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ES 2190151 PG 1 OF 3  
DOUG CROFTS, WEBER COUNTY RECORDER  
29-JUN-06 1031 AM FEE \$77.00 DEP JPM  
REC FOR: OLD MILL CONDO

**AMENDMENT TO DECLARATION  
FOR  
OLD MILL CONDOMINIUM**

This amendment is made and executed on the date shown below by the Old Mill Condominium.

**RECITALS**

WHEREAS, Old Mill Condominium was created by a "Declaration of Old Mill Condominium (an Expandable Condominium)" (hereinafter "Declaration") recorded in the records of Weber County, Utah, on April 27, 1993, in book 1423, beginning on page 1467; and

WHEREAS, Old Mill Condominium unit owners desire to amend the Declaration to preserve and enhance the quality of life at Old Mill Condominium; and

WHEREAS, the unit owners at Old Mill have purchased a unit at Old Mill for the purpose of using the unit as an owner occupied single family residence and not for investment income purposes, and purchased their unit because of the community atmosphere existing among the owner occupied units; and

WHEREAS, the condominium living concept was developed to create a real property interest wherein individuals could own their property and enjoy the benefits that accompany ownership of real property, including the stability associated with real property ownership, both individually and as a neighborhood, as well as the security that comes to a community by having residents who are owners and are committed to the long-term welfare and good of the community; and

WHEREAS, it is the desire of the unit owners of Old Mill Condominium to live in a condominium community that is orderly, peaceful, well maintained and desirable, and that will allow for and protect the comfortable enjoyment of all residents of Old Mill Condominium.

NOW THEREFORE, the unit owners of Old Mill Condominium hereby amend the Declaration recorded against the real property located in Weber County, Utah; known as Old Mill Condominium and more fully described on Exhibit "A" attached hereto. If there is any conflict between this Amendment to Declaration and the original Declaration, this document shall control.

This amendment shall become effective upon recording. The Old Mill Condominium Declaration is hereby amended as follows:

### AMENDMENT

1. **Leasing of Units.** All leases, subleases or assignments of leases and all renewals of such agreements shall be first submitted to the Management Committee for approval or disapproval. No record owner or owners of units in Old Mill Condominium shall rent or lease more than two of their units at any time. No unit may be rented for more than a total of twenty-four (24) months in any thirty-six (36) month period nor shall more than 20% of the units at Old Mill be subject to a lease or occupied by a non-unit owner at any time. If 20% of the units at Old Mill are leased or are occupied by a non-unit owner, any unit owner desiring to lease his or her unit or to have his or her unit occupied by a non-unit owner shall notify the management committee in writing of their desire to lease their unit. The management committee shall maintain a list of those unit owners who have notified it of a desire to lease their unit and shall grant permission to unit owners to lease their unit in the same order the management committee received written notice from the unit owners, but such permission shall not be granted until less than 20% of the units at Old Mill are leased or occupied by a non-unit owner.
  
2. The above paragraph shall not be construed as granting a right of first refusal to any party as referenced in Article XV of the Declaration, but shall be included as additional restrictions to those restrictions set forth in Article XV, Section 1.
  
3. **Severability.** If any of the provisions of this Amendment to Declaration or any paragraph, sentence, clause, phrase or word, or the application thereof, in any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Amendment to Declaration and the application of any such provision, paragraph, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.

### CERTIFICATION

It is hereby certified that condominium unit owners holding at least 67% of the undivided ownership interest in the common areas and facilities have voted to approve this amendment.

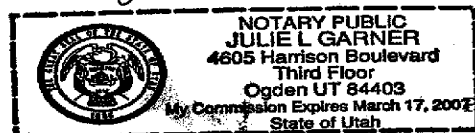
IN WITNESS WHEREOF, this 29th day of June, 2006.

By Venita Wood  
Venita Wood, President

STATE OF UTAH                    )  
  )ss.  
COUNTY OF WEBER            )

On this 29<sup>th</sup> day of June, 2006, personally appeared before me Venita Wood, who, being by me duly sworn, did say that she is President of the Old Mill Condominium Management Committee and that the within and foregoing instrument was signed in behalf of said Management Committee and she duly acknowledged to me she executed the same.

Julie L Garner  
Notary Public



## Exhibit "A"

OLD MILL CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH

PHASE 1, UNITS 1 THOUGH 12, (Land Serial Numbers: 13-179-0001 through 13-179-0012) ✓

PHASE 2, UNITS 1 THOUGH 12, (Land Serial Numbers: 13-181-0001 through 13-181-0012) ✓

PHASE 3, UNITS 1 THOUGH 12, (Land Serial Numbers: 13-184-0001 through 13-184-0012) ✓

PHASE 4, UNITS 1 THOUGH 8, (Land Serial Numbers: 13-190-0001 through 13-190-0008) ✓

PHASE 5, UNITS 1 THOUGH 8, (Land Serial Numbers: 13-195-0001 through 13-195-0008) ✓

PHASE 6, UNITS 1 THOUGH 4, (Land Serial Numbers: 13-197-0001 through 13-197-0004) ✓

PHASE 7, UNITS 1 THOUGH 4, (Land Serial Numbers: 13-199-0001 through 13-199-0004) ✓

PHASE 8, UNITS 1 THOUGH 4, (Land Serial Numbers: 13-200-0001 through 13-200-0004) ✓

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