

THIRD AMENDMENT TO THE RESTATED AND AMENDED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AT THE BRIARWOOD SPRINGS CONDOMINIUM PROJECT  
(AN EXPANDABLE CONDOMINIUM PROJECT)

8797295

WHEREAS, the Declarant herein recorded the Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Briarwood Springs Condominium Project (the "Declaration") with the Salt Lake County Recorder's Office on December 12, 1986 as Entry No. 4365955, Book 5851, Pages 3090 through 3137.

WHEREAS, the Declarant herein has previously recorded with the Salt Lake County Recorder's Office the Amendments to the Restated and Amended Declaration of Covenants, Conditions and Restrictions for the Briarwood Springs Condominium Project relative to the expansion and inclusion within the project of amended Phase 4 and Phase 5.

WHEREAS, the Declarant, pursuant to Sections 2.03 and 17.05 of the Declaration now desires to amend such Declaration to include Phase 6 as follows:

1. Paragraph A of the Recitals of the Declaration shall be amended to include the following property description, denoted as Phase 6 of the Project;

PHASE 6:

Beginning at a Point which is NORTH 00'02'05" EAST along the Section Line 738.43 feet and WEST 321.56 feet from the Southeast Corner of Section 30, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence SOUTH 46'00'00" WEST 29.74 feet; thence

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NORTH 44°00'00" WEST 21.56 feet; thence SOUTH 46°00'00" WEST 78.65 feet; thence WEST 48.56 feet; thence NORTH 95.00 feet; thence NORTH 12°00'00" EAST 100.00 feet; thence NORTH 72°12'06" EAST 23.66 feet; thence NORTH 84°30'00" EAST 70.00 feet; thence SOUTH 05°30'00" EAST 105.00 feet to a Point on the Arc of a 75.00 foot radius curve to the Left (chord bears SOUTH 23°28'38" EAST 46.29 feet); thence Southeasterly along the Arc of said curve 47.06 feet to the Point of Beginning. Contains 0.488 Acres.

2. Paragraph 2.04 of the Declaration relative to the property description for the Expandable Area shall be amended as follows:

EXPANDABLE AREA:

Beginning at a Point which is NORTH 00°02'05" EAST along the Section Line 988.79 feet and WEST 33.00 feet from the South-east Corner of Section 30, Township 2 South, Range 1 East, Salt Lake Base and Meridian; said Point also being on the Westerly Right-of-Way Line of 700 East Street; and running thence SOUTH 00°02'05" WEST along said Westerly Right-of-Way Line 80.37 feet; thence SOUTH 41°46'04" WEST 130.36 feet; thence SOUTH 20°27'59" WEST 81.14 feet; thence NORTH 44°00'00" WEST 114.65 feet; thence SOUTH 84°30'00" WEST 13.57 feet; thence SOUTH 46°00'00" WEST 111.64 feet to a Point on the Arc of a 75.00 foot radius curve to the Right (chord bears NORTH 23°28'38" WEST 46.29 feet); thence along the Arc of said curve 47.06 feet; thence NORTH 05°30'00" WEST 105.00 feet; thence SOUTH 84°30'00" WEST 70.00 feet; thence SOUTH 72°12'06" WEST 23.66 feet; thence SOUTH 12°00'00" WEST 100.00 feet; thence WEST 125.00 feet; thence SOUTH 50.56 feet; thence SOUTH 89°59'55" WEST 346.88 feet; thence NORTH 01°24'17" EAST 607.10 feet; thence EAST 315.64 feet; thence SOUTH 106.50 feet; thence EAST 190.22 feet; thence SOUTH 117.14 feet; thence NORTH 89°53'18" EAST 78.89 feet; thence SOUTH 117.63 feet; thence EAST 302.47 feet to the Point of Beginning. Contains 8.088 Acres.

3. Exhibit "A" relative to the identification of the respective Units and their undivided interests in common areas shall be amended to read as follows:

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EXHIBIT "A"

Bldg.# / Unit #	Sq. Footage	% Ownership	Votes
<b>AMENDED PHASE 1</b>			
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1-1	1078	1.1826	1078
1-2	1057	1.1596	1057
1-3	1078	1.1826	1078
1-4	1057	1.1596	1057
1-5	1078	1.1826	1078
1-6	1057	1.1596	1057
2-1	1078	1.1826	1078
2-2	1070	1.1738	1070
2-3	1078	1.1826	1078
2-4	1070	1.1738	1070
2-5	1078	1.1826	1078
2-6	1070	1.1738	1070
3-1	1078	1.1826	1078
3-2	1057	1.1596	1057
3-3	1078	1.1826	1078
3-4	1057	1.1596	1057
3-5	1078	1.1826	1078
3-6	1057	1.1596	1057
4-1	1078	1.1826	1078
4-2	1057	1.1596	1057
4-3	1078	1.1826	1078
4-4	1057	1.1596	1057
4-5	1078	1.1826	1078
4-6	1057	1.1596	1057
28-1	1078	1.1826	1078
28-2	1070	1.1738	1070
28-3	1078	1.1826	1078
29-4	1070	1.1738	1070
28-5	1078	1.1826	1078
28-6	1070	1.1738	1070

**PHASE 2 A**

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5-1	1078	1.1826	1078
5-2	1078	1.1826	1078
5-3	1078	1.1826	1078
5-4	1078	1.1826	1078
5-5	1078	1.1826	1078
5-6	1078	1.1826	1078
6-1	1078	1.1826	1078
6-2	1078	1.1826	1078
6-3	1078	1.1826	1078
6-4	1078	1.1826	1078
6-5	1078	1.1826	1078
6-6	1078	1.1826	1078

**PHASE 2 B**

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25-1	1078	1.1826	1078
25-2	1078	1.1826	1078

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25-3	1078	1.1826	1078
25-4	1078	1.1826	1078
25-5	1078	1.1826	1078
25-6	1078	1.1826	1078
26-1	1078	1.1826	1078
26-2	1078	1.1826	1078
26-3	1078	1.1826	1078
26-4	1078	1.1826	1078
26-5	1078	1.1826	1078
26-6	1078	1.1826	1078
27-1	1078	1.1826	1078
27-2	1078	1.1826	1078
27-3	1078	1.1826	1078
27-4	1078	1.1826	1078
27-5	1078	1.1826	1078
27-6	1078	1.1826	1078

PHASE 3

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29-1	1546	1.6960	1546
29-2	1412	1.5490	1412
29-3	1308	1.4349	1308
29-4	1546	1.6960	1546
29-5	1546	1.6960	1546
29-6	1412	1.5490	1412

AMENDED PHASE 4

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30-1	1412	1.5490	1412
30-2	1308	1.4349	1308
30-3	1412	1.5490	1412

PHASE 5

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31-1	1677	1.8397	1677
31-2	1308	1.4349	1308
31-3	1412	1.5490	1412
31-4	1546	1.6960	1546

PHASE 6

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34-1	1312	1.4393	1312
34-2	1060	1.1629	1060
34-3	907	0.9950	907
34-4	1085	1.1903	1085
34-5	1130	1.2397	1130
34-6	1312	1.4393	1312
34-7	1060	1.1629	1060

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TOTALS	91154	100.0000	91154

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KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
WOODBINE LAND CORPORATION  
REC BY: JANET WONG, DEPUTY

IN WITNESS WHEREOF, the undersigned being the representative  
of the Declarant has heretofore set his hand 13 day of May, 1988.

WOODBINE LAND CORPORATION

BY: David E. Kavanagh  
DAVID E. KAVANAGH

ITS: Attorney-in-fact

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

On the 13 day of May, 1988, personally appeared before me  
David E. Kavanagh, who, being by me duly sworn did say that he is the  
attorney in fact of Woodbine Land Corporation, and that said  
instrument was signed on behalf of said Woodbine Land Corporation  
by authority of a Power of Attorney recorded with the Salt Lake  
county Recorder's Office relative to the Project, and said David  
E. Kavanagh acknowledged to me that he as such attorney in fact  
executed the same.

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Ray P. Carter  
NOTARY PUBLIC  
Residing in Salt Lake County

My commission expires:

3-25-90  
(td/ray/briar.amd)