

3525526

AMENDMENT OF DESCRIPTION  
OF  
PHASE I  
EDGEMOUNT ESTATES

This Amendment of Description of Phase I, Edgemount Estates, is made as of the date hereinafter set forth by Z.T.S. INVESTMENTS, a Utah partnership (hereinafter the "Declarant") and Individual Unit Owners of units within Phase I of Edgemount Estates, pursuant to provisions of the Utah Condominium Ownership Act.

R E C I T A L S:

Declarant has previously submitted Phase I and Phase I of Edgemount Estates to the provisions of the Utah Condominium Ownership Act. Phase I was submitted by a document entitled "Declaration, Edgemount Estates Phase I" recorded March 26, 1979, as Entry #3255214, in Book 4834, at page 212 of the records of the Salt Lake County Recorder. An Amendment thereto was recorded August 17, 1979 in Book 4925 at page 749, and the related Record of Survey Map of Phase I was recorded on August 17, 1979 in Book 79-8 of Plats at page 283.

The boundary description of Phase I as described in the Amendment and as described in the Phase I Map has been altered by conveyance of a small portion of the common area to the owner of what will become Phase 2B of the condominium project. This document sets forth the correct boundary description of Phase I and recorded concurrently herewith is an amended sheet 1 of the Record of Survey Map of Phase I, Edgemount Estates, also setting forth said corrected boundary description.

Now, therefore, Declarant hereby amends the Declaration by setting forth the corrected boundary description of the Phase I property as follows:

Beginning at a point on the West line of Conner Street, said point being S 0°05'33" E 308.0 feet and S 89°58'30" W 24.75 feet from a monument in the intersection of Conner Street and Fisher Lane, said monument being due North 1211.85 feet and due West 1384.06 feet from the Center of Section 27, Township 1 South Range 1 East, Salt Lake Base and Meridian, and running thence S 89°58'30" W 36.33 feet; thence N 0°01'30" W 4.0 feet; thence S 89°58'30" W 87.87 feet; thence N 0°01'30" W 4.0 feet; thence S 89°58'30" W 28.00 feet; thence S 0°01'30" E 3.0 feet; thence S 89°58'30" W 104.00 feet; thence S 0°01'30" E 3.0 feet; thence S 89°58'30" W 44.04 feet; thence S 0°01'30" E 4.5 feet; thence S 89°58'30" W 51.50 feet; thence S 0°01'30" E 1.5 feet; thence S 89°58'30" W 18.00 feet; thence N 0°01'30" W 44.40 feet; thence S 61°00' W 68.44 feet to a point of a 152.50 foot radius curve to the right; thence Southwesterly along the arc of said curve 26.72 feet; thence N 0°05'33" W 312.06 feet to the South line of

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the Robert R. and Frances E. Makay property; thence S 89°15'00" E along said South line 454.05 feet to the West line of said Conner Street; thence S 0°05'33" E along said West line 302.33 feet to the point of beginning. Contains 3.168 acres.

SUBJECT TO all easements and rights of way of record, including but not limited to all presently existing or to be constructed or installed gas lines, electrical conduits, telephone lines, and related facilities which are located within the above described Parcel.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through, and under the above described Parcel and any improvements now or hereafter constructed thereon as may be reasonably necessary for Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration or of any Map: (a) To improve portions of the Common Areas within the Project with such structures and facilities designed for the use and enjoyment of Owners of Units within such Project as Declarant may reasonably determine to be appropriate; (b) To improve the Common Areas of the above-described Parcel with such structures and facilities (including, but not limited to, arterial roads) as Declarant may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, the above-described Parcel or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the foregoing reservations shall, unless sooner terminated in accordance with their terms expire 7 years after this Declaration is filed for record in the office of the County Recorder of Salt Lake County, Utah.

ALSO RESERVING such rights of ingress and egress over any roads comprising a part of the above-described Parcel as may be necessary to enable access to adjoining properties owned by Declarant or any successor Declarant as to one or more phases of this condominium project. An amended sheet 1 of the Record of Survey Map of Phase I prepared by Bush & Gudgell, Inc. containing the correct boundary description of the Phase I proeprty is being filed with the Salt Lake County Recorder concurrently with the recording of this document.

IN WITNESS WHEREOF, the undersigned being the Declarant has caused this instrument to be executed on the 5th day of January, 1981.

"Individual Unit Owners"

(Unit 1)

Edwin R. Markson  
Edwin R. Markson

Shirley M. Markson  
Shirley M. Markson

and by

(Unit 2)

Geraldine Dupler  
Geraldine Dupler

(Unit 3)

Verner H. Zinik att. in fact for Saul Stark  
Verner H. Zinik, attorney in fact for Saul Stark, pursuant to a written power of attorney to be recorded concurrently

(Unit 4)

Ralph M. Tannenbaum  
Ralph M. Tannenbaum

Shirley B. Tannenbaum  
Shirley B. Tannenbaum

"Declarant"

Z.T.S. INVESTMENTS  
a Utah partnership

By Ralph M. Tannenbaum  
Ralph M. Tannenbaum, Partner

By Verner H. Zinik  
Verner H. Zinik, Partner

FIBRO COMPANY  
a Utah limited partnership

By William A. Souvall  
William A. Souvall, General Partner of Fibro Company

(Unit 7)

George W. Souvall by Sam W. Souvall  
Sam W. Souvall, attorney in fact  
for George W. Souvall, pursuant  
to a written power of attorney  
to be recorded concurrently

Lois M. Souvall by Sam W. Souvall  
Sam W. Souvall, attorney in fact  
for Lois M. Souvall, pursuant to  
a written power of attorney to be  
recorded concurrently

(Unit 8)

Peter J. Souvall  
Peter W. Souvall

Mary G. Souvall  
Mary <sup>my</sup> G. Souvall

(Unit 9)

Andrew W. Souvall  
Andrew W. Souvall

Toula Souvall  
Toula Souvall

(Unit 10)

William C. Crockatt  
William C. Crockatt

Ruth Draper  
Ruth Draper

(Unit 11)

Terry S. Pantelakis  
Terry S. Pantelakis

Marielos Panteiakis  
Marielos Panteiakis

STATE OF UTAH )  
                  : ss.  
COUNTY OF SALT LAKE)

On this 5th day of January, 1981, personally appeared before me Ralph M. Tannenbaum, who being by me duly sworn, did say that he executed the foregoing instrument as a partner of Z.T.S. Investments.

R. C. Mendenhall  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

June 8, 1983

On this 30th day of December, 1980 personally appeared before me Verner H. Zinik, who being by me duly sworn, did say that he executed the foregoing instrument as a partner of Z.T.S. Investments.

Anthony E. Merrill  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

Sept 23, 1984

On this 5th day of January, 1981, personally appeared before me William A. Souvall, a general partner of Fibro Company who being by me duly sworn, did say that he executed the foregoing instrument on behalf of Fibro Company as a partner of Z.T.S. Investments.

R. C. Mendenhall  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

June 8, 1983

On this 5th day of January, 1981, personally appeared before me Edwin R. and Shirley M. Markson, who being by me first duly sworn did say that they executed the foregoing instrument.

Edwin R. Markson  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:  
June 8, 1983

On this 5th day of January 1981, personally appeared before me Geraldine Dupler, who being by me first duly sworn did say that she executed the foregoing instrument.

Geraldine Dupler  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:  
June 8, 1983

On this 30th day of December, 1980, personally appeared before me Verner H. Zinik, attorney in fact for Saul Stark, who being by me first duly sworn did say that he executed the foregoing instrument in behalf of said person by authority of a power of attorney.

Verner H. Zinik  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:  
Sept 23, 1984

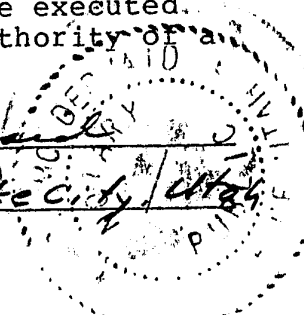
On this 5th day of January, 1981, personally appeared before me Ralph M. and Shirley B. Tannenbaum, who being by me first duly sworn did say that they executed the foregoing instrument.

Ralph M. and Shirley B. Tannenbaum  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:  
June 8, 1983

1700  
KATHIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH  
JAN 20 11-25 AM '81  
MACHINE LAND TITLE CO.  
REF \_\_\_\_\_  
D.E.P. \_\_\_\_\_  
Kathie L. Dixon  
Kathie L. Dixon  
Kathie L. Dixon

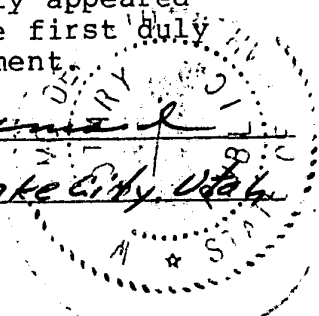
On this 5th day of January, 1981, personally appeared before me Sam W. Souvall, attorney in fact for George W. and Lois M. Souvall, who being by me first duly sworn did say that he executed the foregoing instrument in behalf of said persons by authority of a power of attorney.

  
Alfred Deem  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

June 8, 1983

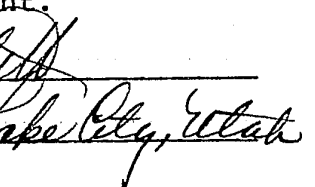
On this 5th day of January 1981, personally appeared before me Peter W. and Mary X Souvall, who being by me first duly sworn did say that they executed the foregoing instrument.

  
Alfred Deem  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

June 8, 1983

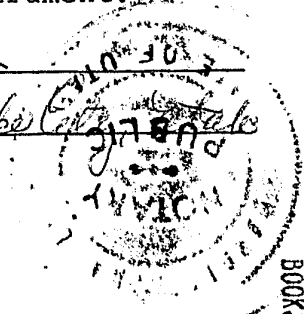
On this 23rd day of December 1980, personally appeared before me Andrew W. and Toula Souvall, who being by me first duly sworn did say that they executed the foregoing instrument.

  
Carole Hamilton  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

July 29, 1981

On this 23rd day of December 1980, personally appeared before me William C. Crockatt and Ruth Draper, who being by me first duly sworn did say that they executed the foregoing instrument.

  
Carole Hamilton  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:

July 29, 1981

On this 5th day of January, 1981, personally appeared before me Terry S. and Marielos Pantelakis, who being by me first duly sworn did say that they executed the foregoing instrument.

*T. B. Medvedev*  
NOTARY PUBLIC  
Residing at: 5611 Lake City, Utah

My Commission Expires:

June 8, 1983



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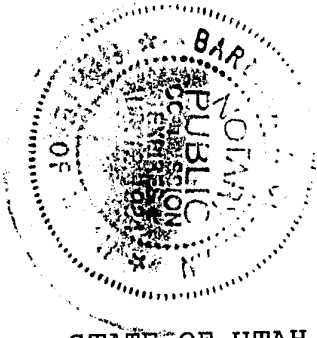
CONSENT TO RECORDATION BY MORTGAGEE

Prudential Federal Savings and Loan Association, a lien holder on the property described in Article II of this Declaration by virtue of a Deed of Trust, hereby consents to the recordation of this Amendment of Declaration and accompanying Record of Survey Map of Phase I; provided, however, that in so doing it shall not be deemed either a Declarant or developer of the Project.

DATED this 8th day of January, 1981.

PRUDENTIAL FEDERAL SAVINGS AND  
LOAN ASSOCIATION

By Paul Lapina  
Its Loan Counselor



STATE OF UTAH            )  
                                      : ss.  
COUNTY OF SALT LAKE)

On this 8th day of January, 1981, personally appeared before me Paul Lapina, who being by me first duly sworn, did say that he is a Loan Counselor of Prudential Federal Savings and Loan Association, a corporation of the United States, and that the foregoing "Consent to Recordation by Mortgagee" was signed by him in behalf of said corporation by authority of a resolution of its Board of Directors.

Barbara A. Cochran  
NOTARY PUBLIC  
Residing at: Salt Lake City

My Commission Expires:

8/12/84