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AFTER RECORDING, PLEASE RETURN TO:  
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Salt Lake City, Utah 84111

2000

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22 JUNE 88 11:53 AM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
KIMBALL, PARR, CROCKETT, AND WADDOUNS  
REC BY: JEDD BOGENSCHUTZ, DEPUTY

THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
FOR PROSWOOD PLAZA (a Utah Condominium Project)  
AND FIRST AMENDMENT TO  
BYLAWS OF PROSWOOD PLAZA OWNERS ASSOCIATION

THIS INSTRUMENT is executed on this 22nd day of June, 1988, by the PROSWOOD PLAZA OWNERS ASSOCIATION (hereinafter referred to as the "Association"), in its capacity as representative of all of the Owners of Condominium Units in the PROSWOOD PLAZA CONDOMINIUM PROJECT.

1. Foundational Declaration and Bylaws. The "Declaration of Condominium for Prowswood Plaza" was recorded in the Office of the County Recorder of Salt Lake County, Utah as Entry No. 3424113 in Book 5089 at Page 1418. Attached to and made a part of said Declaration as "Exhibit C" are the "Bylaws of Prowswood Plaza Owners Association" (hereinafter the "Bylaws"). Said Declaration was amended in certain respects by a "First Amendment to Declaration of Condominium for Prowswood Plaza" recorded in said Office as Entry No. 3476795 in Book 5149 at Page 1318 and by a "Second Amendment to Declaration of Condominium for Prowswood Plaza" recorded in said Office as Entry No. 4628609 in Book 6032 at Page 801. Said Declaration, as so amended, is hereinafter referred to as the "Declaration."

2. Existing Survey Map. The Record of Survey Map of the Prowswood Plaza Condominium Project was recorded in said Office as Entry No. 3424114 in Book 80-4 at Page 71, and was amended in certain respects by an amendment thereto recorded in said Office as Entry No. 3476794.

3. Legal Description. The Instruments identified in the foregoing Sections 1 and 2 affect the following-described realty situated in Salt Lake County, State of Utah:

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All of the Condominium Units contained within the PROWSWOOD PLAZA Condominium Project, as such Project is identified and described by the instruments referred to in the foregoing Sections 1 and 2.

4. Meeting and Vote of Owners. Both the Association and the officers who sign this instrument on behalf of the Association (each of which officers is also a member of the Board of Trustees of the Association) hereby certify, on behalf of themselves and all of the members of the Board of Trustees of the Association, that at a meeting of the Unit Owners held on June 13, 1988, 100% of the Percentage Interest in the Common Areas of the Project voted in favor of adopting each of the amendments to the Declaration and Bylaws contained in the following Sections 5 and 6 of this instrument and that, accordingly, the vote required under the Declaration and Bylaws for amendment has occurred.

5. Amendments to Declaration. The amendments to the Declaration which were adopted as described in Section 4 above relate to Sections 7.2 and 17.6 of the Declaration. Said amendments are as follows:

Amendment to Section 7.2 of Declaration:

Revise Section 7.2 of the Declaration in its entirety so as to read as follows, effective immediately upon adoption of this amendment by the Owners:

"7.2 Board of Trustees. The Board of Trustees of the Association shall consist of five (5) persons. Any person 21 years or older may be a member of the Board. Board members may, but need not, be individual Unit Owners or agents or employees of Unit Owners other than individuals."

Amendment to Section 17.6 of Declaration:

Revise the first sentence of Section 17.6 (entitled "Agent for Service of Process") of the Declaration so as to read as follows:

"William P. Chipman, whose place of business is the Utah State Retirement Fund, 540 East 200 South, Salt Lake City, Utah 84102, is the person to

receive service of process in the cases authorized by the Act."

6. Amendments to Bylaws. The amendments to the Bylaws which were adopted as described in Section 4 above relate to Section 1 of Article III and to Paragraph (b) of Section 4 of Article III of the Bylaws. Said amendments are as follows:

Amendment to Section 1 of Article III of the Bylaws:

Revise Section 1 of Article III of the Bylaws in its entirety so as to read as follows, effective immediately upon adoption of this amendment by the Owners:

"Section 1. Number and Qualification. The affairs of the Association shall be governed by a Board of Trustees. The Board of Trustees shall be composed of five (5) persons. Any person 21 years or older may be a member of the Board. Board members may, but need not, be individual Unit Owners or agents or employees of Unit Owners other than individuals."

Amendment to Paragraph (b) of Section 4 of Article III of the Bylaws:

Revise Paragraph (b) of Section 4 of Article III of the Bylaws in its entirety so as to read as follows, effective immediately upon adoption of this amendment by the Owners:

(b) Persons qualified to be members of the Board of Trustees may be nominated for election from the floor at the meeting at which the election is held.

IN WITNESS WHEREOF, the Association has, through the President and Vice-President thereof, executed this instrument on the day and year first above written.

PROSWOOD PLAZA OWNERS ASSOCIATION

By *V. Dell Clayton*  
V. Dell Clayton, President

By *William P. Chipman*  
William P. Chipman, Vice President

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

On this 22nd day of June, 1988, personally appeared before me V. DELL CLAYTON and WILLIAM P. CHIPMAN, who being by me duly sworn, did say that they are the President and Vice-President, respectively, of the PROSWOOD PLAZA OWNERS ASSOCIATION, and that the foregoing instrument was signed on behalf of said Association by authority of the Declaration of Condominium for Prowswood Plaza and the Bylaws of such Association, and said officers acknowledged to me that said Association executed said instrument in its capacity as representative of all of the Owners of Condominium Units in the Prowswood Plaza Condominium Project.

My Commission Expires:

8-31-91

*Louise White*  
Notary Public  
Residing at: *D.L.C. W.*

