

When Recorded, Mail To:  
Carl W. Barton, Esq.  
Holland & Hart LLP  
60 East South Temple  
Suite 2000  
Salt Lake City, Utah 84111

ENT 13009:2003 PG 1 of 9  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2003 Jan 28 10:58 am FEE 81.00 BY BLS  
RECORDED FOR SHADOWBROOK HOA

AMENDMENT TO DECLARATION FOR SHADOWBROOK, A CONDOMINIUM  
PROJECT

THIS AMENDMENT TO DECLARATION is made and executed effective the  
28<sup>th</sup> day of January, 2003, by Shadowbrook Condominium Owners Association, a Utah  
non-profit corporation.

RECITALS:

1. As provided for in the Condominium Ownership Act (the "Act"), Article  
II Section 2 of the Shadowbrook Bylaws and Section 13 of the Declaration, the  
members desire to amend that certain Declaration dated September 5, 1973 (the  
"Declaration"), in accordance with the terms hereof.

2. Paragraph numbers in the Declaration shall remain the same except as  
amended below.

NOW, THEREFORE, the members hereby agree to amend the Declaration as  
follows:

1. Paragraph 11 of the Declaration is hereby amended to read as follows:

11. Management. The condominium project shall be governed  
by a non-profit corporation, named and known as Shadowbrook  
Condominium Owners Association (the "Association"). All  
references to "management committee" are hereby amended and  
replaced with references to "Association." The Association shall  
serve as the governing body for all members in the condominium  
project and shall make provisions for the maintenance, repair,  
replacement, administration and operation of the common areas and  
facilities, assessment of expenses and fines, payment of losses,  
acquisition of hazard insurance and disposition of such hazard  
insurance proceeds, and other matters as provided in the Act, the  
Declaration and the Bylaws. The Association shall have all rights  
and powers granted to it under the Act and in the Declaration, the  
Articles of Incorporation (the "Articles"), Bylaws and any  
amendments thereto, including, without limitation, the right to  
assign its future income. The Association shall not be deemed to  
be conducting a business of any kind, and all funds received by the

Association shall be held and applied by it for the owners in accordance with the Declaration, the Articles, and the Bylaws.

2. Additional paragraphs numbered 11.1 – 11.4 shall be added to the Declaration and shall read as follows:

11.1. Membership. Membership in the Association shall at all times consist exclusively of the unit owners and each owner shall be a member of the Association so long as he or she shall be an owner and such membership shall automatically terminate when he or she ceases to be an owner. Upon the transfer of an ownership interest in a unit, the new owner succeeding to such ownership interest shall likewise succeed to such membership in the Association.

11.2. Board of Directors. The governing body of the Association shall be the Board of Directors elected pursuant to the Bylaws. The Board shall consist of five (5) members. Except as otherwise provided in the Declaration, the Bylaws, or Association Rules, the Board may act in all instances on behalf of the Association. The Board shall act to adopt Bylaws as required by the Act at the time the Association is organized, and the Board may, as it deems appropriate, adopt, amend and repeal Association Rules.

11.3. Qualifications of Directors. Each Director shall be a member (or if a member is a corporation, partnership, limited liability company, or trust, a Director may be an officer, partner, member, manager, trustee or beneficiary of such member). If a Director shall cease to meet such qualifications during his or her term, he or she will thereupon cease to be a Director and his or her place shall be filled by a replacement Director appointed by the remaining members of the Board for the remainder of that Director's term.

11.4. Managing Agent. The Board may contract with a professional management agent to assist the Board in the management and operation of the condominium project and may delegate such of its powers and duties to the management agent as it deems appropriate; provided, however, that only the Board shall have the right to approve Association budgets, to impose a special Assessment and to authorize foreclosure of an Assessment lien.

3. Paragraph 12 of the Declaration is hereby deleted.

4. Paragraph 19 of the Declaration is hereby amended to read as follows:

19. Registered Agent. The name and address of the Association's registered agent is

Carl W. Barton  
60 East South Temple  
Suite 2000  
Salt Lake City, UT 84111

5. Common Areas and Facilities. The common areas and facilities of the project shall include all concrete and asphalt driveways, as well as all other common areas and facilities as defined in the Act and in Paragraph 7 of the Declaration, excluding the atriums in certain units which are shown on the Record of Survey map.

6. Consistency. Except as set forth herein, the terms of the Association's Declaration shall remain unchanged and in full force and effect. In the event a conflict arises between the terms of the Association's Declaration and this Amendment, the terms of this Amendment shall be controlling.

Dated the 28<sup>th</sup> day of January, 2003.

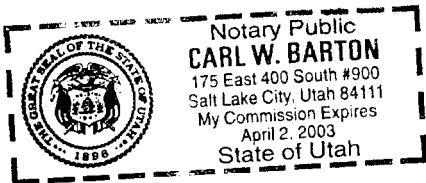
Shadowbrook Condominium  
Owners Association, a Utah non-profit  
corporation

By: Dorothy L. Boggs  
Its: President of Board of Directors

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

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of January 2003 by Dorothy L. Boggs as president on behalf of Shadowbrook Condominium Owners Association, a Utah non-profit corporation.

My Commission Expires:  
4-2-2003



Carl W. Barton  
Notary Public  
Residing at: Salt Lake City, Utah



**REAL PROPERTIES BOOK 52 AND PAGE 021 -- SHADOWBROOK CONDO PHASE 2**

Map Filing for 52-021

| Parcel      | Owner                             | Legal Description                               | Property Address                  |                         |
|-------------|-----------------------------------|---|-----------------------------------|-------------------------|
| <u>0001</u> | REID, DAVID M &<br>ISABEL L JT    | UNIT A, BUILDING 10,<br>PHASE 2,<br>SHADOWBROOK | 3222 SHADOWBROOK<br>CIR PROVO UT  | <u>52:021:0001;2004</u> |
| <u>0002</u> | HOLLEY, LEAH C TEE                | UNIT B, BUILDING 10,<br>PHASE 2,<br>SHADOWBROOK | UNKNOWN PROVO UT<br>84604         | <u>52:021:0002;2004</u> |
| <u>0003</u> | PETERSON, DAVID A<br>& JANE TIC   | UNIT C, BUILDING 10,<br>PHASE 2,<br>SHADOWBROOK | UNKNOWN PROVO UT<br>84604         | <u>52:021:0003;2004</u> |
| <u>0004</u> | BIRD, LORI G & ALLAN<br>G E AN IN | UNIT D, BUILDING 10,<br>PHASE 2,<br>SHADOWBROOK | 3212 SHADOWBROOK CI<br>PROVO UT 8 | <u>52:021:0004;2004</u> |
| <u>0005</u> | FERGUSON, DANIEL &<br>EILEE JT    | UNIT A, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3233 SHADOWBROOK<br>PROVO UT 8460 | <u>52:021:0005;2004</u> |
| <u>0006</u> | KEARL, KAREN DEE                  | UNIT B, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3221 SHADOWBROOK CI<br>PROVO UT 8 | <u>52:021:0006;2004</u> |
| <u>0007</u> | PORTER, BRENDA<br>SUE             | UNIT C, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3219 SHADOWBROOK CI<br>PROVO UT 8 | <u>52:021:0007;2004</u> |
| <u>0008</u> | BRADFORD, EVA M &<br>STEWAR TEE   | UNIT D, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3215 N SHADOWBROOK<br>CIR PROVO U | <u>52:021:0008;2004</u> |
| <u>0009</u> | ASTLE, DIRK L &<br>SUZETTE JT     | UNIT E, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3211 SHADOWBROOK<br>CIR PROVO UT  | <u>52:021:0009;2004</u> |
| <u>0010</u> | BELL, NEDRA N TEE                 | UNIT F, BUILDING 11,<br>PHASE 2,<br>SHADOWBROOK | 3201 SHADOWBROOK CI<br>PROVO UT 8 | <u>52:021:0010;2004</u> |
| <u>0011</u> | ROGERS, EMMA L &<br>SCOTT L TEE   | UNIT A, BUILDING 12,<br>PHASE 2,<br>SHADOWBROOK | UNKNOWN PROVO UT<br>84604         | <u>52:021:0011;2004</u> |
| <u>0012</u> | ROGERS, SCOTT &<br>EMMA L TEE     | UNIT B, BUILDING 12,<br>PHASE 2,<br>SHADOWBROOK | 3228 BROOKSIDE LA<br>PROVO UT 846 | <u>52:021:0012;2004</u> |

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## REAL PROPERTIES BOOK 52 AND PAGE 021 -- SHADOWBROOK CONDO PHASE 2

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| Parcel      | Owner                          | Legal Description                              | Property Address                  |                         |
|-------------|--------------------------------|--|-----------------------------------|-------------------------|
| <u>0013</u> | GEHRING, JAY                   | UNIT C, BUILDING 12,<br>PHASE 2,<br>SHADOWBROO | UNKNOWN PROVO UT<br>84604         | <u>52:021:0013;2004</u> |
| <u>0014</u> | ROBINSON, HAL R &<br>LARAIN JT | UNIT D, BUILDING 12,<br>PHASE 2,<br>SHADOWBROO | UNKNOWN PROVO UT<br>84604         | <u>52:021:0014;2004</u> |
| <u>0015</u> | PETERSEN, PARLEY A<br>& JOY JT | UNIT E, BUILDING 12,<br>PHASE 2,<br>SHADOWBROO | UNKNOWN PROVO UT<br>84604         | <u>52:021:0015;2004</u> |
| <u>0016</u> | BOGGS, DOROTHY L               | UNIT F, BUILDING 12,<br>PHASE 2,<br>SHADOWBROO | 3206 BROOKSIDE LA<br>PROVO UT 846 | <u>52:021:0016;2004</u> |
| <u>0017</u> | SMITH, ROSEMARIE               | UNIT A, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3240 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0017;2004</u> |
| <u>0018</u> | SMITH, MATTHEW Z               | UNIT B, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3236 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0018;2004</u> |
| <u>0019</u> | HYMAS, DOUGLAS                 | UNIT C, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3230 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0019;2004</u> |
| <u>0020</u> | KING, DEENA                    | UNIT D, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3224 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0020;2004</u> |
| <u>0021</u> | DOWDELL, MIRIAM                | UNIT E, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3218 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0021;2004</u> |
| <u>0022</u> | ROAN, MICHAEL C &<br>AMY L JT  | UNIT F, BUILDING 13,<br>PHASE 2,<br>SHADOWBROO | 3212 N SHADOWBROOK<br>DR PROVO UT | <u>52:021:0022;2004</u> |
| <u>0023</u> | SMITH, THALES H                | UNIT A, BUILDING 14,<br>PHASE 2,<br>SHADOWBROO | 3186 N SHADOWBROOK<br>CIR PROVO U | <u>52:021:0023;2004</u> |
| <u>0024</u> | ADAMS, BEVERLY P<br>TEE        | UNIT B, BUILDING 14,<br>PHASE 2,<br>SHADOWBROO | 3180 SHADOWBROOK<br>CIR PROVO UT  | <u>52:021:0024;2004</u> |

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| <b>Parcel</b> | <b>Owner</b>                 | <b>Legal Description</b>                       | <b>Property Address</b>           |                         |
|---------------|------------------------------|--|-----------------------------------|-------------------------|
| <u>0025</u>   | RUFFNER, PAUL A              | UNIT C, BUILDING 14,<br>PHASE 2,<br>SHADOWBROO | 3172 SHADOWBROOK CI<br>PROVO UT 8 | <b>52:021:0025;2004</b> |
| <u>0026</u>   | NORTON, D R TEE              | UNIT D, BUILDING 14,<br>PHASE 2,<br>SHADOWBROO | 3166 N SHADOWBROOK<br>CIR PROVO U | <b>52:021:0026;2004</b> |
| 0500          | STREET ON BOOK 52<br>PAGE 21 |  |                                   |                         |
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## REAL PROPERTIES BOOK 52 AND PAGE 020 -- SHADOWBROOK CONDO PHASE 1

Map Filing for 52-020

| Parcel      | Owner                           | Legal Description                              | Property Address                  |                         |
|-------------|---------------------------------|--|-----------------------------------|-------------------------|
| <u>0001</u> | MILLER, LEWIS L &<br>JOHANN TEE | APT A, BUILDING 1,<br>PHASE 1,<br>SHADOWBROOK  | 3305 SHADOWBROOK<br>CIR PROVO UT  | <u>52:020:0001;2004</u> |
| <u>0002</u> | HARDY, D ELMO TEE               | APT B, BLDG 1, PHASE<br>1, SHADOWBROOK         | 3301 SHADOWBROOK<br>CIR PROVO UT  | <u>52:020:0002;2004</u> |
| <u>0003</u> | ABEGG, DEAN M &<br>OLGA M TEE   | APT A, BLDG 2, PHASE<br>1, SHADOWBROOK         | 3283 SHADOWBROOK<br>CIR PROVO UT  | <u>52:020:0003;2004</u> |
| <u>0004</u> | LAYCOCK, RALPH G &<br>LUCY TE   | APT B, BLDG 2, PHASE<br>1, SHADOWBROOK         |                                   | <u>52:020:0004;2004</u> |
| <u>0005</u> | NUILA, OTTO R &<br>RANDI H JT   | APT A, BLDG 3, PHASE<br>1, SHADOWBROOK<br>COND | 3273 SHADOWBROOK<br>CIR PROVO UT  | <u>52:020:0005;2004</u> |
| <u>0006</u> | DE GRAW, MONTE B &<br>JANIC TEE | APT B, BLDG 3, PHASE<br>1, SHADOWBROOK         |                                   | <u>52:020:0006;2004</u> |
| <u>0007</u> | BRUNNER, MARIAN<br>TEE          | APT C, BLKG 3, PHASE<br>1, SHADOWBROOK<br>COND | 3257 SHADOWBROOK<br>CIR PROVO UT  | <u>52:020:0007;2004</u> |
| <u>0008</u> | CUTLER, ALICE E &<br>ALAN G TEE | APT D, BLDG 3, PHASE<br>1, SHADOWBROOK         | 3251 SHADOWBROOK<br>PROVO UT 8460 | <u>52:020:0008;2004</u> |
| <u>0009</u> | PETERSON, SARA J                | APT A, BLDG 4 PHASE<br>1, SHADOWBROOK          |                                   | <u>52:020:0009;2004</u> |
| <u>0010</u> | BEDWELL, DAVID E &<br>JACQU JT  | APT B, BLDG 4, PHASE<br>1, SHADOWBROOK         | 3370 SHADOWBROOK DR<br>PROVO UT 8 | <u>52:020:0010;2004</u> |
| <u>0011</u> | WEBB, WALTER L ET<br>AL         | APT C, BLDG4, PHASE<br>1, SHADOWBROOK          | 3362 SHADOWBROOK<br>PROVO UT 8460 | <u>52:020:0011;2004</u> |
| <u>0012</u> | NUILA, ROBERT                   | APT D, BLDG 4, PHASE<br>1, SHADOWBROOK<br>COND | 3358 SHADOWBROOK<br>PROVO UT 8460 | <u>52:020:0012;2004</u> |

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|-------------|------------------------------|---|-----------------------------------|------------------|
| <u>0013</u> | FLETCHER, HARVEY J & DEA JT  | APT A, BLDG 5, PHASE 1, SHADOWBROOK         | 124 W PARKWAY DR<br>PROVO UT 8460 | 52:020:0013;2004 |
| <u>0014</u> | THOMAS, SKYLAR D             | APT B, BLDG 5, PHASE 1, SHADOWBROOK         | 118 W PARKWAY PROVO<br>UT 84604   | 52:020:0014;2004 |
| <u>0015</u> | AH INVESTMENTS INC           | APT C, BLDG 5, PHASE 1, SHADOWBROOK<br>COND | 110 W PARKWAY PROVO<br>UT 84604   | 52:020:0015;2004 |
| <u>0016</u> | MC KINLAY, LYNN A & ASEN JT  | APT D, BLDG 5, PHASE 1, SHADOWBROOK         | 102 W PARKWAY PROVO<br>UT 84601   | 52:020:0016;2004 |
| <u>0017</u> | HEAL, TOMAS W & SANDRA R JT  | APT. A, BLDG. 6, PHASE 1, SHADOWBROOK       |                                   | 52:020:0017;2004 |
| <u>0018</u> | LUND, STEVEN J & KALLEEN TEE | APT. B, BLDG. 6, PHASE 1, SHADWOBROOK       | 121 W PARKWAY PROVO<br>UT 84604   | 52:020:0018;2004 |
| <u>0019</u> | ABEGG, SHELLEY               | APT. C, BLDG. 6, PHASE 1, SHADOWBROOK       | 115 PARKWAY PROVO UT<br>84604-442 | 52:020:0019;2004 |
| <u>0020</u> | HANNON, CATHERINE M          | APT. D, BLDG. 6, PHASE 1, SHADOWBROOK       | 107 W PARKWAY PROVO<br>UT 84601   | 52:020:0020;2004 |
| <u>0021</u> | CLAWSON, EILEEN S TEE        | APT. A, BLDG. 7, PHASE 1, SHADOWBROOK CO    | 138 CANDLEWOOD PL<br>PROVO UT 846 | 52:020:0021;2004 |
| <u>0022</u> | SKURJA, MICHAEL J & NANC TEE | APT. B, BLDG. 7, PHASE 1, SHADOWBROOK CO    |                                   | 52:020:0022;2004 |
| <u>0023</u> | ROUSH, JEAN R & ANDREA H JT  | APT. C, BLDG. 7, PHASE 1, SHADOWBROOK CO    |                                   | 52:020:0023;2004 |
| <u>0024</u> | HANSEN, STEPHEN W & CARO JT  | APT. D, BLDG. 7, PHASE 1, SHADOWBROOK       |                                   | 52:020:0024;2004 |

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| <u>0025</u> | CRANDALL, STERLING<br>M & Z TEE | APT. A, BLDG. 8, PHASE<br>1, SHADOWBROOK | 137 W CANDLEWOOD<br>PROVO UT 8460 | 52:020:0025;2004 |
| <u>0026</u> | BUDGE, JANET B &<br>SCOTT E     | APT. B, BLDG. 8, PHASE<br>1, SHADOWBROOK |                                   | 52:020:0026;2004 |
| <u>0027</u> | JUGANT, GERARD F &<br>ROBER JT  | APT. C, BLDG. 8, PHASE<br>1, SHADOWBROOK | 123 CANDLEWOOD PL #3<br>PROVO UT  | 52:020:0027;2004 |
| <u>0028</u> | CRAIG, STEPHEN L                | APT. D, BLDG. 8, PHASE<br>1, SHADOWBROOK | 117 W CANDLEWOOD<br>PROVO UT 8460 | 52:020:0028;2004 |
| <u>0029</u> | SPERRY, PATRICIA A<br>TEE       | APT. E, BLDG. 8, PHASE<br>1, SHADOWBROOK |                                   | 52:020:0029;2004 |
| <u>0030</u> | BOWDEN, ARCHIE &<br>MARJORI TEE | APT. F, BLDG. 8, PHASE<br>1, SHADOWBROOK |                                   | 52:020:0030;2004 |
| 0500        | STREET ON BOOK 52<br>PAGE 20    |  |                                   |                  |
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