

Amendment to the
AMENDED DECLARATION OF CONDOMINIUM
OF
GRANDVIEW FARM CONDOMINIUM
PHASE 1

This Amendment to the Declaration of Condominium of Grandview Farm Condominium (hereinafter Amended Declaration) is made and executed by GRANDVIEW FARM CONDOMINIUM, INCORPORATED, a non-profit Utah corporation of Unit Owners upon assignment from the original Declarant, Lifestyle Developers.

RECITALS

The Grandview Farm Condominium (Provo, Utah) Declaration referred to in the title above was filed with the Utah County Recorder on September 25, 1981, and is found in Book 2000, Page 278 to Page 290, as Entry 22119. The project was expanded through Phases 2, 3, and 4. The final legal description is found in the Amended Declaration Phase 4, which incorporates the amended Paragraph 11 below. Phase 4 was filed on January 27, 1993, and is found in Book 3077, Page 628 to Page 636, as Entry 3077.

The amendment of Paragraph 11 which follows was adopted at the annual business meeting of the Grandview Farm Unit Owners held on February 7, 1996, under the direction of the elected Management Committee. Unit Owners representing 87.091 percent of the ownership of the undivided interest in the common areas and facilities were present in person or by proxy at that meeting. Voting was unanimous to adopt the following amendment presented by the Management Committee. The Declaration requires (Paragraph 25) that two-thirds of the Unit Owners must agree in order to amend the Declaration.

This amendment was adopted in order to bring the Declaration into conformity with the Utah Condominium Act which requires that voting rights be based on how the ownership of the common areas has been divided among the unit owners. Since the undivided interest in the common areas and facilities was established in the Declaration on the basis of unit size, voting rights should be based on a similar percentage. That is the purpose and intent of this amendment to the Declaration.

Material to be deleted has been lined out. Material which takes the place of deleted material appears in shaded areas.

Legal Description of the Project Known as Grandview Farm Condominium

Phase 1:

Commencing at a point located W 922.34 ft. & 1488.71 ft. from the E Quarter Corner of Sec. 35, T6S, R2E, SLB&M, thence S 27°59'56" W 114.47 ft., thence S 14°57'36" W 134.92 ft.; thence S 43°03'54" W 130.00 ft., thence S 88°21'24" W 496.86 ft. to a point on a fence line; thence N 0°57'52" W 81.73 ft. along said fence line; thence N 3°03'13" E 96.12 ft. along said fence line; thence N 79°41'43" E, 149.15 ft.; thence N 21°32'47" E 80.11 ft.; thence N 86°15'43" E 40.00 ft.; thence S 83°06'19" E 175.93 ft.; thence N 68°11'55" E 215.41 ft.; thence N 89°48'49" E 79.50 ft., to the point of beginning.

Phase 2:

Beginning at a point which is North 1523.15 feet and West 904.03 feet from the East Quarter Corner of Section 35, Township 6 South, Range 2 East, SLB&M; thence North 33°09'22" East 65.48 feet; thence North 45°04'21" west 183.66 feet; thence North

49°28'10" West 40.00 feet; thence Southwesterly 253.33 feet along the arc of a non-tangent curve to the right having a radius of 280.00 feet, through an angle of 51°50'19", whose chord bears South 66°27'00" West 244.78 feet; thence North 87°37'51" West 145.45 feet; thence Southwesterly 134.19 feet along the arc of a tangent curve to the left having a radius of 80.00 feet, through an angle of 96°06'26", whose chord bears South 44°18'56" West 119.00 feet; thence South 88°00'00" West 168.96 feet; thence South 0°25'36" East 59.00 feet; thence South 84°04'42" West 2.83 feet; thence South 1°06'48" East 71.66 feet; thence South 5°25'24" East 75.77 feet; thence South 3°03'13" West 52.53 feet; thence North 79°41'43" East 149.15 feet; thence North 21°32'47" East 80.11 feet; thence North 86°15'43" East 40.00 feet; thence South 83°06'19" East 175.93 feet; thence North 68°11'55" East 135.61 feet; thence South 62°00'04" East 121.58 feet; thence North 27°59'56" East 137.51 feet to the point of the beginning.

Phase 3:

Beginning at a point North 1813.350 feet and West 858.507 feet from the East quarter corner of Section 35, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 18°27'22" West 15.47 feet; thence Southwesterly 108.32 feet along the arc of a non-tangent curve to the left having a radius of 365.00 feet and an angle of 17°00'14", whose chord bears South 49°01'57" West 107.93 feet; thence North 49°28'10" West 40.00 feet; thence Southwesterly 253.33 feet along the arc of a non-tangent curve to the right having a radius of 280.00 feet and an angle of 51°50'19", whose chord bears South 66°27'00" West 244.78 feet; thence North 87°37'51" West 145.45 feet; thence Southwesterly 134.19 feet along the arc of a tangent curve to the left having a radius of 80.00 feet and an angle of 96°06'26" whose chord bears South 44°18'56" West 119.00 feet; thence South 3°44'17" East 15.87 feet; thence South 88°00'00" West 168.96 feet; thence North 0°25'36" West 82.20 feet; thence North 0°52'34" West 167.72 feet; thence North 79°07'24" East 66.59 feet; thence North 89°21.45" East 433.49 feet; thence South 42°56'06" East 8.20 feet; thence North 58°21'51" East 46.79 feet; thence South 49°02'30" East 98.24 feet; thence North 58°12'54" East 117.15 feet; thence North 57°32'04" East 170.35 feet; thence North 44°45'23" East 2.29 feet; thence North 44°45'23" East 13.71 feet; thence South 48°30'25" East 63.48 feet; thence South 56°02'04" West 20.00 feet; thence south 57°32'04" West 193.64 feet to the point of beginning.

Phase 4:

Beginning at a point NORTH 1755.40 feet and WEST 531.89 feet from the east quarter corner of Section 35, Township 6 South, Range 2 East, Salt Lake Base Meridian; thence South 74°43'28" West 111.76 feet; thence South 60°44'10" West 177.81 feet; thence South 50°13'51" West 95.50 feet; thence North 45°04'12" West 183.66 feet; thence from a tangent that bears North 53°37'12" East, northeasterly 73.00 feet along the arc of a non-tangent curve concave to the northwest, having a radius of 320.15 feet, through an angle of 13°03'52", and whose chord bears North 47°05'16" East 72.84 feet, to a point of reverse curvature; thence northeasterly 108.32 feet along the arc of a tangent curve concave to the southeast, having a radius of 365.00 feet, through an angle of 17°00'14", and whose chord bears North 49°01'57" East 107.92 feet, thence South 18°27'22" East 15.47 feet; thence North 57°32'04" East 193.64 feet; thence South 45°14'37" East 229.90 feet to the point of beginning. Containing 1.648 acres.

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11. Assessments. . . .

In assessing Unit Owners or requiring them to pay for the building improvements following the execution of the Declaration, it is agreed that no assessment for a single improvement in the nature of a capital expenditure exceeding the sum of \$5,000.00 in cost shall be made without the same having been first approved by vote of Owners of 75 percent, or more, of the undivided interest, one vote per unit, in the Common Areas and Facilities. . . . of the undivided interest in the Common Areas and Facilities. . . .

In Witness whereof, the undersigned, being the duly elected Management Committee of Grandview Farm Condominium, a non-profit corporation of the State of Utah, and therefore the representatives of the Unit Owners, affix their signatures to this document on the ___ day of _____, 1996, and affirm that this amendment was ratified by the legally required percentage of Unit Owners in Grandview Farm Condominium.

GRANDVIEW FARM CONDOMINIUM, a Utah corporation

Barbara Sandstrom
Barbara Sandstrom

Garry McRae
Garry McRae

Joseph Wright
Joseph Wright

Dallas Burnett
Dallas Burnett

Ronald Terry

State of Utah }
 : ss
County of Utah }

On the 8 day of April, 1996, personally appeared before me, Barbara Sandstrom, Garry McRae, Joseph Wright, Dallas Burnett, and Ronald Terry, the signers of the foregoing instrument, who acknowledged to me that they executed the same as the duly elected representatives of the Grandview Farm Condominium Unit Owners of Provo, Utah.

Patricia C. Gourdin-Hall
Notary Public

Residing at:
Provo Utah
Commission expires:
Sept 10 1998

