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11/25/2013 4:10:00 PM \$91.00  
Book - 10195 Pg - 1186-1192  
Gary W. Ott  
Recorder, Salt Lake County, UT  
MT OLYMPUS TITLE  
BY: eCASH, DEPUTY - EF 7 P.

When Recorded Return To:

John D. Morris  
MORRIS SPERRY  
7070 Union Park Center, Suite 220  
Midvale, Utah 84047

**FOURTH AMENDMENT TO  
DECLARATION FOR  
ROOFTOPS AT 78 HUNDRED**

This Amendment is made and executed this 25 day of November, 2013, by Solstice Homes, LLC (the "Declarant").

Recitals

A. The DECLARATION FOR ROOFTOPS AT 78 HUNDRED was recorded on September 2, 2011 in the Salt Lake County Recorder's office as Entry No. 11238221, Book 9947, beginning at Page 7647 ("Enabling Declaration").

B. The AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED was recorded on October 9, 2012 in the Salt Lake County Recorder's office as Entry No. 11487060, Book 10064, beginning at Page 1382 (the "First Amendment").

C. The initial Plat for the Project and the Plats for Phase 2 and Phase 3 have also been recorded in Salt Lake County Recorder's office.<sup>1</sup>

D. The SECOND AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED was recorded on September 5, 2013 in the Salt Lake County Recorder's office as Entry No. 11718837, Book 10175, beginning at Page 1574 expanding the Project (the "Second Amendment").

E. The THIRD AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED was recorded on August 21, 2013 in the Salt Lake County Recorder's office as Entry No. 11709759, Book 10171, beginning at Page 561 (the "Third Amendment") (the First Amendment, the Second Amendment, the Third Amendment, and the Enabling Declaration shall be collectively referred to as the "Declaration").

F. The purpose of this Fourth Amendment is to amend and correct the Allocated Interests in Exhibit C to the Declaration.

G. This Amendment affects the real property located in Salt Lake County, Utah described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference.

NOW, THEREFORE, pursuant to the foregoing Recitals which are incorporated herein by

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<sup>1</sup> Unless otherwise set forth herein, defined terms used in this Amendment shall have the same meaning as that set forth in the Declaration.

reference, the Declarant hereby makes and executes this FOURTH AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED (the "Fourth Amendment"), which shall be effective as of its recording date.


1. Amendment. The document attached to this Fourth Amendment and identified as Exhibit C shall replace the Exhibit C attached to the Declaration. The Allocated Interests applicable to each Unit within the Project is expressed as the percentage set forth in the document attached to this Fourth Amendment and identified as Exhibit C.

2. Conflicts. All remaining provisions of the Declaration and any prior amendments not specifically amended in this Fourth Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration or any prior amendments, the provisions of this document shall govern and control in all respects.

EXECUTED this 25th day of November, 2013.

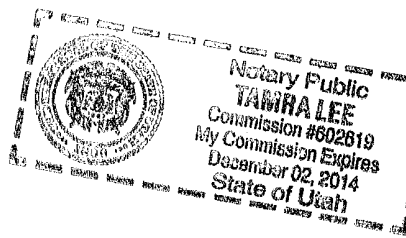
**SOLSTICE HOMES, LLC**

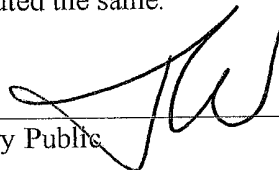
by Tore 43, Inc.

By:   
Mason Dutton, President

STATE OF UTAH )  
 )SS:  
COUNTY OF Salt Lake )

on the 25th day of November, 2013, personally appeared before me, Mason Dutton President of Tore 43, Inc., who is the Member of Solstice Homes, LLC and \_\_\_\_\_, the signer of the foregoing FOURTH AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED TOWNHOMES on behalf of Solstice Homes, LLC, who duly acknowledged to me that he executed the same.



  
Notary Public

## EXHIBIT A

### Phase 1.

Beginning at a point on the Northerly Right-Of-Way Line of 7800 South Street, said point also being North 00°08'36" East 267.97 feet along the Section Line and West 2,348.26 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running

thence Southwesterly 160.11 feet along the arc of a 2,936.90 foot radius curve to the left (center bears South 1204'36" East and the chord bears South 7621'42" West 160.09 feet with a central angle of 0307'25") along the Northerly Right-Of-Way Line of said 7800 South Street;

thence South 7448'00" West 39.12 feet along the Northerly Right-Of-Way Line of said 7800 South Street;

thence North 1443'56" West 144.11 feet;

thence South 7504'55" East 25.37 feet;

thence Southeasterly 30.27 feet along the arc of a 58.50 foot radius curve to the left (center bears North 1455'05" East and the chord bears South 8954'25" East 29.94 feet with a central angle of 2939'00");

thence North 7516'05" East 178.58 feet to the Westerly Right-Of-Way Line of Euro Drive;

thence Southeasterly 33.51 feet along the arc of a 633.00 foot radius curve to the left (center bears North 8251'28" East and the chord bears South 0839'32" East 33.51 feet with a central angle of 0302'00") along the Westerly Right-Of-Way Line of said Euro Drive;

thence South 1010'32" East 75.16 feet along the Westerly Right-Of-Way Line of said Euro Drive;

thence Southwesterly 30.75 feet along the arc of 20.00 foot radius curve to the right (center bears South 7949'28" West and the chord bears South 3352'27" West 27.81 feet with a central angle of 8805'56") along the Westerly Right-Of-Way Line of said Euro Drive to the point of beginning.

Contains 28,163 Square Feet or 0.646 Acres.

**Phase 2.**

Beginning at a point on the Northerly Right-of-Way Line of 7800 South Street, said point also being North 00°08'36" East 219.96 feet along the Section Line and West 2,541.47 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running

thence South 74°48'00" West 337.90 feet along the Northerly Right-of-Way of said 7800 South Street to the Southeast Corner of Parcel A of the Junction at Midvale-West Residential Plat;

thence North 05°03'12" West 59.29 feet along the Easterly Boundary Line of said Parcel A;

thence North 05°45'16" West 99.00 feet along the Easterly Boundary Line of said Parcel A;

thence North 10°26'27" East 49.58 feet along the Easterly Boundary Line of said Parcel A;

thence South 75°04'55" East 90.35 feet;

thence North 14°55'05" East 15.81 feet;

thence North 75°16'05" East 74.17 feet;

thence South 75°04'55" East 39.04 feet;

thence North 14°55'05" East 17.00 feet;

thence Northeasterly 43.20 feet along the arc of a 27.50 foot radius curve to the right (center bears South 75°04'55" East and the chord bears North 59°55'05" East 38.89 feet with a central angle of 90°00'00");

thence South 75°04'55" East 58.72 feet to the Westerly Boundary Line of the Rooftops at 78 Hundred Townhomes Phase 1;

thence South 14°43'56" East 144.11 feet along the Westerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 1 to the point of beginning.

Contains 54,818 Square Feet or 1.258 Acres.

**Phase 3.**

Beginning at the intersection point of the Northerly Right-of-Way Line of Rooftop Drive, said point being North 00°08'36" East 399.09 feet along the Section Line and West 2,607.36 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 75°04'55" West 81.65 feet along the Right-of-Way Line of said Rooftop Drive;  
thence Northwesterly 43.20 feet along the arc of a 27.50 foot radius curve to the right (center bears North 14°55'05" East and the chord bears North 30°04'54" West 38.89 feet with a central angle of 90°00'01") along the Right-of-Way Line of said Rooftop Drive;  
thence North 75°04'54" West 31.00 feet along the Right-of-Way Line of said Rooftop Drive;  
thence Southeasterly 80.25 feet along the arc of a 58.50 foot radius curve to the left (center bears South 75°04'54" East and the chord bears South 24°22'44" East 74.10 feet with a central angle of 78°35'39") along the Right-of-Way Line of said Rooftop Drive;  
thence Southeasterly 34.74 feet along the arc of a 27.50 foot radius curve to the right (center bears South 32°47'14" West and the chord bears South 21°01'12" East 32.48 feet with a central angle of 72°23'08") along the Right-of-Way Line of said Rooftop Drive;  
thence South 14°55'05" West 19.36 feet along the Right-of-Way Line of said Rooftop Drive to Northerly Boundary Line of the Rooftops at 78 Hundred Townhomes Phase 2;  
thence North 75°04'55" West 13.04 feet along the Northerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 2;  
thence South 75°16'05" West 74.17 feet along the Northerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 2;  
thence South 14°55'05" West 15.81 feet along the Northerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 2;  
thence North 75°04'55" West 90.35 feet along the Northerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 2 to the Easterly Boundary Line of Parcel A of The Junction at Midvale-West Residential Plat;  
thence North 10°26'27" East 36.61 feet along the Easterly Boundary Line of said Parcel A;  
thence North 14°55'02" East 110.85 feet along the Easterly Boundary Line of said Parcel A;  
thence North 14°30'17" East 117.25 feet along the Easterly Boundary Line of said Parcel A;  
thence North 15°15'07" East 15.40 feet along the Easterly Boundary Line of said Parcel A;  
thence South 75°04'55" East 98.47 feet;  
thence Northeasterly 14.92 feet along the arc of a 9.50 foot radius curve to the left (center bears North 14°55'05" East and the chord bears North 59°55'05" East 13.44 feet with a central angle of 90°00'00");  
thence South 75°13'15" East 15.50 feet;  
thence North 14°55'05" East 3.96 feet;  
thence South 75°04'55" East 15.50 feet;  
thence Southeasterly 21.21 feet along the arc of a 13.50 foot radius curve to the left (center bears South 75°04'55" East and the chord bears South 30°04'55" East 19.09 feet with a central angle of 90°00'00");  
thence South 75°04'55" East 93.17 feet;  
thence South 14°55'25" West 152.00 feet to the point of beginning.

Contains 54,167 Square Feet or 1.244 Acres and 29 Townhome Units

**EXHIBIT C**

**Allocated Interests**

<u>Unit No.</u>	<u>Square Footage</u>	<u>Allocated Interest</u>
101	738	0.80%
102	1,328	1.43%
103	1,328	1.43%
104	1,328	1.43%
105	738	0.80%
106	1,626	1.75%
107	1,328	1.43%
108	1,328	1.43%
109	1,490	1.61%
110	1,490	1.61%
111	1,328	1.43%
112	1,328	1.43%
113	1,626	1.75%
114	1,626	1.75%
301	849	0.92%
302	1,624	1.75%
303	1,329	1.43%
304	1,329	1.43%
305	1,538	1.66%
306	1,538	1.66%
307	1,329	1.43%
308	1,329	1.43%
309	1,624	1.75%
310	1,624	1.75%
401	849	0.92%
402	1,624	1.75%
403	1,329	1.43%
404	1,329	1.43%
405	1,538	1.66%
406	1,538	1.66%
407	1,329	1.43%
408	1,329	1.43%
409	1,624	1.75%
410	1,624	1.75%
501	1,329	1.43%
502	1,329	1.43%
503	1,329	1.43%
504	849	0.92%
601	1,624	1.75%
602	1,624	1.75%
603	1,329	1.43%

604	1,329	1.43%
605	1,592	1.72%
606	1,592	1.72%
607	1,329	1.43%
608	1,329	1.43%
609	1,626	1.75%
610	862	0.93%
701	862	0.93%
702	1,624	1.75%
703	1,329	1.43%
704	1,329	1.43%
705	1,592	1.72%
706	1,592	1.72%
707	1,329	1.43%
708	1,329	1.43%
709	1,624	1.75%
710	1,624	1.75%
801	862	0.93%
802	1,624	1.75%
803	1,329	1.43%
804	1,329	1.43%
805	1,592	1.72%
806	1,592	1.72%
807	1,329	1.43%
808	1,329	1.43%
809	1,624	1.75%
<b>Total =</b>	<b>92,770</b>	<b>100%</b>