PM 99-00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
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2595 E 3300 S 3RD FLOOR
SLC, UT 84109
REC BY: V ASHBY DEPUTY - WI

THIRD AMENDMENT TO DECLARATION OF ESTABLISHMENT
OF
BASIC PROTECTIVE RESTRICTIONS, LIMITATIONS, CONDITIONS, COVENANTS,
RESERVATIONS, LIENS AND CHARGES
FOR
CITYCREST CONDOMINIUM, A CONDOMINIUM PROJECT

This SECOND AMENDMENT to the DECLARATION OF ESTABLISHMENT OF BASIC PROTECTIVE RESTRICTIONS, LIMITATIONS, CONDITIONS, COVENANTS, RESERVATIONS, LIENS AND CHARGES FOR CITYCREST CONDOMINIUM, A CONDOMINIUM PROJECT is made and executed this 7th day of December, 1998, by the CITYCREST CONDOMINIUM OWNERS ASSOCIATION of 131 East First Avenue, Salt Lake City, Utah 84103 (hereinafter referred to as the "Association").

RECITALS

- A. The original Declaration of Establishment of Basic Protective Restrictions, Limitations, Conditions, Covenants, Reservations, Liens and Charges for Citycrest Condominium was recorded in the office of the County Recorder of Salt Lake County County, State of Utah on or about December 13, 1978 as Entry No. 3167371 in Book 4738 at Page 912(the "Declaration").
- B. An Amendment to the Declaration of Establishment of Basic Protective Restrictions, Limitations, Conditions, Covenants, Reservations, Liens and Charges for Citycrest Condominium was recorded in the office of the County Recorder of Salt Lake County, State of Utah on or about December 3, 1987 as Entry No. 4558383 in Book 5985 at Page 1164 (the "First Amendment").
- C. An Amendment to the Declaration of Establishment of Basic Protective Restrictions, Limitations, Conditions, Covenants, Reservations, Liens and Charges for Citycrest Condominium was recorded in the office of the County Recorder of Salt Lake County, State of Utah on or about December 7, 1993 as Entry No. 5677353 in Book 6821 at Page 1129.
- D. Management and control of the Citycrest Condominium Project has been transferred by the original declarant or its successors in interest to the Association.
- E. This document affects the real property located in Salt Lake County, Utah, described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference.

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F. All of the voting requirements of Article XIV (a) of the Declaration and Article X of the By-Laws have been satisfied, and this amendment has been approved by at least fifty-one percent (51%) of the total votes.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, the Association hereby executes this THIRD AMENDMENT to the DECLARATION OF ESTABLISHMENT OF BASIC PROTECTIVE RESTRICTIONS, LIMITATIONS, CONDITIONS, COVENANTS, RESERVATIONS, LIENS AND CHARGES FOR CITYCREST CONDOMINIUM for and in behalf of all of the Unit Owners.

1. Article XIII of the Declaration is hereby amended to add the following subparagraph:

(g) If the Board of Governors is required to consult an attorney in order to interpret or enforce the Declaration, By-Laws or Administrative Rules and Regulations governing the Project, then it may recover its reasonable attorney's fees and costs from the defaulting party, regardless of whether a lawsuit is filed.

2. The first paragraph of Article V, Section 2 of the By-Laws is deleted in its entirety and the following language is substituted in lieu thereof:

ANNUAL MEETING OF MEMBERS. The annual meeting of members shall be held within ten (10) days following the end of the fiscal year unless otherwise scheduled by the Board of Governors, who shall prepare a written notice of the meeting stating the date, time, and place.

3. The effective date of this Amendment is the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

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

CITYCREST CONDOMINIUM OWNERS ASSOCIATION

By: William H. Knighton
Title: President

By: [Signature]
Title: Secretary

STATE OF UTAH)

)ss:

COUNTY OF SALT LAKE)

On the 7th day of December, 1998, personally appeared before me William H. Knighton and Patrick Lawrence, who by me being duly sworn, did say that they are the President and Secretary of the CITYCREST CONDOMINIUM OWNERS ASSOCIATION, and that the within and foregoing instrument was signed in behalf of said Association by authority of a resolution of its Board of Governors, and said William H. Knighton and Patrick Lawrence duly acknowledged to me that said Association executed the same.

NOTARY PUBLIC

Residing At:

Commission Expires:

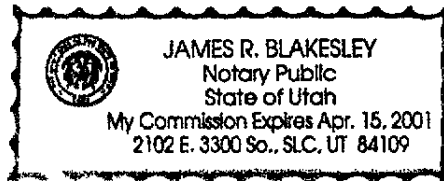


Exhibit "A"
LEGAL DESCRIPTION

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

Commencing 49.53' west of the southwest corner of
Lot 2, Block 2, Plat I Salt Lake City Survey; thence
North $00^{\circ} 02' 10''$ East 167.40' thence South $89^{\circ} 58' 01''$
East 115.53' thence South $00^{\circ} 02' 10''$ West 167.40'
North $89^{\circ} 58' 01''$ West 115.53' to the point of beginning.