

11932481  
10/21/2014 11:56:00 AM \$31.00  
Book - 10268 Pg - 7845-7851  
Gary W. Ott  
Recorder, Salt Lake County, UT  
RICHARDS KIMBLE & WINN  
BY: eCASH, DEPUTY - EF 7 P.

After Recording Return To:

RICHARDS, KIMBLE & WINN, PC  
2040 Murray Holladay Rd., Suite 106  
Salt Lake City, UT 84117

**AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
OF  
HOLLADAY GARDENS**

RECITALS

A. Certain real property in Salt Lake County, Utah, known as the Holladay Gardens Condominiums was subjected to certain covenants, conditions and restrictions pursuant to a First Amendment to Declaration of Condominium (including Association Bylaws) Holladay Gardens Condominium Owners Association Inc., recorded June 14, 2012, as Entry No. 11409987 in the Recorder's Office for Salt Lake County, Utah (the "Declaration").

B. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto, described as follows:

Units 101 through 302 (all units), HOLLADAY GARDENS CONDOMINIUMS, according to the plat(s) thereof, and any subsequent amendments thereto or substitutes thereof, as recorded in the office of the Salt Lake County Recorder.

First Parcel #: 22-09-132-001-0000

C. The Association deems it necessary and in the best interests of the Members to adopt the following amendments regarding rooftop patios and reallocating the percentage interests in the Common Areas to be based on the square footage of the Unit.

D. Pursuant to Section 14.04 of the Declaration, the undersigned hereby certifies that all of the requirements to amend the Declaration have been satisfied and that at least 75% of the undivided ownership interest in the Common Areas have approved this amendment, and that, pursuant to Section 10.06 of the Declaration, at least 75% of the Mortgagees of Units have given their prior written approval of this amendment.

**AMENDMENT 1. NOW, THEREFORE,** the Association hereby amends **Article I**, the definition of "Limited Common Areas and Facilities or Limited Common Areas" in the Declaration to read as follows:

**Limited Common Areas and Facilities or Limited Common Areas** shall mean and refer to those Common Areas designated in this Declaration or the Act or shown on the Map as reserved for the exclusive use of a certain Unit or Units to the exclusion of other Units.

Such areas designated as exclusive use include balconies, rooftop patios, storage units, and garage parking stalls.

**AMENDMENT 2. NOW, THEREFORE,** the Association hereby amends **Article II, Section 2.02** of the Declaration to read as follows:

**2.02. Division into Condominium Units, Minimum and Maximum Ownership Interests.** The Project is hereby divided into 10 Condominium Units as set forth on the Map, each such Condominium Unit consisting of a Unit and an appurtenant undivided interest in and to the Common Areas and Facilities, as set forth in Exhibit A. Such Units comprise the minimum anticipated number of Units in the Project.

**AMENDMENT 3. NOW, THEREFORE,** the Association hereby amends **Article IV, Section 4.04** of the Declaration to read as follows:

**4.04. Undivided Interest in Common Areas.** Each Unit Owner shall have, for each Unit owned, an undivided ownership interest in and to the Common Areas as set forth in Section 2.02.

**AMENDMENT 4. NOW, THEREFORE,** the Association hereby amends **Article IV, Section 4.10** of the Declaration to read as follows:

**4.10 Maintenance of Limited Common Areas.** Each Owner shall keep the Limited Common Areas designed for use in connection with his or her Unit in a clean, sanitary and attractive condition at all times notwithstanding any duty or obligation of the Committee, acting for the Association, to maintain and repair Common and Limited Common Areas pursuant to the provisions of ARTICLE XI. Notwithstanding anything else in this Declaration to the contrary, the Owners of Units 301 and 302 shall be responsible to maintain, repair and replace the Limited Common Area rooftop patios appurtenant to their Units and shall be responsible for any damage caused by such Owner or his or her guests, invitees, tenants, contractors or agents, to the Common Area below such patio, including the rubber membrane.

**AMENDMENT 5. NOW, THEREFORE,** the Association hereby amends **Article VII** of the Declaration to add the following entirely new Section 7.04:

**7.04 Limited Common Areas.** No change, improvement, addition or modification of any sort shall be carried out to or upon any Limited Common Area unless prior approval is obtained from the DRC.

**AMENDMENT 6. NOW, THEREFORE,** the Association hereby amends **Article XII** of the Declaration by adding the following entirely new **Section 12.01**:

**12.01 Voting.** Each Owner shall have a vote equal to his or her percentage of undivided interest in the Common Area as set forth in Exhibit A for all purposes, including election of Committee members.

**AMENDMENT 7. NOW, THEREFORE**, the Association hereby amends **Article XIII** of the Declaration by deleting entirely **Section 13.09**.

IN WITNESS WHEREOF, the Management Committee of the Holladay Gardens Condominium Owners Association, Inc., has executed this Amendment to the Declaration as of the 21st day of October, 2014.

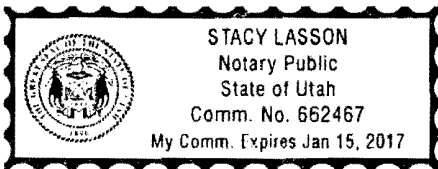
**HOLLADAY GARDENS CONDOMINIUM OWNERS ASSOCIATION, INC.**

*Joan S. Wolf*  
Print Name: JOAN S. WOLF  
Its President

State of Utah                     )  
  :SS  
County of Salt Lake )

Subscribed and sworn to before me on the 21 day of October, 2014, by  
Joan S. Wolf.

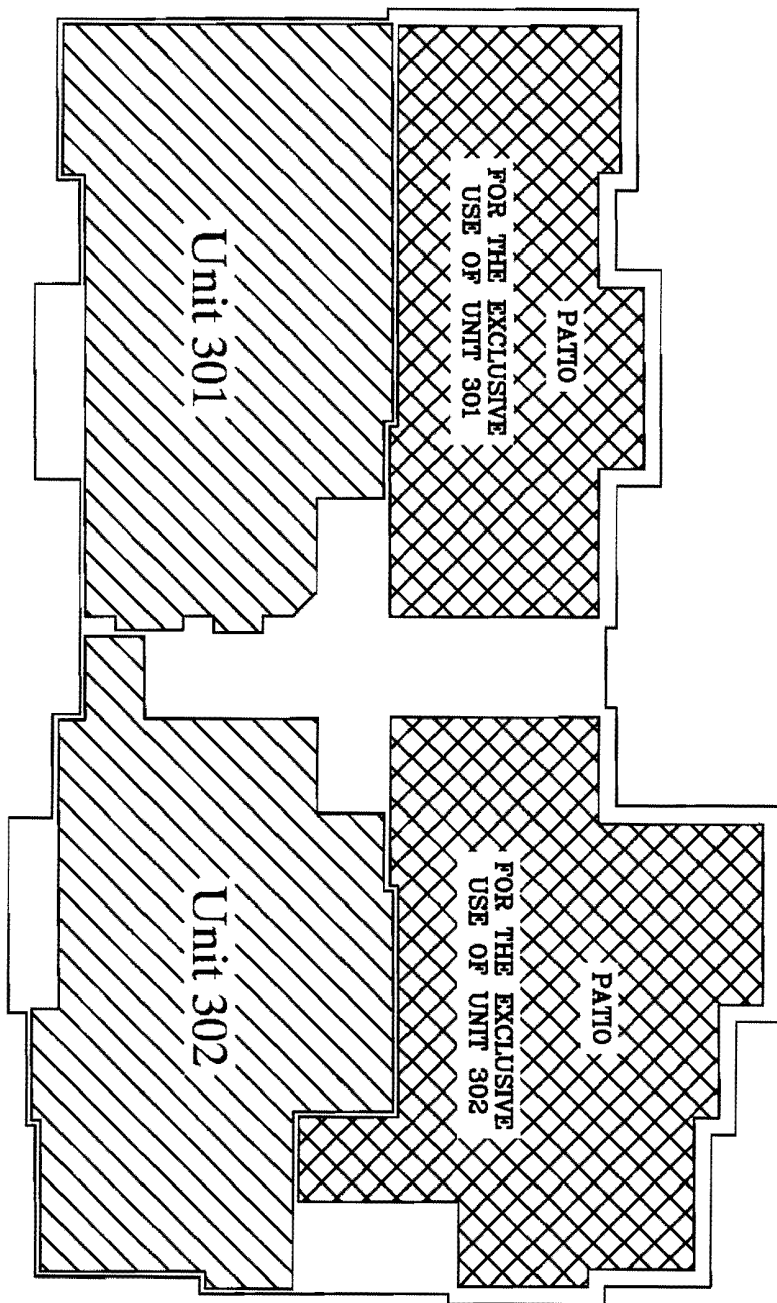
*Stacy Lasson*  
Notary Public



**EXHIBIT A**  
**Unit Numbers, Square Footage,**  
**and Undivided Interests in Common Areas**

Unit	Square Footage	Percentage of Undivided Interest in Common Areas
101	1894	8.9
102	1838	8.6
103	1870	8.8
104	2400	11.3
201	2124	10
202	1996	9.4
203	1871	8.8
204	2477	11.7
301	2428	11.4
302	2366	11.1
<b>Totals</b>	<b>21264</b>	<b>100</b>

# HOLLADAY GARDENS



INDICATES PRIVATE OWNERSHIP


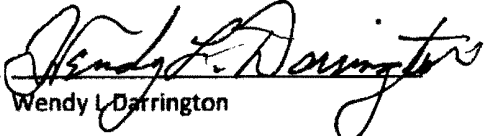
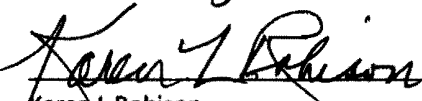
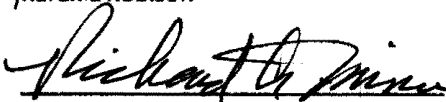


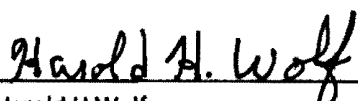
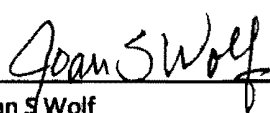
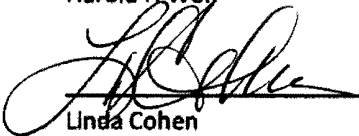
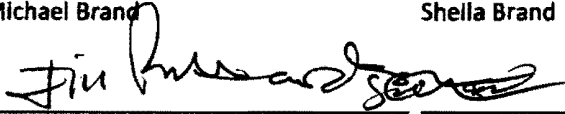


INDICATES LIMITED COMMON AREA

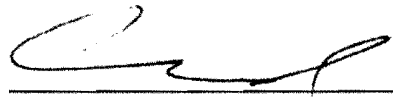
HOLLADAY  
GARDENS

HOLLADAY GARDENS CONDOMINIUM OWNERS ASSOCIATION INC

The following signatures represent those owners of record voting in favor of the Amendments (1-7) to the Declaration of Condominiums of Holladay Gardens.

UNIT 101	 Bruce B Darrington	 Wendy L Darrington
UNIT 102	 Karen L Robison	
UNIT 103	 Richard A Miner	 Antoinette R Miner
UNIT 104	 Richard Bojanowski	 Mary Ann Bojanowski
UNIT 201	 Ida Lee & GW Anderson Trust	
UNIT 202	 Harold H Wolf	 Joan S Wolf
UNIT 203	 Linda Cohen	
UNIT 204	 Holladay Garden LLC	
UNIT 301	 Michael Brand	 Shella Brand
UNIT 302	 Jill Richardson	

UNIT  
204



Holladay Garden LLC

UNIT  
301



Michael Brand

Sheila Brand

UNIT  
302

Jill Richardson