

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE ROSEHAVEN CONDOMINIUMS AND TO THE PLAT FOR THE ROSEHAVEN CONDOMINIUM CONVERSION RECORD OF SURVEY

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for the Rosehaven Condominiums, a condominium Development (the "Rosehaven"), was recorded an October 11, 1996 as Entry No. 6479080 at Book 7510, Page 1580 (the "Declaration"); and

WHEREAS, the plat for the Rosehaven was recorded on October 11, 1996 as Entry No. 6479079 at Book 9610, Page 335 (the "Plat"); and

WHEREAS, it has subsequently been determined that the legal description contained both in the Declaration and on the Plat describes the wrong point of beginning,

NOW, THEREFORE, the legal description for the Rosehaven contained both in the Declaration and in the Plat is amended to the following:

In Salt Lake County, State of Utah:

Beginning at a point South 0°03'40" West along section line 286.0 feet and West 33.00 feet from the Monument in the center of 4000 West Street, said Monument being the Northeast corner of the Southeast Quarter of Section 6, and the East ¼ corner of Section 6, Township 2 South, Range 1 West, Salt Lake Base and Meridian; running thence West 102.00 feet; thence South 44.00 feet to the North line of Benview Subdivision No. 2; thence North 89°56'20" West 162.05 feet; thence North 0°03'40" East 299.71 feet to a point on the South Line of 4400 South Street; thence North 89°58'36" East along the South R/W line of 4400 South Street 264.00 feet; thence South 0°03'40" West along the West R/W line of 4000 West Street 255.99 feet to the point of beginning.

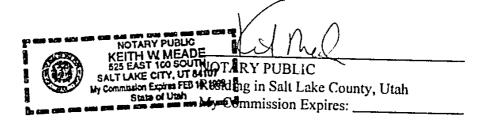
Containing 1.714 acres.

DATED this 2/5 day of October, 1996.

Bruce W. Manka, Managing General Partner of the Rosehaven West Partnership, a Utah General Partnership

This day, before me, a Notary Public of the State and County afersaid, personally appeared BRUCE W. MANKA, who being by me duly sworn, duly acknowledged that he is the Managing General Partner of ROSEHAVEN WEST PARTNERSHIP, a Utah general partnership, that said instrument was signed by him with the authority of and on behalf of said partnership, and said BRUCE W. MANKA acknowledged to me that said partnership executed the same.

Witness my hand and official seal this 21 day of October, 1996.



AFFIDAVIT OF RICHARD K. JOHANSON

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

Richard K. Johanson, upon oath, states as follows:

- 1. I am a registered land surveyor, holding Certificate No. 4385 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners of the Rosehaven, I made a survey of the tract of land described in the plat as the Rosehaven Condominium Boundary Description, the same description being contained in the Declaration at Page 1.
- 2. The boundary description in Entry No. 6479080 and 6479079 has an incorrect point of beginning. The legal description set forth on the preceding page as a part of the Amendment is the correct boundary description for the Rosehaven and should have been the description in both the declaration and the Plat.

DATED this 18 day of October, 1996.

Richard K. Johanson

Registered Land Surveyor

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

This day, before me, a Notary Public of the State and County aforesaid, personally appeared RICHARD K. JOHANSON, who being by me duly sworn, duly acknowledged that he executed the same.

Witness my hand and official seal this 18 day of October, 1996.

| | NOTARY PUBLIC LISH MELD | |
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| | 525 EAST 101 SOUTH NOTARY PUBLIC | |
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| | State of Utah State | |

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10/22/96 1:04 PM 14.00

NANCY WURKMAN

RECORDER, SALT LAKE COUNTY, UTAH
COHNE RAPPAPORT & SEGAL
PO BOX 11008 SLC, 84147-0008

REC BY:J MORGAN , DEPUTY - WI