

WHEN RECORDED, PLEASE RETURN TO:

E 1708131 B 2935 P 290
SHERYL L. WHITE, DAVIS CNTY RECORDER
2001 NOV 30 10:46 AM FEE 41.00 DEP MT
REC'D FOR WOOD CRAPO LLC

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

all, North Point Condo 2
all, North Point Condo 3

03-204-0001 thru 0012

03-205-0001 thru 0012

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 16.02 of the Declaration and in accordance with Section 57-8-13.2 of the Utah Code Annotated, Declarant (North Pointe L.C.) exercised its right to amend the Declaration to create additional Units by recording the Fourth Amendment. This Amendment is hereby recorded to identify the legal description to be placed on the amended plat map that establishes the Phase 2 units. See Exhibit A.


Pursuant to the Declaration, the additional twelve (12) Units, Common Areas, and Limited Common Areas associated with Phase 2 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 thirty-six (36) Units within the total Project are set forth in Exhibit C attached hereto and made a part hereof.

The legal description of the Convertible Land that has not yet been converted by the Fourth or Fifth Amendments and that remains as Convertible Land is identified in Exhibit B attached hereto.

IN WITNESS WHEREOF, the Declarant has hereunto caused its name to be signed by the signature of its duly authorized agent this 30 day of November, 2001.

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

By:
Its:



STATE OF UTAH)
) ss.
COUNTY OF Davis)

The foregoing instrument was acknowledged before me this 30 day of November, 2001,
by Brian E Knowlton of North Pointe L.C., a Utah limited liability company.

Rebecca Mann
Notary Public

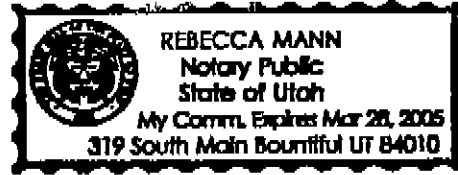


EXHIBIT A
TO
FIFTH AMENDMENT TO CONDOMINIUM DECLARATION

LEGAL DESCRIPTION FOR AMENDED PLAT MAP THAT ESTABLISHES PHASE 2

BEGINNING AT A POINT N 89°54'00" W 27.00 FEET AND N 00°07'00" W 242.18 FROM THE SOUTHWEST CORNER OF BOUNTIFUL GARDENS APARTMENT HOMES PLAT, ACCORDING TO THE OFFICIAL SURVEY MAP THEREOF, SAID POINT MORE PARTICULARLY DESCRIBED AS BEING S 79°47'41" E 267.26 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 00°07'00" W 200.41 FEET;
THENCE N 89°54'00" W 66.00 FEET;
THENCE N 00°07'00" W 63.00 FEET;
THENCE N 89°54'00" W 143.22 FEET;
THENCE S 00°21'30" E 53.50 FEET;
THENCE N 89°54'00" W 149.06 FEET, TO THE EAST RIGHT OF WAY LINE OF 500 WEST STREET;
THENCE ALONG SAID RIGHT OF WAY LINE S 00°11'26" E 208.87 FEET, TO THE NORTH LINE OF THE BOUNTIFUL MANOR CONDOMINIUMS PLAT, AS RECORDED IN THE COUNTY RECORDERS OFFICE BOOK 1847 PAGE 498;
THENCE ALONG SAID NORTH LINE OF SAID BOUNTIFUL MANOR CONDOMINIUMS PLAT, S 89°43'56" E 357.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.88 ACRES

LESS AND EXCEPTING

BUILDING 320:

UNITS 101 THRU 104
UNITS 201 THRU 204
UNITS 301 THRU 304

BUILDING 360:

UNITS 101 THRU 104
UNITS 201 THRU 204
UNITS 301 THRU 304

COMMON AREA AND CONVERTIBLE LAND IN NORTH POINTE CONDOMINIUMS
AMENDMENT PH. 1

**EXHIBIT B
TO
FIFTH AMENDMENT TO CONDOMINIUM DECLARATION**

LEGAL DESCRIPTION OF REMAINING CONVERTIBLE LAND

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 C
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	2.77777%
320 North 500 West #102	2.77777%
320 North 500 West #103	2.77777%
320 North 500 West #104	2.77777%
320 North 500 West #201	2.77777%
320 North 500 West #202	2.77777%
320 North 500 West #203	2.77777%
320 North 500 West #204	2.77777%
320 North 500 West #301	2.77777%
320 North 500 West #302	2.77777%
320 North 500 West #303	2.77777%
320 North 500 West #304	2.77777%
360 North 500 West #101	2.77777%
360 North 500 West #102	2.77777%
360 North 500 West #103	2.77777%
360 North 500 West #104	2.77777%
360 North 500 West #201	2.77777%
360 North 500 West #202	2.77777%
360 North 500 West #203	2.77777%
360 North 500 West #204	2.77777%
360 North 500 West #301	2.77777%
360 North 500 West #302	2.77777%
360 North 500 West #303	2.77777%
360 North 500 West #304	2.77777%
340 North 500 West #101	2.77777%
340 North 500 West #102	2.77777%
340 North 500 West #103	2.77777%
340 North 500 West #104	2.77777%
340 North 500 West #201	2.77777%
340 North 500 West #202	2.77777%
340 North 500 West #203	2.77777%
340 North 500 West #204	2.77777%
340 North 500 West #301	2.77777%
340 North 500 West #302	2.77777%
340 North 500 West #303	2.77777%
340 North 500 West #304	2.77777%