

After Recording Return To:
The Law Offices of Kirk A. Cullimore
644 East Union Square
Sandy, UT 84070

**AMENDMENT TO THE
DECLARATION OF CONDOMINIUM
OF THE KINGSTON PLACE CONDOMINIUMS**

This Amendment to the Declaration of Condominium (“Declaration”) that established a condominium community known as The Kingston Place Condominiums is executed on the date set forth below by the Association of Owners of The Kingston Place Condominiums (“Association”) having received the necessary approvals of the Owners.

RECITALS

A. Certain real property in Utah County, Utah, known as The Kingston Place Condominiums was subjected to certain covenants, conditions, and restrictions pursuant to a Declaration recorded March 25, 1999, as Entry No. 35034:1999, records of Utah County, Utah;

B. The Declaration was significantly amended by an amendment recorded October 26, 2006, as Entry No. 143257:2006, records of Utah County, Utah;

C. This amendment shall be binding against the property described in EXHIBIT A and the Declaration and any annexation or supplement thereto;

D. The Association deems it necessary and in the Owners’ best interest to amend the Declaration to further restrict the storage of vehicles, to govern how trash and rubbish is stored, to prohibit smoking in or near the buildings, and to govern noise;

E. Pursuant to Article XIII, Section 13.03, a majority of Owners have approved these amendments;

NOW, THEREFORE, the Association, by and through its Management Committee, hereby amends the Declaration as follows:

Article VI, Section 6.10 of the Declaration is hereby amended in its entirety to read as follows:

Section 6.10. **Parking.** Except as provided in such rules and regulations as the Management Committee may from time to time adopt, to boats, trailers, recreational vehicles, trucks, commercial vehicles, or inoperable vehicles belonging to Owners or other residents of the Project shall be parked or stored in or upon any of the Common Areas and Facilities. No

Owners or occupants shall repair or restore any motor vehicle of any kind upon any Unit or Common Area, except for emergency repairs, and then only to the extent necessary to enable movement thereof to a proper repair facility. All parking spaces shall be used for the purpose of parking operable and licensed motor vehicles and shall not be used as storage facilities. Abandoned or restricted vehicles and vehicles parked in violation of the Declaration or rules and regulations may be towed.

Article VI of the Declaration shall be amended to add Section 6.11, Trash/Rubbish:

Section 6.11. **Trash/Rubbish.** Trash shall be promptly disposed of in the provided trash receptacles. Trash shall not be stored outside individual residences for more than one (1) day.

Article VI of the Declaration shall be amended to add Section 6.12, Smoking:

Section 6.12. **Smoking.** Smoking within a Unit or on Common Areas within twenty-five feet (25') of buildings is a noxious and offensive activity creating a nuisance. Accordingly, smoking in a Unit or on Common Areas within twenty-five feet (25') of buildings is strictly prohibited.

Owners shall be fined for smoking violations according to the fine schedule adopted by the Board related to smoking violations

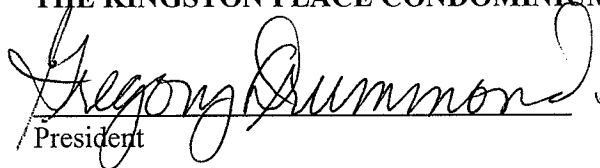
All Owners who rent or lease their Unit shall prohibit smoking in their rental or lease agreements and shall inform their tenants of the Association's no smoking rule.

Article VI of the Declaration shall be amended to add Section 6.13, Noise:

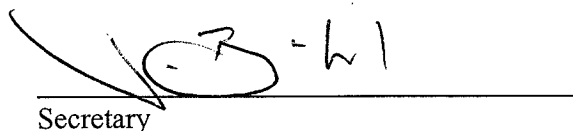
Section 6.13. **Noise.** In addition to the local noise ordinances, loud music, loud parties, or other noise disturbances shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday and 12:00 a.m. and 7:00 a.m. Friday and Saturday.

IN WITNESS WHEREOF, THE KINGSTON PLACE CONDOMINIUM ASSOCIATION, by and through its Management Committee, has executed this Amendment to the Declaration as of the 13 day of September 2007, in accordance with Article XIII of the Declaration.

THE KINGSTON PLACE CONDOMINIUM ASSOCIATION



President

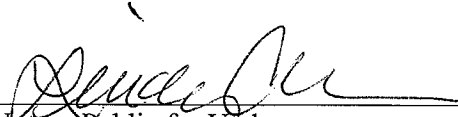


Secretary

STATE OF UTAH)
 :SS


County of Salt Lake)

On the B day of Sept., 2007, personally appeared Greg Drummond
and Josh Bookard who, being first duly sworn, did that say that they are
the President and Secretary of the Association and that the seal affixed to the foregoing instrument is
the seal of said Association and that said instrument was signed and sealed in behalf of said
Association by authority of its Management Committee; and each of them acknowledged said
instrument to be their voluntary act and deed.



Notary Public for Utah

**EXHIBIT A
LEGAL DESCRIPTION**


Notary Public
LINDSEY CLARK
644 E. Union Square
Sandy, UT 84070
My Commission Expires
January 19, 2009
State of Utah

ALL OF UNITS 1 THROUGH 24 CONTAINED WITHIN THE KINGSTON PLACE
CONDOMINIUMS AS THE SAME ARE IDENTIFIED IN THE RECORD OF SURVEY MAP
THEREFOR RECORDED IN UTAH COUNTY, UTAH.