3956003

FAIRMEADOWS OF COUNTRYWOODS
SIXTH SUPPLEMENTAL DECLARATION OF AND AMENDMENT TO
COVENANTS, CONDITIONS AND RESTRICTIONS
PHASE V (COVENTRY AT FAIRMEADOWS)
A PROWSWOOD OPEN SPACE COMMUNITY CONDOMINIUM

executed this 24th day of 1984, by THE PROWSWOOD CORPORATION (formerly Prowswood, Inc.), a Utah corporation (the "Declarant").

RECITALS:

A. On December 4, 1978, Declarant made and executed an Enabling Declaration of Fairmeadows Phase No. I, a Prowswood Open Space Community Condominium, (hereinafter referred to as the "Original Declaration") as part of a plan for the Fairmeadows Condominium Project ("Project"), which Original Declaration was executed by Declarant on December 4, 1978, and recorded in the office of the County Recorder of Salt Lake County, State of Utah, on December 6, 1978, in Book 4782 at page 785 et. seq., as Entry No. 3207544. The related Record of Survey Map (the "Original Map") was recorded concurrently with the Original Declaration in Book 78-12 of Plats at page 235 as Entry No. 3207545. The Original Declaration and the Original Map submitted to the provisions of the Utah Condominium Owner Act (Utah Code Annotated, Sections 57-8-1 et. seq., as amended from time to

time) ("Act") the following described real property situated in Salt Lake County, State of Utah, to-wit:

Beginning at a point on the North line of Baker Drive, said point being North 326.90 feet and East 329.64 feet from the Southwest corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 9°02' East 96.0 feet; thence North 53°00' West 107.79 feet; thence North 10°00' West 60,32 feet; thence North 80°00' East 113.68 feet; thence North 10°00' West 139.27 feet; thence North 17°00' East 87.56 feet to the South line of Enchanted Drive, said point also being on a curve to the left, the radius point being North 17°00' East 251.24 feet; thence Easterly along the arc of said curve and Scuth line 177.59 feet to a point of a compound curve to the left, the radius point being North 23°30' West 122.0 feet; thence Northeasterly along the arc of said curve and South line 139.47 feet; thence South 89°00' East 203.29 feet; thence South 71°15' East 310.83 feet; thence South 22°30' West 22.51 feet; thence South 69°05'40" East 106.82 feet; thence South 21°00' West 112.16 feet; thence South 33°50' West 45.02 feet; thence South 21°00' West 121.80 feet; thence South 10°47'51" East 48.60 feet; thence South 8°45' West 115.21 feet; thence South 21°35' West 45.02 feet; thence South 8°45' West 112.86 feet; thence North 80°35'28" West 52.33 feet; thence North 80°27'20" West 137.01 feet; thence North 81°18'37" West 190.00 feet; thence North 81°33'15" West 25.02 feet to the North line of Baker Drive, said point also being on a curve to the left, the radius point being South 85°01'25" West 51.86 feet; thence Northwesterly along the arc of said curve and north line 68.78 feet to a point of tangency; thence North 80°58' West along said North line 277.17 feet to the point of beginning. Contains 10.825 acres.

Subject to reservations, easements, restrictions, provisions, and covenants of record.

B. Under Section 23 of Article III of the Original Declaration, Declarant reserved an option until the seventh

anniversary of the recording of the Original Declaration to expand the Condominium Project from time to time in compliance with Section 57-8-13.6 of the Act.

C. On June 13, 1979, Declarant made and executed a Supplementary Declaration of, and Amendment to, Covenants, Conditions and Pestrictions of Fairmeadows, a Prowswood Open Space Community Condominium (Phase I) (herein "First Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, June 14, 1979, as Entry No. 3294150 in Book 4881 at Page 455, et. seq. The First Supplemental Declaration expanded the Project by the addition and submission of certain real property located in Salt Lake County, State of Utah, to the Project and the provisions of the Act, which property is more particularly described as follows, to wit:

Beginning at a point on the North line of Baker Drive, said point being East 329.64 feet and North 326.90 feet from the Southwest Corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 80°58' West along said North line 260.37 feet to a point of a 25.0 foot radius curve to the right; thence Westerly along the arc of said curve 12.12 feet to the East line of 700 East Street; thence North 0°01'56" West along said East line 508.86 feet to a point on a curve to the right, the radius point of which is South 36°53'28" East 25.0 feet; thence Easterly along the arc of said curve 24.64 feet to a point of tangency, also the South line of Enchanted Drive, thence South 70°25' East along said South line 282.56 feet to a point of a 251.24 foot radius curve to the left; thence Southeasterly along the arc of said curve 11.33 feet; thence South 17°00' West 87.56 feet; thence South 10°00' East 139.27 feet; thence South 80°00'

West 113.68 feet; thence South 10°00' East 60.32 feet; thence South 53°00' East 107.79 feet; thence South 9°02' West 96.00 feet to the point of beginning. Contains 3.018 acres.

Also the "Maintenance Area" described as follows: Beginning at a point on the North line of Enchanted Drive, said point being East 338.27 feet and North 837.07 feet from the Southwest corner of Section 20, Township 2 South, Range 1 East Salt Lake Base and Meridian, and running thence North 11°42'59" West 76.84 feet; thence South 81°49'09" East 152.26 feet; thence South 20°00' East 69.82 feet to a point on a curve to the right, the radius point of which is North 17°08'56" West 211.24 feet, thence Westerly along the arc of said curve 135.43 feet to a point of tangency; thence North 70°25' West 27.48 feet to the point of beginning.

RESERVING UNTO THE PROWSWOOD CORPORATION, the Declarant, its successors and assigns, a 30.0 foot ingress and egress Easement, the centerline being as follows: Beginning at a point on the North line of Enchanted Drive, said point being East 364.17 feet and North 827.87 feet from the Southwest corner of said Section 20, and running thence North 19°35' East 79.25 feet to the South line of the R.V. Storage Area.

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcels of real property.

ALL OF THE FOREGOING IS SUBJECT TO: all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; and Patent reservations or exclusions; any mineral reservations of record and rights incident thereto; and any easements or rights-of-way which are enforceable at law or in equity.

D. On February 28, 1983, Declarant made and executed an instrument entitled "Second Supplementary Declaration of and Amendment to Covenants, Conditions and Restrictions of Fairmeadows, a Prowswood Open Space Condominium" (herein

"Second Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, March 1, 1983, as Entry No. 3764053 in Book 5440 at Pages 2881, et. seq. The Second Supplemental Declaration set forth and clarified requirements and provisions regarding the expansion of the Project by the addition of Additional Land.

E. On November 1, 1983, Declarant made and executed "Coventry at Fairmeadows Third Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions of Fairmeadows - Phase III, a Prowswood Open Space Community Condominium" (herein "Third Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, December 1, 1983, as Entry No. 3875601 in Book 5511 at Page 1249, et. seq. The Third Supplemental Declaration expanded the Project by the addition and submission of certain real property located in Salt Lake County, State of Utah, to the Project and the provisions of the Act, which property is more particularly described as follows, to wit:

BEGINNING at a point on the West line of 900 East Street, said point being S 0°01'30" E along a County Monument line 2500.10 feet and West 33.00 feet from the Monument at the intersection of 6600 South Street and 900 East Street, said point of beginning also being North 227.25 feet and East 1667.04 feet from the Southwest corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence West 122.83 feet to a fence line; thence S 6°30' W along said fence line 71.89 feet; thence N

65°00' W along said fence line 91.84 feet; thence S 75°01'38" W along said fence line 63.20 feet; thence N 9°11'52" E 209.55 feet; thence N 73°56'16" W 131.89 feet; thence N 20°54'20" E 264.845 feet to a fence line; thence S 69°05'40" E 293.15 feet to the West line of 900 East Street; thence S 0°01'30" E along said West line 337.21 feet to the point of beginning. Contains 2.832 acres.

RESERVING UNTO THE PROWSWOOD CORPORATION, the Declarant, its successors and assigns, a perpetual non-exclusive easement and right-of-way for ingress and egress for pedestrian and vehicular traffic over, across, and through the following described real property, to-wit:

Beginning on the Westerly right-of-way line of 900 East Street at a point North 0°01'30" West along the monument line 348.03 feet and South 89°58'30" West 33.00 feet from the county survey monument on 900 East at approximately 7000 South, said point of beginning also being North 336.25 feet and East 1666.99 feet from the Southwest corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence Northwesterly along the arc of a 24.02 foot radius curve to the left through a central angle of 83°28'30" a distance of 23.32 feet to a point of tangency; thence North 83°30' West 43.69 feet to a point of curve of a 490.24 foot radius curve to the left; thence Westerly along the arc of said curve through a central angle of 6°30' a distance of 55.62 feet to a point of reverse curve of a 443.58 foot radius curve to the right, the center of which bears North from said point; thence Northwesterly along the arc of said curve through a central angle of 16°03'44" a distance of 124.35 feet to a point of tangency; thence North 73°56'16" West 130.62 feet; thence North 20°54'20" East 38.14 feet; thence South 73°56'16" East 79.19 feet to a point of curve of a 80.0 foot radius curve to the left; thence Easterly along the arc of said curve through a central angle of 45°05'14" a distance of 62.95 feet to a point of tangency; thence North 60°58'30" East 9.70 feet to a point of curve of a 81.0 foot radius curve to the right; thence Easterly along the arc of said curve through a central angle of 65°00' a

distance of 91.89 feet to a point of tangency; thence South 54°01'30" East 6.00 feet to a point of curve of a 130.92 foot radius curve to the left; thence Southeasterly along the arc of said curve through a central angle of 36°00' a distance of 82.26 feet to a point of tangency; thence North 89°58'30" East 15.58 feet to a point of curve of a 25.0 foot radius curve to the left; thence Northeasterly along the arc of said curve through a central angle of 90°00' a distance of 39.27 feet to a point of tangency on the West right-of-way line of 900 East Street; thence South 0°01'30" East along said West line 102.00 feet to the point of beginning.

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcels of real property.

ALL OF THE FOREGOING IS SUBJECT TO: all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; and Patent reservations or exclusions; any mineral reservations or record and rights incident thereto; and any easements or rights-of-way which are enforceable at law or in equity.

F. On April 25, 1984, Declarant made and executed an instrument entitled "Fairmeadows of Countrywoods Fourth Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions Phase III (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium" (herein "Fourth Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, April 30, 1984, as Entry No. 3935083 in Book 5551 at Pages 1249, et. seq. The Fourth Supplemental Declaration amended and revised Exhibit "B"

with respect to Percentage Interests in the common areas of the Project.

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On May 24Th, 1984, Declarant made and executed an instrument entitled "Fairmeadows of Countrywoods Fifth Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions Phase III (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium (Including Restated Declaration and Bylaws, as Amended)" (herein "Fifth Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, June 15, 1984, as Entry No. 3955298 The Fifth in Book 5565 at Pages 166, et. seq. Supplemental Declaration expanded the Project by the addition and submission of certain real property located in Salt Lake County, State of Utah, to the Project and the provisions of the Act, which property is more particularly described as follows, to wit:

A parcel of land located in the Southwest Quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake County, Utah, more particularly described as follows: Beginning at a point East 1381.99 feet and North 117.87 feet from the Southwest corner of said Section 20; and running thence North 80°44'14" West 123.39 feet; thence North 9°16' East 128.50 feet; thence South 80°44' East 123.23 feet; thence South 9°11'52" West 128.49 feet to the point of beginning.

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcels of real property.

ALL OF THE FOREGOING IS SUBJECT TO: all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; and Patent reservations or exclusions; any mineral reservations or record and rights incident thereto; and any easements or rights-of-way which are enforceable at law or in equity.

Such Fifth Supplemental Declaration also restate the Declaration and Bylaws respectively, in their entirety including all amendments previously made.

- H. Declarant is the owner in fee simple of the parcels of real property particularly described in Article II of this Sixth Supplemental Declaration. Declarant elects to expand the initial Project, as previously expanded, by submitting to the provisions of the Act and the Declaration the parcels of real property described in Article II.
- I. Under the provisions of the Declaration, Declarant expressly reserved the absolute right to add to the Project any or all portions of the Additional Land. Accordingly, Declarant now intends that the real property described in Article II of this Sixth Supplemental Declaration shall become subject to the Declaration. To this end and for the benefit of the Project and the owners thereof, Declarant desires to expand the Project by this Sixth Supplemental Declaration in accordance with Section 23 of Article III of the Declaration.

I. DEFINITIONS

When used in this jixth Supplemental Declaration (including that portion hereof headed "Recitals"), the following terms shall have the meaning indicated:

- 1. Sixth Supplemental Declaration shall mean and refer to this "Fairmeadows of Countrywoods Sixth Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions, Phase V (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium", which Phase V shall also be known as part of Coventry at Fairmeadows.
- 2. Phase V Map shall mean and refer to the Record of Survey Map of "Coventry at Fairmeadows, Phase V" of Fairmeadows Condominium Project executed and acknowledged by Declarant, prepared and certified to by Robert B. Jones (a duly registered Utah Land Surveyor holding Certificate No. 1525) and filed for record in the office of the County Recorder of Salt Lake County, Utah, concurrently with the filing of this Sixth Supplemental Declaration.
- 3. Other Definitions. Except as herein otherwise defined or as may be required by the context, all terms defined in Article II of the Restated Declaration (included as part of the Fifth Supplemental Declaration) shall have such defined meanings when used in this Sixth Supplemental Declaration.

II. PROPERTY SUBMISSION

The Tract which is hereby submitted to the provisions of the Act and which shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as supplemented or amended by this Sixth Supplementary Declaration consists of the following described real property situated in Salt Lake County, State of Utah:

See Exhibit "A" attached hereto and incorporated herein by this reference.

Together with all easements, rights-of-way and other appurtenances and rights incident to, appurtenant to, or accompanying the Tract.

All of the foregoing is subject to: all liens for current and future taxes, assessments and charges imposed or levied by governmental or quasi-governmental bodies; any patent reservations or exclusions; any mineral reservations of record and rights incident thereto; and any easements or rights of way which are enforceable at law or in equity.

III. EFFECT OF FOREGOING SUBMISSION

Declarant hereby declares that the real property described in Article II of this Supplemental Declaration and on Phase V Map shall be arrexed to and become subject to the Declaration, with all previous amendments thereto, which upon recordation of this Sixth Supplemental Declaration and Phase V Map shall constitute and effectuate the expansion of the Project (including Phases I, II, III, IV and V), making the real property described in Article II of this Sixth Supplemental Declaration subject to the functions, powers,

rights, duties and jurisdiction of the Association of Unit Owners.

IV. UNITS CREATED BY EXPANSION

As shown on the Phase V Map, five (5) additional Units are created on the Tract described in Article II of this Sixth Supplemental Declaration. Said additional Units are located within a portion of the Additional Land. Upon the recordation of the Phase V Map and this Sixth Supplemental Declaration, the total number of Units in the Project will be one hundred ninety-nine (199). Said Additional Units are compatible with all Units presently within the Project but are dissimilar in construction and design with part of such Units. The Additional Units are constructed of substantially the same materials used for all previous Units and are of equal or better quality and of equal or higher value.

V. REALLOCATION OF PERCENTAGE INTERESTS

Under the Act and by Article III of the Declaration, in connection with an amendment such as that accomplished by this instrument, Declarant is required to amend the Declaration so as to reallocate the Percentage Interest appurtenant to each Unit. Accordingly, Exhibit "B" to the Declaration is amended in its entirety to become the "Fifth Revised Exhibit "B" - Phase V" attached to this Sixth Supplemental Declaration and made a part hereof by this reference. The reallocated Percentage Interests which are

contained in said Fifth Revised Exhibit "B", as required by Paragraph 5 of Article III of the Declarant, have been computed on the basis of the size that each of the Units bears to the aggregate size of all the Units.

VII. EFFECTIVE DATE

The effective date of this Sixth Supplemental

Declaration and of Phase V Map shall be the date on which
said instruments are filed for record with the office of the
County Recorder of Salt Lake County, State of Utah. From
and after said date the Declaration and Phase V Map of
Fair meadows Condominium Project shall consist of the
Declaration and Map as supplemented and amended by this
Sixth Supplemental Declaration and Phase V Map.

IN WITNESS WHEREOF, Declarant has executed this instrument on the day and year first above written.

THE PROWSWOOD CORPORATION
(formerly Prowswood, Inc.),
a Utah Corporation

By Conna Warah

The Prowswood Corporation

The Prowswoo

STATE OF UTAH

: SS

COUNTY OF SALT LAKE

On the Syth day of Now 1984,

personally appeared before me Richard S. Prous

and Sonna, K. Soak, who on oath did say that he,

the said Richard S. Isonor is the President
of The Prowswood Corporation, and that she,
the said Bonna & Lorcek is the Secretary of said
corporation, and the within and foregoing instrument was
signed in behalf of said corporation by authority of a
Richard S. Prows and Donna Y. Loral
each duly acknowledged to me that said corporation executed
the same.

EXHIBIT "A"

A parcel of land located in the Southwest quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake County, Utah, more particularly described as follows: Beginning at a point East 1402.53 feet and North 244.71 feet from the Southwest corner of said Section 20, and running thence North 80°44'00" West 123.23 feet; thence North 34°30'35" Fast 29.30 feet; thence North 9°16'00" East 128.96 feet; thence South 73°56'16" East 111.35 feet; thence South 9°11'52" West 142.29 feet to the point of beginning.

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FIFTH REVISED EXHIBIT "B"

Fairmeadows Condominium Project (After Phase V Expansion)

		Size of Unit	Percentage
Unit No.	Building No.	(See Declaration formula) Interest
 -		1221 0	0.5744
1	1	1321.0	0.5844
2 3	" "	1344.0	0.5201
3		1196.0	0.5201
4	2	1196.0	0.5744
5 6		1321.0	0.5844
	17	1344.0	0.5844
7	11	1344.0 1344.0	0.5844
8	11		0.5744
9		1321.0 1321.0	0.5744
10	3	1321.0	0.5844
11	n	1196.0	0.5201
12		1196.0	0.5201
28	16	1344.0	0.5844
29	" "	1321.0	0.5744
30	" "	1196.0	0.5201
31		1321.0	0.5744
32	17	1344.0	0.5844
33	n n	1344.0	0.5844
34	11	1344.0	0.5844
35	 If	1321.0	0.5744
36	11	1196.0	0.5201
37	8	1250.0	0.5435
57	0	1267.5	0.5512
58	11	1267.5	0.5512
59	11	1250.0	0.5435
60	9	1250.0	0.5435
61	7 !!	1267.5	0.5512
62	11	1267.5	0.5512
63	0	1250.0	0.5435
64 65	10	1250.0	0.5435
65 66	10	1267.5	0.5512
67	u	1267.5	0.5512
68	11	1250.0	0.5435
69	11	1250.0	0.5435
70	11	1267.5	0.5512
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71 72	11	1250.0	0.5435
73	12	1250.0	0.5435
73 74	11	1267.5	0.5512
75 75	· Ir	1267.5	0.5512
76 76	11	1250.0	0.5435

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88	11	1250.0	0.5435
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98	19	1196.0	0.5201
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101	11	1321.0	0.5744
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216	17	1051.0	0.4570
217	40	1051.0	0.4571
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225	41	1051.0	0.4571
226	1) -3.T		0.4571
227	It	1051.0	0.4571
228	ü	1051,0	0.4571
229	n	1051.0	0.4571
230	71	1051.0	0.4571
231	 SI	1051.0	0.4571
	11	1051.0	0.4571
232		1051.0	0.4571
233	42	1051.0	0.4571
234	 II	1051.0	0.4571
235	t ı	1051.0	0.4571
236	. 11	1051.0	0.4571
237	in the second se	1051.0	0.4571
238	'' 'I	1051.0	0.4571
239	"	1051.0	0.4571
240	11	1051.0	0.4571
241	43	1051.0	0.4571
242	II	1051.0	0.4571
243	11	1051.0	0.4571
244	"	1051.0	0.4571
245	10	1051.0	0.4571
246	If	1051.0	0.4571
24:	ţi	1051.0	0.4571
248		1051.0	0.4571
249	44	1051.0	0.4571
250	11	1051.0	0.4571
251	tf	1051.0	0.4571
252	II	1051.0	0.4571

(FIFTH REVISED EXHIBIT "B" CONTINUED)

253 254 255 256	44 "" "	1051.0 1051.0 1051.0 1051.0	0.4571 0.4571 0.4571 0.4571
	TOTAL	229,966.00	100.0000

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SECUNITY THE CO.

SALT LAXE COUNTY,

UTAH

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