

8

**First Amendment to
Declaration of Condominium for Pearl at Jackson Condominiums
Addition to the Town of Jackson**



This FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR PEARL AT JACKSON CONDOMINIUMS ADDITION TO THE TOWN OF JACKSON (this "Amendment") is made this 27 day of March, 2011, by Pearl at Jackson, Inc., a Wyoming corporation (this "Association") and the Members of the Association.

WITNESSETH:

WHEREAS, on December 18, 2009, Declarant filed that certain Declaration of Condominium for Pearl at Jackson Condominiums Addition to the Town of Jackson (the "Declaration") in the Office of the Clerk in Teton County, Wyoming in Book 746 of Photo, Pages 835 to 875;

WHEREAS, on February 3, 2010, Declarant filed that certain First Parking Supplemental Declaration to the Declaration of Condominium for Pearl at Jackson Condominiums Addition to the Town of Jackson (the "First Supplemental Declaration") in the Office of the Clerk in Teton County, Wyoming in Book 749 of Photo, Pages 966 to 968, and on May 26, 2010, Declarant filed that certain Second Supplemental Declaration to the Declaration of Condominium for Pearl at Jackson Condominiums Addition to the Town of Jackson (the "Second Supplemental Declaration") in the Office of the Clerk in Teton County, Wyoming in Book 757 of Photo, Pages 477 to 479 and on the same date hereof, Declarant filed that certain Third Supplemental Declaration to the Declaration of Condominium for Pearl at Jackson Condominiums Addition to the Town of Jackson (the "Third Supplemental Declaration") in the Office of the Clerk in Teton County, Wyoming (collectively the First Supplemental Declaration, the Second Supplement Declaration and the Third Supplemental Declaration shall be referred to herein as the "Supplemental Parking Declarations");

WHEREAS, pursuant to Article XI, Section 11.1 of the Declaration, the Declarant has the unilateral authority to amend the Declaration until the conveyance of 80% of the Units to an Owner unaffiliated with Declarant;

WHEREAS, as of the date hereof, Declarant has not conveyed 80% of the Units to an Owner unaffiliated with Declarant; and

WHEREAS, Declarant desires to amend the Declaration as set forth herein.

NOW, THEREFORE, pursuant to the powers reserved to the Declarant under the Declaration, the Declarant hereby amends the Declaration as follows:

1. **Definition of Limited Common Elements - Parking.** Article II, Section 2.19 of the Declaration is amended by deleting the definition in its entirety and replacing it with the following:

2.19 Limited Common Elements – Parking. *“Limited Common Elements – Parking” means those Limited Common Elements for the exclusive use of one or more Unit(s) as parking as designated by the Declarant herein and/or on the Condominium Plat and/or in one or more separately recorded instruments. Limited Common Elements – Parking may also be referred to herein and on the Condominium Plat as “Limited Common Element – Parking”, “LCE – Parking”, “LCE – P” or “Parking Limited Common Elements”.*

RELEASED
INDEXED
ABSTRACTED
SCANNED

GRANTOR: PEARL AT JACKSON INC
 GRANTEE: THE PUBLIC
 Doc 0791328 bk 779 pg 819-821 Filed At 16:58 ON 03/29/11
 Sherry L. Daigle Teton County Clerk Fees: 28.00
 By Michèle Fairhurst Deputy

2. **Easement for Utilities.** Article X, Section 10.2(b) of the Declaration is amended by deleting the subsection in its entirety and replacing it with the following:

(b) The Declarant hereby grants to the Association and each Owner of a Unit, and, so long as the Declarant owns a Unit, reserves for itself, and reserves the right to grant to utility providers, the Association, and the owners of any of the Units perpetual non-exclusive utilities easements located within the General Common Elements for the purpose of:

(i) Installation, tie and access of utilities, including without limitation, water, sewer, electric, telephone, gas, cable and other systems for sending and receiving data and/or other electronic signals; security and similar systems; and drainage systems; to serve the Properties;

(ii) Inspecting, maintaining, repairing and replacing such utilities and infrastructure to serve the Properties; and

(iii) Access to read utility meters and other usual and customary items associated with utilities.

3. Except as expressly amended by this Amendment and supplemented by the Supplemental Parking Declarations, the Declaration is and remains in full force and effect, unchanged. Capitalized terms not defined herein shall be construed in accordance with their definitions set forth in the Declaration. References to section numbers refer to section numbers contained in the Declaration, unless otherwise expressly delineated to the contrary. This Amendment may be executed in counterparts.

