

When Recorded, Mail to:

Locke Avenues, LLC
 c/o Alex Hertz
 3500 Lenox Rd NE, Ste 200
 Atlanta, GA 30326-4237

11414892
 06/21/2012 02:06 PM \$59.00
 Book - 10028 Pg - 3455-3467
GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 LOCKE AVENUES LLC
 ALEX HERTZ
 3500 LENOX RD NE STE 200
 ATLANTA GA 30326
 BY: ZJM, DEPUTY - WI 13 P.
 Space Above for Recorder's Use

**AMENDMENT
 TO
 DECLARATION OF CONDOMINIUM
 FOR
 THE AVENUES CONDOMINIUMS EAST,
 AN EXPANDABLE UTAH CONDOMINIUM PROJECT**

This Amendment to Declaration of Condominium ("**Amendment**") is executed as of March 2, 2012, by **Locke Avenues, LLC**, a Utah limited liability company ("**Declarant**") and The Avenues Condominiums East Association, Inc., a Utah nonprofit corporation ("**Association**").

RECITALS

A. Declarant executed that certain Declaration of Condominium for the Avenues Condominiums East, an Expandable Utah Condominium Project, dated October 29, 2008 and recorded on October 30, 2008, as Entry No. 10552401 in Book 9655 at Page 3733 in the official records of Salt Lake County, Utah ("**Declaration**"), affecting that certain real property identified on Exhibit A to this Amendment. Any capitalized term used but not defined in this Amendment will have the meaning attributed to it in the Declaration.

B. Simultaneous with recording the Declaration, Declarant recorded the condominium plat entitled "The Avenues Condominiums East, an Expandable Utah Condominium Project", recorded on October 30, 2008, as Entry No. 10552400 in Book 9655 at Page 3732 in the official records of Salt Lake County, Utah (the "**Plat**").

C. Pursuant to Section 7.13 of the Declaration, all Parking Stalls are General Common Areas.

D. The Plat depicts certain numbered parking stalls located within the Project, twenty-five (25) of which the Association and Declarant desire to designate as Limited Common Areas (such twenty-five (25) stalls, the "**Parking Stalls**").

E. Pursuant to Utah Code Ann. 57-8-13, et. seq. (2011) (the "**Act**"), Declarant and the Association (by written action without a meeting of the Association by the requisite number of Owners) desire to re-designate the Parking Stalls to Limited Common Areas and assign the Parking Stalls to certain Units for the exclusive use of those Units as listed on the "Avenues Condominiums East Amended, an Expandable Utah Condominium Project", consisting of 5

sheets, and prepared by Gregory R. Wolbach, a registered Utah land surveyor holding Certificate No. 187788 attached to this Amendment as Exhibit B (the “**Amended Plat**”).

F. Pursuant to the Act, Declarant and the Association (by written action without a meeting of the Association by the requisite number of Owners) desire to incorporate certain Common Areas currently used as patio space into the Units to which such Common Areas are attached, as such incorporation of Common Areas is shown on the Amended Plat (the “**Patio Areas**”).

G. As a result of the incorporation of the Patio Areas into certain Units, Declarant and the Association (by resolution of the requisite number of Owners at a duly convened meeting of the Association) desire to replace Exhibit “B” to the Declaration, which exhibit sets forth each Unit’s undivided interest in the Common Areas, with Exhibit C attached hereto.

H. Pursuant to the Act, Declarant and the Association (by written action without a meeting of the Association by the requisite number of Owners) desire to amend the Declaration to allow the Association to grant the easements set forth herein.

DECLARATION

1. **Designation.** The Parking Stalls are hereby re-designated to be Limited Common Areas. The Amended Plat depicts the Parking Stalls that are now Limited Common Areas and designates the Unit to which each Parking Stall is assigned.

2. **Common Areas.** The Patio Areas are hereby re-designated to be part of the Units to which they are attached. The Amended Plat depicts the Patio Areas that are now part of their respective Units.

3. **Voting Interests.** Exhibit “B” to the Declaration is hereby deleted in its entirety and replaced with Exhibit C attached hereto and incorporated herein.

4. **Parking Spaces.** Section 7.13 is hereby deleted in its entirety and the following is substituted in lieu thereof:

7.13 **Parking Spaces.** Except for those parking spaces designated as Limited Common Areas on the Plat, all parking spaces located in the Project are General Common Areas. Except for those parking spaces that are Limited Common Areas, the use, and assignment, of parking spaces will be regulated by the Board.

5. **Other Easements.** Section 6.4 is hereby deleted in its entirety and the following is substituted in lieu thereof:

6.4 **Easements.** The Association will have the right to grant utility easements, vehicular ingress and egress, vehicular parking easements, and other easements, licenses, permits, reservations, exceptions, or exclusions under, through or over

the Common Areas that are reasonably necessary to the ongoing development and operation of the Project and Additional Land, as long as the parties benefitted by such easements, licenses, permits, reservations, exceptions, or exclusions use reasonable efforts to locate any such easement, license, permit, reservation, exception or exclusion to minimize interference with the use of the Project by the Owners to the extent practicable; and (b) if the parties benefitted by the easement, license, and permit, reservation, exception, or exclusion construct or install any improvements on the Project pursuant to the same, the benefitted parties will promptly repair any damage caused to the Project thereby at their sole cost and expense.

5. **Effect of Amendment.** Except as modified by this Amendment, the Declaration remains in full force and effect.

6. **First Mortgagees.** To Association's and Declarant's knowledge, no Eligible First Mortgagees are required or entitled to consent to this Amendment or receive notice of this Amendment.

7. **Interpretation.** The captions in this Amendment are for convenience only and will not affect the interpretation of this Amendment. Whenever the context requires, the singular will include the plural, the plural will include the singular, the whole will include any part thereof, and any gender will include both other genders. The invalidity or unenforceability of any portion of this Amendment will not affect the validity or enforceability of the remainder.

8. **Effective Date.** This Amendment and the Amended Plat will take effect when recorded in the official records of Salt Lake County, Utah.

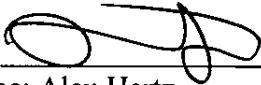
[Signatures and Acknowledgement Follow]

IN WITNESS WHEREOF, the Declarant and Association have executed this Amendment as of the date first mentioned above.


Locke Avenues, LLC
a Georgia limited liability company,
by its manager:

Locke Investment & Development, LLC
a Georgia limited liability company,
by its manager:

Locke Property Investments, Incorporated
a Georgia corporation

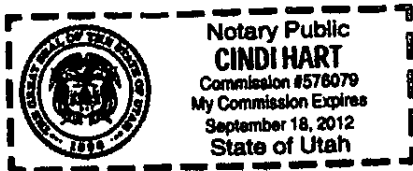
By: 
Name: Alex Hertz
Title: President

The Avenues Condominiums East Association, Inc.,
a Utah nonprofit corporation

By: 
Alex Hertz, President

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me on March 2, 2012, by Alex Hertz, President of Locke Property Investments, Incorporated, a manager of Locke Investment & Development, LLC, the manager of Locke Avenues, LLC, and by Alex Hertz, President of The Avenues Condominiums East Association, Inc., a Utah nonprofit corporation.



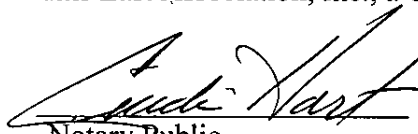

Notary Public

EXHIBIT A

Condominium Project

The condominium project to which the foregoing Amendment applies is the condominium project referred to in the Declaration (identified in the Recitals to the foregoing Amendment) and affects certain land located in Salt Lake County, Utah, and more particularly described as follows:

Beginning at the southeast corner of Lot 1, in Block 14 Plat "G" Salt Lake City Survey, according to the official plat thereof, as recorded in the office of the County Recorder, Salt Lake County, Utah; thence south 89°59'53" west a distance of 165.00 feet; thence north 00°00'24" west a distance of 201.00 feet; thence north 89°59'53" east a distance of 49.50 feet; thence south 00°00'24" east a distance of 3.00 feet; thence north 89°59'53" east a distance of 57.75 feet; thence north 00°00'24" west a distance of 23.00 feet; thence north 89°59'53" east a distance of 57.75 feet; thence south 00°00'24" east a distance of 221.00 feet to the point of beginning.

Also described as: Units 61-1 through 61-6, Units 69-1 through 69-6, Units 1121-1 through 1121-6 and Units 1135-1 through 1135-7, contained within the Avenues Condominiums East – an Expandable Utah Condominium Project as identified on the Official Plat thereof on file in the Salt Lake County Recorder's Office (recorded October 30, 2008 in Book 2008P of Plats at Page 278) and as further defined and described in the Declaration, TOGETHER WITH all common areas and facilities and limited common areas and facilities more particularly described in the Declaration and any amendments and/or supplements thereto.

[For reference only, Tax Parcel Nos: 09-32-491-014; 09-32-491-015; 09-32-491-016; 09-32-491-017; 09-32-491-018; 09-32-491-019; 09-32-491-020; 09-32-491-021; 09-32-491-022; 09-32-491-023; 09-32-491-024; 09-32-491-025; 09-32-491-001; 09-32-491-002; 09-32-491-003; 09-32-491-004; 09-32-491-005; 09-32-491-006; 09-32-491-007; 09-32-491-008; 09-32-491-009; 09-32-491-010; 09-32-491-011; 09-32-491-012; 09-32-491-013; 09-32-491-026]

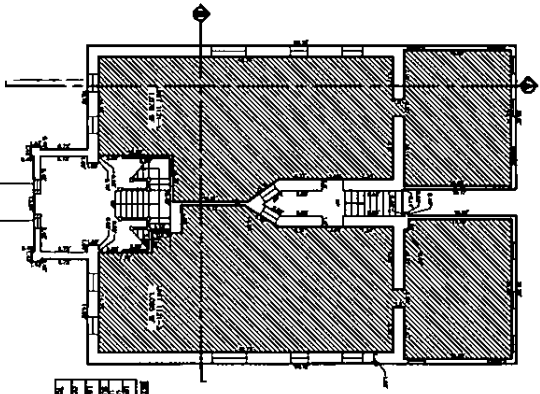
EXHIBIT B

Amended Plat

(see attached)

NUMBER	_____
ACCOUNT	_____
SHEET	2
OF 5 SHEETS	

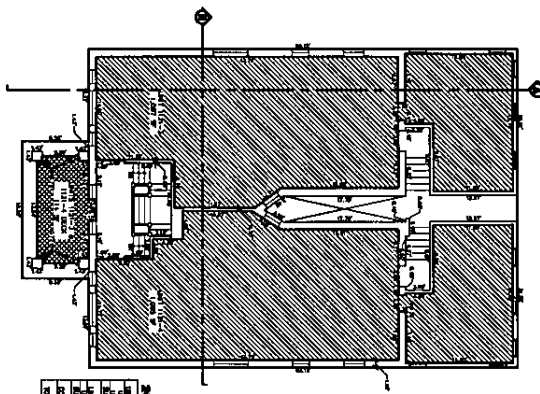
FIRST FLOOR



NO UNIT BUILDING
NO FLOOR AREA VARIATIONS

UNIT NO.	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
UNIT TYPE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
UNIT AREA	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
TOTAL AREA	22,000																			

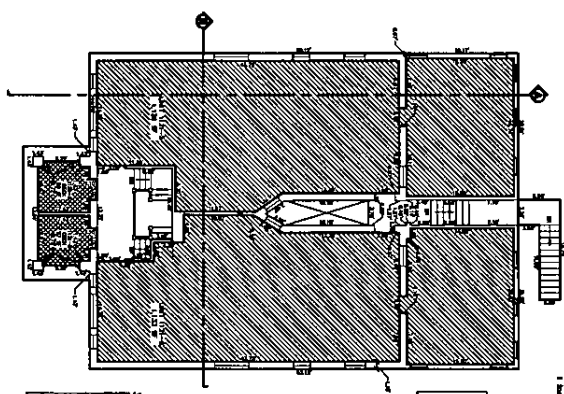
SECOND FLOOR



NO UNIT BUILDING
NO FLOOR AREA VARIATIONS

UNIT NO.	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220
UNIT TYPE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
UNIT AREA	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
TOTAL AREA	22,000																			

THIRD FLOOR

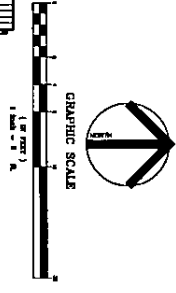


NO UNIT BUILDING
NO FLOOR AREA VARIATIONS

UNIT NO.	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320
UNIT TYPE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
UNIT AREA	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
TOTAL AREA	22,000																			

REVISIONS

NO.	DATE	BY	DESCRIPTION



NUMBER	_____
ACCOUNT	_____
SHEET	2
OF 5 SHEETS	

FLOOR PLANS - 1121 EAST BUILDING
AVENUES CONDOMINIUMS EAST AMENDED

LOCKE PROPERTY INVESTMENTS REV-AMEND-FLOORPLAN JOB NO. 072

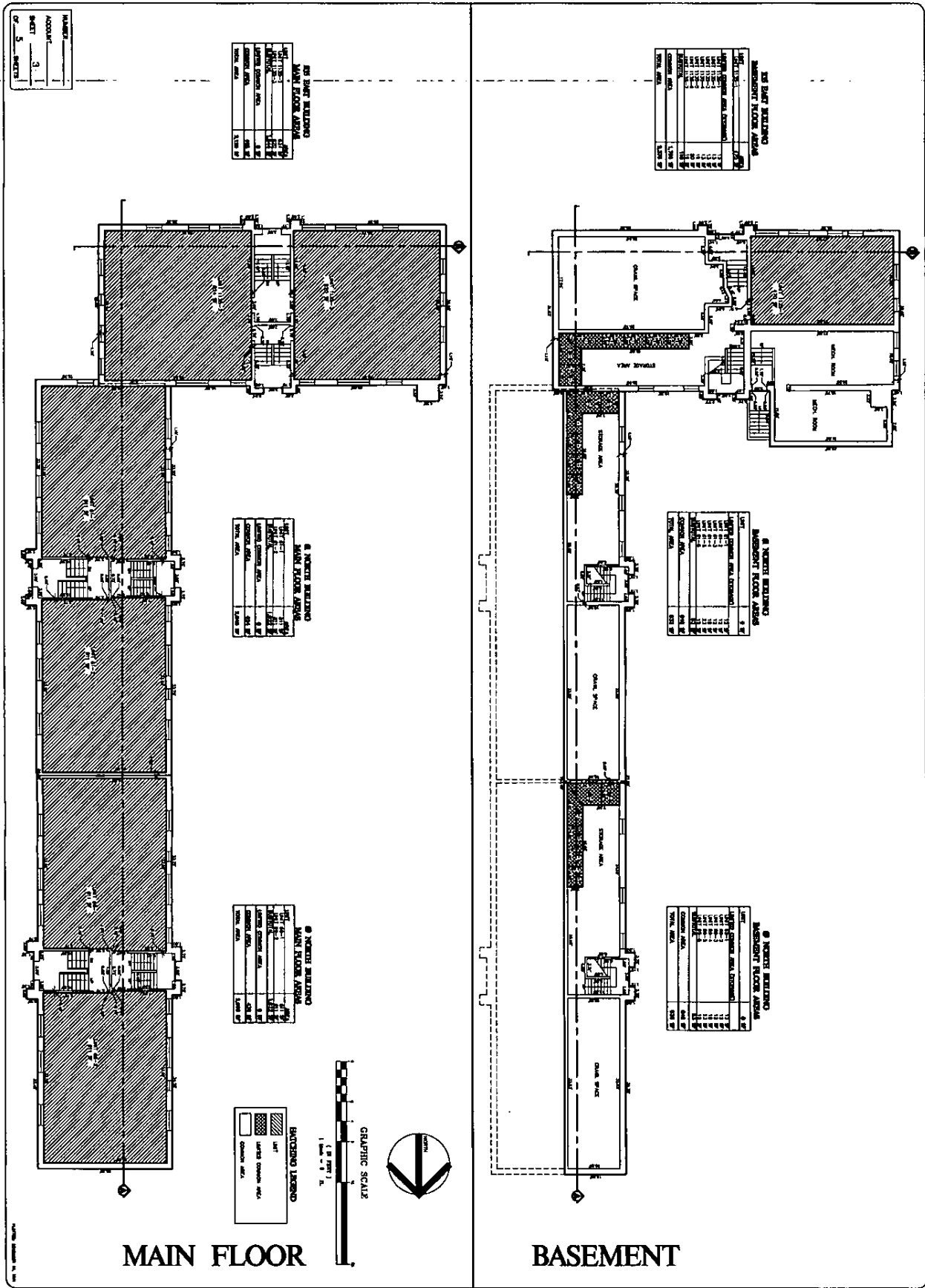
REV/AMC
BY CHD
REV/AMC
BY CHD



DATE	BY	REVISIONS

Evergreen Engineering, Inc.

Civil Engineering • Land Surveys • Land Planning
2700 Vermont Ave. • Suite 102
P.O. Box 2881 • Park City • Utah • 84060
Phone: (435) 949-4843 • Fax: (435) 949-8212
E-mail: cde@evergreen-eng.com



NUMBER	1
ACCOUNT	3
SHEET	3
OF 3 SHEETS	

UNIT #		101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	
AREA																						
TOTAL AREA																						

UNIT #		201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	
AREA																						
TOTAL AREA																						

UNIT #		301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	
AREA																						
TOTAL AREA																						

UNIT #		101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	
AREA																						
TOTAL AREA																						

UNIT #		201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	
AREA																						
TOTAL AREA																						

UNIT #		301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	
AREA																						
TOTAL AREA																						

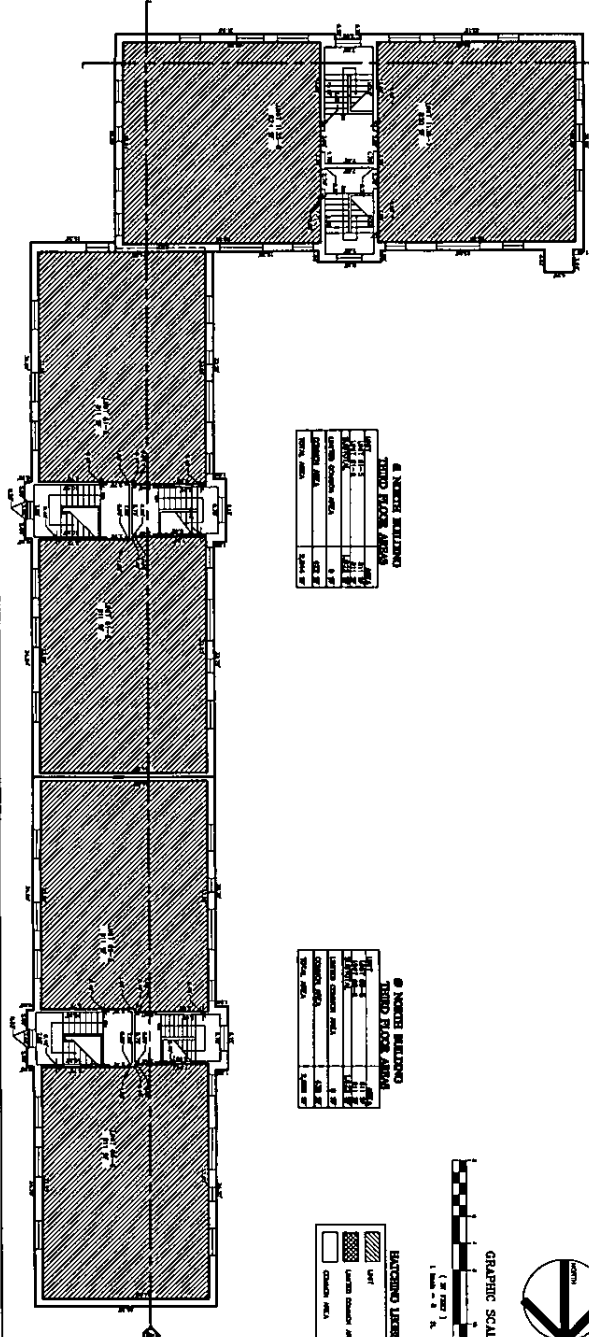
MAIN FLOOR

BASEMENT

<table border="1"> <tr><td>NUMBER</td><td>1</td></tr> <tr><td>ACCOUNT</td><td>3</td></tr> <tr><td>SHEET</td><td>3</td></tr> <tr><td>OF 3 SHEETS</td><td></td></tr> </table>	NUMBER	1	ACCOUNT	3	SHEET	3	OF 3 SHEETS		<p>FLOOR PLANS-BASEMENT & MAIN FLOOR 1135 EAST, 61 NORTH, 69 NORTH BUILDINGS AVENUES CONDOMINIUMS EAST AMENDED</p>	<p>LOCKE PROPERTY INVESTMENTS 425-AMENDED-FLOORPLAN 072</p>	<p>DATE: 10/15/08 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]</p>		<table border="1"> <tr><th>REVISION</th><th>DATE</th><th>BY</th><th>COMMENT</th></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	REVISION	DATE	BY	COMMENT													<p>Evergreen Engineering, Inc. Civil Engineering • Land Surveying • Land Planning 500 Riverside Drive • Suite 100 P.O. Box 2081 • Fort City • Utah • 84008 Phone: (435) 946-9827 • Fax: (435) 946-5216 E-mail: info@evergreen-eng.com</p>
	NUMBER	1																												
ACCOUNT	3																													
SHEET	3																													
OF 3 SHEETS																														
REVISION	DATE	BY	COMMENT																											

NUMBER _____
ACCOUNT _____
SHEET 4
OF 5 SHEETS

REVISIONS
DATE BY COMMENTS
1. 07/11/07 [] [] []
2. 07/11/07 [] [] []
3. 07/11/07 [] [] []



REVISIONS
DATE BY COMMENTS
1. 07/11/07 [] [] []
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REVISIONS
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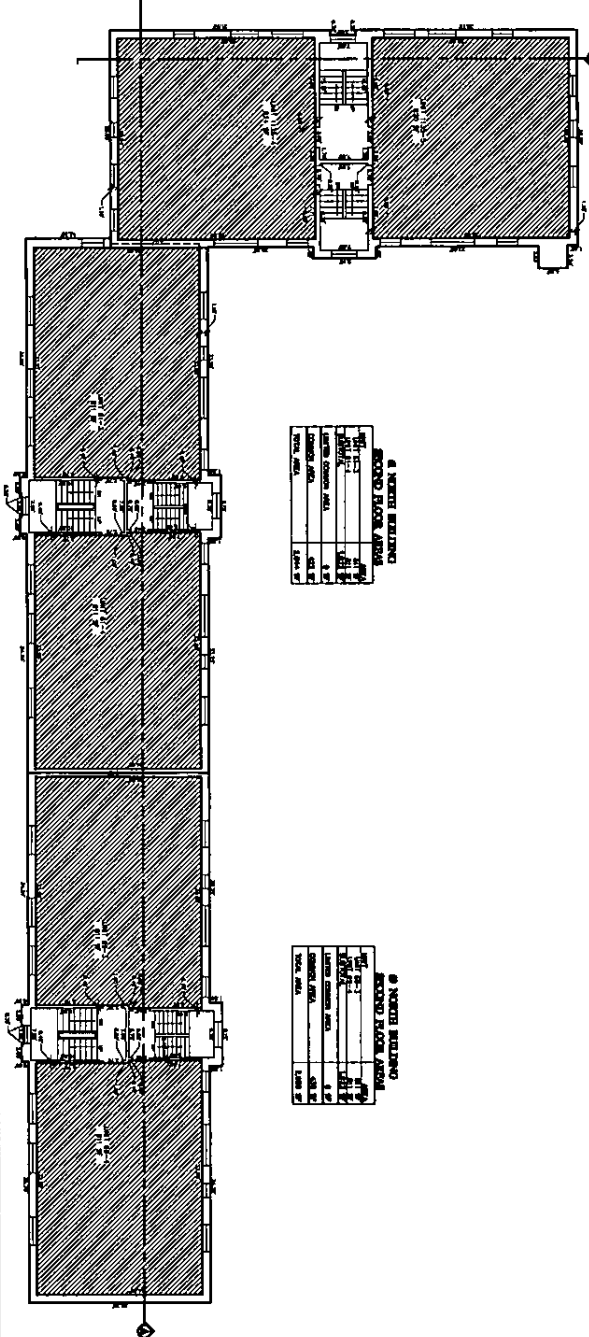
LEGEND
HATCHES
CONCRETE
CERAMIC TILE
PART
VIEW TO BE SHOWN
VIEW TO BE SHOWN
VIEW TO BE SHOWN
VIEW TO BE SHOWN

GRAPHIC SCALE
1" = 8'-0" (1/8" = 1')



THIRD FLOOR

REVISIONS
DATE BY COMMENTS
1. 07/11/07 [] [] []
2. 07/11/07 [] [] []
3. 07/11/07 [] [] []



REVISIONS
DATE BY COMMENTS
1. 07/11/07 [] [] []
2. 07/11/07 [] [] []
3. 07/11/07 [] [] []

REVISIONS
DATE BY COMMENTS
1. 07/11/07 [] [] []
2. 07/11/07 [] [] []
3. 07/11/07 [] [] []

SECOND FLOOR

NUMBER _____
ACCOUNT _____
SHEET 4
OF 5 SHEETS

FLOOR PLANS-SECOND & THIRD FLOOR
1135 EAST, 61 NORTH, 69 NORTH BUILDINGS
AVENUES CONDOMINIUMS EAST AMENDED
LOCKER PROPERTY INVESTMENTS

DATE
BY
COMMENTS

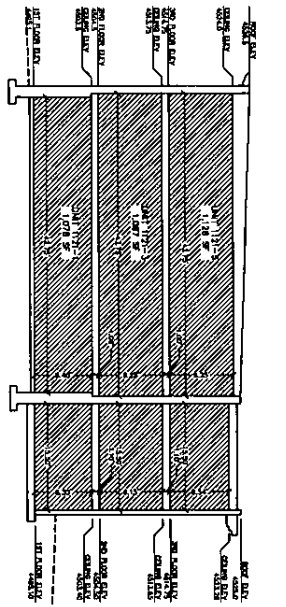


REVISIONS
DATE BY COMMENTS

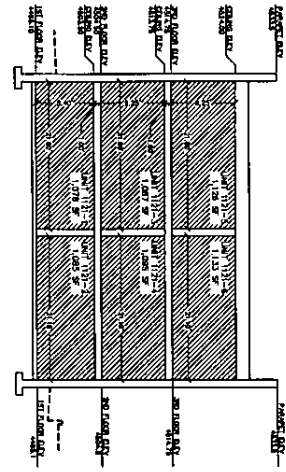
Evergreen Engineering, Inc.
Civil Engineering • Land Surveys • Land Planning
1575 Broadway Street • Suite 100
P.O. Box 3851 • Park City • Utah • 84068
Phone: (435) 840-9527 • Fax: (435) 840-8750
E-mail: info@evergreen-engineering.com

1121 E BUILDING

SECTION A
SCALE: 1/8" = 1'-0"

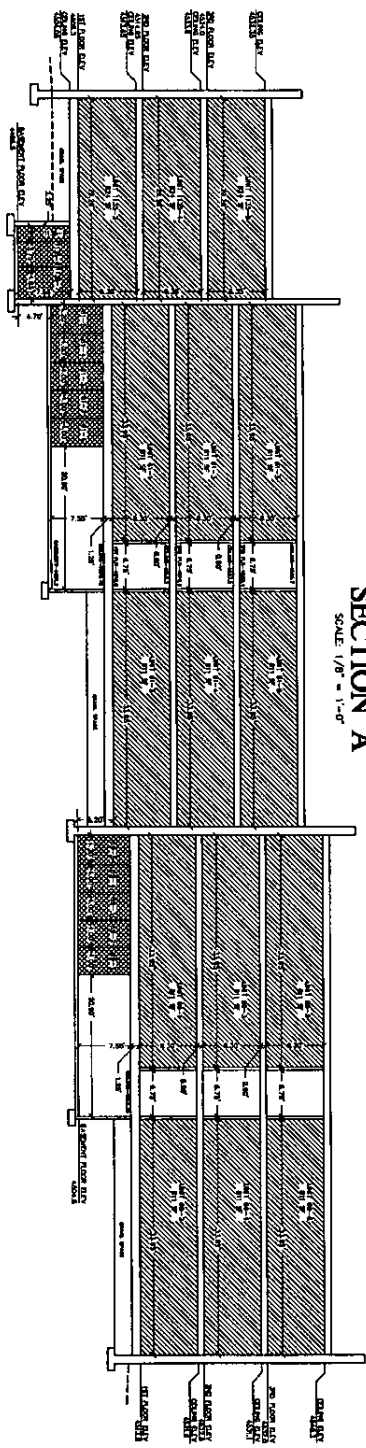


SECTION B
SCALE: 1/8" = 1'-0"

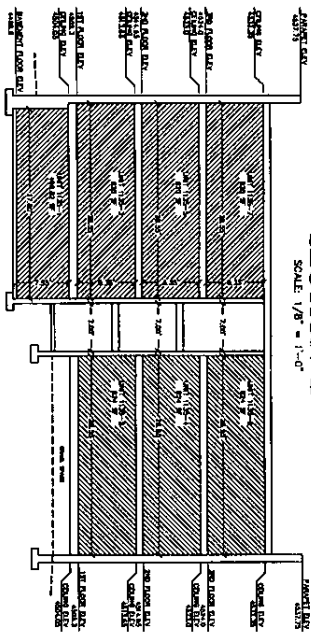


1135 E, 61 N & 69 N BUILDINGS

SECTION A
SCALE: 1/8" = 1'-0"



SECTION B
SCALE: 1/8" = 1'-0"



NUMBER	1
ACCOUNT	5
SHEET	5
OF 5 SHEETS	

NUMBER	1
ACCOUNT	5
SHEET	5
OF 5 SHEETS	

BUILDING SECTIONS
1135 EAST, 61 NORTH, 69 NORTH BUILDINGS
AVENUES CONDOMINIUMS EAST AMENDED

LOCKER PROPERTY INVESTMENTS 1135-AMENDED-FLOORPLAN 10/11/2011

DATE: 10/11/2011
 TIME: 10:00 AM
 PROJECT: 1135-AMENDED-FLOORPLAN



DATE	BY	REVISIONS	COMMENTS

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
 1670 Riverside Drive • Suite 104
 Park Ridge, IL 60068 • Park City • Utah • 80066
 Phone: (708) 466-0811 • Fax: (708) 466-0214
 E-mail: info@evergreen-engineering.com

EXHIBIT C

Replacement of Exhibit "B" to the Declaration

Unit No.	Square Footage	Undivided Interest in Common Areas
1121-1	1078	4.96%
1121-2	1085	5.00%
1121-3	1087	5.01%
1121-4	1095	5.04%
1121-5	1126	5.18%
1121-6	1133	5.21%
1135-1	470	2.16%
1135-2	824	3.79%
1135-3	820	3.77%
1135-4	824	3.79%
1135-5	820	3.77%
1135-6	824	3.79%
1135-7	820	3.77%
61-1	811	3.73%
61-2	811	3.73%
61-3	811	3.73%
61-4	811	3.73%
61-5	811	3.73%
61-6	811	3.73%
69-1	811	3.73%
69-2	811	3.73%

69-3	811	3.73%
69-4	811	3.73%
69-5	811	3.73%
69-6	811	3.73%

4851-6228-6857, v. 6