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10/24/95 09:01 AM 198.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
SNELL & WILMER
REC BY: D GRAY DEPUTY - WI

WHEN RECORDED, RETURN TO:
W. Brian Hulse, Esq.
SNELL & WILMER
111 East Broadway, Suite 900
Salt Lake City, Utah 84111

6196124

SECOND AMENDMENT TO
ENABLING DECLARATION
AND
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
WATERSIDE II CONDOMINIUMS

ARGENTA WATERSIDE, L.C.,
A UTAH LIMITED LIABILITY COMPANY,

AS DECLARANT

October 23, 1995

This SECOND AMENDMENT TO ENABLING DECLARATION AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WATERSIDE II CONDOMINIUMS is made the 23rd day of October, 1995 by Argenta Waterside, L.C., a Utah limited liability company ("Declarant"). All capitalized terms in this Amendment shall have the meaning given them in that certain Enabling Declaration and Declaration of Covenants, Conditions and Restrictions for Waterside II Condominiums and any prior amendments thereto ("Declaration"), unless expressly defined otherwise herein.

RECITALS

- A. The Record of Survey Map of the Project ("Survey") currently reflects that the "Club House" is a Unit.
- B. The Declaration does not clearly indicate whether the "Club House" is a Common Area and Facility or a Unit.
- C. Declarant desires to amend the Declaration to clarify these issues and to clarify some of Declarant's rights under the Declaration with respect to the designation and use of a sales office in the Project.

AMENDMENT

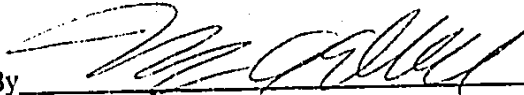
NOW, THEREFORE, in consideration of the premises, Declarant hereby amends the Declaration as follows:

1. Sales Area. Pursuant to Utah Code Ann. Section 57-8-13.14, Declarant hereby designates as a sales office the area designated as the "Club House" in the Survey ("Sales Area").
2. Common Area and Facility After Declarant Ceases to be Unit Owner. Pursuant to Utah Code Ann. Section 57-8-13.14, at such time as the Declarant ceases to be a Unit Owner, the Sales Area shall become a Common Area and Facility, subject to all the terms and conditions that apply to Common Areas and Facilities under the Declaration, as amended.
3. Full Force and Effect. Except as contained herein, the remainder of the Declaration shall remain unamended and in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Amendment as of this 23rd day of October, 1995.

DECLARANT:

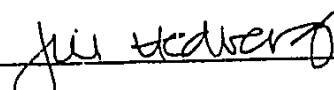
ARGENTA WATERSIDE, L.C.,
a Utah limited liability company

By 
Mark A. Elardo, Manager

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

On this, the 23rd day of October, 1995, before me, the undersigned officer, personally appeared Mark A. Elardo, who acknowledged himself to be the Manager of Argenta Waterside, L.C., a Utah limited liability company, and that he, as such Manager, being authorized so to do, executed the foregoing instrument for the purpose therein contained and in the capacity therein stated.

IN WITNESS WHEREOF I hereunto set my hand and official seal.


Notary Public

My Commission Expires:
MAY 7, 1997

