

4012761

AFTER RECORDING, PLEASE RETURN TO:

Richard T. Beard, Esq.
PARSONS & CROWTHER
455 South 300 East, Suite 300
Salt Lake City, Utah 84111

172
REBECCA GRAY
RECORD OF DEEDS
JAN 24 4 19 PM '85
PARSONS & CROWTHER
KATHLEEN DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

THIRD SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SPRING LANE CONDOMINIUM PROJECT

THIS SUPPLEMENT is made and executed this 24th day of January, 1985 by Spring Lane Partnership, a Utah general partnership comprised of Clarko, Inc., a Utah corporation, and Spring Lane Building Associates, Inc., a Utah corporation (hereinafter referred to as "Declarant").

R E C I T A L S:

A. On July 5, 1984, Declarant created the Spring Lane Condominium Project (hereinafter, the "Project") by filing for record in the office of the Recorder of Salt Lake County, Utah: (i) an instrument entitled "Declaration of Condominium of the Spring Lane Condominium Project" (hereinafter, "Original Declaration") as Entry No. 3966232 in Book 5572, at Page 1826, and (ii) an instrument styled "Record of Survey Map of Spring Lane Condominiums" (hereinafter, "Original Map") as Entry No. 3966231 in Book 84-7 of Plats, at Page 99.

B. On October 25, 1984 Declarant expanded the Project by filing for record in the office of the Recorder of Salt Lake County, Utah (i) an instrument entitled "First Supplement to Declaration of Condominium of the Spring Lane Condominium Project" (hereinafter, the "First Supplement") as Entry No. 4008186 in Book 5600 at Page 2736; and (ii) an instrument styled "Record of Survey Map of Spring Lane Condominiums Phase II" (hereinafter the "Phase II Map") as Entry No. 4008185 in Book 84-10 of Plats, at Page 161.

C. On November 5, 1984 Declarant further expanded the Project by filing for record in the office of the Recorder of Salt Lake County, Utah (i) an instrument entitled "Second Supplement to Declaration of Condominium of the Spring Lane Condominium Project" (hereinafter, the "Second Supplement") as Entry No. 4012906 in Book 5604 at Page 1937; and (ii) an instrument styled "Record of Survey Map of Spring Lane Condominium Phase III" (hereinafter the "Phase III Map") as Entry No. 4012905. The Original Declaration as supplemented by the

BOOK 5624 PAGE 2441

First and Second Supplements shall be hereinafter referred to as the "Supplemented Declaration". The Original Map, Phase II Map and the Phase III Map shall be collectively referred to as the "Supplemented Maps". The Project, as expanded by the Second Supplement, includes the following described real property in Salt Lake County, Utah:

See Exhibit "B" attached hereto and incorporated herein by this reference

D. As more fully set forth in Sections 36 through 40, inclusive, of the Original Declaration, Declarant reserved the unilateral right (i.e., without the consent of the Management Committee of the Spring Lane Condominium Project, any Unit Owner, or any other person or entity) to expand the Project by addition(s) of all or any part of the Additional Land to the Project in accordance with said Sections. Concurrently with recordation of this Supplement, there is being recorded in the office of the Recorder of Salt Lake County, Utah an instrument styled "Record of Survey Map of Spring Lane Condominiums, Phase IV" (hereinafter, the "Phase IV Map") which, together with this Supplement, adds to the Project the following-described real property (hereinafter, "Added Parcel") located in Salt Lake County, Utah:

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

I. EXPANSION OF PROJECT

NOW, THEREFORE, in accordance with the procedure set forth in Section 38 of Article III of the Original Declaration for expansion of the Project and in conjunction with the addition to the Project of the Added Parcel, Declarant hereby makes the following declarations and provides the following information.

1. Identification of Documents. Data sufficient to identify the Supplemented Declaration and the Supplemented Maps is set forth in Recitals "A", "B" and "C" above.

2. Legal Description. The legal description for the portion of the Additional Land being added to the Project (herein referred to as the "Added Parcel") is set forth in Recital "D" above.

3. Description of Added Parcel Improvement. The significant improvements located on the Added Parcel include Buildings N through R containing Units 47 through 63 inclusive, asphalt roadways, concrete driveways, patios and porches. The location and configuration of such improvements are depicted on the Phase IV Map. The Phase IV Map shows the location, number of stories, and dimensions of the Units located on the Added Parcel. Each of the Buildings located on the Added Parcel is composed of the same materials as the Buildings originally contained in the Project,

BOOK 5621 PAGE 2442

which materials are described in detail in the last sentence of Section 1 of Article III of the Original Declaration.

4. Limited Common Areas. The Limited Common Areas and Facilities which are contained within the Added Parcel consist of all of the following which are labeled as such on the Phase IV Map: (i) All patios, porches, balconies, decks, private yard areas and storage shed, if any, attached or adjacent to a Unit; and (ii) The parking stall designated for the use of an individual Unit on the Phase IV Map, if any. The exclusive use of each patio, porch, balcony, deck, private yard area, storage shed, or designated parking stall is reserved to the Unit which it adjoins, with which it is associated, or as designated on the Phase IV Map.

5. Status of Title and Reservations for Declarant. The Added Parcel is submitted to the provisions of the Act and added to the Project together with the appurtenances and subject to the restrictions, reservations, and other matters set forth on Exhibit "D" attached hereto and incorporated herein by this reference.

6. Amended Exhibit "A". Exhibit "A" attached hereto and incorporated herein by this reference furnishes the information described in Section 3 of Article III of the Original Declaration for each Unit contained in the Project from and after the addition of the Added Parcel to the Project. The undivided ownership interests in the Common Areas and Facilities set forth on said Exhibit "A" have been computed and derived as described in Section 4 of Article III of the Original Declaration. From and after the effective date of this Supplement, Exhibit "A" attached hereto shall automatically become effective for all purposes and shall completely supersede the Exhibit "A" attached to the Supplemented Declaration.

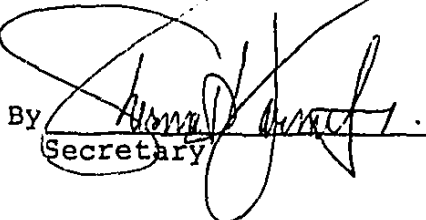
7. Definitions. All capitalized terms used herein but not specifically defined are given the meaning ascribed to them in the Original Declaration.


EXECUTED the day and year first above written.

"Declarant":

Spring Lane Partnership by
Spring Lane Building
Associates, Inc., a Utah
corporation and partner of
Spring Lane Partnership

ATTEST:

By 
Secretary

By 
Jerrald K. Boone
President

BOOK 5621 PAGE 2443

Spring Lane Partnership by
Clarko, Inc., a Utah corpora-
tion and partner of Spring
Lane Partnership

ATTEST:

By [Signature]
Secretary

By [Signature]
Paul Clark, President

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

On this 24th day of January, 1985, personally appeared before me Jerrald K. Boone and Sherman D. Harmer, Jr., who being by me duly sworn did say that they are the President and Secretary, respectively, of Spring Lane Building Associates, Inc., a Utah corporation, that the foregoing Third Supplement to Declaration of Condominium was signed on behalf of said corporation as partner of Spring Lane Partnership by authority of its By-Laws or a resolution of its Board of Directors, and said individuals did each acknowledge that said corporation executed the foregoing Third Supplement to Declaration of Condominium.

[Signature]
NOTARY PUBLIC
Residing at: S. L.C., Ut.

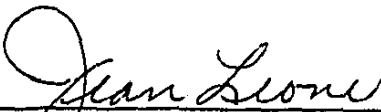
My Commission Expires:

3-29-85

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

On this 24th day of January, 1985, personally appeared before me Raul Clark and Kristy Clark, who being by me duly sworn did say that they are the President and Secretary, respectively, of Clarko, Inc., a Utah corporation, that the foregoing Third

Supplement to Declaration of Condominium was signed on behalf of said corporation as partner of Spring Lane Partnership by authority of its By-Laws or a resolution of its Board of Directors, and said individuals did each acknowledge that said corporation executed the foregoing Third Supplement to Declaration of Condominium.


NOTARY PUBLIC
Residing at: *S. L. C. W.*

My Commission Expires:

3-29-85

EXHIBIT "A"
TO
DECLARATION OF CONDOMINIUM
OF THE
SPRING LANE CONDOMINIUM PROJECT

[An Expandable Condominium]

<u>Unit Number</u>	<u>Building Number</u>	<u>Ownership Percentage</u>
1	A	1.5873
2	A	1.5873
3	A	1.5873
4	A	1.5873
5	B	1.5873
6	B	1.5873
7	B	1.5873
8	C	1.5873
9	C	1.5873
10	C	1.5873
11	C	1.5873
12	D	1.5873
13	D	1.5873
14	D	1.5873
15	E	1.5873
16	E	1.5873
17	E	1.5873
18	E	1.5873
19	F	1.5873
20	F	1.5873
21	F	1.5873
22	F	1.5873
23	G	1.5873
24	G	1.5873
25	G	1.5873
26	G	1.5873
27	H	1.5873
28	H	1.5873
29	H	1.5873
30	I	1.5873
31	I	1.5873
32	I	1.5873
33	J	1.5873

Unit
Number

Building
Number

Ownership
Percentage

34	J	1.5873
35	J	1.5873
36	K	1.5873
37	K	1.5873
38	K	1.5873
39	K	1.5873
47	N	1.5873
48	N	1.5873
49	N	1.5873
50	N	1.5873
51	O	1.5873
52	O	1.5873
53	O	1.5873
54	P	1.5873
55	P	1.5873
56	P	1.5873
57	Q	1.5873
58	Q	1.5873
59	Q	1.5873
60	Q	1.5873
61	R	1.5873
62	R	1.5873
63	R	1.5873
74	V	1.5873
75	V	1.5873
76	V	1.5873
77	V	1.5873
78	W	1.5873
79	W	1.5873
80	W	1.5873

BOOK 5621 PAGE 2447

EXHIBIT "B"
TO
THIRD SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SPRING LANE CONDOMINIUM PROJECT

[An Expandable Condominium]

Parcel I

Beginning at a point on the South right-of-way line of Spring Lane, said point being North 1045.018 feet and West 461.798 feet and South 189.70 feet and North 89°55'49" West 527.29 feet and North 8°47'00" West 570.00 feet and West 86.07 feet and North 209.63 feet from the South quarter corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; said point also being South 8°03'10" West 33.00 feet and North 81°56'50" West 90.16 feet from a Salt Lake County surveyors monument in the intersection of Tarooma Drive and Spring Lane, and running thence South 209.63 feet; thence West 18.66 feet; thence South 109.82 feet; thence West 50.00 feet; thence South 115.00 feet; thence West 95.00 feet; thence North 115.00 feet; thence West 87.00 feet; thence North 108.50 feet; thence East 15.00 feet; thence North 1°34'32" West 258.78 feet to a point on the South right-of-way line of said Spring Lane, said point being on a curve, to the left, the radius bears North 22°05'43" East 443.27 feet; thence Easterly along the arc of said curve and along said South right-of-way 108.64 feet; (long chord bears South 74°55'34" East 108.37 feet); thence South 81°56'50" East along said South right-of-way line 139.51 feet to the point of beginning. Contains 2.05 acres.

Parcel II

BEGINNING at a point North 1045.018 Feet and West 461.798 feet and South 189.70 feet and North 89°55'49" West 1065.62 feet North 1°34'32" West 232.59 feet from the South quarter corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North 1°34'32" West 328.95 feet; thence East 130.00 feet; thence South 108.50 feet; thence East 87.00 feet; thence South 244.59 feet; thence North 89°55'49" West 121.26 feet; thence North 1°34'32" West 26.49 feet; thence South 88°25'28" West 86.00 feet to the point of beginning.

Parcel III

BEGINNING at a point North 1045.018 Feet and West 461.798 feet and South 189.70 feet and North 89°55'49" West 1065.62 feet and North 1°34'32" West 232.59 feet from the South quarter corner of

Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North $88^{\circ}25'28''$ East 86.00 feet; thence South $01^{\circ}34'32''$ East 26.49 feet; thence South $89^{\circ}55'49''$ East 180.95 feet; thence South $00^{\circ}04'11''$ West 111.48 feet; thence North $89^{\circ}55'49''$ West 33.00 feet; thence South $00^{\circ}04'11''$ West 97.00 feet; thence North $89^{\circ}55'49''$ West 228.00 feet; thence North $1^{\circ}34'32''$ West 232.59 feet to the point of beginning. Contains 1.2399 acres.

EXHIBIT "C"
TO
THIRD SUPPLEMENT
TO DECLARATION OF CONDOMINIUM
OF THE
SPRING LANE CONDOMINIUM PROJECT

[An Expandable Condominium]

Beginning at a point North 1045.018 feet and West 461.798 feet and South 189.70 feet and North 89°55'49" West 527.29 feet from the South quarter corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian thence North 89°55'49" West 310.33 feet; thence North 0°04'11" East 97.00 feet; thence South 89°55'49" East 33.00 feet; thence North 0°04'11" East 126.88 feet; thence East 69.52 feet; thence North 81°13' East 84.87 feet; thence South 8°47'00" East 18.37 feet; thence North 81°13' East 86.00 feet; thence South 8°49'00" East 234.92 feet to the point of Beginning.

EXHIBIT "D"
TO
THIRD SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SPRING LANE CONDOMINIUM PROJECT

[An Expandable Condominium]

The Added Parcel is submitted to the provisions of the Act and added to the Project together with the following appurtenances and subject to the following restrictions, reservations, and other matters:

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcel 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; all Patent reservations and exclusions; any mineral reservations of record and rights incident thereto; all instruments of record which affect the Added Parcel or any portion thereof, including, without limitation, any mortgage or deed of trust; all visible easements and rights-of-way; all easements and rights-of-way of record; any easements, rights-of-way, encroachments, or discrepancies shown on or revealed by the Phase II Map or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the Added Parcel at such time as construction of all Project improvements is complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through, and under the Added Parcel and any improvements now or hereafter constructed thereon as may be reasonably necessary for Declarant or for any assignee or successor of Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration): (i) To construct and complete each of the Buildings and all of the other improvements described in this Supplement or in the Phase II Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection therewith; and (ii) To improve portions of the Added Parcel with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all the Owners as Declarant or as such assignee or successor may reasonably determine to be appropriate.

BOOK 5621 PAGE 2451

If, pursuant to the foregoing reservations, the Added Parcel or any improvements 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 reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire seven (7) years after the date on which this Supplement is filed for record in the office of the County Recorder of Salt Lake County, Utah.