

5-176

12510492  
04/07/2017 08:54 AM \$194.00  
Book - 10545 Pg - 4053-4057  
GARBY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH

**FIRST AMENDMENT TO AMENDED AND RESTATED  
DECLARATION OF CONDOMINIUM OF  
GRAYSTONE CONDOMINIUMS**

THIS FIRST AMENDMENT OF THE AMENDED AND RESTATED  
DECLARATION OF CONDOMINIUM OF GRAYSTONE CONDOMINIUMS (this  
"Amendment") is made and executed this 7<sup>th</sup> day of April, 2017 by the  
undersigned President and Secretary of Graystone Management Corporation, a Utah nonprofit  
corporation and the association of unit owners (the "Association") of Graystone Condominiums  
(the "Project").

**RECITALS:**

A. A certain Dedication of Easements and Rights of Way dated August 3, 1960 was  
recorded on August 10, 1960 in the office of the County Recorder of Salt Lake County, State of  
Utah, as Entry No. 1730705, in Book 1732, at Page 442, *et seq.*; a certain Dedication of Easements  
and Rights of Way dated November 9, 1961 was recorded in the office of the County Recorder of  
Salt Lake County, State of Utah, in Book 1861, at Page 251, *et seq.*; and an Easement dated October  
24, 1961 was recorded in the office of the County Recorder of Salt Lake County, State of Utah, in  
Book 1861, at Page 257, *et seq.*, as subsequently amended (collectively the "Original Declaration").

B. The Original Declaration included a certain record of survey map of the Project  
that was recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry  
No. 1730705, in Book 1732, at Page 450, as amended and supplemented by that certain record of  
survey map of the Project that was recorded in the office of the County Recorder of Salt Lake  
County, State of Utah in Book 2761 at Page 550, all as subsequently amended and supplemented  
(collectively the "Original Map").

C. The Original Declaration was amended and restated in its entirety by that certain  
Amended and Restated Declaration of Condominium of Graystone Apartment Homes dated  
January 23, 2017, which Amended and Restated Declaration was recorded in the office of the  
County Recorder of Salt Lake County, State of Utah on January 27, 2017, as Entry No.  
12463309, in Book 10524, at Page 2027, *et seq.* (the "Amended and Restated Declaration").

D. The Original Map was replaced in its entirety by that certain Graystone  
Condominiums condominium plat, which condominium plat was recorded in the office of the  
County Recorder of Salt Lake County, State of Utah on January 27, 2017, as Entry Number  
12463308, in Book 2017P, at Page 16, *et seq.* (the "Plat").

E. The Owners now desire to correct certain scrivener's errors in the Amended and  
Restated Declaration relating to the name of the Project and the inadvertent omission of the first  
digit of the Building Number in the second column on the first page of Exhibit A and in the first  
line of the second page of Exhibit A so the Amended and Restated Declaration more fully  
conforms with the Plat.

F. This First Amendment to the Amended and Restated Declaration has been  
approved by the affirmative vote or approval and consent of Owners having the requisite percent  
of the Total Votes of the Association.

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated  
herein by this reference, and for other good and valuable consideration, the receipt and

NICOLE BISSONNETTE  
1146 E 2700 S N110  
SLC UT 84106  
BY: SNA, DEPUTY - 01 5 P.

sufficiency whereof are hereby acknowledged, the Amended and Restated Declaration is hereby amended as follows:

1. Amendment of Title and First Line of Amended and Restated Declaration. The title and first line of the Amended and Restated Declaration are hereby amended so as to delete said title and first line of the Amended and Restated Declaration as they presently appear and to substitute therefore the following:

**AMENDED AND RESTATED DECLARATION OF CONDOMINIUM  
OF  
GRAYSTONE CONDOMINIUMS**

THIS AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OF GRAYSTONE CONDOMINIUMS (this "**Declaration**") is made and executed this \_\_\_\_ day of January 2017 by the undersigned President and Secretary of Graystone Management Corporation, a Utah nonprofit corporation and the association of unit owners (the "**Association**") of Graystone Apartment Homes (the "**Project**").

2. Amendment of Article 2, Section 1 of the Amended and Restated Declaration. Article 2, Section 1 of the Amended and Restated Declaration are hereby amended so as to delete said Article 2, Section 1 of the Amended and Restated Declaration as they presently appear and to substitute therefore the following:

1. Submission to Condominium Act. The Land, the Buildings, and all other improvements now or hereafter made in or upon the Land are hereby submitted to the provisions of the Condominium Act. All of said property is and shall be held, conveyed, hypothecated, encumbered, leased, used, and improved as a fee simple Condominium Project to be known as **Graystone Condominiums, a Utah Condominium Project**. All of said property is and shall be subject to the covenants, conditions, restrictions, uses, limitations, and obligations set forth herein, each and all of which are declared and agreed to be for the benefit of said Project and in furtherance of a plan for improvement and operation of said property and division thereof into Condominiums further, each and all of the provisions hereof shall be deemed to run with the land and shall be a burden and a benefit on the land and shall be binding upon the Owners, their respective successors and assigns, and to any person acquiring, leasing, or owning an interest in the real property and improvements comprising the Project, and to their respective personal representatives, heirs, successors, and assigns.

3. Amendment of First Two Pages of Exhibit A of the Amended and Restated Declaration. The first two pages of Exhibit A of the Amended and Restated Declaration are hereby amended so as to delete said first two pages of Exhibit A of the Amended and Restated Declaration as they presently appear and to substitute therefore the following:

**EXHIBIT A***(Unit Nos., Building Nos., Unit Sizes, Undivided Ownership Interests, Unit Votes & Unit Parcel Nos.)*

<b><u>UNIT NO</u></b>	<b><u>BLDG. NO.</u></b>	<b><u>SIZE</u> (Square Feet)*</b>	<b><u>UNDIVIDED OWNERSHIP INTERESTS</u></b>	<b><u>VOTES</u></b>	<b><u>PARCEL NO.</u></b>
1	1110/A	1,079.3	0.46370%	4.6470	16-20-458-068
2	1110/A	1,192.5	0.51234%	5.1234	16-20-458-069
3	1110/A	1,079.3	0.46370%	4.6470	16-20-458-070
4	1110/A	1,192.5	0.51234%	5.1234	16-20-458-071
5	1110/A	1,079.3	0.46370%	4.6370	16-20-458-072
6	1110/A	1,192.5	0.51234%	5.1234	16-20-458-073
7	1110/A	1,079.3	0.46370%	4.6370	16-20-458-074
8	1110/A	1,192.5	0.51234%	5.1233	16-20-458-075
9	1108/B	1,385.9	0.59543%	5.9543	16-20-458-076
10	1108/B	1,530.9	0.65773%	6.5773	16-20-458-077
11	1108/B	1,385.9	0.59543%	5.9543	16-20-458-078
12	1108/B	1,530.9	0.65773%	6.5773	16-20-458-079
13	1108/B	1,385.9	0.59543%	5.9543	16-20-458-080
14	1108/B	1,530.9	0.65773%	6.5773	16-20-458-081
15	1108/B	1,385.9	0.59543%	5.9543	16-20-458-082
16	1108/B	1,530.9	0.65773%	6.5773	16-20-458-083
17	1112/C	1,079.3	0.46370%	4.6730	16-20-458-084
18	1112/C	1,192.5	0.51234%	5.1234	16-20-458-085
19	1112/C	1,079.3	0.46370%	4.6370	16-20-458-086
20	1112/C	1,192.5	0.51234%	5.1234	16-20-458-087
21	1112/C	1,079.3	0.46370%	4.6370	16-20-458-088
22	1112/C	1,192.5	0.51234%	5.1234	16-20-458-089
23	1112/C	1,079.3	0.46370%	4.6370	16-20-458-090
24	1112/C	1,192.5	0.51234%	5.1234	16-20-458-091
25	1134/D	1,079.3	0.46370%	4.6370	16-20-458-092
26	1134/D	1,192.5	0.51234%	5.1234	16-20-458-093

<u>UNIT NO</u>	<u>BLDG. NO.</u>	<u>SIZE</u> (Square Feet) *	<u>UNDIVIDED OWNERSHIP INTERESTS</u>	<u>VOTES</u>	<u>PARCEL NO.</u>
27	1134/D	1,079.3	0.46370%	4.6370	16-20-458-094
28	1134/D	1,192.5	0.51234%	5.1234	16-20-458-095
29	1134/D	1,079.3	0.46370%	4.6370	16-20-458-096
30	1134/D	1,192.5	0.51234%	5.1234	16-20-458-097
31	1134/D	1,079.3	0.46370%	4.6370	16-20-458-098
32	1134/D	1,192.5	0.51234%	5.1234	16-20-458-099
33	1132/E	1,385.9	0.59543%	5.9543	16-20-458-100
34	1132/E	1,530.9	0.65773%	6.5773	16-20-458-101
35	1132/E	1,385.9	0.59543%	5.9543	16-20-458-102
36	1132/E	1,530.9	0.65773%	6.5773	16-20-458-103
37	1132/E	1,385.9	0.59543%	5.9543	16-20-458-104
38	1132/E	1,530.9	0.65773%	6.5773	16-20-458-105
39	1132/E	1,385.9	0.59543%	5.9543	16-20-458-106
40	1132/E	1,530.9	0.65773%	6.5773	16-20-458-107
41	1138/F	1,079.3	0.46370%	4.6370	16-20-458-108
42	1138/F	1,192.5	0.51234%	5.1234	16-20-458-109
43	1138/F	1,079.3	0.46370%	4.6370	16-20-458-110
44	1138/F	1,192.5	0.51234%	5.1234	16-20-458-111
45	1138/F	1,079.3	0.46370%	4.6370	16-20-458-112
46	1138/F	1,192.5	0.51234%	5.1234	16-20-458-113
47	1138/F	1,079.3	0.46370%	4.6370	16-20-458-114
48	1138/F	1,192.5	0.51234%	5.1234	16-20-458-115

4. The undersigned hereby certify that this Amendment has been approved by Owners holding at least sixty-seven percent (67%) of the Total Votes of the Association.

5. This Amendment may be executed in one or more counterparts, each of which, when executed and delivered, shall be an original and all of which shall together constitute one and the same instrument.

6. Except as otherwise provided herein or as may be required by the context, all terms defined in the Amended and Restated Declaration shall have such defined meanings when used in this Amendment.

7. Except as herein modified, all other terms of the Amended and Restated Declaration shall remain in full force and

**GRAYSTONE MANAGEMENT CORPORATION,**  
A Utah nonprofit corporation

By: *Nicole Bissonette*  
\_\_\_\_\_  
Nicole Bissonette, President

ATTEST:

By: *Helen Holfeltz*  
Helen Holfeltz Secretary

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

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of April, 2017, by Nicole Bissonette, President of Graystone Management Corporation

*Betsy Finan*  
\_\_\_\_\_  
NOTARY PUBLIC



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

The foregoing instrument was acknowledged before me this 6 day of April, 2017, by *Helen Holfeltz*, Secretary of Graystone Management Corporation

*Patrick Bowman*  
\_\_\_\_\_  
NOTARY PUBLIC

