

2943401

Recorded MAY 12 1977 at 10:15 p.m.  
Request of Jack Baker  
KATHLEEN DIXON, Recorder  
Salt Lake County, Utah

\$ 4100 By Patricia L. Brown  
Patricia Brown  
6325 Fiesta Way  
84121

SECOND AMENDMENT TO  
THE DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS  
OF MONTE CRISTO  
A Condominium Project

This Amendment to the Declaration of Covenants, on file herein is made by the original Declarant pursuant to the terms of that original Declaration made pursuant to the provisions of the Utah Condominium Ownership Act and pertains to the following described real property in Salt Lake County, State of Utah, to-wit:

BEGINNING at a point South 0°07'45" West 539.55 feet and West 313.8 feet from the Northeast corner of Section 21, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 0°07'45" West 470.25 feet; thence West 877.5 feet; thence North 0°29'15" East 235.13 feet; thence East 282.5 feet; thence North 235.13 feet; thence East 594.06 feet, more or less, to the point of beginning.

Together with a right-of-way for ingress and egress described as follows: Commencing 849.8 feet South and 33 feet West of said Northeast corner of Section 21, and running thence South 66 feet; thence West 280.8 feet, more or less, to the East line of above described property; thence North along said East line 66 feet; thence East 280.8 feet to the place of commencement.

WHEREAS, the Declarant has no further interest in the condominium project, and

WHEREAS, the Declarant did not complete any rental units with regard to the same and

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WHEREAS, in the operation of the condominium by the homeowners, certain changes are deemed necessary with regard to the Declaration.

NOW, THEREFORE, Declarant does hereby make the following amendments:

1. Article I, Section 5, is amended by deleting all after "as those terms are defined herein ...".

2. Article I, Section 6(e), is amended by deleting all after "areas and facilities ...".

3. Article VI is amended to read as follows:

ARTICLE VI. Declarant's Right to Amend. This Declaration may be altered or amended at any regular meeting of the unit owners or at any special meeting of the unit owners at which a quorum is present or represented by a vote of unit owners, representing at least 2/3 of the ownership of the common areas and facilities having voting power, and acting in person or represented by proxy provided, that as a condition to any such alteration or amendment, written notice of the proposed alteration or amendment shall be given to all unit owners at least ten (10) days in advance, in the case of a regular meeting, and in the written notice transmitted, in the case of special meetings.

4. Article VII is amended by deleting the last sentence thereof.

5. Article VIII is deleted.

6. Article IX, the last sentence of paragraph 1 is deleted.

7. Article XV, the last paragraph thereof is deleted.

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8. Article XVIII(b) is amended to read as follows:

The Management Committee shall have the right, at its discretion, to rent the common areas and facilities of the condominium to non-owners.

9. Article XXIII is deleted.

10. Article XXIV is deleted.

This amendment shall take effect upon recording.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 12<sup>th</sup> day of May, 1977.

ARTISTIC HOMES CORPORATION

By *Gary M. Nagle*  
Gary M. Nagle, President

ATTEST:

*Marilyn Nagle*  
Secretary

STATE OF UTAH )  
                  ) ss.  
COUNTY OF SALT LAKE )

On the 12<sup>th</sup> day of May, 1977, personally appeared before me GARY M. NAGLE and MARILYN NAGLE, who being by me duly sworn did say, each for themselves, that he, the said Gary M. Nagle is the president, and she, the said Marilyn Nagle is the secretary of ARTISTIC HOMES CORPORATION, a Utah corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Gary M. Nagle and Marilyn Nagle each duly acknowledged to me that said corporation executed the same.

*Ray A. Baker*  
NOTARY PUBLIC  
Residing at Salt Lake County, Utah

My Commission Expires:

6-27-79

