13509028 12/22/2020 3:18:00 PM \$106.00 Book - 11086 Pg - 519-521 RASHELLE HOBBS Recorder, Salt Lake County, UT RICHARDS LAW PC BY: eCASH, DEPUTY - EF 3 P.

After recording mail to: Richards Law, PC 4141 So. Highland Drive, Ste. 225 Salt Lake City, UT 84124

# AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MCDONALD CONDOMINIUMS

This Amendment to the Declaration of Covenants, Conditions and Restrictions for The McDonald Condominiums ("Amendment") is made on the date evidenced below by the McDonald Condominium Owners Association, Inc. ("Association").

### RECITALS

- A. Certain real property in Salt Lake County, Utah, known as the McDonald Condominiums, was subjected to certain covenants, conditions, and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions recorded on April 9, 1981, as Entry Number 3552844 in the Recorder's Office for Salt Lake County, Utah.
- B. This amendment shall be binding against the property described in the Declaration and any annexation or supplement thereto, as described in **Exhibit A**.
- C. To avoid the financial hardships that occur when the Association is compelled to enforce the terms of the Association's governing documents, the Association deems broadening the scope of the attorney fee and costs provision of the Declaration both necessary and in the best interest of all Owners within the Association;
- D. Pursuant to Utah Code Ann. Title 57-8-39, the undersigned officer(s) hereby certifies that the voting requirements to amend the Declaration have been satisfied to adopt this Amendment.

NOW THEREFORE, Article III, Section 13(h) of the Declaration is hereby added as follows:

[THE AMENDMENT FOLLOWS ON THE NEXT PAGE]

## 13. Status and General Authority of Committee.

(h) Recovery of Costs and Attorney Fees. The Association shall be entitled to recover its costs and attorney's fees incurred for enforcement of this Declaration regardless of whether any lawsuit or other action is commenced against the offending owner. Such costs and attorney's fees shall be an assessment against the Owner and the Unit. Additionally, the prevailing party shall be entitled to its attorney fees and costs in any dispute concerning any Governing Document (CCRs, Bylaws and Rules), including an action dealing with the declaration of rights and obligations thereunder with or without a defaulting party, whether such costs and expenses are incurred with or without suit, or in any alternative dispute resolution proceeding.

IN WITNESS WHI	EREOF, THE MCDONALD CONDOMINIUM OWNERS 🦼	
ASSOCIATION, INC. has	executed this Amendment to the Declaration as of the	day of
December	, 2020, in accordance with the provisions of the Declarat	
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MCDONALD CONDOMINIUM OWNERS ASSOCIATION, INC.:

President

STATE OF (1):ss

COUNTY OF Sat Cale)

On the 22 day of Deem 2, 2020, personally appeared before me who will be a sociation that said instrument was signed in behalf of said Association by authority of its Board of Directors; and acknowledged said instrument to be their voluntary act and deed.

JOHN DAVID RICHARDS

Notary Public

State Of Utah

My Commission Expires Jan. 16, 2021

COMMISSION NUMBER 692632

Notary Public

## **EXHIBIT A**

# Legal Description

All Units and Common Area THE MCDONALD CONDM, as set forth on the plat map and in the records of the Salt Lake County Recorder, state of Utah.

Parcels: 22-31-328-001-0000 through 22-31-328-043-0000