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AFTER RECORDING, PLEASE RETURN TO:

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Salt Lake City, Utah 84111

46-00

*Patricia R. Brown*  
PATRICIA R. BROWN

GUARDIAN TITLE  
DEP

JAN 17 4 09 PM '85

KATH L. BIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

FIRST SUPPLEMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF THE  
CROSSPOINTE CONDOMINIUM PROJECT

[Phase II of an Expandible Condominium Project]

THIS SUPPLEMENT is made and executed this <sup>25<sup>th</sup></sup> day of ~~November~~, 1985 by San Francisco Construction, Inc., a Utah corporation (hereinafter referred to as "Declarant").

R E C I T A L S:

A. On August 1, 1985, Declarant created the Crosspointe 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 Crosspointe Condominium Project" (hereinafter, "Original Declaration") as Entry No. 4129902 in Book 6585, at Page 1682, and (ii) an instrument styled "Record of Survey Map for Crosspointe Condominiums" (hereinafter, "Original Map") as Entry No. 4129901 in Book 85-8 of Plats, at Page 146. The Project, as so created, included the following-described real property located in Salt Lake County, State of Utah:

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

B. 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 Crosspointe 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 Crosspointe Condominiums, Phase 2" (hereinafter, the "Phase II Map") which, together with this Supplement, adds to the Project the following-described real property (hereinafter, "Added Parcel") located in Salt Lake County, Utah:

BOOK 5728 PAGE 2127

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 Original Declaration and the Original Map is set forth in Recital "A" 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 "B" above.

3. Description of Added Parcel Improvement. The significant improvements located on the Added Parcel include Buildings G through I containing Units 46 through 66 inclusive, asphalt roadways, concrete driveways, patios and porches. The location and configuration of such improvements are depicted on the Phase II Map. The Phase II 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 II 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 II 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 II 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 Original 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":

ATTEST:

San Francisco Construction, Inc.

By

Secretary

By

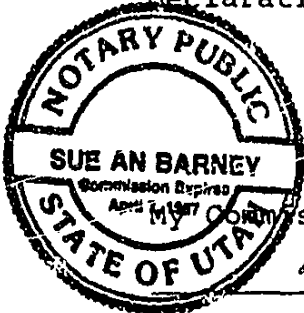
Jerrald K. Boone  
President

STATE OF UTAH )

:SS.

COUNTY OF SALT LAKE )

On this 25 day of Nov., 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 San Francisco Construction, Inc., a Utah corporation, that the foregoing First Supplement to Declaration of Condominium was signed on behalf of said corporation 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 First Supplement to Declaration of Condominium.



Commission Expires:

4-7-87

NOTARY PUBLIC

Residing at:

Sue An Barney  
Salt Lake

BOOK 5728 PAGE 2123

EXHIBIT "A"  
 TO  
 FIRST SUPPLEMENT  
 TO  
 DECLARATION OF CONDOMINIUM  
 OF THE  
 CROSSPOINTE CONDOMINIUM PROJECT  
 [An Expandable Condominium]

<u>Unit Number</u>	<u>Building Number</u>	<u>Size</u>	<u>Par Value</u>	<u>Ownership Percentage</u>
1	A	1140	773	1.67085
2	A	910	715	1.54547
3	A	590	590	1.27529
4	A	660	630	1.36175
5	A	1140	773	1.67085
6	A	910	715	1.54547
7	B	1140	773	1.67085
8	B	740	670	1.44821
9	B	590	590	1.27529
10	B	660	630	1.36175
11	B	1140	773	1.67085
12	B	910	715	1.54547
13	B	1010	740	1.59952
14	B	1090	760	1.64275
15	B	740	670	1.44821
16	C	740	670	1.44821
17	C	1140	773	1.67085
18	C	660	630	1.36175
19	C	590	590	1.27529
20	C	910	715	1.54547
21	C	1140	773	1.67085
22	C	740	670	1.44821
23	C	1010	740	1.59952
24	C	1090	760	1.64275
25	D	1010	740	1.59952
26	D	1090	760	1.64275
27	D	740	670	1.44821
28	D	910	715	1.54547
29	D	1140	773	1.67085
30	D	660	630	1.36175
31	D	590	590	1.27529
32	D	740	670	1.44821
33	D	1140	773	1.67085
34	E	910	715	1.54547
35	E	1140	773	1.67085
36	E	660	630	1.36175
37	E	590	590	1.27529
38	E	910	715	1.54547
39	E	1140	773	1.67085
40	F	910	715	1.54547

BOOK 5728 PAGE 2130

<u>Unit Number</u>	<u>Building Number</u>	<u>Size</u>	<u>Par Value</u>	<u>Ownership Percentage</u>
41	F	1140	773	1.67085
42	F	660	630	1.36175
43	F	590	590	1.27529
44	F	910	715	1.54547
45	F	1140	773	1.67085
46	G	910	715	1.54547
47	G	1140	773	1.67085
48	G	660	630	1.36175
49	G	590	590	1.27529
50	G	910	715	1.54547
51	G	1140	773	1.67085
52	H	740	670	1.44821
53	H	1010	740	1.59952
54	H	1090	760	1.64275
55	H	1140	773	1.67085
56	H	910	715	1.54547
57	H	590	590	1.27529
58	H	660	630	1.36175
59	H	1140	773	1.67085
60	H	740	670	1.44821
61	I	1140	773	1.67085
62	I	910	715	1.54547
63	I	590	590	1.27529
64	I	660	630	1.36175
65	I	1140	773	1.67085
66	I	910	715	1.54547
TOTAL:			<u>46,264</u>	<u>100.00000</u>

BOOK 5728 PAGE 2131

EXHIBIT "B"  
TO  
FIRST SUPPLEMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF THE  
CROSSPOINTE CONDOMINIUM PROJECT  
  
[An Expandable Condominium]

Phase I:

BEGINNING at a point that is 140.0 feet South and 645.20 feet West from the Northeast Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian, thence South 268.51 feet; to a point on a 122.00 foot radius curve (bearing to the center of curve bears South) thence 158.27 feet along the arc of said curve (chord bearing bears South 52°50'03" West); to a point on a 15.00 foot radius curve (bearing to the center of curve bears North 74°19'53" West) thence 19.46 feet along the arc of said curve (chord bearing bears South 52°50'04" West); thence West 147.79 feet; to a point on a 40.00 foot radius curve (bearing to the center of curve bears North) thence 23.21 feet along the arc of said curve (chord bearing bears North 73°22'44" West); to a point on a 70.00 foot radius curve (bearing to the center of curve bears South 33°14'32" West) thence 81.23 feet along the arc of said curve (chord bearing bears West); to a point on a 40.00 foot radius curve (bearing to the center of curve bears North 33°14'32" West) thence 23.21 feet along the arc of said curve (chord bearing bears South 73°22'44" West); thence West 76.79 feet; thence North 15°00'00" West 75.93 feet; thence North 22°27'17" West 32.09 feet; thence East 95.77 feet; thence North 12.23 feet; thence East 163.21 feet; thence North 159.08 feet; thence North 55°57'07" East 171.87 feet; to a point on a 23018.30 foot radius curve (bearing to the center of curve bears North 1°12'56" East); thence 107.62 feet along the arc of said curve (chord bearing bears South 88°55'06" East) to the point of beginning. Contains area of 102303.622 sq ft or 2.34857 acres. BASIS OF BEARING IS FROM THE NORTH QUARTER CORNER TO THE NORTHEAST CORNER OF SECTION 15, WHICH IS N. 89°53'30" E.

EXHIBIT "C"  
TO  
FIRST SUPPLEMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF  
CROSSPOINTE CONDOMINIUM PROJECT

[An Expandable Condominium Project]

Additional Land Submitted to Act:

BEGINNING at a point that is 126.5 feet South and 1140.64 feet West from the Northeast Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 15°00'00" West 91.00 feet; thence South 181.14 feet; to a point on a 10.00 foot radius curve (bearing to the center of curve bears East) thence 15.71 feet along the arc of said curve (chord bearing bears South 45°00'00" East); thence South 22°27'17" East 32.09 feet; thence South 15°00'00" East 75.93 feet; thence West 162.91 feet; thence North 388.00 feet; to a point on a 23018.30 foot radius curve (bearing to the center of curve bears North 2°32'30" East) thence 144.68 feet along the arc of said curve (chord bearing bears South 87°38'19" East) to the point of beginning. Contains area of 50536.312 sq. ft. or 1.16015 acres. BASIS OF BEARING IS FROM THE NORTH QUARTER CORNER TO THE NORTHEAST CORNER OF SECTION 15, WHICH IS N. 89°53'30" E.

EXHIBIT "D"  
TO  
FIRST SUPPLEMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF  
CROSSPOINTE 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. 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.

BOOK 5728 PAGE 2135