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Date 18-Sep-2020 03:51PM Fee \$40.00
Michael Glead, Rec. - Filed By SA
Cache County, UT
For NORTHERN TITLE COMPANY
Electronically Submitted by Simplifile

AMENDMENT

TO THE

DECLARATION
OF
CONDOMINIUM

FOR

1600 PARK AVENUE
CONDOMINIUM "B"

September 2020

Amendment
to the
Declaration of Condominium
for
1600 Park Avenue Condominium “B”

This Amendment to the Declaration of Condominium for 1600 Park Avenue Condominium “B” (“Amendment”), is made by the River Valley Development, LLC, Declarant of 1600 Park Avenue Condominium “B”, as authorized by the Declaration (defined below).

RECITALS

WHEREAS, 1600 Park Avenue Condominium “B” was created by the “Declaration of Condominium for 1600 Park Avenue Condominium “B”, as recorded in the records of the Cache County Recorder on January 2, 2020, as Entry #1235855 (“Declaration”); and

WHEREAS, Declarant has determined that additional mortgagee protection language should be added to the Declaration, which language will make it easier for some purchasers of lots within the Project to obtain financing; and

NOW THEREFORE, to accomplish the unit owners’ objectives, the following amendment is adopted. If there is any conflict between this Amendment and any provision in the Declaration, this Amendment shall prevail. The words defined in Article I of the Declaration shall have the same meaning when used herein unless the context clearly indicates otherwise.

This Amendment shall become effective upon recording. The Declaration is hereby amended and will include the requirements added below:

AMENDMENT

ARTICLE I
ADDITIONAL MORTGAGEE PROTECTION

In addition to the Mortgagee Protection requirements found in Article XVI of the Declaration, the following additional requirements are hereby added to the Declaration:

- 1.1 **Written Notice.** The Association shall provide timely written notice to all Mortgagees of the following:
 - (a) any condemnation or casualty loss that affects either a material portion of the

Project or the Unit securing its mortgage;

- (b) any 60-day delinquency in the payment of assessments or charges owed by the Owner of any Unit on which it holds the mortgage;
- (c) a lapse, cancellation, or material modification of any insurance policy maintained by the Association; and
- (d) any proposed action that requires the consent of a specified percentage of Mortgagees.

1.2 **Amendment.** No provision of this Article I shall be amended without the consent of at least fifty-one percent (51%) of all first Mortgagees as they appear on the official records of Cache County, Utah, as of the date of such amendment, which consent may be deemed granted by the provisions of the Community Association Act, U.C.A. § 57-8-41.

1.3 **Project Termination.** Any action to terminate the legal status of the Project or to use insurance proceeds for any purpose other than to rebuild the Project must be agreed to by the Mortgagees that represent at least 51% of the Unit votes (based on one vote for each first Mortgage owned) that are subject to first lien mortgages.

[Certification on Next Page]

CERTIFICATION

Declarant hereby executes this Amendment on the date of notarization appearing below:

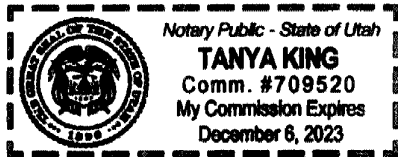
Declarant:

River Valley Development, LLC

By 
Its: ~~Manager~~

STATE OF UTAH)
 :ss.
COUNTY OF CACHE)

On this 10th day of September, 2020, personally appeared before L. Boyd Cook who acknowledged to me that he is the manager of **River Valley Development, LLC**, and is authorized to, and did in fact execute this Amendment on behalf of **River Valley Development, LLC**.




Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

1600 Park Avenue, Condominium "B"

All of Units 101 and 102, 1600 Park Avenue, Condominium "B", Logan City, Cache County, State of Utah

Parcel numbers: 04-234-0101 and 0102

All of Units 201 and 202, 1600 Park Avenue, Condominium "B", Logan City, Cache County, State of Utah

Parcel numbers: 04-234-0201 and 0202