

48722

TO WHOM IT MAY CONCERN:

This amendment needs to be applied to all of the units of the University Towers Condominium Property Regime.

Thank you.

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AMENDMENT TO MASTER DEED AND  
DECLARATION OF UNIVERSITY TOWERS  
CONDOMINIUM PROPERTY REGIME

The undersigned represent and warrant that they are the owner(s) of the unit appearing after their signature and by executing this Amendment have agreed to further amend the Master Deed and Declaration of the University Towers Condominium Property Regime, as amended to date, by adding to paragraph thirteen (13) a new restriction on use and occupancy of commercial units as follows:

\_\_\_\_. USE OF COMMERCIAL UNITS: The use of the commercial units described in paragraph four (4) of the Master Deed and Declaration, as amended to date, shall be restricted to the use for which those units are being used as of the date of this Amendment. Should an owner or purchaser of a unit desire to change the use of a commercial unit, the owner or purchaser shall apply to the Board of Administrators for permission to change the use of the unit. The application shall provide details regarding the proposed use, hours of operation, services or goods to be provided and the market to be served. The Board of Administrators shall review the application based upon the following criteria:

1. Effect on building safety and security;
2. Impact on other unit owners with respect to noise, odors and similar issues;
3. Compatibility of the proposed use with the primarily residential use of the building.

No use for nightclub or gambling shall be permitted. The Board may consider the location and access to the commercial units in making its determination.

The Board of Administrators may reject, approve or condition their approval of the proposed change of use for a commercial unit. Action shall be taken by the Board of Administrators within 30 days of the application and its decision, and the reasons for its actions shall be provided in writing to the owner or purchaser of the unit. If the Board of Administrators fails to respond to the application within 30 days of its receipt by the Board, the application shall be deemed to be approved.

Dated November 16, 1994.

