

10196454

RECORDED AT THE REQUEST OF,
AND WHEN RECORDED, MAIL TO:
Steven L. Ingleby
CALLISTER NEBEKER & McCULLOUGH
10 East South Temple, Suite 900
Salt Lake City, Utah 84133
801-530-7367

10196454
08/17/2007 09:43 AM \$23.00
Book - 9504 Pg - 8516-8521
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CALLISTER NEBEKER & McCULLOUGH
10 E SOUTH TEMPLE STE 900
SALT LAKE CITY UT 84133
BY: KAM, DEPUTY - MA 6 P.

NINTH AMENDMENT TO CONDOMINIUM DECLARATION
FOR MONTE LUCA CONDOMINIUMS

NINTH AMENDMENT TO CONDOMINIUM DECLARATION

FOR MONTE LUCA CONDOMINIUMS

THIS NINTH AMENDMENT TO THE CONDOMINIUM DECLARATION FOR MONTE LUCA CONDOMINIUMS (hereinafter referred to as this "Amendment") is made and executed this 13th day of August, 2007 by Monte Luca Homeowners Association, Inc.

WITNESSETH:

WHEREAS, a certain Condominium Declaration for Monte Luca Condominiums was executed on August 7, 2001 and recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 7976985, in Book 8490, Pages 849 to 898, as subsequently amended (hereinafter referred to as the "Declaration");

WHEREAS, a certain Record of Survey Map of Monte Luca Condominium Project was executed on August 16, 2001 and recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 7976984, in Book 2001P, at Page 228, et seq., as subsequently amended and supplemented (hereinafter referred to as the "Map");

WHEREAS, the Declaration and Map created the Monte Luca Condominiums consisting of Units 1-23 and 25 – 45 together with their respective undivided interests in the common areas and facilities as more particularly described in the Declaration;

WHEREAS, the Monte Luca Condominiums have been developed upon and include the following described land located in Salt Lake County, Utah and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, this Amendment has been approved by the affirmative vote or approval and consent of Owners having ownership of not less than sixty-seven percent (67%) of the undivided interest in the Common Areas and Facilities of the Monte Luca Condominiums (hereinafter referred to as the "Project").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the Declaration is hereby amended as follows:

1. Paragraph 1(b) of Article XVIII of the Declaration is hereby amended so as to delete said Paragraph 1(b) as it presently appears and to substitute therefore the following:

(b) A "blanket" policy of earthquake insurance covering the Condominium Project shall be maintained. Such policy shall provide coverage against loss or damage by earthquake of not less than \$10,000,000. Such policy may be combined with the flood insurance provided in subparagraph (d) below.

2. Monte Luca Homeowners Association, Inc., being the association of unit owners of the Monte Luca Condominiums, hereby certifies that this Amendment has been approved by the affirmative vote or written approval and consent of Owners having ownership of not less than sixty-seven percent (67%) of the undivided interest in the Common Areas and Facilities of the Monte Luca Condominiums.

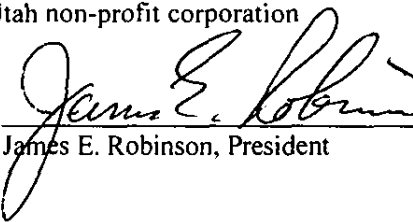
3. This Amendment may be executed in one or more counterparts, each of which, when executed and delivered, shall be an original and all of which shall together constitute one and the same instrument.

4. Except as otherwise provided herein or as may be required by the context, all terms defined in the Declaration shall have such defined meanings when used in this Amendment.

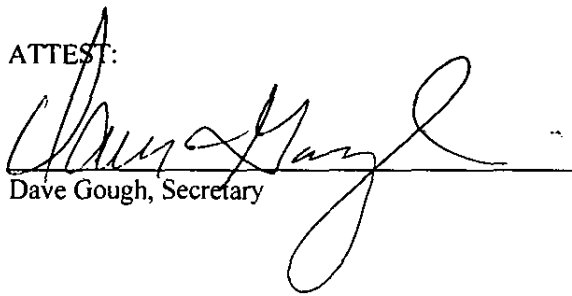
5. Except as herein modified, all other terms of the Declaration shall remain in full force and effect.

DATED the day and year first above written.

Monte Luca Homeowners Association, Inc.
A Utah non-profit corporation

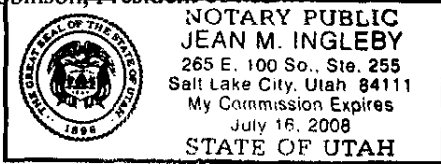
By: 
James E. Robinson, President

ATTEST:


Dave Gough, Secretary

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

The foregoing instrument was acknowledged before me this 13 day of August 2007, by James E. Robinson, President of Monte Luca Homeowners Association, Inc.

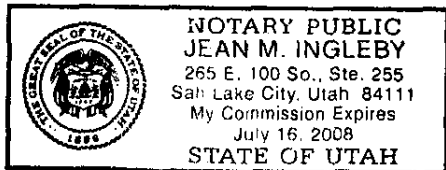


Jean M. Ingleby

NOTARY PUBLIC

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

The foregoing instrument was acknowledged before me this 13 day of August 2007, by Dave Gough, Secretary of Monte Luca Homeowners Association, Inc.



Jean M. Ingleby

NOTARY PUBLIC

EXHIBIT "A"
LEGAL DESCRIPTION OF LAND INCLUDED IN
MONTE LUCA CONDOMINIUMS

Phase 1

Beginning at a point 390.83 feet East and 1171.939 feet North from the South Quarter Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 08°23'00" East a distance of 1.868 feet; thence North 31°21'00" East a distance of 191.250 feet; thence North 37°58'00" West a distance of 342.732 feet; thence North 56°57'42" East a distance of 131.149 feet; thence around a curve to the right through a central angle of 01°30'22" an arc distance of 17.086 feet, a chord bearing of South 26°43'30" East a distance of 17.086 feet, a chord bearing of South 26°43'30" East a distance of 17.085 feet; thence around a curve to the left through a central angle of 02°09'24" an arc distance of 24.466 feet, a chord bearing of South 27°03'01" East a distance of 24.465 feet; thence North 57°14'22" East a distance of 113.508 feet; thence North 32°13'08" West a distance of 45.682 feet; thence North 57°46'52" East a distance of 67.717 feet; thence South 21°22'40" East a distance of 45.066 feet; thence South 89°58'39" East a distance of 295.598 feet; thence South 25°59'44" East a distance of 27.825 feet; thence North 89°58'39" West a distance of 16.165 feet; thence South 05°33'16" East a distance of 237.565 feet; thence South 18°25'09" East a distance of 74.815 feet; thence South 71°34'27" West a distance of 244.609 feet; thence South a distance of 87.994 feet; thence West a distance of 100.109 feet; thence South 68°34'00" West a distance of 181.098 feet to the point of beginning.

Phase 2

Beginning at a point 1607.31' North and 279.76' East from the South Quarter Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 56°57'42" East a distance of 131.15'; thence around a curve to the left through a central angle of 11°11'19" an arc distance of 126.93' a chord bearing of North 33°04'20" West a distance of 126.73'; thence North 38°40'00" West a distance of 429.25'; thence North 80°36'00" East a distance of 74.76'; thence North 09°24'00" West a distance of 164.09'; thence South 72°02'00" West a distance of 101.92'; thence North 00°04'12" East a distance of 10.44'; thence South 76°27'00" West a distance of 229.94'; thence South 41°16'00" East a distance of 318.97'; thence South 37°58'00" East a distance of 472.27' to the point of beginning.

Phase 3

Beginning at a point 1641.72' North and 408.54' East from the South Quarter Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 57°14'22" East 113.50'; thence North 32°13'08" West 45.68'; thence North 57°46'52" East 67.72 feet; thence north 21°22'40" West 186.78'; thence North 00°36'07" West 47.61'; thence South 83°30'49" West 71.81'; thence North 09°16'41" West 183.44'; thence South 80°34'45" West 73.98 feet; thence North 09°24'00" West 141.53'; thence South 72°02'00" West 83.53'; thence South 09°24'00" East 164.09'; thence South 80°36'00" West 74.76 feet; thence South 38°40'00" East 429.25 feet; thence 144.02 feet along a 650.00 foot radius curve to the right whose chord bears South 32°19'09" East through a central angle of 12°31'41"; thence 24.52 feet along a 650 foot curve to the left whose chord bears South 27°03'01" East through a central angle of 02°09'24" to the point of beginning.

Phase 4

Beginning at a point 1951.82' North and 468.83' East from the South Quarter Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 85°31'25" East 288.48'; thence South 80°36'00" West 270.55'; thence South 09°16'41" East 183.44'; thence North 83°30'49" East 71.81'; thence South 00°36'07" East 47.61' to the point of beginning.