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AFTER RECORDING, PLEASE RETURN TO:

Paul H. Shaphren, Esq.
PARSONS & CROWTHER
455 South 300 East, Suite 300
Salt Lake City, Utah 84111

Edward Miska
EDWARD MISKA

Shaphren

JUL 31 4 00 PM '85

FOURTH SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK CONDOMINIUM PROJECT

THIS SUPPLEMENT is made and executed this ____ day of July, 1985 by Millstream Associates, Inc., a Utah corporation (hereinafter referred to as "Declarant").

R E C I T A L S:

A. On July 29, 1982, Declarant created the Shadybrook 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 Shadybrook Condominium Project" (hereinafter, "Original Declaration") as Entry No. 3697564 in Book 5400, at Page 103, and (ii) an instrument styled "Record of Survey Map of the Shadybrook Condominium Project" (hereinafter, "Original Map") as Entry No. 3697563 in Book 82-7 of Plats, at Page 63.

B. On May 11, 1983 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 Shadybrook Condominium Project" (hereinafter, the "First Supplement") as Entry No. 3792104 in Book 5458 at Page 1280; and (ii) an instrument styled "Record of Survey Map of the Shadybrook Condominium Project, Phase II" (hereinafter the "Phase II Map") as Entry No. 3792103 in Book 83-5 of Plats, at Page 58.

C. On July 11, 1983 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 Shadybrook Condominium Project" (hereinafter, the "Second Supplement") as Entry No. 3816515 in Book 5473 at Page 2460; and (ii) an instrument styled "Record of Survey Map of the Shadybrook Condominium Project, Phase III" (hereinafter the "Phase III Map") as Entry No. 3816514 in Book 83-7 of Plats at Page 81.

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D. On December 19, 1983 Declarant further expanded the Project by filing for record in the office of the Recorder of Salt Lake County, Utah (i) an instrument entitled "Third Supplement to Declaration of Condominium of the Shadybrook Condominium Project" (hereinafter, the "Third Supplement") as Entry No. 3882565 in Book 5515 at Page 2367; and (ii) an instrument styled "Record of Survey Map of the Shadybrook Condominium Project, Phase IV" (hereinafter the "Phase IV Map") as Entry No. 3882564. The Original Declaration as supplemented by the First, Second and Third Supplements shall be hereinafter referred to as the "Supplemented Declaration". The Original Map, Phase II Map, Phase III Map and Phase IV Map shall be collectively referred to as the "Supplemented Maps". The Project, as expanded by the Third Supplement, includes the following described real property in Salt Lake County, Utah:

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

E. 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 Shadybrook 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 the Shadybrook Condominium Project, Phase V" (hereinafter, the "Phase V 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", "C" and "D" 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 "E" above.

3. Description of Added Parcel Improvement. The significant improvements located on the Added Parcel include Buildings T and U containing Units 108 through 115 inclusive, asphalt roadways, concrete driveways, patios and porches. The location and configuration of such improvements are depicted on the Phase V Map. The Phase V 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, 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 V Map: (i) All patios, porches, balconies, decks, if any, attached or adjacent to a Unit; and (ii) The private yard, if any, adjacent to a Unit. The exclusive use of each patio, porch, balcony, deck or private yard area is reserved to the Unit which it adjoins, with which it is associated, or as designated on the Phase V 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":

Millstream Associates, Inc.

ATTEST:

BY _____
Secretary

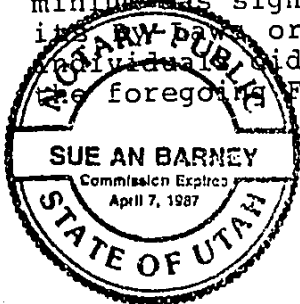
BY Jerrald K. Boone
Jerrald K. Boone, President

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

On this 8 day of July, 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 Millstream Associates, Inc., a Utah corporation, that the foregoing Fourth Supplement to Declaration of Condominium was signed on behalf of said corporation by authority of its Board of Directors or a resolution of its Board of Directors, and said individuals did each acknowledge that said corporation executed the foregoing Fourth Supplement to Declaration of Condominium.



Sue An Barney
NOTARY PUBLIC
Residing at: Salt Lake

My Commission Expires:

4-7-87

EXHIBIT "A"
TO
FOURTH SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK CONDOMINIUM PROJECT

[An Expandable Condominium]

<u>Unit Number</u>	<u>Building Number</u>	<u>Size</u>	<u>Ownership Percentage</u>
1	A	1160	.86
2	A	1140	.85
3	A	1600	1.19
4	A	1600	1.19
5	A	1140	.85
6	A	1160	.86
7	B	1610	1.20
8	B	1600	1.19
9	B	1600	1.19
10	B	1610	1.20
11	C	1610	1.20
12	C	1600	1.19
13	C	1600	1.19
14	C	1610	1.20
15	D	1160	.86
16	D	1140	.85
17	D	1600	1.19
18	D	1600	1.19
19	D	1600	1.19
20	D	1600	1.19
21	D	1140	.85
22	D	1160	.86
23	E	1370	1.02
24	E	1340	1.00
25	E	1340	1.00
26	E	1370	1.02
27	F	1370	1.02
28	F	1340	1.00
29	F	1340	1.00
30	F	1370	1.02
31	G	1370	1.02
32	G	1340	1.00
33	G	1340	1.00

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<u>Unit Number</u>	<u>Building Number</u>	<u>Size</u>	<u>Ownership Percentage</u>
34	G	1370	1.02
35	H	1610	1.20
36	H	1600	1.19
37	H	1600	1.19
38	H	1610	1.20
39	I	1160	.86
40	I	1140	.85
41	I	1600	1.19
42	I	1600	1.19
43	I	1600	1.19
44	I	1600	1.19
45	I	1140	.85
46	I	1160	.86
47	J	1160	.86
48	J	1140	.85
49	J	1600	1.19
50	J	1600	1.19
51	J	1600	1.19
52	J	1600	1.19
53	J	1140	.85
54	J	1160	.86
55	K	1370	1.02
56	K	1340	1.00
57	K	1340	1.00
58	K	1370	1.02
59	L	1370	1.02
60	L	1340	1.00
61	L	1340	1.00
62	L	1370	1.02
63	M	1370	1.02
64	M	1340	1.00
65	M	1340	1.00
66	M	1370	1.02
67	N	1370	1.02
68	N	1340	1.00
69	N	1340	1.00
70	N	1370	1.02
71	O	1610	1.20
72	O	1600	1.19
73	O	1600	1.19
74	O	1610	1.20
75	P	1160	.86
76	P	1140	.85
77	P	1600	1.19
78	P	1600	1.19
79	P	1140	.85

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<u>Unit Number</u>	<u>Building Number</u>	<u>Size</u>	<u>Ownership Percentage</u>
80	P	1160	.86
81	Q	1160	.86
82	Q	1140	.85
83	Q	1600	1.19
84	Q	1600	1.19
85	Q	1140	.85
86	Q	1160	.86
101	R	1030	.77
102	R	1010	.74
103	R	1030	.77
104	S	1030	.77
105	S	1010	.74
106	S	1010	.74
107	S	1030	.77
111	T	890	.67
112	T	890	.67
113	T	890	.67
114	T	890	.67
115	U	890	.67
116	U	890	.67
117	U	890	.67
118	U	890	.67
			<hr/>
			100.00%

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EXHIBIT "B"
TO
FOURTH SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK CONDOMINIUM PROJECT

[An Expandable Condominium]

The following described real property:

Parcel I (Phase I)

Beginning at a point which is S 89°56'44" W 165.99 ft. and N 0°11'21" E 242.24 ft. from the Southeast Corner of Lot 8, Block 20, Ten Acre Plat "A", B.F.S. and running thence S 89°56'44" W 432.38 ft.; thence N 0°11'40" E 139.04 ft.; thence S 89°55'33" W 166.333 ft. to the East Line of 700 East St.; thence N 0°11'40" E 60.00 ft. along said East Line; thence N 89°55'33" E 165.00 ft.; thence N 0°11'40" E 132.00 ft.; to the North Line of said Lot 8, Block 20; thence N 89°55'33" E 561.00 ft. along said North Line; thence S 0°11'21" W 66.00 ft.; thence S 89°55'33" W 141.00 ft.; thence S 0°11'21" W 132.95 ft.; thence N 89°55'33" E 13.683 ft.; thence S 0°11'21" W 132.24 ft. to the point of beginning.

Subject to a 24.75 ft. Right-of-Way described as follows: Beginning at the N.W. Corner of Lot 8, Block 21, Ten Acre Plat "A", B.F.S., and running thence N 89°55'33" E 495.00 ft.; thence S 0°11'40" W 24.75 ft.; thence S 89°55'33" W 495.00 ft.; thence N 0°11'40" E 24.75 ft. to the point of beginning.

Subject to all right-of-ways, easements and restrictions of record.

Parcel II (Phase II)

Beginning at the Northwest Corner of Lot 8, Block 20, Ten Acre, Plat "A", B.F.S., and running thence along the North Line of said Lot 8, N 89°55'33" E 165.00 feet; thence S 0°11'40" W 192.00 ft.; thence S 89°55'33" W 165.00 ft. to the West Line of said Lot 8, and the East Line of 700 East Street; thence N 0°11'40" E 192.00 ft. along said Line to the point of beginning.

Subject to a 24.75 ft. Right-of-Way described as follows: Beginning at the Northwest Corner of Lot 8, Block 20, Ten Acre Plat "A", B.F.S., and running thence N 88°55'33" E 165.00 ft., thence S 0°11'40" W 24.75 ft., thence S 89°55'33" W 165.00 ft.; thence N 0°11'40" E 24.75 ft. to the point of beginning.

Subject to all rights-of-ways, easements, and restrictions of record.

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Parcel 3 (Phase III)

Beginning at a point which is North $0^{\circ}11'21''$ East 156.86 feet from the Southeast corner of Lot 8, Block 20, Ten Acre Plat "A", Big Field Survey, and running thence South $89^{\circ}56'44''$ West 165.99 feet; thence North $0^{\circ}11'21''$ East 217.6 feet; thence North $89^{\circ}55'33''$ East 165.99 feet; thence South $0^{\circ}11'21''$ West 0.80 feet; thence North $89^{\circ}55'33''$ East 238.00 feet; thence South $0^{\circ}11'21''$ West 159.25 feet; thence south $49^{\circ}30'00''$ West 177.74 feet; thence North $34^{\circ}41'23''$ West 70.00 feet; thence South $89^{\circ}56'44''$ West 63.20 feet to the point of beginning.

Parcel 4 (Phase IV)

Beginning at a point which is North $0^{\circ}11'21''$ East 156.86 feet and North $89^{\circ}56'44''$ East 63.20 feet and South $34^{\circ}41'23''$ East 70.00 feet from the Southeast corner of Lot 8, Block 20, Ten Acre Plat "A", Big Field Survey, and running thence North $49^{\circ}30'00''$ East 177.74 feet; thence North $0^{\circ}11'21''$ East 26.53 feet; thence North $89^{\circ}55'33''$ East 26.00 feet; thence North $0^{\circ}11'21''$ East 3.78 feet; thence North $89^{\circ}55'33''$ East 235.26 feet; thence South $0^{\circ}11'21''$ West 122.50 feet; thence South $89^{\circ}55'33''$ West 64.00 feet; thence South $0^{\circ}11'21''$ West 193.19 feet; thence South $89^{\circ}56'47''$ West 193.81 feet; thence North $41^{\circ}40'00''$ West 146.50 feet; thence North $34^{\circ}41'23''$ West 70.77 feet to the point of beginning.

EXHIBIT "C"
TO
FOURTH SUPPLEMENT
TO DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK CONDOMINIUM PROJECT

[An Expandable Condominium]

The following described real property:

Beginning at a point South 0°11'40" West 189.00 feet from the Northwest corner of Lot 8, Block 20, ten acre Plat "A", Big Field survey and running thence North 89°55'33" East; thence South 0°11'40" West 120.24 feet; thence South 89°55'46" West 166.33 feet; thence North 0°11'40" East 120.23 feet to the point of beginning.

Being Parcels 10 and 11 listed on Exhibit "C" to the Original Declaration.

EXHIBIT "D"
TO
FOURTH SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
SHADYBROOK 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.

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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.