After Recording
Please Beturn To:
San Francisco Construction, Inc.
339 East 3900 South #101-A
Salt Lake City, Utah 84107

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28 JULY 87 03:24 PM
KATIE L. DIXDN
RECORDER, SALT LAKE COUNTY, UTAH
SECURITY TITLE
REC 3Y: REBECCA GRAY , DEPUTY

FIFTH SUPPLEMENT

TO

DECLARATION OF CONDOMINIUM

OF THE

CROSSPOINTE CONDOMINIUM PROJECT

(Phase 6 of an Expandable Condominium Project)

THIS SUPPLEMENT is made and executed this <u>21st</u> day of <u>July</u>, 1987 by SAN FRANCISCO CONSTRUCTION, INC., A Utah Corporation hereinafter referred to as "Declarant").

RECITALS:

- 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.
- B. On January 17, 1986, 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 Crosspointe Project" ("First Supplement") as Entry No. 4190597 in Book 5.728 at Page 2127; and (i) an instrument styled "Record of Survey Map of Crosspointe Condominiums, Phase 2" (the "Phase II Map") as Entry No. 4190596 in Book d6-1 of Plats at Page 3.
- C. On May 2, 1986, 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 Déclaration of Condominium of the Crosspointe Condominium Project" ("Second Supplement") as Entry No. 4129902 in Book 5762 at Page 2949; and (ii) as instrument styled "Record of Survey Map of Crosspointe Condominiums Phase 3" (the "Phase III Map") as Entry No. 4239602 in Book 85-5 of plats at Page 65.

D. On July 28, [98], Declarant 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 Crosspointe Project" ("Third Supplement") as
Entry No.4497857 in Book at Page; and (i) an instru-
ment styled "Record of Survey Map of Grosspointe Condominiums, Phase 4"
(the "Phase IV Map") as Entry No. 4477956 in Book of Plats at
Page

E. On July 28:167 Declarant further expanded the Project by filing for record in the office of the Recorder of Salt Lake County, Utah: (i) an instrument entitled "Fourth Supplement to Declaration of Condominium of the Crosspointe Condominium Project" ("Fourth Supplement") as Entry No. 4497857 in Book at Page and (ii) as instrument styled "Record of Survey Map of Crosspointe Condominiums, Phase 5" (the "Phase V Map) as Entry No. in Book of plats at Page 4497857. The Project, as expanded by the Fourth Supplement includes the following-described real property located at Salt Lake County, State of Utah;

SEE Exhibit "B" attached herato and incorporated herein by this reference.

F. As more fully Let forth in Sections 36 through 40, inclusive, of the Original Declaration, Declarant reserved the unilateral right (1.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 6" (hereinafter, the "Phase 6 Map") which, together with this Supplement adss to the Project the following-described real property (hereinafter, "Added Parcel") located in Salt Lake County, Utah:

SEE Exhibit "C" attached hereto and incorporated hereinby this reference.

1. 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. <u>Identification of Documents.</u> Data sufficient to identify the Original Declaration and the Original Map is set forth in Recital "A" above.
- 2. <u>Legal Description</u>. The legal description for the portion of The Additional Land being added to the Project (hereinreferred to as the "Added Parcel") is set forth in Recital "D" above and Exhibit "C" attached hereto.
- 3. Description of Added Parcel Improvement. The significant improvements located on the Added Parcel include Buildings N, Q and R containing Units 100 through 108 inclusive and units 124 through 138 inclusive, asphalt roadways, concrete driveways, patios and pouches. The location and configuration of such improvements are depicted on the Phase 6 Map. The Phase 6 Map above shows the location,

- 4. Limited Common Area. 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 6 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 6 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 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 attached hereto and incorporated herein by this reference furnished 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. <u>Definitions:</u> All capitalized terms used herrin but not specifically defined are given the meaning ascribed to them in the Original Declaration.

EXECUTED the day and year first above written.

"Leclarant"

ATTEST:

San Francisco Construction, Inc.

Jerrald K. Boone President

Alan L. Kruckenberg Vice-President

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

On this 21st day of July, 1987, personally appeared before me, Jerrald K. Boone and Alan L. Kruckenberg, who being by me duly sworn did say that they are the President and Vice-President, respectively of San Francisco Construction, Inc., a Utah corporation that the foregoing Fourth 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 Second Supplement to Declaration of Condominium.

Notary

Residing at:

My Commission Expires:

January 14, 1991

EXHIBIT "A"

 \cdot TO

FIFTH SUPPLEMENT

TO

DECLARATION OF CONDOMINIUM

OF THE

CROSSPOINTE CONDOMINIUM PROJECT

(An Expandable Condominium)

UNIT NUMBER	BUILDING NUMBER	SIZE	Par Value	GWNERSHIP PERCENTAGE
1	A	1140	773	0.797623
2	A	910	715	0.737775
2	A	590	590	8,608793
3 4	Ä	660	630	0.650067
	Ä	1140	773	0.797623
5 6	Ä	910	715	0.737775
7	В	1140	773	0.797623
8	В	740	670	0.691342
9	В	590	590	0.608793
10	B	660	630	0.650067
11	В	1140	773	0.797623
12	В	910	715	0.737775
13	В	1010	740	0.763571
14	В	1090	760	0.784208
15	В	740	670	0.691342
16	Č	740	670	0.091342
17	Č	1140	773	0.797623
18	Č	660	630	0.650067
19	Č	590	590	0.608793
20	Č	910	715	0.737775
21	Č	1140	773	0.797623
22	Ċ	740	670	0.691342 '
. 23	Č	1010	740	0.763571
24	Ğ	1090	760	0.784208
25	Ď	1010	740	0.763571
26	Ď	1090	760	0.784208
27	Ď	740	670	0,691342
28	D	910	715	0.737775
29	Ď	1140	773	0.797623
30	D	660	630	0.650067
31	, D	590	590	0.608793
32	D	740	670	0,691342
33	D	1140	773	0,797623

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	40	F	910	715	0.737775	
	41	F	1140	773	0.797623	
	42	F	660	630	0.650067	
	43	F	590	590	0.608793	
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	46	G G	910	773 715	0.797623	
	47	G	1140	773	0.797623	
	48	G	660	630	0.650067	
	49 50	G	590	590	0.608793	
	50 51	G G	910 1140	715 773	0.737775 0.797623	
	52	н	740	670	0.691342	
	53	H	1010	740	0.763571	
	54	H	1090	760 .	0.784208	
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	56 57	H H	910 590	715	0,737775 0,608793	
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	60	Н	740	670	0,691342	
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86	L	590	590	0.608793
87	L.	660	630	0.650067
88	L	1140	773	0.797623
89	L	910	715	0.737775
90 01	. I.	1010	740	0.763571
91	L L	1090	760	0.784208
92	L ·	740	670	0,691342
93 94	M	910	715	0.737775
94 95	M	1140	773	0.797623
	 М	660	630	0.650067
96 97	M	590	590	0.608793
97 98	М	910	715	0.737775
99	М	1140	773	0.797623
100	n	1090	760	0.784208
	n N	1010	740	0.763571
101	N	740	670	0.691342
102	N	910	715	0.737775
103	N	1140	773	0.797623
104	N N	590	590	0.608793
105	N	660	630	0.650067
106	N N	1140	773	0.797623
107	N	910	715	0.737775
108	0	1010	740	0.763571
109	Ö	1090	760	0.784208
110	Ŏ	740	670	0.691342
111	0	910	715	0.737775
112	ő	1140	773	0.797623
113	Ŏ	660	630	0.650067
114	ő	590	590	0.608793
115	Ö	910	715	0.737775
116	Ö	1140	773	0.797623
117 118	P	1140	773	0.797623
119	P	910	715	0.737775
120	P	660	630	0.650067
121	P	590	590	0.608793
122	. 7	910	715	0.737775
123	P	1140	773	0.797623
124	Q	910	715	0,737775
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EXHIBIT "B"

TO

FIFTH SUPPLEMENT

TO

DECLARATION OF COMDOMINIUM

OF THE

CROSSPOINTE CONDOMINIUM PROJECT

(An Expandable Condominium)

Phase 1:

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 74019'53" West) thence 19.46 feet along the arc of said curve (chord bearing bears South 52050'04" 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 73022'44" West); to a point on a 70,00 foot radius curve (bearing to the center of curve bears South 33014'32" 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 33014'32" West) thence 23.21 feet along the arc of said curve (chord bearing bears South 73022'44" West); thence West 76.79 feet; thence North 15000'00" 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 55057'07" East 171.87 feet; to a point on a 23018.30 foot radius curve (bearing to the center of curve bears North 1012'56" East); thence 107.62 feet along the arc of said curve (chord bearing bears South 88055'06" East) to the point of baginning. 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.89953'30" E.

Phase II:

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 15000'00" 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 4500'00" East): thence South 2027'17" East 32.09 feet; thence South 1500'00" 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 2032'30" East) thence 144.68 feet along the arc of said curve (chord bearing bears South 87038'19" 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. 89053'30" E.

Phase III:

BEGINNING at a point that is 138.0 feet South and 752.80 feet West from the Northeast Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 55°57'07" West 171.87 feet; thence South 159.08 feet; thence West 163.21 feet; thence South 12.23 feet: thence West 95.77 feet: to a point on a 10.00 foot radius curve (bearing to the center of curve bears North) thence 15.71 feet along the are of said curve (chord bearing bears North 45°00'00" West): thence North 181.14 feet: thence North 15°00'00" East 91.00 feet: to a point on a 23018.30 foot radius curve (bearing to the center of curve bears North 2 10'53" East) thence 388.01 feet along the arc of said curve (chord bearing bears South 88°18'05" to the point of beginning. Contains area of 78053.801 sq. ft. or 1.79187 acres. BASIS OF BEARING IS FROM THE NORTH QUARTER CORNER TO THE NORTHEAST CORNER OF SECTION 15, WHICH IS N. 89°53'30" E.

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Phase IV:

BEGINNING at a point that is 430.59 feet South and 600.20 feet West from the Northeast Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 70.00 feet; thence East 65.00 feet; thence South 125.00 feet; thence West 156.42 feet; thence North 85°57'10" West 33.57 feet; thence North 45°00'00" West 9.00 feet; to a point on a 122.00 foot radius curve (bearing to the center of curve bears North 45°00'00" East) thence 62.46 feet along the arc of seld curve (chord bearing bears North 30°20'03" West); to a point on a 15.00 foot radius curve (bearing to the center of curve hearn South 74°19'53" West) thence 19.46 feet along the arc of said curve (chord bearing bears North 52°50'04" West); thence West 117.79 feet; to a point on a 40.00 foot radius curve (bearing to the center of curve bears South) thence 23.21 feet along the arc of said curve (chord bearing bears South 73°22'44" West); to a point on a 70.00 foot radius curve (bearing to the center of curve bears North 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 South 33°14'32" West) thence 23.21 feet along the arc of said curve (chord bearing bears North 73°22'44" West); thence West 239.70 feet; thence North 44.00 feet; thence East 239.70 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" East); to a point on a 70.00 foot radius curve (bearing to the center of curve bears South 33°14'32" East) thence 81.23 feet along the arc of said curve (chord bearing bears East); to a point on a 40.00 foot radius curve (bearing to the center of curve bears North 33°14'32" East) thence 23.21 feet along the arc of said curve (chord bearing bears South 73°22'44" East); thence East 147.79 feet; to a point on a 15.00 foot radium curve (bearing to the center of curve bears North) thence 19.45 feet along the arc of said curve (chord bearing bears North 52°50'04" East); to a point on a 122.00 foot radius curve (bearing to the center of curve bears South .74°19'53" East) thence 158.27 feet along the arc of said curve (chord bearing bears North 52°50'03" East); thence South 22.00 Contains feet; thence East 45.00 feet to the point of beginning. Basis of bearing area of 64090.749 square feet or 1.47132 acres. is from the North Quarter Corner to the Northeast Corner of Section 15, which is North 89°53'30" East.

Phase V:

BEGINNING at a point that is 365.59 feet South and 493.20 feet West from the Northease Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian: thence South 27.00 feet; to a point on a 32.00 foot radius curve (bearing to the center of curve bears West) thence 23.13 feet along the arc of said curve (chord bearing bears South 200 42' 17" West); thence South 86.83 feet; thence West 99.00 feet; thence North 70.00 feet; thence West 45.00 feet; thence North 169.50 feet; thence East 32.00 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 (cord bearing bears North 450 00' 00" East): thence East 70.00 feet; thence South 114.50 feet; thence East 40.00 feet to the point of beginning. Contains area of 29104.588 sq ft or 0.66815 acres. Basis of bearing is from the North Quarter Corner to the Northeast Corner of Section 15, which is N. 89052'30"East.

EXHIBIT "C"

TO

FIFTH SUPPLEMENT

TO

DECLARATION OF CONDOMINIUM

OF

CROSSPOINTE CONDOMINIUM PROJECT

(An Expandable Condominium Project)

BEGINNING at a point that is 142.95 feet South and 379.20 feet West from the Northeast Corner of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 162.00 feet; thence West 36.00 feet; thence South 131.00 feet; thence West 86.00 feet; thence North 22.19 feet; to a point on a 32.00 foot radius curve (bearing to the center of curve bears North 48°35'25" West) thence 23.13 feet along the arc of said curve (chord bearing bears North 20°42'17" East); thence North 27.00 feet; thence West 40.00 feet; thence North 114.50 feet; thence West 70.00 feet; to a point on a 10.00 radius curve (bearing to the center of curve bears South) thence 15.71 feet along the arc of said curve (chord bearing bears South 45000' 00" West); thence West 32.00 feet; thence North 121.01 feet; to a point on a 23018.30 foot radius curve (bearing to the center of curve bears North $0^{\circ}56^{\circ}52^{\circ}$ East) thence 266.02 feet along the arc of said curve (chord bearing bears South 89023100" East) to the point of beginning. Contains area of 50588.597 sq. ft. or 1.16135 acres. Basis of bearing is from the North Quarter Corner to the Northeast Corner of Section 15, which is North 8935330" East.

EXHIBIT "D"

TO

FIFTH SUPPLEMENT

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DECLARATION OF CONDOMINIUM
OF
CROSSPOINTE CONDOMINIUM PROJECT

(An Expandable Condominium Project)

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 restrict ons, 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 502 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 6 Map recorded concurrently herewith, and to do all things reasonable 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. 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 c. Fice of the County Recorder of Salt Lake County, Utah.