

3/5
RETURNED

OCT 26 2001

WHEN RECORDED, PLEASE RETURN TO:

David J. Crapo
WOOD CRAPO LLC
500 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

E 1698588 B 2913 P 196
SHERYL L. WHITE, DAVIS CNTY RECORDER
2001 OCT 26 11:39 AM FEE 31.00 DEP DJW
REC'D FOR NORTH POINTE LC

FIFTH AMENDMENT TO THE CONDOMINIUM DECLARATION
FOR
NORTH POINTE CONDOMINIUMS

On March 4, 1999, the Condominium Declaration for North Pointe Condominiums (the "Declaration") was recorded with the Davis County Recorder as Entry No. 1492690 in Book No. 2458 at Pages 469 through 498. On March 27, 2001, a Certificate of First Amendment to the Condominium Declaration for North Pointe Condominiums ("First Amendment") was recorded with the Davis County Recorder as Entry No. 1648947 in Book 2774 at Pages 106 through 135. On July 26, 2001, a Second Amendment to the Condominium Declaration for North Pointe Condominiums ("Second Amendment") was recorded with the Davis County Recorder as Entry No. 1677320 in Book 2854 at Pages 175 through 176. On October 26, 2001, a Third Amendment to the Condominium Declaration for North Pointe Condominiums ("Third Amendment") was recorded with the Davis County Recorder as Entry No. 1698584 in Book 2913 at Pages 186 through 188. On October 26, 2001, a Fourth Amendment to the Condominium Declaration for North Pointe Condominiums ("Fourth Amendment") was recorded with the Davis County Recorder as Entry No. 1698586 in Book 2913 at Pages 190 through 194.

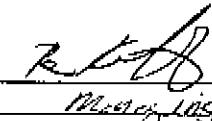
Pursuant to Section 16.03 of the Declaration and in accordance with Section 57-8-13.2 of the Utah Code Annotated, Declarant (North Pointe L.C.) hereby exercises its right to further amend the Declaration by creating additional Units within a portion of the Convertible Land identified in the Declaration. The legal description of the Convertible Land which is hereby converted is identified in Exhibit A attached hereto, and shall hereinafter be referred to as Phase 3 of the North Pointe Condominiums. Within the land comprising Phase 3, twelve (12) additional Units shall be added ~~as well as additional Common Area and Limited Common Areas~~ as identified in the record survey map for Phase 3 which is simultaneously recorded herewith. The twelve (12) additional Units shall be designated as Units 101, 102, 103, 104, 201, 202, 203, 204, 205, 301, 302, 303, and 304 at the 380 North ~~500~~ West, Bountiful, Utah address.

Pursuant to the Declaration, the additional twelve (12) Units associated with Phase 3 shall be subject to all the provisions of the Declaration as if they were part of the original Property and Project. The new allocation of shared Common Expenses among the total forty-eight (48) Units within the total Project are set forth in Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Declarant has hereunto caused its name to be signed by the signature of its duly authorized agent this 22 day of October, 2001.

North Pointe L.C., a Utah limited liability company

By:
Its:


Robert L. Crapo
Managing Member

STATE OF UTAH)
COUNTY OF Davis) ss.

E 1698588 B 2913 P 197

The foregoing instrument was acknowledged before me this 22 day of Oct., 2001,
by Business Proectors, Member of North Pointe L.C., a Utah limited liability company.

Edith R. Garrett
Notary Public

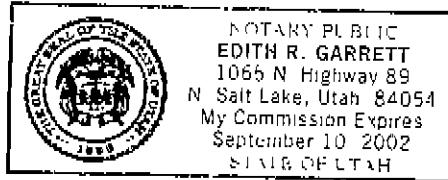


EXHIBIT A
TO
FIFTH AMENDMENT TO CONDOMINIUM DECLARATION

**LEGAL DESCRIPTION OF CONVERTIBLE LAND CONVERTED HEREBY
INTO PHASE 3 OF THE NORTH POINTE CONDOMINIUMS**

BEGINNING AT A POINT ON THE SOUTH EAST CORNER OF THE PROPOSED NORTH POINT CONDOMINIUMS PHASE 3 BUILDING, WHICH IS N 89°54'00" W 27.00 FEET AND N 00°07'00" W 242.18 FEET AND N 00°07'00" W 200.41 FEET AND N 89°54'00" W 66.00 FEET AND N 63°35'13" W 22.56 FEET, FROM THE SOUTHWEST CORNER OF BOUNTIFUL GARDENS APARTMENT HOMES PLAT, ACCORDING TO THE OFFICIAL SURVEY MAP THEREOF, SAID POINT MORE PARTICULARLY DESCRIBED AS BEING N 47°13'41" E 240.34 FEET FROM THE WEST 1/4 CORNER OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING:

THENCE, N 89°54'00" W A DISTANCE OF 100.00 FEET;
THENCE, N 00°06'00" E A DISTANCE OF 45.00 FEET;
THENCE, S 89°54'00" E A DISTANCE OF 100.00 FEET;
THENCE, S 00°06'00" W A DISTANCE OF 45.00 FEET;
TO THE POINT OF BEGINNING.

CONTAINS AN AREA OF 4,500 SQ. FT. 0.10 ACRES, MORE OR LESS.

EXHIBIT B
TO
FIFTH AMENDMENT TO CONDOMINIUM DECLARATION

SHARES OF COMMON EXPENSES

<u>Address & Unit Number</u>	<u>Share of Common Expenses</u>
320 North 500 West #101	2.08333%
320 North 500 West #102	2.08333%
320 North 500 West #103	2.08333%
320 North 500 West #104	2.08333%
320 North 500 West #201	2.08333%
320 North 500 West #202	2.08333%
320 North 500 West #203	2.08333%
320 North 500 West #204	2.08333%
320 North 500 West #301	2.08333%
320 North 500 West #302	2.08333%
320 North 500 West #303	2.08333%
320 North 500 West #304	2.08333%
360 North 500 West #101	2.08333%
360 North 500 West #102	2.08333%
360 North 500 West #103	2.08333%
360 North 500 West #104	2.08333%
360 North 500 West #201	2.08333%
360 North 500 West #202	2.08333%
360 North 500 West #203	2.08333%
360 North 500 West #204	2.08333%
360 North 500 West #301	2.08333%
360 North 500 West #302	2.08333%
360 North 500 West #303	2.08333%
360 North 500 West #304	2.08333%
340 North 500 West #101	2.08333%
340 North 500 West #102	2.08333%
340 North 500 West #103	2.08333%
340 North 500 West #104	2.08333%
340 North 500 West #201	2.08333%
340 North 500 West #202	2.08333%
340 North 500 West #203	2.08333%
340 North 500 West #204	2.08333%
340 North 500 West #301	2.08333%
340 North 500 West #302	2.08333%
340 North 500 West #303	2.08333%
340 North 500 West #304	2.08333%

<u>Address & Unit Number</u>	<u>Share of Common Expenses</u>
380 North 500 West #101	2.08333%
380 North 500 West #102	2.08333%
380 North 500 West #103	2.08333%
380 North 500 West #104	2.08333%
380 North 500 West #201	2.08333%
380 North 500 West #202	2.08333%
380 North 500 West #203	2.08333%
380 North 500 West #204	2.08333%
380 North 500 West #301	2.08333%
380 North 500 West #302	2.08333%
380 North 500 West #303	2.08333%
380 North 500 West #304	2.08333%