

WHEN RECORDED, RETURN TO:
VIAL FOTHERINGHAM LLP
310 EAST 4500 SOUTH, SUITE 102
MURRAY, UTAH 84107

13975223 B: 11351 P: 2348 Total Pages: 9
06/24/2022 03:57 PM By: zjorgensen Fees: \$74.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: VIAL FOTHERINGHAM LLP - UTAH SLC
515 SOUTH 400 EAST, SUITE 200 SALT LAKE CITY, UT 84111

**SECOND AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUMS OF DONNER PLACE,
AND AMENDMENT TO THE AMENDED AND RESTATED RECORD OF
SURVEY MAP,
A CONDOMINIUM PROJECT,
IN SALT LAKE COUNTY, UTAH**

This Second Amendment to the Amended and Restated Declaration of Condominiums of Donner Place, and Amendment to the amended and Restated Record of Survey Map, a Condominium Project is made by The Donner Place Owners Association, a Utah nonprofit corporation (the "**Association**") and shall become effective when recorded with the Salt Lake County Recorder.

Recitals

- A. Certain real property in Salt Lake County known as The Donner Place Owners Association ("**Project**") was subjected to certain covenants, conditions, restrictions, and easements as contained in the Amended and Restated Declaration of Condominiums of Donner Place, a Condominium Project, recorded with the Salt Lake County Recorder on September 3, 2010 as Entry 11025446, Book 9855, Page 9166 in the office of the Recorder of Salt Lake County, Utah ("**Declaration**").
- B. In addition to the Declaration, the Association and Project are governed by and subject to the Utah Condominium Act located at U.C.A. §57-8 ("Act").
- C. The First Amendment to the declaration was recorded in the Salt Lake County Recorder's office on August 2, 2013 as entry number 11697080, book number 10165 and page 4775-4783 of the official records;
- D. This Second Amendment shall be binding against the property described in "Amended Exhibit A" and "Amended Exhibit B";
- E. The Association, consistent with the terms of the Declaration, hereby adopts this Second Amendment to further the Association's efforts to safely, efficiently, and effectively

govern the Project; to preserve and enhance the desirability of living in the Project; and to increase and protect the aesthetics, high-quality, and value of the Project.

- F. The Association, also adopts this Second Amendment, in order to clearly delineate parking stalls within the Association.
- G. The Agreement regarding the exchange of parking stalls between units IO I and 702 was recorded against both units in the Salt Lake County Recorder's office on April 28, 2022 as entry number 13941993, book number 11333 and page 5712.
- H. The Agreement regarding the exchange of parking stalls between units 702 and 503 was recorded against both units in the Salt Lake County Recorder's office on April 28, 2022 as entry number 13941994, book number 11333 and page 5714.
- I. Pursuant to the Act, the Declaration may be modified or amended with the approval of at least 67% of the voting interests of the Association.
- J. In addition, the Declaration in Article III, Section 31 provides that the Declaration may be modified or amended with the approval of at least 67% of the voting interests of the Association.
- K. At least 67% of the Association's voting interests have approved the following amendments to the Declaration.
- L. Except for the changes in parking stall assignments reflected in the Amended Exhibits to the Record of Survey Map, this Second Amendment makes no other changes in either the Amended and Restated Declaration of Condominium for Donner Place, a Condominium Project, or the Record of Survey Map of Donner Place, a Condominium Project, and both of said documents shall continue in full force and effect.
- M. Therefore, for the reasons cited above, the Association, by and through its Board of Trustees, hereby amends the Declaration as follows:

Amendment

Exhibits A & B of the Record Survey Map is hereby amended to read as follows:

Please see attached Amended Exhibits A & B to the Record of Survey Map.

Exhibit C is also attached showing the parcel numbers and brief legal descriptions of each unit for reference. No amendments to Exhibit C have occurred.

IN WITNESS WHEREOF, the Association has executed this instrument the 24 day of June, 2022.

THE DONNER PLACE OWNERS ASSOCIATION

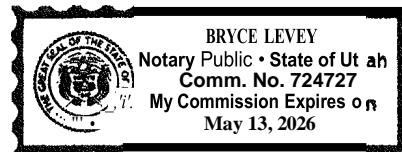
By: Ed Sweeney
Ed Sweeney
Board President

State of Utah)
)ss
County of Salt Lake)

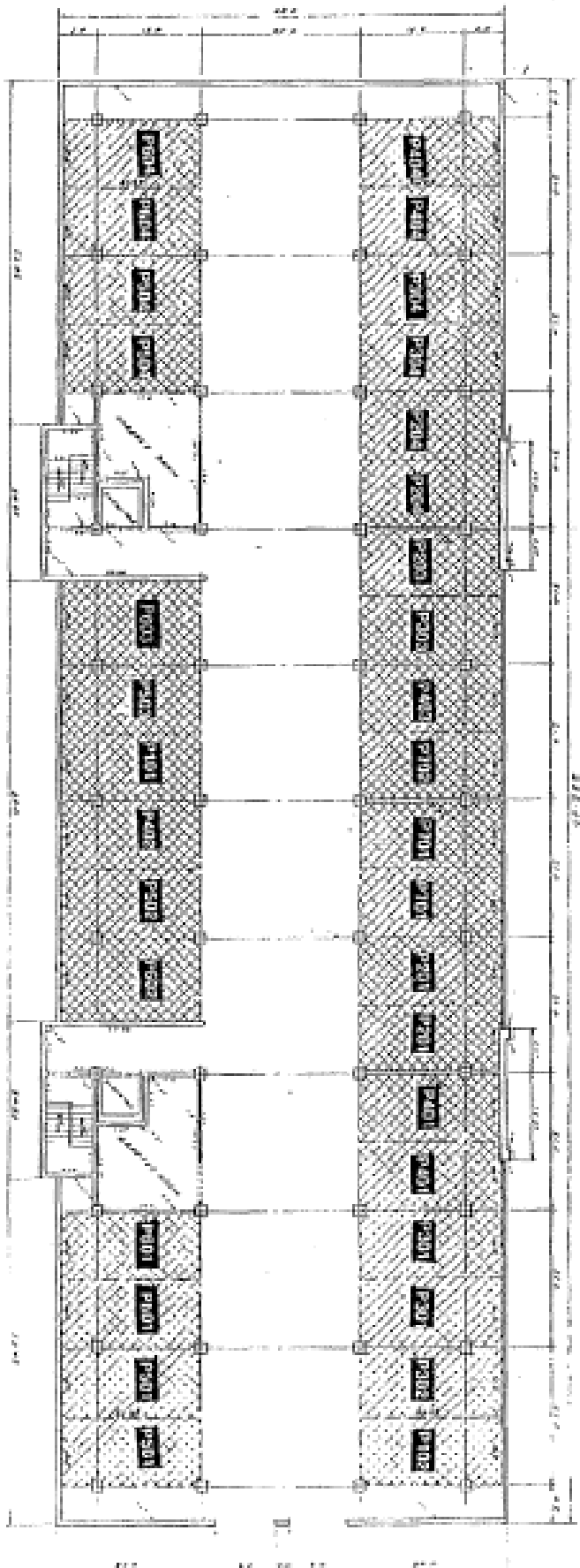
On this 24th day of June, 2022, personally appeared before me
Edward Sweeney, who being by me duly sworn, did say that he is the
President of The Donner Place Owners Association; that said instrument was signed by him on
behalf of said Association pursuant to proper authority; and that the foregoing
information is true and accurate to the best of his/her knowledge.



Bryce Levey
Notary Public



AMENDED EXHIBIT A



NOTES TO EXHIBIT - A:

1. ALL AREAS DOUBLE CROSSED HATCHED ARE LIMITED COMMON AREAS
2. ALL AREAS NOT CROSS HATCHED ARE COMMON AREAS
3. NUMBERS PRECEDED BY "P" ARE RECORD PARKING STALLS

EXHIBIT A:

**SECOND BASEMENT LEVEL PARKING STALL LOCATIONS
FOR DONNER PLACE A CONDOMINIUM PROJECT**

AMENDED EXHIBIT B

1. ALL SINGLE HATCHED AREAS ARE CONDOMINIUM UNITS NUMBER 104, 103, 102 AND 101
2. ALL DOUBLE HATCHED AREAS ARE LIMITED COMMON AREAS
3. ALL AREAS NOT CROSS HATCHED ARE COMMON AREAS
4. NUMBERS PRECEDED BY "P" ARE RECORD PARKING STALLS
5. NUMBERS PRECEDED BY "S" ARE RECORD STORAGE LOCKERS

RECORD FIRST LEVEL PARKING STALL AND
STORAGE LOCKER LOCATIONS FOR DONNER
PLACE A CONDOMINIUM PROJECT

EXHIBIT B:

NOTES TO EXHIBIT "B"

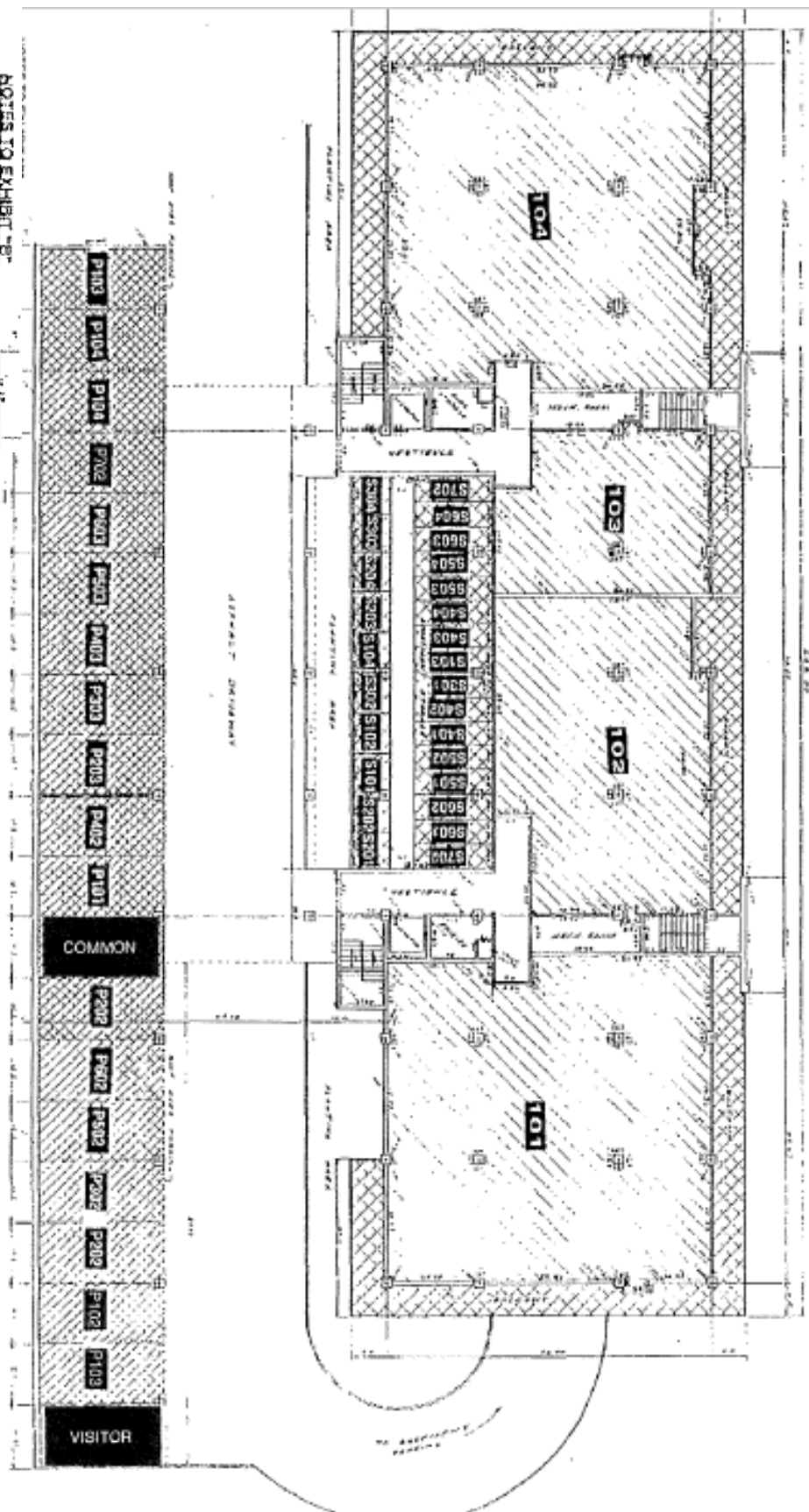


EXHIBIT C

Lot	Parcel Number	Legal Description
101	'16-11-256-002-0000	UNIT 101, DONNER PLACE CONDM 4.4% INT 5180-0566 7705-1111
102	16-11-256-003-0000	UNIT 102, DONNER PLACE CONDM 2.8% INT 4800-1392 5634-0472 8264-6490 8824-4710
103	16-11-256-004-0000	UNIT 103, DONNER PLACE CONDM 1.4% INT 4583-1260
104	16-11-256-005-0000	UNIT 104, DONNER PLACE CONDM 4.4% INT 4725-1021 6067-2858 6169-0928 6428-2503 6534-2453 6532-2854 THRU 2857 6532-2858 6846-0271 10124-1610,1615
201	16-11-256-006-0000	UNIT 201, DONNER PLACE CONDM 4.43% INT 4582-0931 : 5443-1707 6432-1075 6637-1589 7810-2935 7810-2937 7928- , 0076 7965-1602 9223-9629 9972-4897
202	16-11-256-007-0000	UNIT 202, DONNER PLACE CONDM 3.0% INT 4813-0911 5332-0461 8330-3920 9274-4467, 4470, 4473 9174-4474
203	16-11-256-008-0000	UNIT 203, DONNERPLACE CONDOMINIUM 3.0% INT 4628-1354 6058-2311 7726-1050 8293-3556
204	16-11-256-009-0000	UNIT 204, DONNER PLACE CONDM 4.4% INT. 4587-1358 5168-0447 7405-1453
301	16-11-256-010-0000	UNIT 301, DONNER PLACE CONDM 4.4% TNT 4647-0425 6340-1935 7171-0867 7253-1998 8865-0870
302	16-11-256-011-0000	UNIT 302, DONNER PLACE CONDM 3.0% INT. 4592-659 5111-0090 6219-1009 7151-0851, 0852, 0854 7679-2739,2742 9317-1472
303	16-11-256-012-0000	UNIT 303, DONNER PLACE CONDM 3.0% INT. 4607-396 4763-0591 5774-2355 8248-15648373-3149,3153,3154
304	16-11-256-013-0000	UNIT 304, DONNER PLACE CONDM 4.4% TNT. 4702-792 5244-0620 5923-0809 9626-3419
401	16-11-256-014-0000	UNIT 401, DONNER PLACE CONDM 4.4% INT 4631-136
402	16-11-256-015-0000	UNIT 402, DONNER PLACE CONDM 3.0% INT 4842-1233 5962-104 5962-0103 6089-0995 6089-0995 6089-295 6089-0296 7493-980 7493-0990 8760-0867 8760-0869
403	16-11-256-016-0000	UNIT 403, DONNER PLACE CONDM 3% INT: 4762-290 4983-0749 5377-1066 5876-2372 6187-2408 6883-0637
404	16-11-256-017-0000	UNIT 404, DONNER PLACE CONDM 4.4% INT 4584-0184 5356-1126 7881-1410 8944-4108 9176-6965 9917-9334
501	16-11-256-018-0000	UNIT 501, DONNER PLACE CONDM 4.4% INT 4588-1398 7672-0600 9251-49519295-15349350-2486 9353-7035 9684-5730 9695-0965 9957-3284
502	16-11-256-019-0000	UNIT 502, DONNER PLACE CONDM 3.0% INT 4710-0144 5680-1732 7160-0817 9375-3882 9922-1931,1935 9944-0754

9985-5378

503 16-11-256-020-0000 UNIT 503, DONNER PLACE CONDM 3.0% TNT. 4433-803
4777-0319 7102-1447 10095-7331

504 16-11-256-021-0000 UNIT 504, DONNER PLACE CONDM 4.4% INT 4584-0187
6055-0305 6056-0664 6372-2480 6372-2490 6820-2501 6820-
2501 6820-2511 8471-4063 9335-7612,7616 9887-
17586,7571,7574,7578

601 16-11-256-022-0000 UNIT 601, DONNER PLACE CONDM 4.4% INT 4622-0253
5328-0546 5599-1150 8541-7439 8550-0350 9304-7927 9306-
2342 9772-4449 9776-6150 9829-8807

602 16-11-256-023-0000 UNIT 602, DONNER PLACE, CONDM 3% INT. 4660-1119
5640-2574 5640-2575 7896-2193 7906-1280 8268-8733

603 16-11-256-024-0000 UNIT #603, DONNER PLACE CONDM 3.0% INT 4696-1021
6746-0708 9831-9208 10084-7338

604 16-11-256-025-0000 UNIT 604, DONNER PLACE CONDM 4.4% INT. 4592-525,
5263-836,0834,0838 5895-2872 6767-2355 8365-1538

701 16-11-256-026-0000 UNIT 701, DONNER PLACE CONDM 6.5% INT 4592-0638

702 16-11-256-027-0000 UNIT 702, DONNER PLACE CONDM 6.5% INT 4592-0652
5425-2273 5574-1475 6006-2140 7516-26618346-84809120-
J854 9729-3730

AREA 16-11-256-001-0000 BEG N 0AJ4 34" E 524.28 FT FR CEN SEC 11, TIS, R IE, S
L M; N 0A14 34" E 257.93 FT; E 155.91 FT; SE LY ALGA
CURVE TO L 41.39 FT; S 63A25 26" E 115.64 FT; SW LY
ALG A CURVE TO L 26.4 FT: S 26A09 W 258.79 FT: N
63A51 W 180.54 FT TO BEG 1.565 AC 4433-0803