Entry No. 120866 Book M 50
RECORDED 9-18-73 at 9:37 A.M. Page 333
REQUEST of Treasure Mountain Corp.
FEE 5.00 SUMMIT CO. RECORDER
$ By Wanda J. Sprague
INDEXED ABSTRACT Expanded 22.00

AMENDMENT TO CONDOMINIUM DECLARATION

FOR

PARK AVENUE CONDOMINIUMS

THIS AMENDMENT TO CONDOMINIUM DECLARATION, executed this 17th day of August, 1973, by TREASURE MOUNTAIN CORPORATION, a Utah corporation (hereinafter designated "Declarant"), DENIS R. MORRILL (hereinafter designated "Morrill") and WESTERN MORTGAGE CORPORATION, a Division of Unionamerica, Inc., a California corporation (hereinafter designated "Western"),

WITNESSETH:

WHEREAS, Declarant executed a certain Condominium Declaration for Park Avenue Condominiums dated June 1, 1973, and recorded in the office of the County Recorder of Summit County, State of Utah, as Entry No. 119741 in Book M47, Pages 543 to 570 (hereinafter designated the "Declaration"); and

WHEREAS, Declarant executed and delivered a certain Trust Deed dated June 7, 1973, from Declarant, as "Trustor," to Morrill, as "Trustee," wherein Western was designated as Beneficiary; and

WHEREAS, it is the desire of the parties to amend the above designated Declaration, as hereinafter provided.

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, Declarant, as owner of all of the right, title and interest in and to

all property which is the subject of the above described Declaration and is included in the Park Avenue Condominium Project, and Morrill and Western hereby amend said Declaration by the addition thereto of the following:

"9.21 Rental of Apartment: In the event that the Owner of a Unit should elect to rent or lease his Apartment, he shall be obligated to enter into a Rental Pool Management Agreement with the Declarant, providing for the management and rental of said Unit on the same terms and conditions as the Declarant is then renting and managing other Units in the Project. In the event of the merger or consolidation of Declarant with or into another corporation or sale of all or substantially all of the assets of Declarant, the rights of Declarant under this Section 9.21 may be transferred or assigned to the surviving or successor corporation or to the purchaser of all or substantially all of the assets of Declarant. So long as Declarant, or a party to which the rights of Declarant under this Section 9.21 have been assigned or transferred, makes available or offers rental management services with relation to Units in the Project, no Owner shall be permitted to rent or lease his Unit, or in any manner permit it to be occupied for a charge, except by entering into and utilizing such a Rental Pool Management Agreement with the then owner and holder of the rights of Declarant under this Section 9.21. The obligations of Owner pursuant to this Section 9.21 shall terminate if the Declarant, or the party to which the rights of Declarant pursuant to this Section 9.21 have been assigned or transferred, should permanently cease to offer or make available rental management services with relation to Units in the Project."

This Amendment to Condominium Declaration shall not be deemed to amend or modify the above described Declaration except as herein specifically provided.

Dated the day and year first above written.

TREASURE MOUNTAIN CORPORATION

By _____
President

ATTEST:

_____
Assistant Secretary

BOOKM50 PAGE334

Denis R. Morrill

WESTERN MORTGAGE CORPORATION,
Division of Unionamerica, Inc.

By W. Scott Hoge
Second Vice President

ATTEST:

Pearl Wood
Assistant Secretary

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this 17th day of August, 1973, personally appeared before me J. WARREN KING, who, being by me duly sworn, did say that he is the President of TREASURE MOUNTAIN CORPORATION, a Utah corporation, and that the within and foregoing Amendment to Condominium Declaration was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said J. WARREN KING duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

My Commission Expires:

1 1977

Linda D. Lewis
Notary Public

Residing at: Salt Lake City, Utah

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

BOOK M50 PAGE 335

On the 30th day of August, 1973, personally appeared before me DENIS R. MORRILL, one of the signers of the foregoing Amendment to Condominium Declaration, who duly acknowledged to me that he executed the same.

My Commission Expires:

April 1 1977

Notary Public

Residing at Salt Lake City, Utah

STATE OF California)
: ss.
COUNTY OF San Francisco)

On the 27th day of August, 1973, personally appeared before me W. Scott Hroza, who, being by me duly sworn, did say that he is a Second Vice President of WESTERN MORTGAGE CORPORATION, a Division of Unionamerica, Inc., a California Corporation, and that the within and foregoing Amendment to Condominium Declaration was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said W. Scott Hroza duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

My Commission Expires:

May 21, 1975

Notary Public

Residing at: San Bruno, California

THOMAS E. AUCLAIR
NOTARY PUBLIC-CALIFORNIA
CITY AND COUNTY OF
SAN FRANCISCO
My Commission Expires May 21, 1975

BOOKM50 PAGE336