

WHEN RECORDED RETURN TO:

James R. Blakesley
Attorney at Law
2595 East 3300 South
Salt Lake City, UT 84109
Phone: (801) 485-1555
Fax: (801) 990-1059
jim@blakesleylaw.com

11552567
01/09/2013 09:09 AM \$112.00
Book - 10096 Pg - 1278-1284
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
JAMES R. BLAKESLEY
2595 E 3300 S
SLC UT 84109
BY: KSR, DEPUTY - WI 7 P.

**AMENDMENT TO CONDOMINIUM DECLARATION
FOR UNIVERSITY HEIGHTS**

This Amendment to Condominium Declaration for University Heights is made and executed by University Heights Condominium, a Utah nonprofit Corporation, of 130 South 1300 East, Salt Lake City, UT 84102 (the "Declarant").

RECITALS

A. The Condominium Declaration for University Heights was recorded in the office of the County Recorder of Salt Lake County, Utah on April 14, 1979 as Entry No. 3259872 of the official record (as amended and supplemented the "Declaration").

B. The redated plat maps have also been recorded in the Office of the Salt Lake County recorder (the "Final Plat").

C. The Declarant is the managing agent for the owners of the real property located in Salt Lake County, Utah, described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference (the "Property").

D. The Property is subject to the Declaration and Final Plat.

E. All of the voting requirements to amend the Declaration and Final Plat have been satisfied.

F. This amendment is made pursuant to the Article XXXII, of the Declaration.

G. The intent of this amendment is to convert the commercial Unit No. 211 into a residential unit and satisfy the requirements of FHA to re-certify the Project.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Property and the owners thereof, the Declarant hereby executes this Amendment to the Condominium Declaration for University Heights Condominium and Final Plat.

1. Article V, entitled "DESCRIPTION OF PROPERTY," Section (b) of the Declaration is hereby amended to read as follows:

Description of Improvements. The Project has been constructed in accordance with the information contained in the Map. The building has concrete block and brick veneer walls, concrete and steel floors, steel studs with metal lathe and plaster interior walls, with a built-up tar and gravel roof. The building contains a total of eighteen (18) two-bedroom Units, forty-six (46) one-bedroom Units, twenty-one (21) studio Units, and four (4) suite Units. Electricity is separately metered to each Unit. Heating for each unit and the common areas of the building is provided by a central hot water type heating plant with individual registers and controls in each unit. Water, sewage and garbage disposal will not be separately billed or metered and will be paid as common expenses. Each Unit has standard kitchen appliances and carpet. The project will be subject to the easements which are reserved through the Project and as may be required for Utility Services.

2. Article VII, entitled "STATEMENT OF PURPOSE AND RESTRICTION ON USE," Section (a), entitled "Purpose," of the Declaration is hereby amended to read as follows:

a. Purpose. The purpose of the Condominium Project is to provide residential housing space for Unit Owners, their families, guests and lessees; and to provide parking space for use in connection therewith, all in accordance with the provisions of the Act.

3. Article VII, entitled "STATEMENT OF PURPOSE AND RESTRICTION ON USE," Section (b), entitled "Restrictions on Use," Subsection (1) of the Declaration is hereby amended to read as follows:

b. Restrictions on Use. The Units and Common Areas and Facilities shall be used and occupied as hereinafter set forth.

(1) Each of the Units shall be occupied only as a residence and for no other purpose. No business shall be operated in or from any residential Unit other than the rental of the Unit itself, subject to applicable zoning and business regulation laws and ordinances. Business operated from a Unit shall be limited to uses approved by the Management Committee and allowed by the local home occupation ordinance. Each parking stall shall be used for the parking or storage of operable motor vehicles and for no other purpose. The Common Areas and Facilities shall be used only for the purposes for which they are intended.

4. Any other reference in the Declaration to a "commercial unit" or a "commercial use" or "use as a beauty shop, barber shop or similar personal service" shall be and is hereby deleted.

5. A note in a form acceptable to the Salt Lake County Recorder shall be added to the Final Plat to show that Unit 211 has been converted to residential use.

6. Notwithstanding anything to the contrary, Declarant is hereby granted and expressly reserves the right, power and authority to amend all or any part of the Declaration to such extent and with such language as may be requested by FHA, VA, FMLIC, FNMA or other government agency to certify or re-certify the Project where said governmental agency requests such an amendment as a condition precedent to such agency's approval of the Project, the Declaration or approval of the sale of a Unit or Units. Any such amendment shall be effected by the recordation by Declarant of an Amendment duly signed by the Declarant, specifying the governmental agency requesting the amendment and setting forth the amendatory language requested by such agency. Recordation of such an Amendment shall be deemed conclusive proof of the agency's request for such a change, and such Amendment, when recorded, shall be binding upon all Units and all persons having an interest therein.

7. In the event of any conflict, incongruity or inconsistency between the provisions of the Declaration and this Amendment, the latter shall in all respects govern and control.

8. The effective date of this Amendment is the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the Association has executed this instrument the 4th day of January, 2013.

UNIVERSITY HEIGHTS CONDOMINIUM,
a Utah nonprofit corporation

By: Catherine Crawford
Name: Catherine Crawford
Title: President

ACKNOWLEDGMENT

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

On the 4th day of January, 2013 personally appeared before me Catherine Crawford, who by me being duly sworn, did say that s/he is the President of the UNIVERSITY HEIGHTS CONDOMINIUM, a Utah Nonprofit Corporation, and that the within and foregoing instrument was signed in behalf of said Association by authority of its Declaration of Condominium, Articles of Incorporation, and a Resolution of its Board of Directors, and said Catherine Crawford duly acknowledged to me that said Association executed the same.

Perry L. Laulu
NOTARY PUBLIC

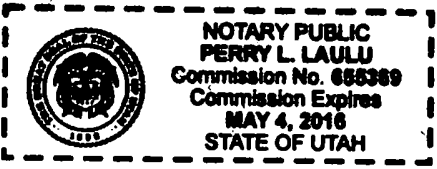


EXHIBIT "A"

LEGAL DESCRIPTION

The Property described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

Parcel Numbers 16-05-23 through 093

Unit Numbers:

- 101
- 102
- 103
- 104
- 105
- 201
- 202
- 203
- 204
- 205
- 206
- 207
- 208
- 209
- 211
- 212
- 214
- 301
- 302
- 303
- 304
- 305
- 306
- 307
- 309
- 310
- 311
- 312
- 314
- 401
- 402
- 403
- 404
- 405

Unit Numbers:

406
407
408
409
410
411
412
414
501
502
503
504
505
506
507
508
509
510
511
512
514
601
602
603
604
605
606
607
608
609
610
611
612
614
701
703
704
706
707
708
709
710
711

Unit Numbers:

712
714
801
803
804
806
807
808
809
810
811
812
814

Plus undivided ownership interest in the Common Area and Facilities.

See metes and bounds description on following page.

EXHIBIT "B"

METES AND BOUNDS DESCRIPTION

The land referred to in the foregoing document is located in Salt Lake County, Utah and is described more particularly as:

BEGINNING at a point on the East line of Block 31, Plat "F", Salt Lake City Survey, said point being S 0°00'28" W 97.00 feet from the Northeast corner of Lot 18, Eastside Subdivision, which point is also the Northeast corner of Block 31, Plat "F", Salt Lake City Survey, and running thence S 0° 00'28" W along said East line of Block 31, 200.00 feet; thence S 89°58'19" W parallel to the East-West Block lines in Block 31, 165.00 feet; thence S 0°00'28" W 49.50 feet; thence S 89°58'19" W 132.00 feet; thence N 0°00'28" E 115.50 feet; thence N 89°58'19" E 132.00 feet; thence N 0°00'28" E 231.00 feet; thence N 89°58'19" E 91.50 feet; thence S 0°00'28" W 97.00 feet; thence N 89°58'19" E 73.50 feet to the point of beginning. Contains 1.311 Acres.

SUBJECT TO a right of way over the South 8.00 feet of the East 165.00 feet of the above described property, and together with a right of way over the following:

Beginning at a point N 89°58'19" E 17.00 feet from the Northwest corner of Lot 7, Block 31, Plat F, Salt Lake City Survey, and running thence S 0°00'28" W 270.00 feet; thence N 89°58'19" E 16.00 feet; thence N 0°00'28" E 270.00 feet; thence S 89°58'19" W 16.00 feet to the point of beginning.