

**FIRST AMENDMENT TO SECOND AMENDED AND
RESTATED DECLARATION OF CONDOMINIUM FOR
STONECREST AT TIMPANOGOS CONDOMINIUMS**

This First amendment to the Declaration of Condominium for Stonecrest at Timpanogos Condominiums (A Utah Residential Condominium Project Located in Provo City, Utah County, Utah), is made on the date set forth at the end hereof by the management committee of the Homeowners Association of the Stonecrest at Timpanogos Condominiums, hereinafter called "Declarant", for themselves, their successors, grantees, and assigns, pursuant to the Condominium Ownership Act of the State of Utah.

RECITALS

A. This First amendment to the Declaration of Stonecrest at Timpanogos Condominiums is intended to and shall affect only those specific provisions of the Declaration as are referred to hereafter. The original Declaration herein amended was recorded July 08, 2019 as Entry No. 62534:2019 at Pages 1-49. All provisions of the Declaration not specifically amended herein, shall remain as in the original Declaration and Amendments, and in full force and effect.

B. Declarant is the Management Committee which is the Governing Board of the Stonecrest at Timpanogos Condominiums who collectively are the owners of real property in Utah County UT, known as Stonecrest at Timpanogos Condominiums, and located at 455 North 400 West in Provo, UT 84601.

C. Section 10.10 Non-Owner Occupancy Restrictions states, ".....no more than 22 of the 45 Units may be Non-Owner Occupied at any given time."

Whereas, it is the intention of the Homeowners Association to remove this rental restriction. There is to be no cap on the number of Units that may be Non-Owner Occupied at any given time.

Therefore Article 10 Section 10 is replaced with the following:

10.10 Non-Owner Occupancy Restrictions. Non-Owner Units, including, without limitation, Leases and short term nightly rentals, are allowed so long as the following requirements are satisfied: (i) the leasing and/or rental activity must be permitted and allowed by the applicable zoning ordinances of Provo City, as the same may be amended; (ii) the Owners of the Non-Owner Occupied Units must obtain all permits and licenses, if any, required by Provo City; and (iii) there is no rental cap on the number of units that may be rented at any given time.

IN WITNESS WHEREOF, the Association has caused this Declaration to be executed by its duly authorized agent, who does, by his signature below, certify that the required sixty six percent (66%) vote to amend and restate the Declaration was obtained by consent of the Owners.

DATED: 2/2/22.

The Stonecrest at Timpanogos Homeowners Association

Richard Wells

By: Rich Wells

Its: Managing Agent

STATE OF UTAH)

:SS.

County of UTAH)

On this 1 day of February, 2022, personally appeared before me Richard Wells who being by me duly sworn, did say that they are the authorized agent of the Association authorized to execute this Declaration and did certify that this Declaration was approved by greater than 66% of the total votes of the Association.



Lanell Stewart

NOTARY PUBLIC

**EXHIBIT A
LEGAL DESCRIPTION**

**ALL UNITS AND COMMON AREAS OF STONECREST AT TIMPANOGOS
CONDOMINIUMS PHASES 1 AND 2**

All of **Stonecrest at Timpanogos Phase 1**, according to the official plat on file in the office of the Utah County Recorder as Entry No. 105131:2009 on October 2, 2009.

Parcel Numbers: **66:303:001** through **66:303:0021** and the Common Area Parcel.

All of **Stonecrest at Timpanogos Condominiums Phase 2**, according to the official plat on file in the office of the Utah County Recorder as Entry No. 42543:2019 on May 14, 2019.

Parcel Numbers: **66:677:0001** through **66:677:0045** and the Common Area Parcel.