

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

WHEREAS, the Declarant herein recorded the Amended and restated Declaration of Covenants, Condition 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, Phase 5, Phase 6, Phase 7, Phase 8, Phase 9, Phase 10 and 11.

WHEREAS, the Declarant, pursuant to Sections 20.3 and 17.05 of the Declaration now desires to amend such Declaration to include Phase 12 as follows:

1. Paragraph A of the Recitals of the Declaration shall be amended to include the following property description, denoted as Phase 12 of the Project;

PHASE 12:

BOUNDARY DESCRIPTION - PHASE 12

Beginning at a point which is NORTH 00°02'05" EAST along the Section Line 969.88 feet and WEST 354.07 feet from the Southeast Corner of Section 30, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence SOUTH 40.748 feet to a point on a 75.00 foot radius curve to the Left (chord bears SOUTH 02°45'00" EAST 7.19 feet); thence Southeasterly along the Arc of said curve 7.20 feet; thence SOUTH 05°30'00" EAST 36.72 feet; thence SOUTH 84°30'00" WEST 70.00 feet; thence SOUTH 72°12'06" WEST 23.66 feet; thence NORTH 77°06'29" WEST 52.105 feet; thence WEST 55.003 feet; thence NORTH 102.223 feet; thence EAST 36.23 feet to a point on a 75.00 foot radius curve to the Right (chord bears SOUTH 87°07'30" EAST 7.524 feet); thence Southeasterly along the arc of said curve 7.527 feet; thence SOUTH 84°15'00" EAST 147.38 feet to a point on a 75.00 foot radius curve to the Left (chord bears SOUTH 85°41'15" EAST 3.763 feet); thence Southeasterly along the arc of said curve 3.763 feet to the Point of Beginning. Contains 0.443 Acres.

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2. Paragraph 2.04 of the Declaration relative to the property description for 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 Southeast 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 80.73 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 NORTH 05°30'00" WEST 136.12 feet; thence NORTH 84°17'22" WEST 19.64 feet; thence WEST 50.09 feet to a point on the arc of a 16.00 foot radius curve to the Left (chord bears SOUTH 45°00'00" WEST 22.63 feet); thence Southwesterly along the arc of said curve 25.13 feet; thence WEST 14.00 feet; thence NORTH 32.458 feet to a point on the arc of a 75.00 foot radius curve to the Right (chord bears NORTH 86°41'15" WEST 3.763 feet); thence Northwesterly along the arc of said curve 3.763 feet; thence NORTH 84°15'00" WEST 147.38 feet to a point on the arc of a 75.00 foot radius curve to the Left (chord bears NORTH 87°07'30" WEST 7.524 feet); thence Northwesterly along the arc of said curve 7.527 feet; thence WEST 36.23 feet; thence SOUTH 14.00 feet; thence WEST 338.97 feet; thence SOUTH 157.16 feet to a point on the arc of a 89.00 foot radius curve to the Left (chord bears SOUTH 07°00'00" EAST 21.69 feet); thence Southeasterly along the arc of said curve 21.75 feet; thence SOUTH 14°00'00" EAST 71.669 feet; thence SOUTH 89°59'55" WEST 67.89 feet; thence NORTH 01°24'17" EAST 607.10 feet; thence EAST 315.64 feet; thence SOUTH 106.60 feet; thence EAST 190.22 feet; thence SOUTH 117.14 feet; thence NORTH 89°53'10" EAST 78.89 feet; thence SOUTH 117.63 feet; thence EAST 302.47 feet to the Point of Beginning. Contains 5.128 Acres.

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

EXHIBIT "A"

Bldg.# / Unit #	Sq. Footage	% Ownership	Votes
<b>AMENDED PHASE 1</b>			
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1-1	1078	0.7792	1078
1-2	1057	0.7640	1057
1-3	1078	0.7792	1078
1-4	1057	0.7640	1057
1-5	1078	0.7792	1078
1-6	1057	0.7640	1057
2-1	1078	0.7792	1078
2-2	1070	0.7734	1070
2-3	1078	0.7792	1078
2-4	1070	0.7734	1070
2-5	1078	0.7792	1078
2-6	1070	0.7734	1070
3-1	1078	0.7792	1078
3-2	1057	0.7640	1057
3-3	1078	0.7792	1078
3-4	1057	0.7640	1057
3-5	1078	0.7792	1078
3-6	1057	0.7640	1057
4-1	1078	0.7792	1078
4-2	1057	0.7640	1057
4-3	1078	0.7792	1078
4-4	1057	0.7640	1057
4-5	1078	0.7792	1078
4-6	1057	0.7640	1057
28-1	1078	0.7792	1078
28-2	1070	0.7734	1070
28-3	1078	0.7792	1078
28-4	1070	0.7734	1070
28-5	1078	0.7792	1078
28-6	1070	0.7734	1070
<b>PHASE 2 A</b>			
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5-1	1078	0.7792	1078
5-2	1078	0.7792	1078
5-3	1078	0.7792	1078
5-4	1078	0.7792	1078
5-5	1078	0.7792	1078
5-6	1078	0.7792	1078
6-1	1078	0.7792	1078
6-2	1078	0.7792	1078
6-3	1078	0.7792	1078
6-4	1078	0.7792	1078
6-5	1078	0.7792	1078
6-6	1078	0.7792	1078

PHASE 2 B

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25-1	1078	0.7792	1078
25-2	1078	0.7792	1078
25-3	1078	0.7792	1078
25-4	1078	0.7792	1078
25-5	1078	0.7792	1078
25-6	1078	0.7792	1078
26-1	1078	0.7792	1078
26-2	1078	0.7792	1078
26-3	1078	0.7792	1078
26-4	1078	0.7792	1078
26-5	1078	0.7792	1078
26-6	1078	0.7792	1078
27-1	1078	0.7792	1078
27-2	1078	0.7792	1078
27-3	1078	0.7792	1078
27-4	1078	0.7792	1078
27-5	1078	0.7792	1078
27-6	1078	0.7792	1078

PHASE 3

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29-1	1546	1.1175	1546
29-2	1412	1.0206	1412
29-3	1308	0.9454	1308
29-4	1546	1.1175	1546
29-5	1546	1.1175	1546
29-6	1412	1.0206	1412

AMENDED PHASE 4

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30-1	1412	1.0206	1412
30-2	1308	0.9454	1308
30-3	1412	1.0206	1412

PHASE 5

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31-1	1677	1.2121	1677
31-2	1308	0.9454	1308
31-3	1412	1.0206	1412
31-4	1546	1.1175	1546

PHASE 6

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34-1	1312	0.9483	1312
34-2	1060	0.7662	1060
34-3	907	0.6556	907
34-4	1085	0.7842	1085
34-5	1130	0.8168	1130
34-6	1312	0.9483	1312
34-7	1060	0.7662	1060

PHASE 7

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32-1	1312	0.9483	1312
32-2	1060	0.7662	1060
32-3	907	0.6556	907
32-4	1085	0.7842	1085
32-5	1130	0.8168	1130
32-6	1312	0.9483	1312
32-7	1060	0.7662	1060

PHASE 8

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36-1	1312	0.9483	1312
36-2	1060	0.7662	1060
36-3	907	0.6556	907
36-4	1085	0.7842	1085
36-5	1130	0.8168	1130
36-6	1312	0.9483	1312
36-7	1060	0.7662	1060

PHASE 9

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37-1	1312	0.9483	1312
37-2	1060	0.7662	1060
37-3	907	0.6556	907
37-4	1085	0.7842	1085
37-5	1130	0.8168	1130
37-6	1312	0.9483	1312
37-7	1060	0.7662	1060

PHASE 10

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38-1	1312	0.9483	1312
38-2	1060	0.7662	1060
38-3	907	0.6556	907
38-4	1085	0.7842	1085
38-5	1130	0.8168	1130
38-6	1312	0.9483	1312
38-7	1060	0.7662	1060

PHASE 11

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39-1	1312	0.9483	1312
39-2	1060	0.7662	1060
39-3	907	0.6556	907
39-4	1085	0.7842	1085
39-5	1130	0.8168	1130
39-6	1312	0.9483	1312
39-7	1060	0.7662	1060

PHASE 12

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35-1	1312	0.9483	1312
35-2	1060	0.7662	1060
35-3	907	0.6556	907
35-4	1085	0.7842	1085
35-5	1130	0.8168	1130
35-6	1312	0.9483	1312
35-7	1060	0.7662	1060

TOTALS

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IN WITNESS WHEREOF, the undersigned being the representative of the Declarant has heretofore set his hand 27 day of April, 1989.

WOODBINE LAND CORPORATION

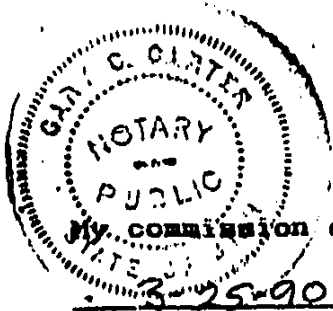
BY: David E. Kavanagh

ITS: \_\_\_\_\_

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS

This day, before me, a Notary Public of the State and County aforesaid, personally appeared David E. Kavanagh who being by me duly sworn, did say that he is the attorney in fact of Woodbine Land Corporation a Utah corporation, and that said instrument was signed in behalf of said corporation by authority of its bylaws and said David E. Kavanagh acknowledged to me that said corporation executed the same.

Witness my hand and official seal this 27 day of April, 1989.



Mary Platt  
NOTARY PUBLIC  
Residing in: SALT LAKE COUNTY

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4764233  
28 APRIL 89 10:52 AM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
WOODBINE LAND CORP  
7694 SUNBIRD WAY MIDVALE, UT 84047  
REC BY: D DANGERFIELD , DEPUTY

BOOK 6121 PAGE 1936