

After Recording Return To:
Vial Fotheringham, LLP
 2225 East Murray-Holladay Rd., Suite 203
 Salt Lake City, UT 84117

9166380
 09/07/2004 04:18 PM \$54.00
 Book - 9034 Pg - 8723-8725
GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 STEVEN BINGHAM
 732 E 3720 S APT 20
 SLC UT 84106
 BY: SBM, DEPUTY - WI 3 P.

**AMENDMENT TO THE BYLAWS OF
 SILVER MAPLES ESTATES CONDOMINIUM**

This Amendment to the Bylaws of Silver Maples Estates Condominium ("Bylaws") is made this 2 day of September, 2004 by the Association of Unit Owners of the Silver Maples Estates Condominium ("Association").

RECITALS

A. Certain real property in Salt Lake County, Utah, known as Silver Maples Estates Condominium was subjected to certain covenants, conditions, and restrictions pursuant to a Declaration dated January 25, 1979, and recorded as Document Entry No. 3229058, Book 4805, Page 959, et. seq., records of Salt Lake County, Utah. Appendix "C" of the recorded Declaration contains the "Bylaws of Silver Maples Estates Condominium";

B. Pursuant to the Declaration, Silver Maples Estates Condominium is a condominium project subject to the provisions of the Utah Condominium Ownership Act, U.C.A. 58-8-1, et. seq. (the "Act");

C. Pursuant to Article XI, Section I of the Bylaws, the owners have the right to amend the Bylaws provided that not less than fifty-one percent (51%) of the unit owners consent to and approve the amendment;

D. The Management Committee hereby certifies that more than fifty-one percent (51%) of the unit owners have approved and consented to this amendment.

E. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto;

F. From time to time, Unit Owners do not pay their common charges. Such charges are necessary for the maintenance of the common areas and are used for the payment of utility services provided by the Association to its owners. Nonpayment of common charges inflict hardship upon the remainder of the Association owners, resulting in budgetary deficits and potential increases in common charges for the paying owners.

Furthermore, the nonpaying owners receive the benefit and enjoyment of common services at the expense of the paying owners;

G. To avoid the aforementioned hardship and unjust enrichment, the Association finds that it is in their best interest to be authorized to use and to use any legal means available to collect delinquent common charges;

H. The Act provides that an association may, if authorized by their declaration or bylaws, terminate an owner's right to receive utility services paid as a common expense as a means to induce payment of delinquent common charges. The Act also provides that an association may, if authorized by their declaration or bylaws, terminate an owner's right to access and use of recreational facilities as a means to induce payment of delinquent common charges;

I. The purpose of this Amendment is to authorize the Association to shutoff nonpaying owners' utilities and terminate a nonpaying owners' right to access and use recreational facilities.

NOW THEREFORE, the Association, by and through its Management Committee, hereby amends Article V, Section 6 of the Bylaws of Silver Maples Estates Condominium by adding the following subsection:

(e) If common charges remain unpaid for more than 30 days from the due date, the Management Committee may, after giving written notice and an opportunity to be heard in accordance with the following paragraphs, terminate an owner's right to receive utility services paid as a common expense; and terminate an owner's right of access and use of recreational facilities. Any fees incurred in terminating utility service and/or right of access and use to recreational facilities will be added to the owner's common charge balance.

(1) Before terminating utility services or right of access and use of recreational facilities, the Manager or Management Committee shall give written notice, in accordance with Article X, Section 1 of the Bylaws, to the unit owner. The notice shall state:

(i) Utility services or right of access and use of recreational facilities will be terminated if payment of common charges is not received within 48 hours;

(ii) The amount of the common charges due, including interest, late fees, and collection costs (if any);

(iii) The right to request a hearing.

(2) A unit owner who is given notice may request an informal hearing to dispute the common charges by submitting a written request to the Management Committee within 14 days from the date the notice is received. If a hearing is requested, utility services or right of access and use of recreational facilities may not be terminated until after the hearing has been conducted and a final decision has been entered.

(3) Upon payment of the common charges, including any interest, late fee, collection costs, and any utility reinstatement fees, the Manager or Management Committee shall immediately take action to reinstate the terminated utility services to the unit.

IN WITNESS WHEREOF, THE ASSOCIATION OF UNIT OWNERS OF SILVER MAPLES ESTATES CONDOMINIUM has executed this Amendment to the Bylaws as of the 2 day of September 2004, in accordance with Article XI, Section 1 of the Bylaws.

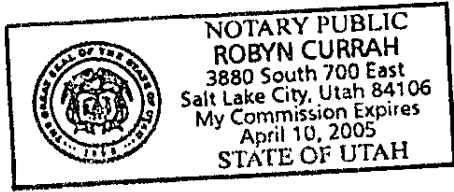
THE ASSOCIATION OF UNIT OWNERS OF SILVER MAPLES ESTATES CONDOMINIUM

President *[Signature]*

Secretary *Jorie Turner*

STATE OF UTAH)
County of Salt Lake) ss

On the 2 day of September, 2004, personally appeared Stephen Binham and Jorie Turner who, being first duly sworn, did that say that they are the President and Secretary of the Association and that the seal affixed to the foregoing instrument is the seal of said Association and that said instrument was signed and sealed in behalf of said Association by authority of its Management Committee; and each of them acknowledged said instrument to be their voluntary act and deed.



Notary Public for Utah *[Signature]*