

Presented to the Board of Commissioners
AND APPROVED

SEP 12 1979

Approved to Form
BY J. [Signature]
DATE 9/12/79

Mildred W. Higham
CITY RECORDER

AMENDMENT OF DECLARATION AND
ANNEXATION OF CONTIGUOUS LAND

3336681

FOREST GLEN - PHASE II

A CONDOMINIUM

This amendment to Declaration made on the date hereinafter set forth by Nagle Construction Company, Inc., hereinafter referred to as "Declarant",

WITNESSETH:

WHEREAS, Declarant executed a certain Declaration entitled "Declaration of Covenants, Conditions and Restrictions of Forest Glen Phase I, a Condominium, which Declaration was on the 9th day of October, 1978 filed for record in the office of the Salt Lake County Recorder as Entry No. 3184704, Book 4757, Page 1064; and

WHEREAS, Declarant is the owner of other lands adjoining and contiguous to the lands and premises comprising Forest Glen - Phase I, and will cause a plat thereof to be prepared and filed for record entitled "Forest Glen - Phase II" providing for the development of additional lots and common areas as a condominium being part of a contiguous and unified planned unit development with Forest Glen - Phase I.

NOW THEREFORE:

Section 1. Annexation. The real property hereinafter described is by this Declaration annexed to the lands contiguous thereto comprising the real property of Forest Glen - Phase I, and shall hereafter be known and described as Forest Glen - Phase II.

Section 2. Declaration. The real property hereinafter described shall be held, sold and conveyed subject to the easements, restrictions, covenants, and conditions set forth in the Declaration of Covenants, Conditions, and Restrictions of Forest Glen - Phase I, which Declaration is incorporated herein by reference and made a part hereof as though fully set forth.

Section 3. Binding Effect. The terms and conditions of this Amended Declaration shall run with the land and inure to the benefit of and bind all parties having any right, title or interest to the described real property or any part thereof, their heirs, successors or assigns.

Section 4. Property Description. See Exhibit "A" hereto attached.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein has hereunto set its hand and seal this ____ day of September, 1979.

NAGLE CONSTRUCTION COMPANY, INC.,
Declarant

by [Signature]
President

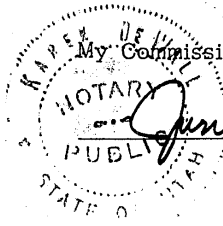
STATE OF UTAH)
:ss
County of Salt Lake)

On the 11th day of September, 1979, personally appeared before me Gary M. Nagle, who being by me duly sworn did say that he is the

President of Nagle Construction Company, Inc., and that said instrument was signed in behalf of said corporation by authority of its bylaws and said Gary M. Nagle acknowledges to me that said corporation executed the same.

Karen DeWitt

Notary Public for Utah
Residing at Salt Lake City, Utah



My Commission Expires:

June 12, 1983

Exhibit "A"

Beginning at a point that is North $0^{\circ}14'48''$ East along the block line 550. feet from the Southeast corner of Block 45, Ten Acre Plat "A", B.F.S. (The basis of bearing being South $12^{\circ}38'$ East along the Highland Drive Monument Line); thence North $0^{\circ}14'48''$ East along said block line 291.365 feet to the Southwest corner of Forest Glen Condominium Project; thence along the South line of said Condominium Project South $89^{\circ}45'12''$ East 170.00 feet, South $0^{\circ}14'48''$ West 21.974 feet, South $83^{\circ}57'45''$ East 175.879 feet and North $71^{\circ}15'$ East 92.516 feet to the Westerly line of Elizabeth Street at a point on the arc of a 420.334' radius curve, the center of which bears North $71^{\circ}15'$ East; thence Southeasterly along said Westerly line and the arc of said curve to the left through a central angle of $14^{\circ}23'$ a distance of 105.52 feet; thence South $33^{\circ}08'$ East 59.441 feet to a point of tangency with a 113.389' radius curve, the center of which bears South $56^{\circ}52'$ West; thence Southerly along the arc of said curve to the right through a central angle of $59^{\circ}08'$, a distance of 117.026 feet to a point of reverse curve, the bearing between the curve centers being South 64° East; thence Southwesterly along the arc of a 133.938 foot radius curve to the left through a central angle of $25^{\circ}44'41''$, a distance of 60.182 feet; thence South $0^{\circ}15'19''$ West 19.376 feet to the Northeast corner of Lot 2, of Block 2, Rockwood Subdivision; thence along the Northerly lines of Rockwood Subdivision and Rockwood Park Subdivision South $89^{\circ}52'$ West 178.175 feet, North $6^{\circ}02'15''$ East 4.977 feet, South $89^{\circ}51'08''$ West 33.194 feet; thence North $6^{\circ}02'15''$ East 3.00 feet thence South $89^{\circ}51'08''$ West 118.505 feet; thence North $51^{\circ}48'46''$ West 75.802 feet; thence South $89^{\circ}51'08''$ West 116.905 feet to the point of beginning. Containing 3.525 acres.

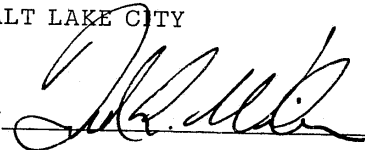
APPROVAL BY CITY

SALT LAKE CITY, a body corporate and politic, and the City in which FOREST GLEN - PHASE II, a Utah Condominium Project, is located, by and through its duly elected Mayor, does hereby give final approval to the said Project, to the foregoing Declaration, to the Record of Survey Map recorded concurrently herewith, and to the attributes of the said Project which are mentioned in Section 57-8-35(3) of the Utah Condominium Ownership Act, as amended and expanded by the laws of the State of Utah, 1975, Chapter 173, Section 18.

DATED this 12th day of September, 1979.

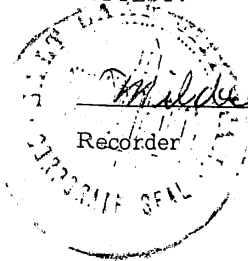
SALT LAKE CITY

By



MAYOR

ATTEST:



Recorder

Mildred V. Higham

30⁵⁰

SUBDIVISION TITLE OR REF. DEP. Open Subdivision

SEP 14 0 43 AM '79

KATIE L. NIXON
RECORDER
SALT LAKE COUNTY,
UTAH

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