

KATHIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

OCT 25 4 40 PM '84

Security Title Co.
155
Dequeline Pops

FAIRMEADOWS OF COUNTRYWOOD
NINTH SUPPLEMENTAL DECLARATION OF AND AMENDMENT
COVENANTS, CONDITIONS AND RESTRICTIONS
PHASE VIII (COVENTRY AT FAIRMEADOWS)
A PROSWOOD OPEN SPACE COMMUNITY CONDOMINIUM

4008665

THIS NINTH SUPPLEMENTAL DECLARATION is made and
executed this 12th day of October, 1984, by THE PROSWOOD
CORPORATION (formerly Prowswood, Inc.), a Utah corporation
(the "Declarant").

R E C I T A L S:

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

SECURITY TITLE CO.
No. 230856

BOOK 5601 PAGE 941

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 South 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

BOOK 5661 PAGE 942

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 Restrictions 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'

BOOK 5601 PAGE 943

West 113.68 feet; thence South 10°00' East 50.32 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 PROSWOOD 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

SEE 5601 PAGE 944

"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

BOOK 5601 PAGE 945

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

BOOK 5601 PAGE 946

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"

BOOK 5551 PAGE 947

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

G. On May 24, 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 in Book 5565 at Pages 166, et. seq. The Fifth 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. On May 24, 1984, Declarant made and executed an instrument entitled "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 (herein "Sixth Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, June 18, 1984, as Entry No. 3956003 in Book 5565 at Pages 1761, et. seq. The Sixth 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 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

BOOK 5601 PAGE 949

34°30'35" East 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.

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.

I. On August 1, 1984, Declarant made and executed an instrument entitled "Fairmeadows of Countrywoods Seventh Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions Phase VI (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium (herein "Seventh Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, August 15, 1984, as Entry No. 3980809 in Book 5582 at Page 525, et. seq. The Seventh 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 1352.02 feet and North 561.67 feet from the Southwest corner of said Section 20, and running thence North 20°54'20" East 245.77 feet; thence North 69°05'40" West 108.00 feet; thence South 20°54'20" West 270.30 feet; thence South 81°53'20" East 110.75 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.

J. On September 20, 1984, Declarant made and executed an instrument entitled "Fairmeadows of Countrywoods Eighth Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions Phase VII (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium (herein "Eighth Supplemental Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah, September 26, 1984, as Entry No. 3997737 in Book 5593 at Pages 2711, et. seq. The Eighth 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:

BOOK 5593 PAGE 951

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 1153.19 feet and North 155.28 feet from the Southwest corner of said Section 20, and running thence North 9°16' East 130.00 feet; thence North 29°01'16" East 26.47 feet; then North 9°16' East 148.18 feet; thence South 81°53'20" East 95.51 feet; thence South 20°54'20" West 19.075 feet; thence South 73°56'16" East 20.54 feet; thence South 9°16' West 128.96 feet; thence South 34°30'35" West 29.30 feet; thence South 9°16' West 128.50 feet; thence North 80°44'14" West 69.23 feet; thence North 80°35'28" West 39.22 feet to the point of the 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.

K. Declarant is the owner in fee simple of the parcels of real property particularly described in Article II of this Ninth 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.

L. 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

BOOK 5601 PAGE 952

Article II of this Ninth 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 Ninth Supplemental Declaration in accordance with Section 23 of Article III of the Declaration.

I. DEFINITIONS

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

1. "Ninth Supplemental Declaration" shall mean and refer to this "Fairmeadows of Countrywoods Ninth Supplemental Declaration of and Amendment to Covenants, Conditions and Restrictions, Phase VIII (Coventry at Fairmeadows), a Prowswood Open Space Community Condominium", which Phase VIII shall also be known as part of Coventry at Fairmeadows.

2. "Phase VIII Map" shall mean and refer to the Record of Survey Map of "Coventry at Fairmeadows, Phase VIII" 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 Ninth Supplemental Declaration.

BOOK 5601 PAGE 953

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 Ninth 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 Ninth 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 VIII Map shall be annexed to and become subject to

the Declaration, with all previous amendments thereto, which upon recordation of this Ninth Supplemental Declaration and Phase VIII Map shall constitute and effectuate the expansion of the Project (including Phases I, II, III, IV, V, VI, VII and VIII), making the real property described in Article II of this Ninth Supplemental Declaration subject to the functions, powers, rights, duties and jurisdiction of the Association of Unit Owners.

IV. UNITS CREATED BY EXPANSION AND AMENDMENT TO DECLARATION

As shown on the Phase VIII Map, eight (8) additional Units are created on the Tract described in Article II of this Ninth Supplemental Declaration. Said additional Units are located within a portion of the Additional Land. Upon the recordation of the Phase VIII Map and this Ninth Supplemental Declaration, the total number of Units in the Project will be two hundred twenty three (223). 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. As a result of the additions made herein and as a result of all previous additions, the Description of Improvement contained in Article III, Section 1 is amended to provide as follows:

BOOK 5601 PAGE 955

1. Description of Improvements. The improvements now included in the Project which have been submitted to the provisions of the Declaration are located on the property and all such improvements are described on the Map. The Map indicates the number of stories, the number of Units which are contained in the Buildings, which comprise a part of such improvements, the dimensions of the Units, the recreational areas and facilities such as the Recreation Building, pool, tennis courts, and all other Common Areas thereof. As of the date of this Amendment, there are two hundred twenty three (223) Units contained in 40 buildings. Buildings 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 are comprised of three levels including basements for parking, each such Building containing eight (8) individual Units. Each Building of Buildings 8, 9, 10, 11, 12, 13, 14, 15, 24, 25, 26, 27, 28, 29, 30 and 31 contain four (4) individual Units with the two (2) outer Units consisting of one (1) level and the two (2) inside Units consisting of two (2) level Units; these Units have carports designated to them. Three (3) Units are contained in each of Buildings 2 and 17; four (4) Units are contained in each of Buildings 5, 6, 7, 16, 18 and 20 ; and five (5) Units are contained in each of Buildings 19 and 21. Units in Buildings 1, 2, 3, 4, 5, 6, 7, 16, 17, 18, 19, 20 and 21 have attached garages and basements. All buildings are structurally of wood frame construction with stucco and/or rough sawn cedar exterior.

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 "Eighth Revised Exhibit "B" - Phase VIII" attached to this Ninth Supplemental Declaration and made a part hereof by this reference. The reallocated Percentage Interests which are contained in said Eighth Revised Exhibit "B", as required by

BOOK 5661 PAGE 956

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 Ninth Supplemental Declaration and of Phase VIII 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 VIII Map of Fairmeadows Condominium Project shall consist of the Declaration and Map as supplemented and amended by this Ninth Supplemental Declaration and Phase VIII Map.

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

THE PROSWOOD CORPORATION
(formerly Proswood, Inc.),
a Utah Corporation

ATTEST:

By Debra Walden
Its Secretary

By Richard D. Prows
Its President

STATE OF UTAH)
 : SS
COUNTY OF SALT LAKE)

On the 12th day of October, 1984, personally appeared before me Richard D. Prows and Debra Walden, who on oath did say that he, the

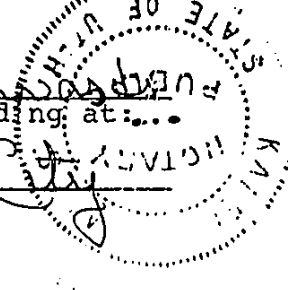
BOOK 5601 PAGE 957

said Richard S. Prows is the President
_____ of The Prowswood Corporation, and that she,
the said Debra Walden is the Secretary of said
corporation, and the within and foregoing instrument was
signed in behalf of said corporation by authority of a
resolution of its board of directors and the said
Richard S. Prows and Debra Walden
each duly acknowledged to me that said corporation executed
the same.

My Commission Expires:

02-09-86

Karen S. [Signature]
NOTARY PUBLIC, Residing at: ...
Salt Lake City



BOOK 5601 PAGE 958

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 1092.99 feet and North 463.73 feet from the Southwest corner of said Section 20, and running thence North $10^{\circ}47'51''$ West 24.94 feet; thence North $21^{\circ}00'$ East 121.80 feet; thence North $33^{\circ}50'$ East 45.02 feet; thence North $21^{\circ}00'$ East 112.16 feet; thence South $69^{\circ}05'40''$ East 101.58 feet; thence South $20^{\circ}54'20''$ West 270.30 feet; thence North $85^{\circ}17'53''$ West 103.05 feet to the point of Beginning.

BOOK 5501 PAGE 959

EIGHTH REVISED EXHIBIT "B"

Fairmeadows Condominium Project
(After Phase VIII Expansion)

<u>Unit No.</u>	<u>Building No.</u>	<u>Size of Unit</u> (See Declaration formula)	<u>Percentage</u> <u>Interest</u>
1	1	1321.0	0.5067
2	"	1344.0	0.5155
3	"	1196.0	0.4587
4	2	1196.0	0.4587
5	"	1321.0	0.5067
6	"	1344.0	0.5155
7	"	1344.0	0.5155
8	"	1344.0	0.5155
9	"	1321.0	0.5067
10	3	1321.0	0.5067
11	"	1344.0	0.5155
12	"	1196.0	0.4587
13	4	1196.0	0.4587
14	"	1344.0	0.5155
15	"	1321.0	0.5067
16	5	1196.0	0.4587
17	"	1321.0	0.5067
18	"	1344.0	0.5155
19	"	1196.0	0.4587
20	6	1196.0	0.4587
21	"	1321.0	0.5067
22	"	1344.0	0.5155
23	"	1196.0	0.4587
24	7	1196.0	0.4587
25	"	1321.0	0.5067
26	"	1344.0	0.5155
27	"	1196.0	0.4587
28	16	1196.0	0.4587
29	"	1344.0	0.5155
30	"	1321.0	0.5067
31	"	1196.0	0.4587
32	17	1321.0	0.5067
33	"	1344.0	0.5155
34	"	1344.0	0.5155
35	"	1344.0	0.5155
36	"	1321.0	0.5067
37	"	1196.0	0.4587
57	8	1250.0	0.4794
58	"	1267.5	0.4859
59	"	1267.5	0.4859
60	"	1250.0	0.4794
61	9	1250.0	0.4794

(EIGHTH REVISED EXHIBIT "B" CONTINUED)

62	"	1267.5	0.4859
63	"	1267.5	0.4859
64	"	1250.0	0.4794
65	10	1250.0	0.4794
66	"	1267.5	0.4859
67	"	1267.5	0.4859
68	"	1250.0	0.4794
69	11	1250.0	0.4794
70	11	1267.5	0.4859
71	"	1267.5	0.4859
72	"	1250.0	0.4794
73	12	1250.0	0.4794
74	"	1267.5	0.4859
75	"	1267.5	0.4859
76	"	1250.0	0.4794
77	13	1250.0	0.4794
78	"	1267.5	0.4859
79	"	1267.5	0.4859
80	"	1250.0	0.4794
81	14	1250.0	0.4794
82	"	1267.5	0.4859
83	"	1267.5	0.4859
84	"	1250.0	0.4794
85	15	1250.0	0.4794
86	"	1267.5	0.4859
87	"	1267.5	0.4859
88	"	1250.0	0.4794
94	18	1196.0	0.4587
95	"	1321.0	0.5067
96	"	1344.0	0.5155
97	"	1196.0	0.4587
98	19	1196.0	0.4587
99	"	1344.0	0.5155
100	"	1321.0	0.5067
101	"	1321.0	0.5067
102	"	1344.0	0.5155
103	20	1344.0	0.5155
104	"	1321.0	0.5067
105	"	1321.0	0.5067
106	"	1196.0	0.4587
107	21	1344.0	0.5155
108	"	1321.0	0.5067
109	"	1321.0	0.5067
110	"	1344.0	0.5155
111	"	1196.0	0.4587
121	24	1250.0	0.4794
122	"	1267.5	0.4859
123	"	1267.5	0.4859
124	"	1250.0	0.4794
125	25	1250.0	0.4794
126	"	1267.5	0.4859

(EIGHTH REVISED EXHIBIT "B" CONTINUED)

127	"	1267.5	0.4859
128	"	1250.0	0.4794
129	26	1250.0	0.4794
130	"	1267.5	0.4859
131	"	1267.5	0.4859
132	"	1250.0	0.4794
133	27	1250.0	0.4794
134	"	1267.5	0.4859
135	"	1267.5	0.4859
136	"	1250.0	0.4794
137	28	1250.0	0.4794
138	"	1267.5	0.4859
139	"	1267.5	0.4859
140	"	1250.0	0.4794
141	29	1250.0	0.4794
142	"	1267.5	0.4859
143	"	1267.5	0.4859
144	29	1250.0	0.4794
145	30	1250.0	0.4794
146	"	1267.5	0.4859
147	"	1267.5	0.4859
148	"	1250.0	0.4794
149	31	1250.0	0.4794
150	"	1267.5	0.4859
151	"	1267.5	0.4859
152	"	1250.0	0.4794
153	32	1051.0	0.4031
154	"	1051.0	0.4031
155	"	1051.0	0.4031
156	"	1051.0	0.4031
157	"	1051.0	0.4031
158	"	1051.0	0.4031
159	"	1051.0	0.4031
160	"	1051.0	0.4031
161	33	1051.0	0.4031
162	"	1051.0	0.4031
163	"	1051.0	0.4031
164	"	1051.0	0.4031
165	"	1051.0	0.4031
166	"	1051.0	0.4031
167	"	1051.0	0.4031
168	"	1051.0	0.4031
169	34	1051.0	0.4031
170	"	1051.0	0.4031
171	"	1051.0	0.4031
172	"	1051.0	0.4031
173	"	1051.0	0.4031
174	"	1051.0	0.4031
175	"	1051.0	0.4031
176	"	1051.0	0.4031
177	35	1051.0	0.4031

(EIGHTH REVISED EXHIBIT "B" CONTINUED)

178	"	1051.0	0.4031
179	"	1051.0	0.4031
180	"	1051.0	0.4031
181	"	1051.0	0.4031
182	"	1051.0	0.4031
183	"	1051.0	0.4031
184	"	1051.0	0.4031
185	36	1051.0	0.4031
186	"	1051.0	0.4031
187	"	1051.0	0.4031
188	"	1051.0	0.4031
189	"	1051.0	0.4031
190	"	1051.0	0.4031
191	"	1051.0	0.4031
192	"	1051.0	0.4031
193	37	1051.0	0.4031
194	"	1051.0	0.4031
195	37	1051.0	0.4031
196	"	1051.0	0.4031
197	"	1051.0	0.4031
198	"	1051.0	0.4031
199	"	1051.0	0.4031
200	"	1051.0	0.4031
201	38	1051.0	0.4031
202	"	1051.0	0.4031
203	"	1051.0	0.4031
204	"	1051.0	0.4031
205	"	1051.0	0.4031
206	"	1051.0	0.4031
207	"	1051.0	0.4031
208	"	1051.0	0.4031
209	39	1051.0	0.4031
210	"	1051.0	0.4031
211	"	1051.0	0.4031
212	"	1051.0	0.4031
213	"	1051.0	0.4031
214	"	1051.0	0.4031
215	"	1051.0	0.4031
216	"	1051.0	0.4031
217	40	1051.0	0.4031
218	"	1051.0	0.4031
219	"	1051.0	0.4031
220	"	1051.0	0.4031
221	"	1051.0	0.4031
222	"	1051.0	0.4031
223	"	1051.0	0.4031
224	"	1051.0	0.4031
225	41	1051.0	0.4031
226	"	1051.0	0.4031
227	"	1051.0	0.4031
228	"	1051.0	0.4031

(EIGHTH REVISED EXHIBIT "B" CONTINUED)

229	"	1051.0	0.4031
230	"	1051.0	0.4031
231	"	1051.0	0.4031
232	"	1051.0	0.4031
233	42	1051.0	0.4031
234	"	1051.0	0.4031
235	"	1051.0	0.4031
236	"	1051.0	0.4031
237	"	1051.0	0.4031
238	"	1051.0	0.4031
239	"	1051.0	0.4031
240	"	1051.0	0.4031
241	43	1051.0	0.4031
242	"	1051.0	0.4031
243	"	1051.0	0.4031
244	"	1051.0	0.4031
245	"	1051.0	0.4031
246	43	1051.0	0.4031
247	"	1051.0	0.4031
248	"	1051.0	0.4031
249	44	1051.0	0.4031
250	"	1051.0	0.4031
251	"	1051.0	0.4031
252	"	1051.0	0.4031
253	"	1051.0	0.4031
254	"	1051.0	0.4031
255	"	1051.0	0.4031
256	"	1051.0	0.4194

TOTAL 260,706.00 100.0000