

WHEN RECORDED MAIL TO:

Bradley R. Helsten
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68 South Main Street, 6th Floor
Salt Lake City, Utah 84101

Parcel I.D. 16-6-214-206-026

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
NELSON CHRISTENSEN & HELSTEN
68 S MAIN ST 6TH FLOOR
SLC UT 84101
BY: ZJM, DEPUTY - WI 4 P.

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF THE CITY COMMONS CONDOMINIUMS**

**THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF THE CITY COMMONS CONDOMINIUMS**
("Amendment") is executed effective as of the 5 day of October, 2006,
by **Fore Associates LLC**, a Utah limited liability company (the "Declarant")

RECITALS:

A. The Declaration of Covenants, Conditions and Restrictions of the City Commons Condominiums ("**Declaration**") was recorded on April 6, 2005 as Entry No. 93411790 in Book 9114, Pages 8543-8588, in the office of the Salt Lake County Recorder and amended as of November 7, 2005 by re-recorded Instrument No. 9642144, Book 9257, Page 3507-3513, recorded on February 21, 2006; and benefits and burdens the Property legally described on Exhibit "A" attached hereto;

B. Declarant desires to exercise its right to amend the Declaration pursuant to Articles XIV of the Declaration, as amended, and Declarant has undertaken to requisite action to effect such an amendment pursuant to Article XIII Section 3 of the Declaration and as reserved in the Declaration.

NOW THEREFORE, in consideration of the covenants and agreements contained herein and in the Declaration, the Declaration is hereby amended follows:

1. Definitions. All capitalized terms herein not otherwise defined shall have the same meaning as capitalized terms defined in the Declaration.

2. Exercise of Option to Convert Units. Pursuant to the right reserved to Declarant in the Declaration, Declarant has elected to convert two (2) Units in the Project into four (4) Units. The number of Units added to the Project is two (2), for a total of seventeen (17) Units. No Common Areas or Limited Common Areas were used, taken or converted for the purposes of conversion of the Units set forth herein.

3. Supplemental Plat. Concurrently with this Amendment, Declarant has recorded a Supplemental Condominium Plat showing the location and dimensions of the vertical and horizontal boundaries of each Unit, Common Areas or Limited Common Areas, resulting from the exercise of Declarant's right to convert under the Declaration.

4. Amendment to Exhibit B. Exhibit "B" to the Declaration shall be and is hereby amended and replaced in its entirety with the attached Exhibit "B".

5. Ratification. Except as specifically set forth herein, the terms of the Declaration shall remain unchanged. If any provisions of the Declaration are inconsistent with this Amendment, this Amendment shall govern. The intent of the Declarant is that this Amendment shall effect conforming changes to the Declaration to reflect the amendments set forth herein, including, by way of example and not limitation, an amendment of the total building square footages in Article IV, Section 1 which shall be deemed to be amended to be 23,922 square feet.

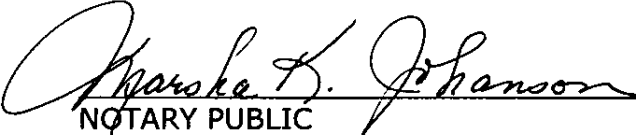
6. Effective Date. This Amendment shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, Utah.

DECLARANT: Fore Associates LLC,
a Utah limited liability company

By: 
Name: Geoffrey D. Smart
Its: Managing Member

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

On this 5th day of October, 2006, personally appeared before me, Geoffrey D. Smart, the signer of the above instrument, who duly acknowledged to me that he executed the same in the capacity indicated.


NOTARY PUBLIC

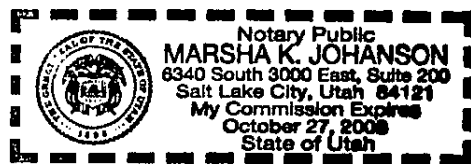


EXHIBIT "A"

LEGAL DESCRIPTION

BEGINNING ON THE SOUTHWEST CORNER OF LOT 2, BLOCK 51, PLAT "B", SALT LAKE CITY SURVEY AT A POINT WHICH LIES S.89°59'19"W. 393.71 FEET AND N.0°00'49"W. 63.90 FEET FROM THE SALT LAKE CITY BRASSCAP MONUMENT LOCATED AT THE INTERSECTION OF 2ND SOUTH AND 5TH EAST STREETS; AND RUNNING THENCE N.0°01'49"W. ALONG THE WEST LINE OF SAID LOT 2 330.00 FEET; THENCE N.89°58'22"E. 123.75 FEET; THENCE S.0°01'49"E. 165.00 FEET; THENCE N.89°58'22"E. 57.75 FEET; THENCE S.0°01'49"E. 165.00 FEET TO THE NORTH LINE OF 2ND SOUTH STREET; THENCE S.89°58'22"W. ALONG SAID NORTH LINE 181.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 50,366 S.F. (1.156 ACRES)

TAX I.D. 16-6-214-206-026

Salt Lake County, State of Utah

EXHIBIT "B"
List of Units, Votes and Assessment Percentages

<u>Building Address</u>	<u>Unit</u>	<u>Votes</u>	<u>Approximate Net Square Footage</u>	<u>Assessment Percentages</u>
445 E. 200 South	A1	9.95	2,381	9.95%
445 E. 200 South	A2	4.78	1,143	4.78%
445 E. 200 South	A3	4.78	1,143	4.78%
445E. 200 South	A4	4.78	1,143	4.78%
445E. 200 South	A5	4.78	1,143	4.78%
445E. 200 South	A6	9.45	2,260	9.45%
445 E. 200 South	A7	2.22	531	2.22%
445 E. 200 South	A8	2.22	531	2.22%
461 E. 200 South	B1	5.67	1,356	5.67%
461 E. 200 South	B2	7.96	1,905	7.96%
461 E. 200 South	B3	6.17	1,475	6.17%
461 E. 200 South	B4	7.44	1,783	7.45%
461 E. 200 South	B5	1.69	404	1.69%
461 E. 200 South	B6	3.41	815	3.41%
461 E. 200 South	B7	0.31	75	0.31%
455 E. 200 South	C1	13.62	3,258	13.62%
455 E. 200 South	C2	10.77	2,576	10.77%
TOTALS	17	100	23,922	100%