

3652741

AMENDED DECLARATION OF
EDGEMOUNT ESTATES - PHASE 3
(An Expandable Condominium)

This Amended Declaration of Edgemount Estates - Phase 3 is made and executed in Salt Lake County, Utah this 9th day of December, 1981, by Edgemount Investment Company, a Utah corporation, hereinafter called "Declarant," for itself, its successors, grantees and assigns, pursuant to the provisions of the Utah Condominium Ownership Act, Utah Code Annotated, Section 57-8-1, et seq., (1953, as amended).

1. RECITALS

1.1 The Declaration of Edgemount Estates Phase I was recorded in the office of the Salt Lake County Recorder on March 26, 1979, as Entry No. 3255214, Book 4925, Page 749.

1.2 Paragraph 26 of Article III of the Declaration of Edgemount Estates Phase I permits Declarant to expand the Condominium Project by amending the Declaration at any time and from time to time within seven years of the date of recording of the Declaration.

1.3 The Declaration was modified by "Amendment of Description of Phase I, Edgemount Estates," dated January 5, 1981 recorded January 20, 1981, as Entry No. 3525526, Book 5203, Pages 435 to 443.

1.4 The Condominium project was expanded by "Phase 2A Amendment to Declaration Edgemount Estates Phase I," dated August 15, 1979, recorded August 17, 1979, as Entry No. 3324070, Book 4925, Pages 749 to 756.

1.5 Declarant desires to further expand the Condominium Project by addition of certain land and eighteen condominiums (units, together with the undivided interest in common areas and facilities attendant thereto), to the Edgemount Estates Condominium Project.

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Wayne Harper
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RECORDED
SALT LAKE COUNTY
UTAH

1.6 Declarant is the owner of the property described in paragraph 3 below.

2. SUBMISSION

Declarant hereby makes this Amended Declaration and submits the portion of the Entire Tract (described in Exhibit "B" of "Declaration of Edgemount Estates Phase I") described in paragraph 3 hereof and the condominium units constructed thereon to the Edgemount Estates Condominium Project, consistent with the provisions of paragraph 26 of Article III of the Declaration and the provisions of the Condominium Act.

3. ADDITIONAL LAND SUBMITTED TO THE CONDOMINIUM PROJECT

The property added to the Edgemount Estates Condominium Project is located in Salt Lake County, Utah described as follows:

Beginning at a point S 0°05'33" E 6.00 feet and N 89°15' W 602.59 feet from a monument at 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 0°45' W 69.65 feet, thence S 16°00' E 35.25 feet to a point on a 35.00 foot radius curve to the left, the center of which bears S 16°00' E from said point; thence southerly along the arc of said curve 74.94 feet to a point of a 32.32 foot radius reverse curve to the right, the center of which bears S 41°19'02" W from said point, thence southeasterly along the arc of said curve 25.91 feet to a point of a 625.00 foot radius reverse curve to the left, the center of which bears N 87°15'E from said point, thence southeasterly along the arc of said curve 100.56 feet to a point of a 25.00 foot radius reverse curve to the right, the center of which bears S 78°01'52" W from said point; thence southerly along the arc of said curve 14.51 feet to a point of a 30.00 foot radius reverse curve to the left, the center of which bears S 68°42'15" E from said point; thence southerly along the arc of said curve 34.02 feet to a point of a 25.00 foot radius reverse curve to the right, the center of which bears S 46°19'24" W from said point; thence southeasterly along the arc of said curve 22.11 feet to a point of tangency, thence S 7°00' W 6.39 feet; thence S 83°00' E 22.00 feet to a point of a 46.00 foot radius curve to the right, the center of which bears S 83°00' E from said point; thence northeasterly along the arc of said curve 61.30 feet to a point of a 152.50 foot radius reverse curve to the left, the center of which bears N 6°38'29" W from said point; thence northeasterly along the arc of said curve 59.51 feet to a point of tangency; thence N 61°00' E 68.44 feet; thence S 0°01'30" E 44.40 feet; thence

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N 89°58'30" E 18.00 feet; thence S 0°01'30" E 127.16 feet; thence S 89°58'30" W 103.05 feet; thence S 0°01'30" E 276.57 feet; thence S 89°42'12" W 234.44 feet; thence N 16°00'12" E 15.83 feet; thence N 4°00'37" E 410.985 feet; thence S 89°59'25" W 0.57 feet; thence N 6°42'51" W 174.88 feet; thence N 10°31'05" W 62.03 feet; thence N 1°34'29" E 60.62 feet; thence S 89°15' E 108.34 feet to the Point of Beginning.

Subject to easements, restrictions, rights of way and reservations of record or enforceable at law.

4. PERCENTAGE OF OWNERSHIP

The percentage of ownership in the Common Areas and Facilities, from and after the date this Amended Declaration and the Record of Survey Map for Edgemount Estates - Phase 3 are recorded, shall be as set forth in Exhibit A, attached hereto and incorporated herein.

5. EXPANSION OF THE CONDOMINIUM PROJECT

The condominiums located in Edgemount Estates Phase 3, numbers 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33, shall be subject to all the terms and conditions of the Declaration and subject to condominium ownership with all incidents pertaining thereto as specified in the Declaration.

6. EXPANSION OF DEFINITIONS

The definitions used in the Declaration are expanded to encompass and refer to the Edgemount Estates Condominium Project as expanded. The recordation in the office of the Salt Lake County Recorder, Salt Lake City, Utah, of this Amended Declaration and of the Record of Survey Map of Edgemount Estates - Phase 3 shall operate automatically to grant, transfer and convey, pro tanto, to then owners of the units in the project as it existed before this expansion, the respective undivided interest in the new Common Areas added to the project as the result of the expansion, and to reduce, pro tanto, their percentage of interest in the original condominium property,

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existing prior to the expansion. The undivided interest of each unit in the Common Areas of the expanded Edgemount Estates Condominium Project, as expanded, are as set forth in Exhibit A attached hereto and incorporated herein.

7. APPLICABILITY OF THE DECLARATION

Except as the Declaration is modified, supplemented or amended as set forth herein, by Exhibit A and the Record of Survey Map of Edgemount Estates - Phase 3, the Declaration, and the expanded definitions thereof, shall continue in full force and effect, applicable to all condominiums submitted to the Edgemount Estates Condominium Project by the Declaration, previous amendments thereto, and this Amended Declaration.

IN WITNESS WHEREOF, the undersigned, Edgemount Investment Company, has set its hand this 9th day of ~~November~~ December, 1981.

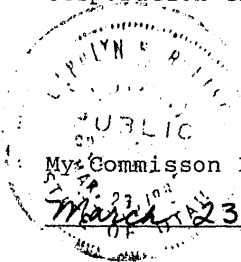
EDGEMOUNT INVESTMENT COMPANY

By Alan F. Holbrook
Its President

ATTEST:
Joseph J. Palmer
SECRETARY

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

On the 9th day of November, 1981, personally appeared before me Alan F. Holbrook and Joseph J. Palmer, who being by me duly sworn did say that they are the president and secretary, respectively, of Edgemount Investment Company, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and they further duly acknowledged to me that said corporation executed the same.

 My Commission Expires:
March 23, 1985

Carolyn P. Robison
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

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CONSENT TO RECORDATION BY MORTGAGEE

Western Savings and Loan ^{COMPANY} Association, a lien holder on the property described in Paragraph 3 of this Amended Declaration of Edgemont Estates - Phase 3 by virtue of a Deed of Trust, hereby consents to the recordation of this Amended Declaration and accompanying Record of Survey Map of Phase 3; provided, however, that in so doing it shall not be deemed either a Declarant or developer of the Project.

DATED this 9 day of Dec, 1981.

WESTERN SAVINGS AND LOAN ASSOCIATION ^{COMPANY}

By [Signature]
Its Vice President

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

On this 9th day of December, 1981, personally appeared before me Neil H. Burt, who being by me first duly sworn, did say that he is Vice President of Western 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.

[Signature]
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

My Commission Expires:
9-19-85



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EXHIBIT A TO
 AMENDED DECLARATION OF
 EDGEMOUNT ESTATES CONDOMINIUM PROJECT

<u>Unit No.</u>	<u>Assigned Par Value and Points</u>	<u>Appurtenant Undivided Interest In Common Area</u>
1	\$ 80,000 - 2	2.985%
2	80,000 - 2	2.985%
3	80,000 - 2	2.985%
4	80,000 - 2	2.985%
5	80,000 - 2	2.985%
6	80,000 - 2	2.985%
7	80,000 - 2	2.985%
8	80,000 - 2	2.985%
9	80,000 - 2	2.985%
10	80,000 - 2	2.985%
11	120,000 - 3	4.480%
12	80,000 - 2	2.985%
13	80,000 - 2	2.985%
14	80,000 - 2	2.985%
15	80,000 - 2	2.985%
16	80,000 - 2	2.985%
17	80,000 - 2	2.985%
18	80,000 - 2	2.985%
19	80,000 - 2	2.985%
20	80,000 - 2	2.985%
21	80,000 - 2	2.985%
22	80,000 - 2	2.985%
23	80,000 - 2	2.985%
24	80,000 - 2	2.985%
25	80,000 - 2	2.985%
26	80,000 - 2	2.985%
27	80,000 - 2	2.985%
28	80,000 - 2	2.985%
29	80,000 - 2	2.985%
30	80,000 - 2	2.985%
31	80,000 - 2	2.985%
32	80,000 - 2	2.985%
33	80,000 - 2	2.985%
TOTAL:	67	100.000%