

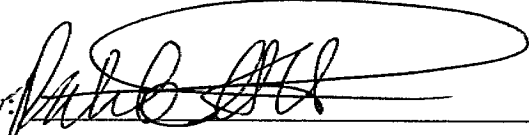
AMENDMENT NO. 5
TO THE DECLARATION OF CONDOMINIUM OF
THE FIELDS AT OVERLAKE CONDOMINIUMS
(An Expandable Residential Condominium Project)

REVOCATION OF SUBSEQUENT AMENDMENT

THIS AMENDMENT TO THE DECLARATION of Condominium of the Fields at Overlake Condominiums is made pursuant to the Utah Condominium Act, Utah Code Ann. §57-8-13.6, and executed this 9th day of May, 2000, and AMENDS THE DECLARATION OF CONDOMINIUM OF THE FIELDS AT OVERLAKE CONDOMINIUMS an expandable condominium project, recorded the 14th day of May 1999, as Entry No. 131110, in Book 0568, at Pages 0338 et. seq., of the records of Tooele County, State of Utah, and hereby REVOKES the document entitled AMENDMENT NO. ONE TO THE DECLARATION OF CONDOMINIUM OF THE FIELDS AT OVERLAKE CONDOMINIUMS recorded the 21st day of March, 2000, as Entry No. 145232, in Book 0614, at Pages 0388 et. seq., of the records of Tooele County, State of Utah and affecting properties identified therein as Phase One (Exhibit "A" hereto) and Additional Land (Exhibit "B" hereto).

IN WITNESS WHEREOF, the undersigned being the Declarant, has caused this instrument to be executed and its seal be affixed hereto on the day and year first above written.

HOLMES & ASSOCIATES, L.C.
a Utah Limited Liability Company

By:  _____

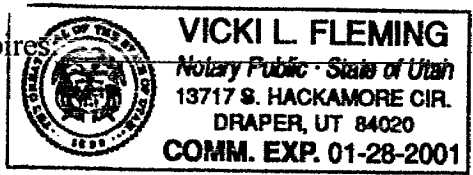
Title: member _____

STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

On the 8th day of May, 2000, personally appeared before me Patrick H Holmes, who being by me duly sworn, did say that he is a Member of HOLMES & ASSOCIATES, L.C., and that said instrument was acknowledged on behalf of said HOLMES & ASSOCIATES, L.C., by authority, and said person duly acknowledged to me that he as such Member of said limited liability company executed the same.

Vicki L Fleming
NOTARY PUBLIC
Residing at _____

My Commission Expires



**LEGAL DESCRIPTION
PHASE ONE**

The following described real property, located in Tooele County, Utah, is the Parcel representing phase one of the Condominium Project:

PHASE I BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH LIES SOUTH 00'13'38" EAST 229.32 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST SLB&M. AND SOUTH 90'00'00" WEST 42.00 FEET PERPENDICULAR TO SAID EAST SECTION LINE, (A FOUND TOOELE COUNTY SURVEY BRASS CAP), SAID POINT ALSO LYING ON THE WESTERLY RIGHT OF WAY OF BERRA BLVD.; RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 00'13'38" EAST 175.28 FEET TO A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90'00'00", RADIUS OF 25.00 FEET, (CHORD BEARS SOUTH 44'46'22" WEST 35.36 FEET), THENCE ALONG THE ARC OF SAID CURVE 39.27 FEET TO A POINT OF TANGENCY, SAID POINT ALSO LIES ON THE NORTHERLY RIGHT OF WAY OF 1910 NORTH STREET OF THE OVERLAKE ESTATES PHASE 1G AMENDED PLAT, RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 89'46'22" WEST 215.63 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE REMAINDER PROPERTY OF THE LOT 601 PLAT OR OVERLAKE ESTATES; THENCE ALONG SAID BOUNDARY THE NEXT (6) SIX COURSES: 1) NORTH 00'13'38" WEST 117.00 FEET, 2) NORTH 89'46'22" EAST 103.63 FEET TO THE 3) BEGINNING OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90'00'00" RADIUS OF 20.00 FEET (CHORD BEARS NORTH 44'46'22" EAST 28.28 FEET), THENCE ALONG THE ARC OF SAID CURVE 31.42 FEET TO A POINT OF TANGENCY; 4) NORTH 00'13'38" WEST 44.50 FEET TO THE 5) BEGINNING OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 22'30'00" RADIUS OF 20.00 FEET (CHORD BEARS NORTH 11'28'38" WEST 7.80 FEET) THENCE ALONG THE ARC OF SAID CURVE 7.85 FEET TO A POINT OF NON-TANGENCY; 6) NORTH 75'22'36" EAST 45.92 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NEIGHBORHOOD COMMERCIAL SITE OF OVERLAKE DEVELOPMENT; THENCE ALONG SAID BOUNDARY NORTH 90'00'00" EAST 74.05 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 0.864 ACRES MORE OR LESS.

**LEGAL DESCRIPTION
ADDITIONAL LAND**

The following described real property, located in Tooele County, Utah, is the Additional Land.

ADDITIONAL LAND BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH LIES SOUTH 00'13'38" EAST 229.32 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST SLB&M, AND SOUTH 90'00'00" WEST 116.05 FEET PERPENDICULAR TO SAID SECTION LINE, (A FOUND TOOELE COUNTY SURVEY BRASS CAP), SAID POINT ALSO LIES ON THE NORTHERLY BOUNDARY OF THE FIELDS AT OVERLAKE PHASE I PARCEL; RUNNING THENCE ALONG THE FIELDS AT OVERLAKE PHASE I BOUNDARY THE FOLLOWING (6) SIX COURSES: 1) SOUTH 75'22'36" WEST 45.92 FEET TO THE 2) BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 22'30'00" RADIUS OF 20.00 FEET (CHORD BEARS SOUTH 11'28'38" EAST 7.80 FEET) THENCE ALONG THE ARC OF SAID CURVE 7.85 FEET TO A POINT OF TANGENCY, 3) SOUTH 00'13'38" EAST 44.50 FEET TO THE 4) BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90'00'00" RADIUS OF 20.00 FEET (CHORD BEARS SOUTH 44'46'22" WEST 28.28 FEET), THENCE ALONG THE ARC OF SAID CURVE 31.42 FEET TO A POINT OF TANGENCY, 5) SOUTH 89'46'22" WEST 103.63 FEET 6) SOUTH 00'13'38" EAST 117.00 FEET TO A POINT WHICH LIES ON THE NORTHERLY RIGHT-OF-WAY OF 1910 NORTH STREET OF THE AMENDED OVERLAKE ESTATES PHASE 1G PLAT; THENCE SOUTH 89'46'22" WEST 200.37 FEET; THENCE NORTH 75'35'21" WEST 31.01 FEET; THENCE SOUTH 89'42'22" WEST 125.00 FEET; THENCE NORTH 00'13'38" WEST 362.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF 2000 NORTH STREET; THENCE ALONG SAID RIGHT-OF-WAY NORTH 89'50'26" EAST 414.21 FEET TO THE WESTERLY BOUNDARY OF THE NEIGHBORHOOD COMMERCIAL SITE OF THE OVERLAKE DEVELOPMENT; THENCE ALONG SAID BOUNDARY THE FOLLOWING (2) TWO COURSES: 1) SOUTH 00'09'33" EAST 61.31 FEET, 2) SOUTH 45'31'38" EAST 152.47 FEET TO THE POINT OF BEGINNING.
SAID PARCEL OF LAND CONTAINS 3.596 ACRES MORE OR LESS.