

2600

4558384

AMENDMENT TO DECLARATION OF ESTABLISHMENT

OF

BASIC PROTECTIVE RESTRICTIONS, LIMITATIONS, CONDITIONS

FOR

CITYCREST CONDOMINIUM

A CONDOMINIUM PROJECT

4558384

03 DECEMBER 87 03:05 PM

KATIE L. DIXON

RECORDER, SALT LAKE COUNTY, UTAH

CITYCREST HOMEOWNERS ASSOC.

131 1ST AVE.

SLC, UTAH 84601- 102

REC BY: JEDD BOGENSCHUTZ, DEPUTY

This Declaration, made as of this First day of December 1987, by the undersigned owners of units in Citycrest Condominium, who are hereinafter collectively referred to as "Declarant"

WITNESSETH

WHEREAS, it is the desire and the intention of Declarant to amend the Declaration heretofore recorded on December 13, 1978, as entry number 3167371 in the office of the County Recorder in Book 4738 page 912 through pages 948 inclusive; and,

WHEREAS, declarant is desirous of showing of record the adoption by the unit owners of those certain by-laws of Citycrest Condominium Owners Association a copy of which was recorded September 13, 1978, as an attachment to entry 3167371 and appears in Book 4738 pages 919 through 970 in the office of County Recorder of Salt Lake County Utah.

NOW THEREFORE, the Declarant hereby amends the said Declaration by adding to the By-Laws, ARTICLE III, "Maintenance Fees, Assessments and Lien Rights", Section 1, the following:

"EFFECTIVE JANUARY 1, 1988, the base monthly maintenance and operational expense fee will be calculated @ \$0.09 per square foot for each unit, numbered #101 through 706. Square footage shall be determined from the original architectural drawings and shall include balconies and patios except for decorative walkways on the South front of the building and access areas around the exterior perimeter of the 8th floor.

Increases or decreases to the base fee shall be determined by calculating an anticipated budget total for any year, and dividing said total by 31. The resulting amount shall be divided by 12 and added to, or decreased from, each units monthly fee.

Special assessments for specific repairs, maintenance, additions or improvements shall be calculated with the formula noted in the above paragraph.

Square footage and calculated base monthly maintenance and operating fee is noted as EXHIBIT "B".

BOOK 5985 PAGE 1168

EXHIBIT "B"

BASE MONTHLY MAINTENENCE AND OPERATING FEE

<u>UNIT #</u>	<u>SQUARE FOOTAGE</u>	<u>MONTHLY FEE @ \$0.09</u>
101	1229	\$111.00
301	1467	132.00
302	1467	132.00
303	1050	95.00
304	1050	95.00
305	1472	132.00
306	1472	132.00
401	1467	132.00
402	1467	132.00
403	1050	95.00
404	1050	95.00
405	1472	132.00
406	1472	132.00
501	1467	132.00
502	1467	132.00
503	1050	95.00
504	1050	95.00
505	1472	132.00
506	1472	132.00
601	1467	132.00
602	1467	132.00
603	1050	95.00
604	1050	95.00
605	1472	132.00
606	1472	132.00
701	2227	200.00
702	2380	214.00
703	1590	143.00
704	1590	143.00
705	2408	217.00
706	2408	217.00

Calculated fees shall always be rounded to the next higher or lower dollar amount.

BOOK 5985 PAGE 1469

#1

The real property comprising the Citycrest Condominium is more particularly described on exhibit "A" attached.

IN WITNESS WHEREOF, the undersigned as "DECLARANT" has executed this ammendment to the Declaration as of the day and year first-above.

- #101 Paul G. Benson
- #506 Richard L. ⁰³ ~~Burd~~ ^{Knudsen}
- #303 Jean Hohl
- #602 E. Albert Jensen
- #503 John & Evelyn Reife
- #501 Mary Jane Knight
- #605 Carl L. Maw
- #606 Carl L. Maw
- 704 J. B. Maden
- 703 Paul D. Miller
- 603 ~~Paul D. Miller~~
- 504 Gary A. Miller
- 403 Lucy Taylor
- 705 Teabnetta Earl Hurd
- 304 ~~Lucy Taylor~~ ^{Lucy Taylor Proxy}
- 302 ~~Lucy Taylor~~ ^{Lucy Taylor Proxy}

- #601 Howard Frandsen
- #401 Ref: Howard Frandsen - proxy
- #406 Ref: Howard Frandsen - proxy
- #502 Ref: Howard Frandsen - proxy
- #305 Ref: Howard Frandsen - proxy
- #701 Ref: Howard Frandsen - proxy
- #702 Ref: Howard Frandsen - proxy
- #301 Ref: Howard Frandsen - proxy

STATE OF UTAH)
SALT LAKE COUNTY)

On the First day of December, 1987, personally appeared before me the undersigned a Notary Public in and for Salt Lake County, State of Utah.

The signers of the foregoing document, each of whom acknowledged to me that he or she executed the same.

Nancy W. Frandsen
Notary Public:
Residing At: Salt Lake City, Utah

My Commission Expires:
March 26, 1989

BOOK 5985 PAGE 1170

EXHIBIT A

. . . Real property located in the County of Salt Lake,
State of Utah, and more particularly described 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.

known as the Citycrest Condominium . . .

B004 5985 REC 1171

The undersigned, Secretary of the Board of Governors of Citycrest Condominium, hereby certifies that each of the persons signing the foregoing amendment to the Declaration, including those persons signing the attached voting certificates, is a unit owner in the Citycrest Condominium and hereby further certifies that the persons signing the same represent more than 51% of the voting power of the members of the Association as of the First day of December, 1987.

Gay Taylor
Secretary

CERTIFICATE OF ADOPTION OF BY-LAWS

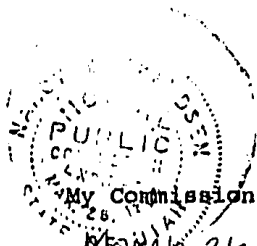
The undersigned, Secretary of the Board of Governors of Citycrest Condominiums, hereby certify that each of the persons signing the foregoing and attached Amendment to the Declaration also voted to adopt the by-laws of the Association as they are referred to and described. The undersigned certifies that said persons represent more than 51% of the voting power of the members of the Association did adopt the recorded by-laws as the official by-laws of Citycrest Condominium Owners Association.

DATED this First day of December, 1987.

STATE OF UTAH)
COUNTY OF SALT LAKE) Gay Taylor
Secretary

On the First day of December, 1987

Personally appeared before me Gay Taylor,
Secretary of the Board of Governors of the Home Owners Association of Citycrest Condominiums and acknowledged to me that she executed the foregoing certificates for and on behalf of the Association and as the act and deed of the Association.



Nancy W. Grandson
NOTARY PUBLIC:

Residing at: Salt Lake City, Utah

BOOK 5985 PAGE 1172