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06/23/99 2:18 PM 15.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
CLYDE SNOW SESSIONS & SWENSON  
201 SOUTH MAIN 13TH FLOOR  
SLC, UT 84111-2202  
REC BY: A GARAY DEPUTY - WI

When recorded, return to:  
Edwin C. Barnes, Esq.  
Clyde Snow Sessions & Swenson  
201 South Main, 13th Floor  
Salt Lake City, Utah 84111-2216

**AMENDMENT TO THE BYLAWS  
OF THE  
CANYON ROAD TOWERS CONDOMINIUMS**

7394531

THIS AMENDMENT to the Bylaws of the Canyon Road Towers Condominiums is made and executed this 15<sup>th</sup> day of June, 1999, by the Canyon Road Towers Owners Association located at 123 Second Avenue, Salt Lake City, Utah 84103 (the "Association").

**RECITALS:**

A. The Declaration of Condominium for the Canyon Road Towers Condominiums was recorded in the Office of the Salt Lake County Recorder on or about March 16, 1976 as Entry No. 2794954, in Book 4136 beginning at Page 201 of the Official Records, covering the real property more particularly described in Exhibit "A," attached.

B. The Bylaws of Canyon Road Towers were recorded that same day beginning at Book 4136, Page 25 of the Official Records.

C. Articles 27 and 28 of the Declaration, and Article VIII of the Bylaws, provide that the Bylaws may be amended with the prior written consent of at least 67 percent of the undivided ownership interest in the common areas and facilities. Pursuant to this authority, the Declaration and Bylaws have previously been amended in several respects.

D. The Utah Legislature has declared that tobacco smoke is a carcinogen and a nuisance, and that environmental tobacco smoke generated in a condominium unit may drift into other units, exposing occupants of those units to the hazards of tobacco smoke.

E. The Utah Legislature has also declared that condominium bylaws may include restrictions regarding the use of units, including prohibitions on the use of smoking tobacco products, and that persons should be able to determine whether a condominium unit may be exposed to environmental tobacco smoke and before they enter into a rental, lease or purchase agreement regarding the unit.

F. Consistent with the legislative findings, the Association has determined, with the prior written consent of at least 67 percent of the undivided ownership interests in the common areas and facilities, to amend the Bylaws to prohibit the smoking of

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tobacco products anywhere in the Canyon Road Towers Condominium project, including the parking and other common areas, or within 25 feet of any entrance thereto.

NOW THEREFORE, for the reasons cited above, the Association hereby executes this Amendment to the Bylaws of the Canyon Road Towers Condominium for and on behalf of all unit owners and for the benefit of the project:

1. The Bylaws of Canyon Road Towers are hereby amended by enacting the following new Article X:

Consistent with the findings of the Utah State Legislature that environmental tobacco smoke is a carcinogen, which is a nuisance, and that standard construction practices are not effective to prevent the drift of tobacco smoke generated in a condominium unit into other units, the Canyon Road Towers is now a non-smoking project in its entirety and the smoking of tobacco products is prohibited anywhere within the units or common areas of the project, including the parking areas, and within 25 feet of any entrance to the project.

2. This amendment to the Bylaws shall be effective as of the date it is recorded in the Office of the Salt Lake County Recorder.

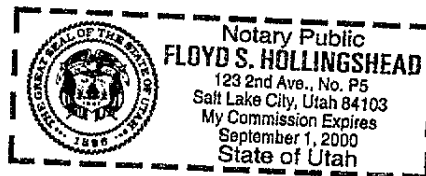
By Robert F. Wayher, Jr.  
President

By Mavis S. Mower  
Secretary

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

On the 15<sup>th</sup> day of June, 1999, personally appeared before me Robert F. Wayher, Jr., president, and Mavis Mower, secretary of the Canyon Road Towers Owners Association, who duly acknowledged to me that the Association executed the foregoing document.

Floyd S. Hollingshead  
NOTARY PUBLIC



## EXHIBIT "A"

### TRACT A:

Beginning 33.667 feet South 89°40'14" East from the Southwest corner of Lot 4, Block 3, Plat "I", Salt Lake City Survey, and running thence South 89°40'14" East 338.817 feet; thence North 0°21'06" East 116.79 feet; thence West 108.583 feet; thence North 0°21'06" East 166.78 feet; thence South 89°44'14" West 123.93 feet; thence South 0°21'06" West 71.75 feet; thence South 89°44'14" West 115.81 feet; thence South 25°18'31" West 57.30 feet; thence South 0°21'06" West 91.28 feet; thence South 89°57'40" East 33.667 feet; thence South 0°21'06" West 115.5 feet to the point of beginning.

### TRACT B:

Beginning at the Southwest corner of Lot 4, Block 3, Plat "I" Salt Lake City Survey and running thence North 0°21'06" East 115.5 feet; thence South 89°57'40" East 33.667 feet; thence South 0°21'06" West 115.5 feet; thence North 89°57'40" West 33.667 feet to the point of beginning.

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