

INDEXED: \_\_\_\_\_  
GRANTOR: X  
GRANTEE: \_\_\_\_\_  
RELEASED: \_\_\_\_\_  
ABSTRACTED: \_\_\_\_\_  
STAMPED: M117-11 M124-1 \$

WHEN RECORDED, RETURN TO:  
Harry E. McCoy II, Esq.  
FOX, EDWARDS & GARDINER  
2000 Beneficial Life Tower  
36 South State Street  
Salt Lake City, Utah 84111

Entry No. <u>155665</u>	Book <u>M 133</u>
RECORDED <u>5-10-79</u>	at <u>3:30 M</u> Page <u>8-10</u>
REQUEST of <u>K. &amp; M. Inc.</u>	
FEE	WANDA Y. SPRIGGS, SUMMIT CO. RECORDER
\$ <u>12.00</u>	<i>Wanda Y. Spriggs</i>
INDEXED _____	ABSTRACT _____

THIRD AMENDED DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
PROSPECTOR SQUARE CONDOMINIUMS

This Third Amended Declaration of Covenants, Conditions and Restrictions of Prospector Square Condominiums ("Third Amended Declaration") is executed pursuant to the Utah Condominium Ownership Act (the "Act") this 10 day of May, 1979, by K & M, Inc., a Utah corporation ("Declarant").

RECITALS

1. Declarant heretofore filed for record on August 2, 1978, a Declaration of Covenants, Conditions and Restrictions ("Declaration") for Prospector Square with the Summit County Recorder, Entry No. 148128, Book M117, Pages 249 to 283, together with a Record of Survey Map ("Map"), Entry No. 148127.
2. Declarant also filed for record on August 11, 1978, an Amendment to Declaration for Prospector Square Condominiums ("First Amended Declaration"), Entry No. 148407, Book M117, Pages 724 to 727, and on December 8, 1978, filed for record a Second Amended Declaration of Covenants, Conditions and Restrictions ("Second Amended Declaration"), which is recorded in Book M124, pages 403 to 417.
3. The Second Amended Declaration contains provisions for conversion of certain space located in Buildings of Prospector Square to Units.
4. Declarant desires by filing this Third Amended Declaration, together with a Second Supplemental Record of Survey Map ("Supplemental Map") to convert the Convertible Space of Prospector Square to Units as permitted by the Second Amended Declaration.

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DECLARATION

5. Declarant hereby converts the Convertible Space of Buildings 4, 5, 6, 7, 8 and 9 into Units with two Units per Building, having the approximate square footages and the percentages of undivided interest reflected in the Amended Appendix A to the Second Amended Declaration. This conversion is done in accordance with the Second Amended Declaration and the provisions of the Act. The estimated percentages of undivided interest reflected in Amended Appendix A to the Second Amended Declaration are hereby adopted as the final percentages of undivided interest of all Units in Prospector Square.

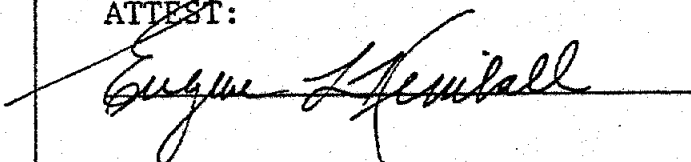
6. Both this Third Amended Declaration and the Second Supplemental Map shall be considered supplemental to the Declaration, the Amended Declaration and the Second Amended Declaration, and to the Map, the Supplemental Map, and except as expressly amended by this Third Amended Declaration and the Second Supplemental Map, the foregoing instruments shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Third Amended Declaration and the Second Supplemental Map.

Dated the year and day first above written.

K & M, INC.

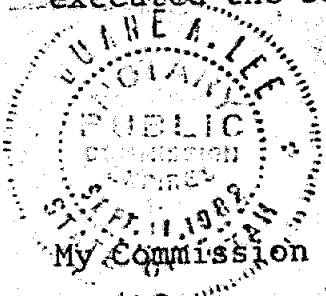
  
\_\_\_\_\_  
KEITH E. GARNER, President

ATTEST:

  
\_\_\_\_\_

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE        )

On the 10 day of May, 1979, personally appeared before me KEITH E. GARNER and EUGENE L. KIMBALL, who being by me duly sworn did say, each for himself, that he the said KEITH E. GARNER is the President, and he the said EUGENE L. KIMBALL is the Secretary of K & M, INC., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said KEITH E. GARNER and EUGENE L. KIMBALL each duly acknowledged to me that said corporation executed the same.



Duane A. Lee  
NOTARY PUBLIC

Residing at Salt Lake City, Ut.

My Commission Expires:  
9-11-82