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ENTRY NO. 162057 DATE 9-2-92 TIME 15:30 FEE 27.00
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RECORDER JOE DEAN HUBER BY: PEGGY SULSER

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**THIRD AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SCHNEITTER'S SWISS OAKS**

An Expandable Condominium Project

THIS THIRD AMENDMENT is made and entered into as of the _____ day of _____, 1992, by SCHNEITTER'S SWISS OAKS, LTD., a Utah limited partnership (hereinafter referred to as the "Declarant").

RECITALS:

A. The Declaration. The Declarant previously executed a Declaration of Covenants, Conditions, and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project, dated September 24, 1985 and recorded September 26, 1985, Entry No. 136583, Book 175, Pages 418-482, at the Wasatch County Recorder's Office, submitting the Land and Buildings as described and defined therein to the provisions of the Utah Condominium Ownership Act (Title 57, Chapter 8, Utah Code Annotated).

B. Amendment and Restatement. The Declaration was amended in part and restated in its entirety by an Amended and Restated Declaration of Covenants, Conditions and Restrictions for Schneitter's Swiss Oaks, an expandable condominium project (hereinafter referred to as the "Restated Declaration"), dated July 2, 1990, and recorded July 27, 1990, Entry No. 152843, Book 220, Page 316, at the Wasatch County Recorder's Office.

C. First Amendment. The Restated Declaration was amended by a First Amendment to Amended and Restated Declaration, dated October 2, 1990, and recorded October 2, 1990, Entry No. 153528, Book 222, Page 337, at the Wasatch County Recorder's Office.

D. Second Amendment. The Restated Declaration was further amended by a Second Amendment to Amended and Restated Declaration, dated August 9, 1991, and recorded August 9, 1991, Entry No. 156930, Book 232, Page 197, at the Wasatch County Recorder's Office.

E. Expansion. Declarant now desires to expand the project and to reallocate undivided interests in accordance with the provisions of Article IV of the Restated Declaration and Section 57-8-13.6 of the Condominium Act.

NOW, THEREFORE, the Restated Declaration is hereby amended and supplemented as follows:

1. Additional Land. The land described in Exhibit B attached hereto and incorporated herein by reference, constituting part of the Additional Land under the Restated Declaration, located in Wasatch County, State of Utah, is hereby added to the Project, as defined in the Restated Declaration. Buildings Q, R, S, T, U, and V have been or will be constructed on said property being added.

2. Reallocation of Undivided Interest. The undivided interests in Common Areas and votes appurtenant to the Units are hereby reallocated among all of the Units in the Project (96 Units), as follows:

- 1.04% per Unit undivided interest in Common Areas
- 1.04% votes per Unit.

Exhibit A to the Restated Declaration is hereby amended to reflect said reallocation of undivided interests in Common Areas and votes appurtenant to the Units, as set forth above. In addition, Exhibit A is supplemented by the Exhibit A - Annex 1 attached hereto and incorporated herein by reference, setting forth the undivided interests and votes for Buildings Q, R, S, T, U, and V.

3. Definitions and Confirmation. All terms used in this Third Amendment shall have the same meaning and import as given in the Restated Declaration. Except as expressly and specifically amended herein, the Restated Declaration is hereby confirmed as originally executed and recorded.

IN WITNESS WHEREOF, this Third Amendment was executed as of the day and year first above written.

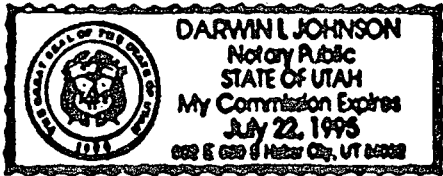
Attest:

SWISS OAKS DEVELOPMENT, INC., a
Utah corporation, General Partner,
for and in behalf of SCHNEITTER'S
SWISS OAKS, LTD., a Utah limited
partnership

By *Robert L. Fuller*
President

STATE OF UTAH)
) ss. '
COUNTY OF Wasatch)

On the 2nd day of September, 1992, the foregoing Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project, was acknowledged before me by Robert L. Fuller, as President of Swiss Oaks Development, Inc., as general partner for and in behalf of Schneitter's Swiss Oaks, Ltd., a Utah limited partnership.



[Signature]
NOTARY PUBLIC
Residing at: Heber

My Commission Expires:

7-22-95

EXHIBIT A - ANNEX 1

(Attached to and forming part of the Third Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Schmitter's Swiss Oaks, an Expandable Condominium Project.)

<u>Building</u>	<u>Unit Number</u>	<u>Undivided Interest in Common Areas</u>	<u>Number of Votes</u>	<u>Parking Stall or Garage</u>
Q	1	1.04%	1.04	Q-1
Q	2	1.04%	1.04	Q-2
Q	3	1.04%	1.04	Q-3
Q	4	1.04%	1.04	Q-4
Q	5	1.04%	1.04	Q-5
Q	6	1.04%	1.04	Q-6
Q	7	1.04%	1.04	Q-7
Q	8	1.04%	1.04	Q-8
R	1	1.04%	1.04	R-1
R	2	1.04%	1.04	R-2
R	3	1.04%	1.04	R-3
R	4	1.04%	1.04	R-4
R	5	1.04%	1.04	R-5
R	6	1.04%	1.04	R-6
R	7	1.04%	1.04	R-7
R	8	1.04%	1.04	R-8
S	1	1.04%	1.04	S-1
S	2	1.04%	1.04	S-2
S	3	1.04%	1.04	S-3
T	1	1.04%	1.04	T-1
T	2	1.04%	1.04	T-2
U	1	1.04%	1.04	U-1
U	2	1.04%	1.04	U-2
V	1	1.04%	1.04	V-1
V	2	1.04%	1.04	V-2
V	3	1.04%	1.04	V-3

EXHIBIT B

(Attached to and forming part of the Third Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project.)

Building Q, Plat N

BEGINNING at a point located 645.71 feet West and 1148.56 feet South from the West Quarter Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence along the arc of a 62.00 foot radius curve to the left, 28.82 feet; thence South $04^{\circ}15'00''$ West 173.43 feet; thence North $89^{\circ}59'18''$ West 151.50 feet; thence North $00^{\circ}00'42''$ East 54.50 feet; thence North $15^{\circ}15'00''$ East 80.49 feet; thence North $63^{\circ}20'50''$ East 139.66 feet to the point of beginning.

Building R, Plat O

COMMENCING at a point West 840.59 feet and South 860.63 feet from the West 1/4 Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base & Meridian thence as follows: South $26^{\circ}39'10''$ East 76.00 feet; thence South $63^{\circ}20'50''$ West 24.00 feet; thence South $26^{\circ}39'10''$ East 39.00 feet; thence South $63^{\circ}20'50''$ West 130.99 feet; thence North $26^{\circ}39'10''$ West 115.00 feet; thence North $63^{\circ}20'50''$ East 154.99 feet to the point of beginning.

Building S, Plat L

COMMENCING at a point West 790.27 feet and South 1014.39 feet from the West Quarter Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence as follows:

South $26^{\circ}39'10''$ East 19.00 feet; thence along an 87 foot Radius Curve 11.19 feet to the left; thence along a 10 foot Radius Curve 12.78 feet to the right; thence South $63^{\circ}20'50''$ West 200.00 feet; thence North $26^{\circ}39'10''$ West 111.87 feet; thence North $63^{\circ}20'50''$ East 130.99 feet to the point of beginning.

Building T, Plat M

BEGINNING at a point located 810.45 feet West and 974.17 feet South from the West Quarter Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South $26^{\circ}39'10''$ East 45.00 feet; thence South $63^{\circ}20'50''$ West 130.99 feet; thence North $26^{\circ}39'10''$ West 45.00 feet; thence North $63^{\circ}20'50''$ East 130.99 to the point of beginning.

Buildings U and V, Flat P

COMMENCING at a point West 907.34 feet and South 1073.15 feet from the West 1/4 Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base & Meridian thence as follows: South $26^{\circ}39'10''$ East 111.87 feet; thence North $63^{\circ}20'50''$ East 200.00 feet; thence South $26^{\circ}39'10''$ East 72.89 feet; thence South $63^{\circ}20'50''$ West 139.66 feet; thence South $15^{\circ}15'00''$ West 80.49 feet; thence South $00^{\circ}00'42''$ West 54.50 feet; thence North $89^{\circ}59'18''$ West 115.62 feet; thence North 270.20 feet to the point of beginning.