

AFTER RECORDING, PLEASE RETURN TO:

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By Carol Dean Page Deputy Book 853 Page 853

583516

NOTICE OF MERGER
OF PHASE 6 OF
THE SUNDOWNER CONDOMINIUM
INTO (PREVIOUSLY MERGED)
PHASES 1, 2, 3, 4, AND 5 THEREOF

["Fourth Notice of Merger"]

THIS NOTICE OF MERGER is made and executed this 12
day of November, 1980, by COUNTRY HILLS, INC., a Utah
corporation (hereinafter referred to as "Declarant").

RECITALS:

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

A. On January 22, 1974 Declarant created Phase 1 of The Sundowner Condominium Project (hereinafter referred to as "Phase 1") by filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 1" and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 1" (hereinafter referred to as the "Phase 1 Map"). Said Declaration was recorded as Entry No. 390625 in Book 532 at Page 190. The Phase 1 Map was recorded as Entry No. 390624 in Book "S" at Page 567. On June 10, 1976 there was recorded in the office of the County Recorder of Davis County, Utah, as Entry No. 435716 in Book 604 at Page 753, an "Amendment to Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 1" by which said Declaration concerning Phase 1 was amended in certain respects. On July 6, 1978 there was recorded in said office, as Entry No. 501320 in Book 717 at Page 46, an "Amendment to Declarations of Covenants, Conditions, and Restrictions Concerning Phases 1, 2, and 3 of The Sundowner Condominium," by which said Declaration concerning Phase 1 was amended in certain additional respects. Said Declaration concerning Phase 1, as amended by the two (2) referenced Amendments, is hereinafter referred to as the "Phase 1 Declaration." The Real Property included in Phase 1 is situated in Clearfield, Davis County, Utah, and is described as follows:

Beginning at a point on the South right of way of 700 South Street being West 1687.93 feet, South 112.57' and S 89°54' 15" W 90 feet from the Northeast corner of Section 7, T4N, R1W, SLB&M; thence S 0°08'33" W 150.00 feet; thence N 89°54' 15" E 170.00 feet; thence S 0°08'33" W 120.00 feet; thence S 89°54'15" W 35 feet;

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thence S 0°08'33" W 330.00 feet; thence S 89°54'15" W 340.00 feet; thence N 0°08'33" E 230.00 feet; thence S 89°54'15" W 60.27 feet; thence N 57°24'35" W 147.80 feet; thence N 0°08'33" E 120.00 feet; thence N 89°54'15" E 140.00 feet; thence N 0°08'33" E 170.00 feet; thence N 89°54'15" E 250.00 feet to the point of beginning. (Containing 5.32 acres.)

The Real Property included in Phase 1 comprises a portion of a larger tract (hereinafter referred to as the "Entire Tract") which includes all of the land described on Exhibit "C" to the Phase 1 Declaration.

B. The Phase 1 Declaration anticipated that the Condominium Project related thereto would be but the first Phase of a larger Condominium Project (hereinafter sometimes referred to as the "Project") which ultimately might come into existence. Accordingly, in the Phase 1 Declaration, and particularly in Paragraph 12 thereof, Declarant reserved the right, upon the occurrence of certain conditions, to include one or more additional Phases (occupying a portion of the Entire Tract) as a part of a single Condominium Project consisting of Phase 1 and all subsequent Phases which may be merged with Phase 1.

C. On October 1, 1975 Declarant created Phase 2 of The Sundowner Condominium Project (hereinafter referred to as "Phase 2") by filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 2" and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 2" (hereinafter referred to as the "Phase 2 Map"). Said Declaration was recorded as Entry No. 420454 in Book 579 at Page 513. The Phase 2 Map was recorded as Entry No. 420453 in Book 579 at Page 512. On June 10, 1976 there was recorded in the office of the County Recorder of Davis County, Utah, as Entry No. 435717 in Book 604 at Page 759, an "Amendment to Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 2," by which said Declaration concerning Phase 2 was amended in certain respects. On July 6, 1978 there was recorded in said office, as Entry No. 501320 in Book 717 at Page 46, an "Amendment to Declarations of Covenants, Conditions, and Restrictions Concerning Phases 1, 2, and 3 of The Sundowner Condominium," by which said Declaration concerning Phase 2 was amended in certain additional respects. Said Declaration concerning Phase 2, as amended by the two (2) referenced Amendments, is hereinafter referred to as the "Phase 2 Declaration." The Real Property included in Phase 2 is situated in Clearfield, Davis County, Utah, and is described as follows:

Beginning at a point which is on the East boundary of Sundowner Condominium, Phase

1, being West 1687.93 ft., and South 112.57 ft., and S 89°54'15" W 90.0 ft., and S 0°08'33" W 150.0 ft., and N 89°54'15" E 170.0 ft., and S 0°08'33" W 120.0 ft., and S 89°54'15" W 35.0 ft., and S 0°08'33" W 115.0 ft. from the Northeast corner of Section 7, T. 4N., R. 1W., S.L.B.&M.; and running thence S 89°51'27" E 110.0 ft.; thence S 0°08'33" W 227.49 ft.; thence S 32°35'25" W 94.94 ft.; thence N 57°24'35" W 70.0 ft.; thence N 0°08'33" E 270.0 ft. to the point of beginning. (Contains .70 acres, more or less).

The Real Property included in Phase 2 comprises a portion of the Entire Tract and is contiguous to the Real Property included in Phase 1.

D. The Phase 2 Declaration provided that Phase 2 constitutes the second Phase of the Project and anticipated that said Phase might be added to and merged with Phase 1 and/or subsequent Phases previously or thereafter merged with Phase 1.

E. On June 10, 1976 Declarant created Phase 3 of The Sundowner Condominium Project (hereinafter referred to as "Phase 3") by filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 3" and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 3" (hereinafter referred to as the "Phase 3 Map"). Said Declaration was recorded as Entry No. 435719 in Book 604 at Page 766. The Phase 3 Map was recorded as Entry No. 435718 in Book 604 at Page 765. On July 6, 1978 there was recorded in the office of the County Recorder of Davis County, Utah, as Entry No. 501320 in Book 717 at Page 46, an "Amendment to Declarations of Covenants, Conditions, and Restrictions Concerning Phases 1, 2, and 3 of The Sundowner Condominium," by which said Declaration concerning Phase 3 was amended in certain respects. Said Declaration concerning Phase 3, as amended by the referenced Amendment, is hereinafter referred to as the "Phase 3 Declaration." The Real Property included in Phase 3 is situated in Clearfield, Davis County, Utah, and is described as follows:

BEGINNING at a point on the East boundary of Sundowner Condominium Phase 1, being W 1687.93 feet and S 112.57 feet, and S 89°54'15" W 90.00 feet, and S 0°08'33" W 150.00 feet, and N 89°54'15" E 170.00 feet from the Northeast corner of Section 7, T4N, R1W, S.L.B.&M., and running thence S 0°08'33" W 120.00 feet; thence S 89°54'15" W 35.00 feet; thence S 0°08'33" W 115.00 feet; thence S 89°51'27" E 110.00 feet; thence S 0°08'

33" W 227.49 feet; thence S 32°35'25" W 72.50 feet; thence S 57°24'35" E 289.01 feet; thence N 0°08'33" E 680.00 feet; thence S 89°54'15" W 280.00 feet to the point of beginning.

The Real Property included in Phase 3 comprises a portion of the Entire Tract and is contiguous to the Real Properties included in Phases 1 and 2.

F. The Phase 3 Declaration provided that Phase 3 constitutes the third Phase of the Project and anticipated that said Phase might be added to and merged with Phase 1 and/or other Phases of the Project previously or thereafter merged with Phase 1.

G. On June 10, 1976 Declarant exercised its right to merge Phase 1, Phase 2, and Phase 3 into one another so as to result in but a single Project. Such right was exercised by Declarant's filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Notice of Merger of Phase 1, Phase 2, and Phase 3 of The Sundowner Condominium" (hereinafter referred to as the "First Notice of Merger"). The First Notice of Merger was recorded as Entry No. 435720 in Book 604 at Page 804.

H. On July 6, 1978 Declarant created Phase 4 of The Sundowner Condominium Project (hereinafter referred to as "Phase 4") by filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 4" (hereinafter referred to as the "Phase 4 Declaration") and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 4" (hereinafter referred to as the "Phase 4 Map"). The Phase 4 Declaration was recorded as Entry No. 501319 in Book 717 at Page 3. The Phase 4 Map was recorded as Entry No. 501318 in Book 717 at Page 2. The Real Property included in Phase 4 is situated in Clearfield, Davis County, Utah, and is described as follows:

BEGINNING at the Southeast corner of Sundowner Condominium Phase 1, being S. 66°34'24" W. 1792.17 feet from the Northeast corner of Section 7, T.4N., R.1W., S.L.B.&M., U.S. Survey, and running thence S. 0°08'33" W. 55.00 feet; thence S 57°24'35" E. 70.00 feet; thence N. 32°35'25" E 22.44 feet; thence S. 57°24'35" E. 289.01 feet; thence S. 0°08'33" W. 349.10 feet; thence N. 57°24'35" W. 139.00 feet; thence N. 0°08'33" E. 100.10 feet; thence N. 57°24'35" W. 669.27 feet; thence N. 32°35'25" E. 50.47 feet; thence N. 89°54'15" E. 340.00 feet to the point of BEGINNING.

SUBJECT TO a right-of-way over and across the following-described (35-foot wide) strip of land: BEGINNING at a point West 1328.31 feet, South 261.97 feet, and South 0°08'33" West 887.52 feet from the Northeast corner of Section 7, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence South 0°08'33" West 41.48 feet; thence North 57°24'35" West 808.27 feet; thence North 32°35'25" East 35.00 feet; thence South 57°24'35" East 786.02 feet to the point of BEGINNING.

The Real Property included in Phase 4 comprises a portion of the Entire Tract and is contiguous to the Real Properties included in Phases 1, 2, and 3.

I. The Phase 4 Declaration provided that Phase 4 constitutes the fourth Phase of the Project and anticipated that said Phase might be added to and merged with Phase 1 and/or other Phases of the Project previously or thereafter merged with Phase 1.

J. On July 6, 1978 Declarant exercised its right to merge Phase 4 into (previously merged together) Phases 1, 2, and 3 so as to result in but a single Project. Such right was exercised by Declarant's filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Notice of Merger of Phase 4 of The Sundowner Condominium into (Previously Merged) Phases 1, 2, and 3 Thereof" (hereinafter referred to as the "Second Notice of Merger"). The Second Notice of Merger was recorded as Entry No. 501321 in Book 717 at Page 55.

K. On October 19, 1979 Declarant created Phase 5 of The Sundowner Condominium Project (hereinafter referred to as "Phase 5") by filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions, The Sundowner Condominium Phase 5" (hereinafter referred to as the "Phase 5 Declaration") and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 5" (hereinafter referred to as the "Phase 5 Map"). The Phase 5 Declaration was recorded as Entry No. 548037 in Book 797 at Page 412. The Phase 5 Map was recorded as Entry No. 548036 in Book 797 at Page 411. The Real Property included in Phase 5 is situated in Clearfield, Davis County, Utah, and is described as follows:

BEGINNING at the Northwest corner of Sundowner Condominium Phase 4, being South 70°14'04" West 2108.67 feet from the Northeast corner of Section 7, T.4N., R.1W., S.L.B.&M., U.S. Survey, and running thence South 32°35'25"

West 50.47 feet; thence North 57°24'35" West 352.07 feet; thence South 89°54'15" West 314.93 feet; thence North 00°06'30" East 45.00 feet; thence North 89°54'15" East 274.29 feet; thence North 00°06'30" East 237.17 feet; thence North 89°54'15" East 180.00 feet; thence South 00°08'33" West 120.00 feet; thence South 57°24'35" East 147.80 feet; thence North 89°54'15" East 60.27 feet; thence South 00°08'33" West 230.00 feet to the point of BEGINNING. Containing 2.67 acres.

RESERVING therefrom an easement for road and utilities over the Southerly 35 feet of the above-described parcel. Said easement being 35 feet in width measured at right angles. The South line of said easement is described as follows: BEGINNING at the Southeast corner of the above-described parcel, from which point the Northeast corner of Section 7, T.4N., R.1W., S.L.B.&M. bears the following two (2) courses and distances: 1) North 32°35'25" East 50.47 feet; 2) North 70°14'04" East 2108.67 feet; thence from said point of beginning North 57°24'35" West 352.07 feet; thence South 89°54'15" West 314.93 feet.

The Real Property included in Phase 5 comprises a portion of the Entire Tract and is contiguous to the Real Properties included in Phases 1, 2, 3, and 4.

L. The Phase 5 Declaration provided that Phase 5 constitutes the fifth Phase of the Project and anticipated that said Phase might be added to and merged with Phase 1 and/or other Phases of the Project previously or thereafter merged with Phase 1.

M. On October 19, 1979 Declarant exercised its right to merge Phase 5 into (previously merged together) Phases 1, 2, 3, and 4 so as to result in but a single Project. Such right was exercised by Declarant's filing for record in the office of the County Recorder of Davis County, Utah an instrument entitled "Notice of Merger of Phase 5 of The Sundowner Condominium into (Previously Merged) Phases 1, 2, 3, and 4 Thereof" (hereinafter referred to as the "Third Notice of Merger"). The Third Notice of Merger was recorded as Entry No. 548038 in Book 797 at Page 453.

N. Heretofore there has been or concurrently with the recordation of this Notice there is being recorded in the office of the County Recorder of Davis County, Utah an instrument entitled "Declaration of Covenants, Conditions, and Restrictions,

The Sundowner Condominium Phase 6" (hereinafter referred to as the "Phase 6 Declaration") and an instrument styled "Record of Survey Map of The Sundowner Condominium Phase 6" (hereinafter referred to as the "Phase 6 Map") whereby Phase 6 of The Sundowner Condominium Project (hereinafter referred to as "Phase 6") is created. The Real Property included in Phase 6 is situated in Clearfield, Davis County, Utah, and is described as follows:

BEGINNING at the Southeast corner of The Sundowner Condominium Phase 4, said point being 1330.87 feet West and 1291.07 feet South from the Northeast corner of Section 7, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0°08'33" West 449.90 feet; thence North 54°24' West 168.00 feet; thence North 57°49'20" West 353.91 feet; thence North 0°08'33" East 542.57 feet; thence South 57°24'35" East 378.68 feet; thence South 0°08'33" West 100.10 feet; thence South 57°24'35" East 139.00 feet to the point of BEGINNING.

The Real Property included in Phase 6 comprises a portion of the Entire Tract and is contiguous to the Real Properties included in Phases 1, 2, 3, 4, and 5.

O. The Phase 6 Declaration provides that Phase 6 constitutes the sixth Phase of the Project and anticipates that said Phase may be added to and merged with Phase 1 and/or other Phases of the Project previously or thereafter merged with Phase 1.

P. Declarant desires, pursuant to the applicable provisions of the above-referenced instruments, to exercise its right to merge Phase 6 into (previously merged together) Phases 1, 2, 3, 4, and 5 so as to result in but a single Project. Under Paragraph 12 of each of the Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, and Phase 6 Declarations, such right may be exercised by Declarant's filing an appropriate "Notice of Merger" at any time within seven (7) years after the Phase 1 Declaration (as originally constituted) was filed for record, so long as at the time such Notice is filed a Declaration and Map have been recorded for each Phase which is to be merged into the Project as it previously existed. Such time period (which ends on January 22, 1981) has not yet expired and, as noted and referred to above, a Declaration and Map for each of Phases 1, 2, 3, 4, 5, and 6 is of record in Davis County, Utah. Accordingly, all prerequisites to Declarant's exercise of its right to so merge Phase 6 into (previously merged together) Phases 1, 2, 3, 4, and 5 are satisfied.

NOW, THEREFORE, for the foregoing purposes and pursuant to the right provided for in Paragraph 12 of each of the Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, and Phase 6 Declarations, Declarant hereby states, declares, and gives notice as follows:

1. Merger. Upon the recordation of this Notice, Phase 6 shall automatically be added to and merged with (previously merged together) Phases 1, 2, 3, 4, and 5 and thereafter Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, and Phase 6 shall for all purposes constitute but constituent parts of a single Condominium Project known as "The Sundowner Condominium Project."

2. Project's Declaration and Map. After the recordation of this Notice, the Declaration of Covenants, Conditions, and Restrictions of The Sundowner Condominium Project shall consist of the Phase 1, the Phase 2, the Phase 3, the Phase 4, the Phase 5, and the Phase 6 Declarations taken together, and the Record of Survey Map of The Sundowner Condominium Project shall consist of the Phase 1, the Phase 2, the Phase 3, the Phase 4, the Phase 5, and the Phase 6 Maps taken together.

3. Management Committee. Upon the recordation of this Notice, the Management Committee of or which was exercising authority over Phase 6 immediately prior to the recordation hereof shall automatically be dissolved and shall cease to have any power whatsoever. After the recordation of this Notice, the Management Committee of or which was exercising authority over (previously merged together) Phases 1, 2, 3, 4, and 5 immediately prior to the recordation hereof shall be the Management Committee of and which exercises authority over the entire Project.

4. Revised Percentage Interests. The following schedule sets forth the revised percentage of undivided ownership interest which shall appertain to each Unit in the Project upon and after the recordation of this Notice:

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 1	23,702	0.4992
b	Bldg. 1	24,694	0.5201
c	Bldg. 1	24,694	0.5201
d	Bldg. 1	22,710	0.4783
a	Bldg. 2	23,702	0.4992
b	Bldg. 2	24,694	0.5201
c	Bldg. 2	24,694	0.5201
d	Bldg. 2	22,710	0.4783
a	Bldg. 3	23,702	0.4992
b	Bldg. 3	24,694	0.5201
c	Bldg. 3	24,694	0.5201
d	Bldg. 3	22,710	0.4783
a	Bldg. 4	23,702	0.4992
b	Bldg. 4	24,694	0.5201
c	Bldg. 4	24,694	0.5201
d	Bldg. 4	22,710	0.4783

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 5	23,702	0.4992
b	Bldg. 5	24,694	0.5201
c	Bldg. 5	24,694	0.5201
d	Bldg. 5	22,710	0.4783
a	Bldg. 6	23,702	0.4992
b	Bldg. 6	24,694	0.5201
c	Bldg. 6	24,694	0.5201
d	Bldg. 6	22,710	0.4783
a	Bldg. 7	23,702	0.4992
b	Bldg. 7	24,694	0.5201
c	Bldg. 7	24,694	0.5201
d	Bldg. 7	22,710	0.4783
a	Bldg. 8	23,702	0.4992
b	Bldg. 8	24,694	0.5201
c	Bldg. 8	24,694	0.5201
d	Bldg. 8	22,710	0.4783
a	Bldg. 9	23,702	0.4992
b	Bldg. 9	24,694	0.5201
c	Bldg. 9	24,694	0.5201
d	Bldg. 9	22,710	0.4783
a	Bldg. 10	23,702	0.4992
b	Bldg. 10	24,694	0.5201
c	Bldg. 10	24,694	0.5201
d	Bldg. 10	22,710	0.4783
a	Bldg. 11	23,702	0.4992
b	Bldg. 11	24,694	0.5201
c	Bldg. 11	24,694	0.5201
d	Bldg. 11	22,710	0.4783
a	Bldg. 12	23,702	0.4992
b	Bldg. 12	24,694	0.5201
c	Bldg. 12	24,694	0.5201
d	Bldg. 12	22,710	0.4783
a	Bldg. 13	23,702	0.4992
b	Bldg. 13	24,694	0.5201
c	Bldg. 13	24,694	0.5201
d	Bldg. 13	22,710	0.4783
a	Bldg. 14	23,702	0.4992
b	Bldg. 14	24,694	0.5201
c	Bldg. 14	24,694	0.5201
d	Bldg. 14	22,710	0.4783

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 15	23,702	0.4992
b	Bldg. 15	24,694	0.5201
c	Bldg. 15	24,694	0.5201
d	Bldg. 15	22,710	0.4783
a	Bldg. 16	23,702	0.4992
b	Bldg. 16	24,694	0.5201
c	Bldg. 16	24,694	0.5201
d	Bldg. 16	22,710	0.4783
a	Bldg. 17	23,702	0.4992
b	Bldg. 17	24,694	0.5201
c	Bldg. 17	24,694	0.5201
d	Bldg. 17	22,710	0.4783
a	Bldg. 18	23,702	0.4992
b	Bldg. 18	24,694	0.5201
c	Bldg. 18	24,694	0.5201
d	Bldg. 18	22,710	0.4783
a	Bldg. 19	23,702	0.4992
b	Bldg. 19	24,694	0.5201
c	Bldg. 19	24,694	0.5201
d	Bldg. 19	22,710	0.4783
a	Bldg. 20	23,702	0.4992
b	Bldg. 20	24,694	0.5201
c	Bldg. 20	24,694	0.5201
d	Bldg. 20	22,710	0.4783
a	Bldg. 21	23,702	0.4992
b	Bldg. 21	24,694	0.5201
c	Bldg. 21	24,694	0.5201
d	Bldg. 21	22,710	0.4783
a	Bldg. 22	23,702	0.4992
b	Bldg. 22	24,694	0.5201
c	Bldg. 22	24,694	0.5201
d	Bldg. 22	22,710	0.4783
a	Bldg. 23	23,702	0.4992
b	Bldg. 23	24,694	0.5201
c	Bldg. 23	24,694	0.5201
d	Bldg. 23	22,710	0.4783
a	Bldg. 24	25,830	0.5440
b	Bldg. 24	24,935	0.5251
c	Bldg. 24	24,935	0.5251
d	Bldg. 24	25,830	0.5440

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 25	25,830	0.5440
b	Bldg. 25	24,935	0.5251
c	Bldg. 25	24,935	0.5251
d	Bldg. 25	25,830	0.5440
a	Bldg. 26	27,720	0.5838
b	Bldg. 26	26,805	0.5645
c	Bldg. 26	26,805	0.5645
d	Bldg. 26	27,720	0.5838
a	Bldg. 27	27,720	0.5838
b	Bldg. 27	26,805	0.5645
c	Bldg. 27	26,805	0.5645
d	Bldg. 27	26,805	0.5645
e	Bldg. 27	26,805	0.5645
f	Bldg. 27	27,720	0.5838
a	Bldg. 28	27,720	0.5838
b	Bldg. 28	26,805	0.5645
c	Bldg. 28	26,805	0.5645
d	Bldg. 28	27,720	0.5838
a	Bldg. 29	20,800	0.4380
b	Bldg. 29	20,300	0.4275
c	Bldg. 29	20,300	0.4275
d	Bldg. 29	20,800	0.4380
e	Bldg. 29	24,400	0.5138
f	Bldg. 29	23,650	0.4980
g	Bldg. 29	23,650	0.4980
h	Bldg. 29	24,400	0.5138
a	Bldg. 30	27,720	0.5838
b	Bldg. 30	26,805	0.5645
c	Bldg. 30	26,805	0.5645
d	Bldg. 30	27,720	0.5838
a	Bldg. 31	24,400	0.5138
b	Bldg. 31	23,650	0.4980
c	Bldg. 31	23,650	0.4980
d	Bldg. 31	24,400	0.5138
e	Bldg. 31	20,800	0.4380
f	Bldg. 31	20,300	0.4275
g	Bldg. 31	20,300	0.4275
h	Bldg. 31	20,800	0.4380
a	Bldg. 32	25,830	0.5440
b	Bldg. 32	24,935	0.5251
c	Bldg. 32	24,935	0.5251
d	Bldg. 32	25,830	0.5440

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 33	23,702	0.4992
b	Bldg. 33	24,694	0.5201
c	Bldg. 33	24,694	0.5201
d	Bldg. 33	22,710	0.4783
a	Bldg. 34	20,800	0.4380
b	Bldg. 34	20,300	0.4275
c	Bldg. 34	20,300	0.4275
d	Bldg. 34	20,800	0.4380
e	Bldg. 34	21,200	0.4465
f	Bldg. 34	20,300	0.4275
g	Bldg. 34	20,300	0.4275
h	Bldg. 34	21,200	0.4465
a	Bldg. 35	20,800	0.4380
b	Bldg. 35	20,300	0.4275
c	Bldg. 35	20,300	0.4275
d	Bldg. 35	20,800	0.4380
e	Bldg. 35	21,200	0.4465
f	Bldg. 35	20,300	0.4275
g	Bldg. 35	20,300	0.4275
h	Bldg. 35	21,200	0.4465
a	Bldg. 36	24,140	0.5084
b	Bldg. 36	23,345	0.4916
c	Bldg. 36	23,345	0.4916
d	Bldg. 36	24,140	0.5084
a	Bldg. 37	20,800	0.4380
b	Bldg. 37	20,300	0.4275
c	Bldg. 37	20,300	0.4275
d	Bldg. 37	20,800	0.4380
e	Bldg. 37	21,200	0.4465
f	Bldg. 37	20,300	0.4275
g	Bldg. 37	20,300	0.4275
h	Bldg. 37	21,200	0.4465
a	Bldg. 38	24,140	0.5084
b	Bldg. 38	23,345	0.4916
c	Bldg. 38	20,300	0.4275
d	Bldg. 38	20,300	0.4275
e	Bldg. 38	23,345	0.4916
f	Bldg. 38	24,140	0.5084
a	Bldg. 39	20,800	0.4380
b	Bldg. 39	20,300	0.4275
c	Bldg. 39	20,300	0.4275
d	Bldg. 39	20,800	0.4380
e	Bldg. 39	21,200	0.4465
f	Bldg. 39	20,300	0.4275
g	Bldg. 39	20,300	0.4275
h	Bldg. 39	21,200	0.4465

<u>Apartment Unit No.</u>	<u>Location (Building No.)</u>	<u>Value</u>	<u>% Ownership in Common Areas</u>
a	Bldg. 40	24,140	0.5084
b	Bldg. 40	23,345	0.4916
c	Bldg. 40	20,300	0.4275
d	Bldg. 40	20,300	0.4275
e	Bldg. 40	23,345	0.4916
f	Bldg. 40	24,140	0.5084
a	Bldg. 41	24,140	0.5084
b	Bldg. 41	23,345	0.4916
c	Bldg. 41	20,300	0.4275
d	Bldg. 41	20,300	0.4275
e	Bldg. 41	23,345	0.4916
f	Bldg. 41	24,140	0.5084
a	Bldg. 42	24,140	0.5084
b	Bldg. 42	23,345	0.4916
c	Bldg. 42	20,300	0.4275
d	Bldg. 42	20,300	0.4275
e	Bldg. 42	23,345	0.4916
f	Bldg. 42	24,140	0.5084
		4,748,250	100.0000

NOTE: Each value indicated in the above schedule is the estimated value that the Unit concerned would have had if it had been in existence, and if said value had been determined, at the time the Phase 1 Declaration (as originally constituted) was filed for record.

NOTE: The Percentages of Ownership shown in the foregoing schedule are subject to periodic change in the future as to both magnitude and the Common Areas to which they relate.

Upon the recordation of this Notice the schedule of undivided ownership interests set forth above shall automatically become effective for all purposes and shall completely supersede the schedules which are set forth in Exhibit "A" to the Phase 1 Declaration, in Exhibit "A" to the Phase 2 Declaration, in Exhibit "A" to the Phase 3 Declaration, in Paragraph 4 of the First Notice of Merger, in Exhibit "A" to the Phase 4 Declaration, in Paragraph 4 of the Second Notice of Merger, in Exhibit "A" to the Phase 5 Declaration, in Paragraph 4 of the Third Notice of Merger, and in Exhibit "A" to the Phase 6 Declaration.

5. Future Phases and Merger. Declarant hereby reaffirms and reserves its right from time to time in the future to create additional Phase(s) of The Sundowner Condominium Project and to add such additional Phase(s) to, and to merge such additional Phase(s) with, the Project as it previously existed, all

upon the terms and conditions, and under the provisions, set forth in Paragraph 12 of each of the Phase 1, the Phase 2, the Phase 3, the Phase 4, the Phase 5, and the Phase 6 Declarations.

6. Effective Date. This Notice of Merger shall take effect upon recording in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed this 12 day of November, 1980.

COUNTRY HILLS, INC.

ATTEST:

Jacqueline M. Jackson By Robert B. Jackson
 Jacqueline M. Jackson, Robert B. Jackson,
 Secretary President

STATE OF UTAH)
 COUNTY OF Nevel) ss.

On this 12th day of November, 1980, personally appeared before me ROBERT B. JACKSON and JACQUELINE M. JACKSON, who being by me duly sworn, did say that they are the President and Secretary, respectively, of COUNTRY HILLS, INC., a Utah corporation, and that the foregoing Notice of Merger was signed on behalf of said corporation by authority of its Bylaws or a resolution of its Board of Directors, and said Robert B. Jackson and Jacqueline M. Jackson acknowledged to me that said corporation executed the same.

My Commission Expires: April 27, 1983
Snoddy M. Thurst
 Notary Public
 Residing at: Ogden, Utah

CITY APPROVAL

On this 25th day of NOVEMBER, 1980, CLEARFIELD CITY CORPORATION, a body corporate and politic and the municipality in which Phases 1, 2, 3, 4, 5, and 6 of The Sundowner Condominium are located, hereby gives final approval to the foregoing "Notice of Merger of Phase 6 of The Sundowner Condominium into (Previously Merged) Phases 1, 2, 3, 4, and 5 Thereof."

CLEARFIELD CITY CORPORATION

ATTEST:


Bonnie S. Dodge By Donald W. Lowrey
 City Recorder Mayor

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

On this 26 day of Nov, 1980, personally appeared before me Donald Townley and Bonnie Hodge, known to me to be the Mayor and City Recorder, respectively, of CLEARFIELD CITY CORPORATION, a body corporate and politic, who duly acknowledged to me that they executed the foregoing instrument on behalf of said municipality pursuant to authority.

My Commission Expires:

Nov 1980


Notary Public
Residing at: Clearfield, Utah