

**AMENDMENT TO THE CONDOMINIUM DECLARATION FOR
STONEGATE (AN EXPANDABLE CONDOMINIUM)**

RECITALS

1. The Declaration of Stonegate (an Expandable Condominium) ("the Declaration") was executed on June 24, 1987 and recorded as Entry No. 10117352 in the Weber County Recorder's Office beginning on page 417 of Book 1521.

2. Stonegate (an Expandable Condominium) ("Stonegate") is contained within the real property described in Exhibit "A."

3. Pursuant to the terms of the Utah Condominium Ownership Act, the Management Committee at Stonegate has adopted rules and regulations governing behavior at Stonegate.

4. During its existence, Stonegate has experienced some problems with unit owners, their tenants, guests and invitees who have failed or refused to follow the rules and regulations.

5. In order to address these problems, the unit owners at Stonegate have decided to grant the Management Committee the right to impose fines on unit owners who fail to follow the rules and regulations.

6. In addition, the unit owners have decided to accept the responsibility for ensuring that their tenants, guests, relatives and invitees follow the rules established at Stonegate.

7. To achieve this end, the unit owners have decided to impose fines on unit owners whose tenants, guests, relatives or invitees fail to obey the rules at Stonegate.

8. The unit owners have also decided to allow the management committee to impose liens against the units in order to collect any fines that may be imposed for violations of the Rules and Regulations.

Therefore, the owners of the units at Stonegate do hereby adopt the following amendment to the Declaration.

SECTION ONE

There is hereby added a new Section 2 to Article VI.D of the Declaration, which shall read as follows:

Section 2. In addition to the means of enforcement provided elsewhere in this Declaration, the Management Committee shall have the right to assess fines against a unit owner or its guests, relatives, tenants, and invitees, in the manner provided herein and such fines shall be collectible as any other assessment such that the Association shall have a lien against each unit for the purpose of collecting the fine, as provided in this Section.

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DOUG CROFTS, WEBER COUNTY RECORDER
15-JUN-00 1007 AM FEE \$101.00 DEP JPM
REC FOR: STONEGATE.CONDO.ASSOC

(A) The Management Committee shall determine whether there is probable cause to believe that any provisions of this Declaration, the Articles of Incorporation, the Bylaws and the Rules and Regulations, ("the Governing Documents") are being or have been violated.

(B) Each recurrence of a violation of the Governing Documents shall be a separate offense and each day that a violation of the Governing Documents continues shall be a separate offense and the Management Committee shall have authority to impose separate fines for each separate offense.

(C) If the Management Committee determines that probable cause exists, it shall provide written notice to the person or persons believed to be in violation. If the person believed to be in violation is not the owner of the unit which he or she occupies, the Management Committee shall also notify the owner of the unit which the person occupies.

(D) The notice shall contain:

i) a specific description of the provision of the Governing Documents which has been violated,

ii) a specific description of the violation, including, if possible, a description of the time, date and place of the violation,

iii) a statement that if the owner or the person occupying the unit disputes the allegation that he or she has violated the Governing Documents, the person may request a notice before the Management Committee in writing within ten (10) days of the date of the notice,

iv) a statement that each recurrence of the violation shall be a separate offense for which a separate fine may be imposed,

v) a statement that each day a violation continues shall be considered a separate offense for which a separate fine may be imposed, and

vi) a statement that, in lieu of requesting a hearing, the person alleged to have violated the Governing Documents may respond to the notice, within ten (10) days after the time it is sent, acknowledging in writing that the violation occurred as alleged and promising that it will henceforth cease and will not recur, and that such acknowledgment, promise and performance shall terminate further enforcement activity by the Management Committee with regard to the particular violation.

(E) If a hearing is timely requested, the Management Committee shall hold the hearing. Prior to the hearing, the Management Committee shall provide the alleged violator with the date, time and place of the hearing. At the hearing the Management Committee shall consider any defense to the charge, including any witnesses that the alleged violator or the unit owner may produce. Any party at the hearing may be represented by counsel.

(F) After the hearing, or if no hearing is requested and no acknowledgment and promise to perform is timely made, the Management Committee shall determine whether there is sufficient evidence of a violation or violations under this Section. If the Management Committee determines that there is sufficient evidence, it may levy a fine for each violation in the amount provided in this Section.

(G) A fine imposed under this Section shall be assessed against the unit which the violator occupied at the time of the violation, whether or not the violator is an owner of the unit.

The fine shall be collectible in the same manner as any other assessment, including by the Association's lien rights as provided in the Declaration and the laws of the State of Utah. Nothing herein shall be construed to interfere with any right that a unit owner may have to obtain payment or reimbursement from a tenant, guest, relative or invitee in the amount of any fine or fines assessed against the owner's unit.

(H) Nothing in this Section shall be construed as a prohibition of or a limitation on the right of the Management Committee to pursue other means to enforce the provisions of the Governing Documents, including the right to pursue unit owners, tenants, guests, relatives and invitees for legal or injunctive relief.

(I) Fines levied under this section shall not exceed \$20.00 for each violation.

(J) Nothing in this Section shall be construed to prevent the Management Committee from creating a Covenants Enforcement Committee to gather information regarding alleged violations of the Governing Documents.

SECTION TWO

This amendment shall take effect when recorded.

CERTIFICATION

It is hereby certified that the unit owners representing at least sixty-six and two-thirds percent (66²/₃%) of the undivided interests in the common areas and facilities in Stonegate (An Expandable Condominium, and fifty-one (51%) of the eligible holders of first mortgages on units to mortgages appertain have approved and consented to the amendments stated herein.

In witness hereof, executed this 16 day of MAY, 2000.

STONEGATE CONDOMINIUM MANAGEMENT COMMITTEE

BY: Randall Brady
Its: President

STATE OF UTAH)
) : ss.
COUNTY OF WEBER)

On the 16 day of May, 2000, personally appeared before me Randall Brady
President of

The Stonegate Condominium Management Committee and that the within and foregoing instrument was signed on behalf of said management committee, acknowledged to me that he is the signer of the above instrument, that he has been authorized by the management committee and the owners' association to execute this document, and that the information contained therein is true and correct to the best of his/her knowledge.



Notary Public

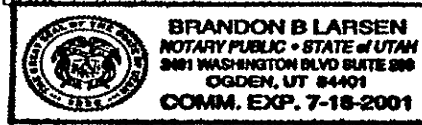


Exhibit "A"

Units 1 through 12, Stonegate Phase 1, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-324-0001 through 07-324-0012.

Units 13 through 24, Stonegate Phase 2, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-330-0001 through 07-330-0012.

Units 37 through 48, Stonegate Phase 3, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-333-0001 through 07-333-0012.

Units 25 through 36, Stonegate Phase 4, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-334-0012 through 07-334-0012.

Units 49 through 60, Stonegate Phase 5, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-351-0001 through 07-351-0012.

Units 61 through 72, Stonegate Phase 6, A Condominium Project, Washington Terrace City,
Weber County, Utah.

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07-~~257~~-0001 through 07-357-0012.

Units 73 through 84, Stonegate Phase 7, A Condominium Project, Washington Terrace City,
Weber County, Utah.

07-366-0001 through 07-366-0012.