

**FIRST AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
FOR
CEDARS AT MILLCREEK CONDOMINIUMS**

This FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR CEDARS AT MILLCREEK CONDOMINIUMS ("First Amendment") is effective when recorded with the Salt Lake County Recorder's Office by Cedars at Millcreek Condominiums Owners Association, Inc. ("Association").

RECITALS

- A. The Declaration of Condominium for Cedars at Millcreek Condominiums was recorded on December 13, 2007 as Entry No. 10298897 in the office of the Salt Lake County Recorder ("Declaration").
- B. This First Amendment affects the real property situated in Millcreek, Salt Lake County, Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this First Amendment by reference (the "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.
- C. Pursuant to Section 14.01 of the Declaration, the undersigned hereby certifies that this First Amendment was approved by at least sixty-seven percent (67%) of the Undivided Interests of the Association. There are no Eligible Mortgagees.
- D. Unless specifically modified herein, all remaining provisions of the Declaration shall remain in full force and effect.
- E. In case of any conflict between the terms of this First Amendment and the terms of the Declaration, the provisions of this First Amendment shall control.
- F. Unless otherwise provided in this First Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

FIRST AMENDMENT

NOW, THEREFORE, Article X of the Declaration is hereby amended and supplemented with the addition of the following Section 10.15:

10.15. **Reinvestment Fee.** The Association shall have the right to collect a "Reinvestment Fee" assessment in accordance with this Section and Utah Code §57-1-46. The following terms and conditions shall govern Reinvestment Fees:

- (1) Upon the occurrence of any sale, transfer, or conveyance of any Unit as reflected in the office of the Salt Lake County recorder, regardless of whether it is pursuant to the sale of the Unit or not (as applicable, a "Transfer"), the party receiving title to the Unit (the "Transferee") shall pay to the Association a Reinvestment Fee.
- (2) The Board shall have the power to set the amount of the Reinvestment Fee, in the Board's sole discretion, provided that in no event shall amount of the Reinvestment Fee exceed the maximum rate permitted by law. If no amount is otherwise set by the Board, the amount of the Reinvestment Fee shall be the maximum rate permitted by law.
- (3) The Association shall not levy or collect a Reinvestment Fee for any of the Transfer exempted by Utah Code §57-1-46.
- (4) The Reinvestment Fee shall be due and payable by the Transferee to the Association at the time of the Transfer giving rise to the payment of such Reinvestment Fee and shall be treated as an assessment against the Unit and may be collected in the same manner as an unpaid Individual Assessment.

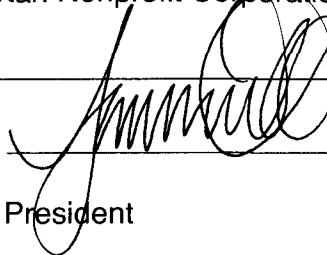
CERTIFICATION

IN WITNESS WHEREOF, this First Amendment to the Declaration of Condominium Cedars at Millcreek Condominiums was duly approved by at least sixty-seven percent (67%) of the Undivided Interests of the Association.

DATED as of the 28 day of December, 2022.

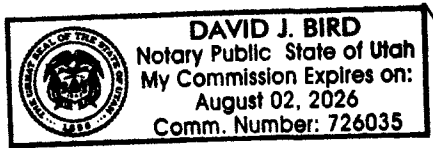
Cedars at Millcreek Condominiums Owners Association, Inc.

A Utah Nonprofit Corporation

By: 
Its: President

State of Utah)
County of Salt Lake) ss.

On the 28th day of December, 2022, personally appeared before me Laurel M. Mitchell who by me being duly sworn, did say that she/he is the President of Cedars at Millcreek Condominiums Owners Association, Inc. and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.



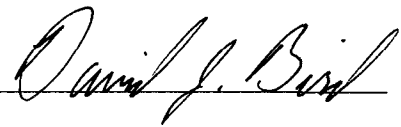
Notary Public 

EXHIBIT A

Legal Description and Parcel Numbers

All Units and Common Area as shown on The Cedars at Millcreek Condominiums Plat recorded in the Office of the Salt Lake County Recorder.

**Parcel Numbers: 16-32-337-001-0000 through 16-32-337-036-0000
16-32-337-037-0000 (Common Area)**