

AMENDMENT TO THE (2014) AMENDMENT TO DECLARATION OF CONDOMINIUM OF HOLLADAY GARDENS

RECITALS

- A. WHEREAS, the Holladay Gardens Condominiums is a condominium complex located in Holladay, Salt Lake county, Utah;
- B. WHEREAS, the Holladay Gardens Condominium Owners Association, Inc. (the "Association") and the members therein are subject to that certain *First Amendment to Declaration of Condominium*, recorded in the Salt Lake County Recorder's Office on June 14, 2012 at Entry No. 11409987 ("First Amended Declaration");
- C. WHEREAS, that certain *Amendment to Declaration of Condominium* was recorded in the Salt Lake County Recorder's Office on May 10, 2013 at Entry No. 11638773 ("Second Amendment");
- D. WHEREAS, that certain *Amendment to the Declaration of Condominium of Holladay Gardens* was recorded in the Salt Lake County Recorder's Office on October 21, 2014 at Entry No. 11932481 ("Third Amendment");
- E. WHEREAS, Article II, Section 2.02 of the First Amended Declaration established that each condominium Unit has an "undivided but equal interest in and to the Common Areas and Facilities," and that "Such Units comprise the minimum anticipated number of Units in the Project and give each Owner a maximum 1/10th or ten percent (10%) undivided interest in the Common Areas and Facilities."
- F. WHEREAS, the Third Amendment amended Article II, Section 2.02 of the First Amended Declaration and purported to reallocate the percentage interests in the Common Areas to be based on the square footage of the Units (the "Square Footage Interest");
- G. WHEREAS, the Association deems it necessary and in the best interest of its members to rescind and remove the Square Footage Interest and revert back to the percentage interest as established and described in Article II, Section 2.02 of the First Amended Declaration.

NOW THEREFORE, the Association hereby rescinds and amends **Article II, Section 2.02** as written in the Third Amendment in its entirety, and it shall be 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 but equal interest in and to the Common Areas and Facilities. Such Units comprise the minimum anticipated number of Units in the Project and give each Owner 1/10th or ten percent (10%) undivided interest in the Common Areas and Facilities.

IN WITNESS WHEREOF, the Management Committee of the Holladay Gardens Condominium Owners Association, Inc., has properly executed this amendment to the Third Amendment as of the 25th day of JUNE, 2016.

HOLLADAY GARDENS CONDOMINIUM OWNERS ASSOCIATION, INC.

Richard A Miner

Signed

Print Name: RICHARD A. MINER

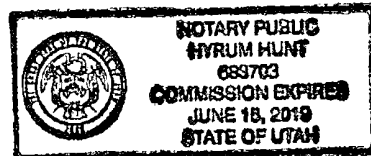
Position: PRESIDENT

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

Subscribed and sworn to before me on the 25th of June, 2016, by Richard A Miner.

Hyrum Hunt
NOTARY PUBLIC Hyrum Hunt

My Commission Expires: June 18th 2019



LEGAL DESCRIPTION

Units 101 through 302 (all 10 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