

Prince, Yates, Feldzahler
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SLC 84111

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REC'D
C. Wayne Maberry

APR 13 4 31 PM '79
KATIE L. NIXON
RECORDER
SALT LAKE COUNTY,
UTAH

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AMENDMENT OF DECLARATION

The UNIVERSITY HEIGHTS MANAGEMENT COMMITTEE hereby amends the CONDOMINIUM DECLARATION FOR UNIVERSITY HEIGHTS, filed for record in the Salt Lake County Recorder's Office April 4, 1979 as Entry Number 3259872, as follows:

1. Article XVIII (a) (1) is amended to read in its entirety as follows:

(1) A multi-peril type policy covering the entire Condominium Project (both Units and Common Areas and Facilities) shall be maintained. Such policy shall provide coverage against loss or damage by fire and other hazards covered by the standard extended coverage endorsement and by debris removal, cost of demolition, vandalism, malicious mischief, windstorm, water damage, and such other risks as customarily are covered with respect to condominium projects similar to the Project in construction, location, and use. As a minimum, such policy shall provide coverage on a replacement cost basis in an amount not less than that necessary to comply with any co-insurance percentage specified in the policy, but not less than one hundred percent (100%) of the full insurable value of the Project (based upon replacement cost). Such policy shall include an "Agreed Amount Endorsement" or its equivalent, a "Demolition Endorsement" or its equivalent, and, if necessary or appropriate, an "Increased Cost of Construction Endorsement" or its equivalent, and a "Contingent Liability from Operation of Building Laws Endorsement" or its equivalent.

2. The first sentence of Article XVIII (d) is amended to read as follows:

Each insurance policy maintained pursuant to the foregoing Article XVIII Section (a) through (c) shall be written by an insurance carrier which is licensed to transact business in the State of Utah and which has a financial rating by Best's Insurance Reports of Class VI or better.

3. Article XX(b) is amended to read in its entirety as follows:

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(b) The lien or claim against a Unit for unpaid assessments or charges levied by the Management Committee or by the Association of Unit Owners pursuant to this Declaration or the Act shall be subordinate to a Mortgage affecting such Unit. A Mortgagee who obtains title to a Unit pursuant to his Mortgage or a deed or assignment in lieu of foreclosure shall not be liable for such Unit's unpaid assessments which accrue prior to the acquisition of title to such Unit by the Mortgagee and shall take the same free of such lien or claim for unpaid assessments or charges, but only to the extent of assessments or charges which accrue prior to the acquisition of title to such Unit by the Mortgagee (except for claims for a pro rata share of such prior assessments or charges resulting from a pro rata re-allocation thereof to all Units including the Unit in which the Mortgagee is interested). No assessment, charge, lien or claim which is described in the preceding sentence as being subordinate to a Mortgage or as not a burden to a Mortgagee coming into possession pursuant to his Mortgage or a deed or assignment in lieu of foreclosure shall be collected or enforced by either the Management Committee or the Association from or against a Mortgagee, a successor in title to a Mortgagee, or the Unit affected or previously affected by the Mortgage concerned (to the extent any such collection or enforcement would prejudice the interests of the Mortgagee or successor in title to the Mortgagee interested in such Unit).

Except as expressly amended above, the Declaration shall remain unchanged.

It is hereby certified, pursuant to Article XXVII of the aforescribed Declaration, that this amendment has received the affirmative vote or approval and consent of owners having ownership of not less than 66.66 percent of the undivided interest in the Common Areas and Facilities of the University Heights Condominium, as defined in the Declaration therefor.

DATED this 11 day of April, 1979.

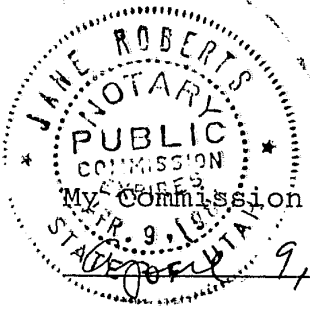
UNIVERSITY HEIGHTS MANAGEMENT COMMITTEE

By Douglas R. Mabey
Douglas R. Mabey, President

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STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On this 11th day of April, 1979, personally appeared before me Douglas R. Mabey, known to me to be the President of the University Heights Management Committee, the signer of the foregoing Amendment of Declaration, who duly acknowledged to me that he signed the same for and on behalf of said University Heights Management Committee.



My Commission expires:

April 9, 1981

Jane Roberts
Notary Public
Residing at: Salt Lake County, Utah

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