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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
RICHARDS KIMBLE & WINN
2040 E MURRAY-HOLLADAY RD#106
SLC UT 84117
BY: ZJM, DEPUTY - WI 7 P.

After Recording Return To:
Richards, Kimble & Winn, PC
2040 E. Murray-Holladay Rd, Suite 106
Salt Lake City, UT 84117

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**AMENDMENT TO THE
DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK CONDOMINIUM PROJECT**

This Amendment to the Declaration of Condominium of the Shadybrook Condominium Project ("Declaration") is made on the date indicated below by the Shadybrook Homeowners Association ("Association").

RECITALS

A. Certain real property in Salt Lake County, Utah, known as the Shadybrook Condominium Project was subjected to certain covenants, conditions, and restrictions pursuant to a "Fifth Declaration of Condominium of the Shadybrook Condominium Project" recorded on February 13, 1992, as Document Entry No. 5198513, Book 6410, Page 1182 et. seq., records of Salt Lake County, Utah;

B. This Amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto, including the property set forth in Exhibit A.

C. This Amendment changes the approval threshold required to amend the Declaration in order to better suit the current and past level of participation that the Association receives from its members.

D. Pursuant to Article III, Section 43 of the Declaration, approval of sixty-seven percent (67%) of the Unit Owners was duly received to adopt and record this amendment to the Declaration.

NOW, THEREFORE, the Association hereby amends Article III, Section 43 of the Declaration to read as follows:

43. Amendment. Except as otherwise provided herein, this Declaration may be amended by the affirmative vote of sixty-seven percent (67%) of a majority (51%) of the total Owners of the Association who have cast votes, in person, by proxy, by special ballot or any

other means permitted by law. (For example, a majority of units in Shadybrook is 52. Therefore, assuming all unit owners cast their vote, then 67% of this majority, or 35, is the minimum number of affirmative votes which would be necessary to amend this Declaration in such a situation). Notice of any such adopted amendment shall be recorded by instruments duly recorded in the office of the County Recorder of Salt Lake County, State of Utah.

IN WITNESS WHEREOF, the Shadybrook Homeowners Association has executed this Amendment to the Declaration as of the 13th day of July, 2009, in accordance with Article III, Section 43 of the Declaration.

SHADYBROOK HOMEOWNERS ASSOCIATION

President

Michele McFarlane
Secretary

STATE OF UTAH)
 :SS
County of Salt Lake)

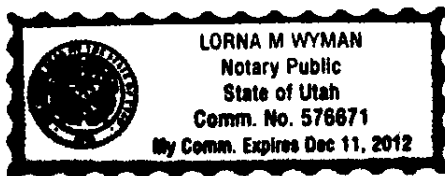
On the ___ day of _____, 2009, personally appeared _____ who, being first duly sworn, did that say that he or she is the President of the Association and that said instrument was signed in behalf of said Association by authority of its Management Committee; and he or she acknowledged said instrument to be his or her voluntary act and deed.

Notary Public for Utah

STATE OF UTAH)
 :SS
County of Salt Lake)

On the 13th day of July, 2009, personally appeared Michele McFarlane who, being first duly sworn, did that say that he or she is the Secretary of the Association and that said instrument was signed in behalf of said Association by authority of its Management Committee; and he or she acknowledged said instrument to be his or her voluntary act and deed.

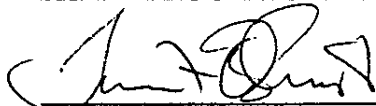
Lorna M Wyman
Notary Public for Utah



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SHADYBROOK HOMEOWNERS ASSOCIATION

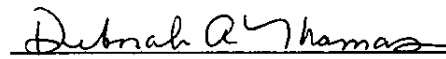


President

Secretary

STATE OF UTAH)
 :SS
County of Salt Lake)

On the 13th day of July, 2009, personally appeared James F. ~~the~~ Oshust and _____ who, being first duly sworn, did that say that they are the President and Secretary of the Association and that said instrument was signed in behalf of said Association by authority of its Management Committee; and each of them acknowledged said instrument to be their voluntary act and deed.



Notary Public for Utah

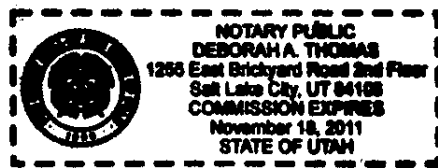


EXHIBIT A

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OF THE
SHADYBROOK CONDOMINIUM PROJECT

This document shall be recorded against each of the properties, including 118 units in the following phases:

- All units in Phase 1 of the Shadybrook Condominium Project
- All units in Phase 2 of the Shadybrook Condominium Project
- All units in Phase 3 of the Shadybrook Condominium Project
- All units in Phase 4 of the Shadybrook Condominium Project
- All units in Phase 5 of the Shadybrook Condominium Project

As more particularly described by the legal descriptions as follow:

358
16-28-559
382
360

EXHIBIT "A"
AMENDMENT TO
DECLARATION OF CONDOHINIUM
THE SHADYBROOK CONDOHINIUM PROJECT
[An Expandable Condominium]

The "tract" which is referred to in arid affected by said Declaration is situated in Salt Lake County, State of Utah, and is described as follows:

Beginning at a point which is $589^{\circ}56'44''$ W 165.99 ft. and $N 0^{\circ}11'21''$ E 242.24 ft. from the Southeast Corner of Lot 8, Block 20, Ten Acre Plat 'A', B.F.S. and running thence S $89^{\circ}56'44''$ W 432.38 ft.; thence $N 0^{\circ}11'40''$ E 139.04 ft.; thence S $89^{\circ}55' 33''$ W 166.333 ft. to the East Line of 700 East St.; thence $N 0^{\circ}11' 40''$ E 60.00 ft. along said East Line; thence $N 89^{\circ}55' 33''$ E 165.00 ft.; thence $N 0^{\circ}11'40''$ E 132.00 ft.; to the North Line of said Lot 8, Block 20; thence $N 89^{\circ}55'33''$ E 561.00 ft. along said North Line; thence S $0^{\circ}11'21''$ W 66.00 ft.; thence S $89^{\circ}55'33''$ W 141.00 ft. ; thence S $0^{\circ} 11' 21''$ W 132.95 ft.; thence $N 89^{\circ}55' 33''$ E 13.683 ft.; thence S $0^{\circ} 11' 21''$ W 132. 24 ft. to the point of beginning. Contains 3.6708 Ac.

Subject to a 24.75 ft. Right-of-Way described as follows:

Beginning at the N.W. Corner of Lot 8, Block 21, Ten Acre Plat 'A', B.F.S., and running thence $N 89^{\circ}55'33''$ E 495.00 ft.; thence S $0^{\circ}11'40''$ W 24.75 ft.; thence S $89^{\circ}55'33''$ W 495.00 ft.; thence $N 0^{\circ}11'40''$ E 24.75 ft. to the point of beginning.

Subject to all right-of-ways, easements and restrictions of record.

PARCEL NO.1:

Beginning at a point which is $N 0^{\circ}11'21''$ E 156.86 ft. from the Southeast Corner of Lot 8,Block 20, ten Acre Plat 'A', Big Field Survey, and running thence S $89^{\circ}56'44''$ W 165.99 ft.; thence $N 0^{\circ}11'21''$ E 217.62 ft.; thence $N 89^{\circ}55'33''$ E 165.99 ft.; thence $50^{\circ}11'21''$ W 0.80 ft.; thence $N 89^{\circ}55'33''$ E 238.00 ft.; thence S $0^{\circ}11'21''$ W 132.725 ft.; thence $N 89^{\circ}55'33''$ E 26.00 ft.; thence $N 0^{\circ} 11' 21''$ E 5.78 ft.; thence $N 89^{\circ}55'33''$ E 235.26 ft. ; thence S $0^{\circ}11'21''$ W 122.25 ft. ; thence S $89^{\circ}55'33''$ W 64.00 ft.; thence S $0^{\circ}11' 21''$ W 218.193 ft. to the Centerline of Scott Avenue; thence S $89^{\circ}56'47''$ W 193.81 ft. along said Centerline; thence $N 0^{\circ}11'21''$ E 25.00 ft. to the North Line of said Scott Avenue; thence $N 41^{\circ}40'00''$ W 146.50 ft.; thence $N 34^{\circ}41'23''$ W 140.772 ft.; thence S $89^{\circ}56' 44''$ W 63.20 ft. to the point of beginning.

PARCEL NO.2:

Commencing at the Southeast corner of Lot 8, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence North 156.86 feet; thence West 51 feet; thence South 247.61 feet; thence East 51 feet; thence North 90.75 feet to the point of beginning.

PARCEL NO.3:

Commencing 51 feet West from the Southeast corner of Lot 8, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence North 156.86 feet; thence West 62' feet; thence South 247.095 feet, more or less, to the center of Scott Avenue; thence East 62 feet; thence North 90.235 feet. more or less, to the point of beginning.

PARCEL NO. 4:

Commencing 113 feet West from the Southeast corner of Lot 8, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence North 156.86 feet; thence West 52.99 feet; thence South 247.61 feet; thence East 52.99 feet; thence North 90.75 feet to the point of beginning.

PARCEL NO. 12:

Commencing at the Northwest corner of Lot 8, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence East 10 rods; thence South 8 rods; thence West 100 feet; thence North 15 feet; thence West 65 feet; thence North 117 feet to the point of beginning.

PARCEL NO. 13:

Commencing 16.65 rods South of the Northwest corner of Lot 9, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence South 16.65 rods; thence East 30 rods; thence North 16.65 rods; thence West 30 rods to the point of beginning.

PARCEL NO. 14:

Commencing 46 rods East and 30 rods South of the Northwest corner of Lot 9, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence South 4.8 rods; thence West 16 rods; thence North 4.8 rods; thence East 16 rods to the point of beginning.

PARCEL NO. 15:

Commencing 46 rods East and 38.8 rods South from the Northwest corner of Lot 9, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence South 132.95 feet; thence West 174 feet; thence North 132.95 feet; thence East 174 feet to the point of beginning.

PARCEL NO. 16:

Commencing 2 rods East and 134.75 feet South from the Northwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence South 65 feet; thence East 165 feet; thence North 65 feet; thence West 165 feet to the point of beginning.

PARCEL NO. 17:

Commencing 208 feet East and 1.5 rods South from the Northwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey and running thence East 68 feet; thence South 175 feet; thence West 78 feet; thence North 65 feet; thence East 10 feet; thence North 110 feet to the point of beginning.

PARCEL NO. 18:

Commencing 276 feet East and 1.5 rods South from the Northwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence East 74 feet; thence South 301.95 feet; thence West 86 feet; thence South 5.75 feet; thence West 26 feet; thence North 132.725 feet; thence East 38 feet; thence North 175 feet to the point of beginning.

PARCEL NO. 19:

Commencing 350 feet East and 1.5 rods South from the Northwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey and running thence East 75 feet; thence South 18.3 rods; thence West 75 feet; thence North 18.3 rods to the point of beginning.

PARCEL NO. 20:

Commencing 425 feet East and 1.5 rods South from the Northwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence East 70 feet; thence South 18.3 rods; thence West 70 feet; thence North 18.3 rods to the point of beginning.

PARCEL NO. 21:

Commencing 92 rods East and 54.6 rods South from the Northwest corner of Lot 9, Block 20, Ten Acre Plat 'A', Big Field Survey and running thence North 55 feet; thence West 16 rods; thence South 55 feet; thence East 16 rods to the point of beginning.

PARCEL NO. 22:

Commencing 76 rods East and 54.8 rods South from the Northwest corner of Lot 9, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence East 8 rods; thence South 9 rods; thence West 8 rods; thence North 9 rods to the point of beginning.

PARCEL NO. 23:

Commencing 75.1 rods South and 76 rods East from the Northwest corner of Block 20, Ten Acre Plat 'A', Big Field Survey; and running thence West 64 feet; thence North 215 feet; thence East 64 feet; thence South 215 feet to the point of beginning.

PARCEL NO. 24:

Commencing 66 feet South and 70 feet East of the Southwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence North 215.75 feet; thence South $33^{\circ}50'$ East 128.1 feet; thence South $41^{\circ}40'$ East 146.5 feet; thence West 167.2 feet, more or less, to point of beginning.

PARCEL NO. 25:

Commencing 156.86 feet North of the Southwest corner of Lot 11, Block 20, Ten Acre Plat 'A', Big Field Survey, and running thence East 63.2 feet; thence South $33^{\circ}50'$ East 8.2 feet; thence South 215.75 feet, more or less, to the North line of Scott Avenue; thence West 70 feet; thence North 222.86 feet to the point of beginning.