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When Recorded, Mail To:

Autumn Dev. & Constr. Inc.  
3760 HIGHLAND DR. #401  
SALT LAKE CITY, UT. 84106

45.50  
OCT 10 4:00PM '85  
RECORDED  
Autumn Development  
Salt Lake City  
SALT LAKE COUNTY,  
UTAH

AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF  
HIGHLAND COVE CONDOMINIUM

Phase No. 1

THIS AMENDMENT is made and executed this 18<sup>th</sup> day of September, 1985, by CONSOLIDATED-AUTUMN GROUP, a Utah general partnership ("Declarant").

Recitals

WHEREAS, Declarant caused to be prepared and filed a Declaration of Covenants, Conditions, and Restrictions of Highland Cove Condominium, Phase I (herein referred to as the "Declaration"). The Declaration was executed November 17, 1984 and was recorded March 30, 1982, Entry 3661596, Book 5356, Page 741.

WHEREAS, under paragraph 25(a) of the Declaration, so long as more than five Units of the entire Project remain unsold, Declarant is vested with the right to unilaterally amend the Declaration and the Map, subject to certain limitations set forth in said paragraph 25.

WHEREAS, more than five Units of the Project remain unsold as of the date of this Amendment, and none of the other limitations set forth in said paragraph 25 of the Declaration are currently applicable so as to limit Declarant's right to unilaterally amend the Declaration.

WHEREAS, even though Declarant has the right to unilaterally amend the Declaration, the amendments set forth herein were nevertheless submitted to a vote of Unit Owners at a duly held meeting of the Highland Cove Home Owners Association on July 26, 1985 in Salt Lake City, and said amendments were unanimously approved by the Unit Owners at said meeting.

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WHEREAS, the amendments herein are intended to reflect an exchange of two tracts of property by the Declarant and the other Unit Owners with a third party, the result of which exchanges is to alter certain boundary lines of the Tract without augmenting or reducing the total square footage contained in the Tract, as defined and described in the Declaration, and to alter certain boundary lines of the Additional Land, without materially reducing the square footage contained in the Additional Land, as defined and described in the Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Exhibit "A". Exhibit "A" to the Declaration is amended in its entirety to read as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

2. Exhibit "B". Exhibit "B" to the Declaration is amended in its entirety to read as set forth in Exhibit "B", attached hereto and incorporated herein by reference.

3. Confirmation. Except as expressly amended herein, the Declaration and all its provisions and Exhibits are hereby confirmed.

4. Definitions. The terms used in this Amendment shall have the same meanings as set forth in the Declaration.

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

CONSOLIDATED-AUTUMN GROUP, a Utah general partnership

By Consolidated Capital Corporation, a Utah corporation, General Partner

By [Signature]  
title: PRESIDENT

By Autumn Development Construction, Inc., a Utah corporation, General Partner

By [Signature]  
title: [Signature]

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EXHIBIT "A"  
TO  
AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF  
HIGHLAND COVE CONDOMINIUM  
Phase No. 1

DESCRIPTION OF THE TRACT

The following described tract of real property situate in the County of Salt Lake, State of Utah, to-wit:

Beginning at a point which is South 2373.94 feet and West 1417.79 feet from the North Quarter Corner of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, said point also lies the following four (4) courses and distances from a Salt Lake County Monument at the intersection of Highland Drive and Siggard Avenue: South 24°48'32" East 105.08 feet, South 65°11'28" West 40.00 feet, West 498.58 feet and South 33.74 feet; and running thence West 25.12 feet; thence South 45°00'00" West 110.36 feet; thence South 45°00'00" East 131.64 feet; thence South 10°00'00" West 70.00 feet; thence South 51°59'34" West 33.15 feet; thence North 83°29'39" West 75.66 feet; thence South 6°30'21" West 10.27 feet; thence North 83°29'39" West 56.25 feet; thence North 15°03'19" East 67.29 feet; thence North 4°58'46" West 19.00 feet; thence North 74°56'41" West 79.00 feet; thence South 15°03'19" West 100.50 feet; thence North 63°56'31" West 149.53 feet; thence South 28°02'38" West 81.67 feet; thence North 54°31'05" West 220.09 feet; thence West 57.53 feet; thence North 42°45'00" West 57.92 feet; thence North 123.47 feet; thence East 715.93 feet; thence South 39.00 feet to the point of beginning. Containing 3.66 acres.

RESERVED FROM THE FOREGOING SUBMISSION are such easements and rights of ingress and egress over, across, through, and under the above-described Tract and any improvements now or hereafter constructed thereon as may be necessary to develop the entire Project. If pursuant to this reservation, the above-described real property or any improvement 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 reservation hereby effected shall terminate upon the completion and sale by Declarant of all Units in the Project. And subject, also, to easements of record and visible and subject, further, to restrictions, provisions and covenants of record.

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EXHIBIT "B"  
TO  
AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF  
HIGHLAND COVE CONDOMINIUM  
Phase No. 1

DESCRIPTION OF ADDITIONAL LAND:

The following described parcel of real property situate in the County of Salt Lake, State of Utah, to-wit:

PARCEL A:

Beginning at a point which lies 2,614.00 feet South and 1439.90 feet West from the North Quarter corner of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, said point also being the following eight (8) courses from a Salt Lake County Monument at the intersection of Highland Drive and Siggard Avenue: South 24°48'32" East 105.08 feet, South 65°11'28" West 40.00 feet, West 498.58 feet, South 33.74 feet, West 25.12 feet, South 45° West 110.36 feet, South 45° East 131.64 feet, South 10° West 70.00 feet, and running thence South 10° West 171.17 feet; thence South 13°15' West 8.91 feet; thence North 76°45' West 351.09 feet; thence North 66° West 161.70 feet; thence North 42°45' West 196.18 feet; thence East 57.53 feet; thence South 54°31'08" East 220.09 feet; thence North 28°02'38" East 81.67 feet; thence South 63°56'31" East 149.53 feet; thence North 15°03'19" East 100.50 feet; thence South 74°56'41" East 79.00 feet; thence South 4°58'46" East 19.00 feet; thence South 15°03'19" West 67.29 feet; thence South 83°29'39" East 56.25 feet; thence North 6°30'21" East 10.27 feet; thence South 83°29'39" East 75.66 feet; thence North 51°59'34" East 33.15 feet to the point of beginning. Containing 1.776 acres.

PARCEL B:

Over which Declarant has an easement to develop in any manner so long as there is no interference with the flow of water in canal on said piece:

BEGINNING at a point which lies South 2829.96 feet and West 1479.76 feet from the North Quarter Corner of Section 33,

Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also lies the following twelve courses and distances from a Salt Lake County monument at the intersection of Highland Drive and Siggard Avenue: South 24°48'32" East 105.08 feet, South 65°11'28" West 40.00 feet, West 498.58 feet, South 33.74 feet, West 25.12 feet, South 45°00'00" West 110.36 feet, South 45°00'00" East 131.64 feet, South 10°00'00" West 241.17 feet, South 13°15'00" West 8.91 feet, South 8°26'03" West 14.57 feet, and South 13°30'00" West 25.00 feet; running thence North 76°30'00" West 300.37 feet; thence North 0°14'54" East 4.15 feet; thence North 64°06'00" West 209.19 feet; thence North 53°10'00" West 78.0 feet; thence North 47°25'00" West 151.18 feet; thence North 56.85 feet; thence South 42°45'00" East 254.10 feet; thence South 66°00'00" East 161.70 feet; thence South 76°45'00" East 351.09 feet; thence South 8°26'03" West 14.57 feet; thence South 13°30'00" West 25.00 feet to the point of beginning. Containing 0.536 acres.

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STATE OF UTAH )  
 )  
COUNTY OF Salt Lake ) ss.

On the 18th day of September, 1985, personally appeared before me D. Kent Norton, who being by me duly sworn, did say that he is the President of Consolidated Capital Corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and said D. Kent Norton acknowledged to me that said corporation executed the same as a General Partner for and in behalf of Consolidated-Autumn Group.

Julene Moore  
Notary Public  
Residing at: Salt Lake County, Utah

My Commission Expires:

4/25/88

STATE OF UTAH )  
 )  
COUNTY OF Salt Lake ) ss.

On the 18th day of September, 1985, personally appeared before me Garth E. Briggs, who being by me duly sworn, did say that he is the President of Autumn Development Construction, Inc., and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and said Garth E. Briggs acknowledged to me that said corporation executed the same as a General Partner for and in behalf of Consolidated-Autumn Group.

Julene Moore  
Notary Public  
Residing at: Salt Lake County, Utah

My Commission Expires:

4/25/88