

3494648

AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF THE STONE HOLLOW CONDOMINIUM,
A Utah Condominium Project

This Amendment to the Declaration of the Stone Hollow Condominium, a Utah condominium project (hereinafter referred to as the "Amendment"), is made and executed this 27th day of August, 1980, by ARNOLD DEVELOPMENT COMPANY, a Utah corporation, and ROSS COVERSTONE and ARLENE COVERSTONE, his wife; and BOB L. FARNWORTH and BETTY R. FARNWORTH, his wife (hereinafter referred to as the "Owners").

RECITALS:

A. On the 11th day of June, 1980, Arnold Development Company, a Utah corporation (hereinafter individually referred to as "Arnold"), made and executed the Declaration of Condominium of the Stone Hollow Condominium, a Utah condominium project (hereinafter referred to as the "Declaration") thereby creating the Stone Hollow Condominium, a Utah condominium project (hereinafter referred to as the "Project"), which Declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the 12th day of June, 1980, in Book 5110 at Page 776 et seq. as Entry No. 3442790.

B. A related record of survey map entitled "Record of Survey Map for Stone Hollow Condominium, a condominium project" (hereinafter referred to as the "Map") was recorded concurrently with the Declaration in Book 8-6 of Plats at Page ~~43~~⁴³, et seq. as Entry No. 3442789.

C. The Declaration and Map submitted to the provisions of the Utah Condominium Ownership Act (hereinafter referred to as the "Act"), Utah Code Annotated, §57-8-1 et seq., certain real property owned by Arnold and described in Paragraph A of the Recitals of the Declaration and on the Map.

D. Owners hold 100% of the total votes in the Stone Hollow Condominium Owners Association, a Utah nonprofit corporation, and are therefore entitled to amend the Declaration pursuant to Section 17.05 of the Declaration.

NOW, THEREFORE, pursuant to Section 17.05 of the Declaration, the Declaration is hereby amended as follows:

1. The following phrase shall be inserted under "Exhibits" on page vi of the Declaration:

"Exhibit "E" - Principal Materials of Which Building is Constructed."

2. Paragraph 14.01 of the Declaration is hereby amended to read as follows:

"Section 14.01. Matters Requiring Prior Mortgage-Holder Approval. Unless at least seventy-five percent (75%) of all First Mortgagees (based on one vote for each First Mortgage owned) which have a first mortgage lien on any Condominium Unit or Units in the Project have given their prior written approval, neither the Association nor the Owners shall be entitled to:

(a) Abandon or terminate the Project, except for abandonment or termination provided by law in the case of substantial destruction by fire or other casualty or in the case of a taking by condemnation or eminent domain;

(b) Cause any material amendment to be made to the Declaration, the Articles, or the Bylaws, including, but not limited to, any amendment which would change the percentage interests of the Owners in the Project except to the extent necessary to allow for the expansion or phasing of the Project as provided in Article XVI of the Declaration and the Condominium Act;

(c) Terminate professional management and assume self-management of the Project;

(d) Partition or subdivide any Condominium Unit; and

(e) By act or omission, seek to abandon, partition, subdivide, encumber, sell or transfer the Common Areas and Common Facilities of the Project."

3. The following shall be inserted as Exhibit "E" of the Declaration and shall read as follows:

"EXHIBIT "E" - Principal Materials of Which Building is Constructed

The four (4) buildings comprising the Stone Hollow Condominium, a Utah condominium project, are wood-framed structures with brick exterior veneer, asphalt shingle roofs, aluminum trim, double-paned windows and metal-insulated

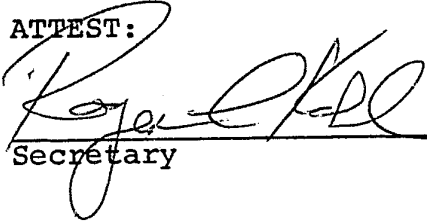
exterior doors. The buildings rest on concrete foundations. The partition walls between the units consist of insulated, double-stud walls faced with gypsum sheet rock. The interior walls are 2 x 4 stud walls faced with gypsum sheet rock. The interior floors of the units are of concrete or plywood construction with carpet, vinyl or ceramic tile floor coverings. The buildings are supplied with gas, electricity, water, waste disposal and garbage collection service. Each unit is equipped with individual heating and air conditioning equipment."

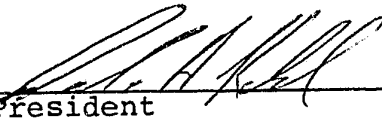
The effective date of this Amendment to the Declaration shall be the date on which said instrument is filed for record with the office of the County Recorder of Salt Lake County, State of Utah. From and after said date, the Declaration of the Project shall consist of the Declaration as amended by this Amendment to the Declaration.

IN WITNESS WHEREOF, the undersigned have executed this instrument on the date and year first above written.

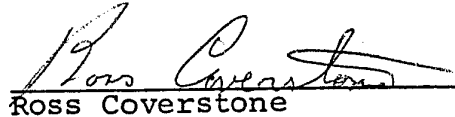
ARNOLD DEVELOPMENT COMPANY,
a Utah corporation


ATTEST:


Secretary


By: 
President

OWNERS:


Ross Coverstone

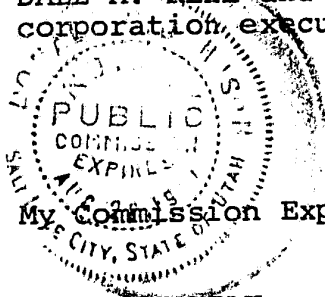

Arlene Coverstone, his wife


Bob L. Farnworth


Betty R. Farnworth, his wife

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

On the 28th day of August, 1980, personally appeared before me, DALE A. KEHL and ROGER L. KEHL, who being by me duly sworn did say that they are the President and Secretary, respectively, of ARNOLD DEVELOPMENT COMPANY, a Utah corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors, and said DALE A. KEHL and ROGER L. KEHL duly acknowledged to me that said corporation executed the same.

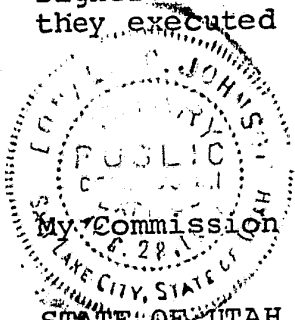


Donald O. Johnson
NOTARY PUBLIC
Residing at: Salt Lake County

My Commission Expires: August 28, 1981

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

On the 28th day of August, 1980, personally appeared before me ROSS COVERSTONE and ARLENE COVERSTONE, his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.

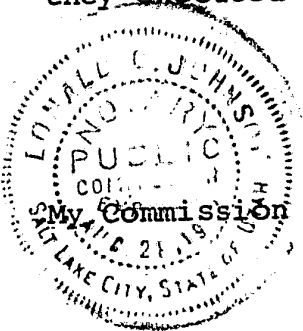


Donald O. Johnson
NOTARY PUBLIC
Residing at: Salt Lake County

My Commission Expires: August 28, 1981

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

On the 28th day of August, 1980, personally appeared before me BOB L. FARNWORTH and BETTY R. FARNWORTH, his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.



Donald O. Johnson
NOTARY PUBLIC
Residing at: Salt Lake County

My Commission Expires: August 28, 1981

AFFIDAVIT OF DATE OF EXECUTION

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

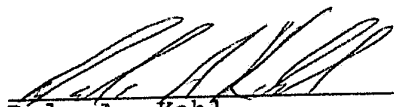
DALE A. KEHL, being first duly sworn, deposes and says:

1. I am the President of Arnold Development Company, a Utah corporation.

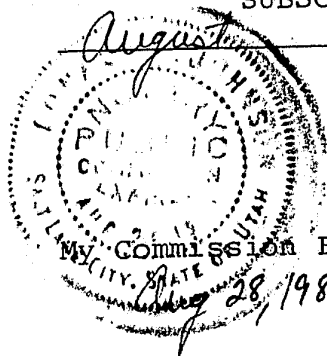
2. That on the 11th day of June, 1980, said corporation made and executed a certain instrument entitled "Declaration of Condominium of the Stone Hollow Condominium, a Utah Condominium Project" (hereinafter the "Declaration"), which Declaration was recorded in the Office of the County Recorder of Salt Lake County, State of Utah, on the 12th day of June, 1980, in Book 5110 at Page 776 et seq. as Entry No. 3442790.

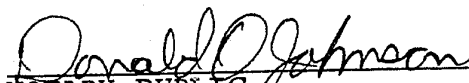
3. That I signed said Declaration on the 11th day of June, 1980, in behalf of said corporation and as President thereof by authority of a Resolution of its Board of Directors.

DATED THIS 28th day of August, 1980.


Dale A. Kehl

SUBSCRIBED AND SWORN to before me this 28th day of August, 1980.




NOTARY PUBLIC
Residing at: Salt Lake County

AFFIDAVIT OF DATE OF EXECUTION

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

ROGER L. KEHL, being first duly sworn, deposes and says:

1. I am the Secretary of Arnold Development Company, a Utah corporation.

2. That on the 11th day of June, 1980, said corporation made and executed a certain instrument entitled "Declaration of Condominium of the Stone Hollow Condominium, a Utah Condominium Project" (hereinafter the "Declaration"), which Declaration was recorded in the Office of the County Recorder of Salt Lake County, State of Utah, on the 12th day of June, 1980, in Book 5110 at Page 776 et seq. as Entry No. 3442790.

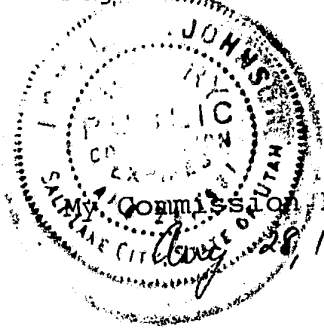
3. That I signed said Declaration on the 11th day of June, 1980, in behalf of said corporation and as Secretary thereof by authority of a Resolution of its Board of Directors.

DATED THIS 28th day of August, 1980.

Roger L. Kehl

Roger L. Kehl

SUBSCRIBED AND SWORN to before me this 28th day of August, 1980.



Donald Johnson

NOTARY PUBLIC
Residing at: *Salt Lake County*

BOOK 5169 PAGE 924

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REQ of BEAD SCOTT
D.P.
Debra R. Johnson

OCT 27 10 50 AM '80

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY
UTAH

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Kelena 84118