When Recorded Return To: L. Steven Poulton Parkside Heights Condominium Association 3643 South Highland Drive Salt Lake City, Utah 84106 7360821
05/20/99 4:06 PM 57-00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
METRO NATIONAL TITLE
REC BY:R JORDAN ,DEPUTY - WI

# AMENDED DECLARATION Of COVENANTS CONDITIONS and RESTRICTIONS Of PARKSIDE HEIGHTS CONDOMINIUMS/SUBDIVISION And Adoption By PARKSIDE HEIGHTS CONDOMINIUM/SUBDIVISION AMENDED

Whereas the Declaration of Covenants Conditions and Restrictions of Parkside Heights Condominiums dated December 22, 1997 and recorded February 19, 1999 as Entry No. 7261932 in Book 8251 at Page 1412 of official records was recorded on the property described on Exhibit "A" attached hereto:

And whereas the Amended plat of Parkside Heights Condominiums/Subdivision Amended was recorded on May 20, 1999 as Entry No. 7359609 of official records and deleted from said plat the property described on Exhibit "B" attached hereto;

And whereas the Declaration referred to above should be amended to delete the property described on Exhibit "B" from the declaration;

And whereas the Parkside Heights Condominiums has accepted an access easement over the Exhibit "B" property,

Now, therefore, the Declaration of Covenants and Restrictions are hereby amended as follows:

- 1. The description set forth on Exhibit "A" of said declaration is hereby amended to be the same as the amended plat which is Exhibit "C" attached hereto.
- 2. That the access easement cost of construction, maintenance and repair shall be the responsibility of the Association as set forth in paragraph 5 of the declaration.
- That the property deleted from said Original Plat as described on Exhibit "B" is deleted from the plat and declaration subject only to the easement terms contained in the Amended easement dated May 14, 1999 and recorded on may 20, 1999.

In witness whereof this Amendment and adoption of Covenants Conditions and Restrictions is made and executed this 14<sup>th</sup> day of May 1999.

Declarant

ARKSIDE HEIGHTS, LLC PARKSIDE HEIGHTS CONDOMINIUMS

L. Steven Poulton, Member and Owner I. Steven Poulton Presiden

BK8279PG1867

State of UTAH

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County of SALT LAKE }

On this 14<sup>th</sup> day of MAY, 1999 personally appeared before me L. STEVEN POULTON, who being duly sworn did say that he/she is the Managing Member and Owner of PARKSIDE HEIGHTS, L.L.C., the limited liability company and President of the PARKSIDE HEIGHTS CONDOMINIUMS ASSOCIATION that executed the above and foregoing instrument and that said instrument was signed on behalf of said companies by authority of its by-laws (or by authority of a resolution of its board of managers/members) and said L. STEVEN POULTON acknowledged to me that said limited liability company executed same.

My Commission Expires: Residing at:



NOTARY PUBLIC AMIE LARSEN 4625 So. 2300 E. #201 Salt Lake City, UT 84117 My Commission Expires August 13, 2001 STATE OF UTAH

BK8279P61868

Haginning at a point which is North 0 deg. 21'27" East 543.47 feet from the Southeast corner of Lot 1, Block 44, Ten Acre Plat "A", Hig Floid Survey; and running thence South 89 deg. 51'12" Heat 150,00 feet; thence South 0 deg. 21'08" West 60.00 feet; thence South 89 deg. 51'12" West 18.07 feet to a point in the middle of a concrete ditch; thence South 8 deg. 55'21" Heat 45.20 feet along the middle of paid ditch; thonce South 89 deg. 51'12" Heat 291.20 feet; thence North 0 deg. 21'13" East 307.30 feet; thence North 0 deg. 21'13" East 307.30 feet; thence North 89 deg. 51'12" East 295.95 feet; thence South 0 deg. 21'08" Heat 127.67 feet; thence North 39 deg. 51'12" East 170.05 feet; thence South 0 deg. 21'27" Heat 75.00 feet to the point of beginning.

### PARCEL 1A:

TOGETHER WITH an easement described as follows:

Baginning at a point which is North 0 deg. 21'27" East 618.47 feet and South 89 dag. 51'12" West 132.00 feet from the Southeast corner of Lot 1, Block 44, Ten Acre Plat "A", Big 7:25 feat, thence North 0 deg. 21'06" East 127.67 feet, thence North 89 deg. 51'12" East 20.05 feet, thence South 0 deg. 21'06" East 127.67 feet, thence North 89 deg. 51'12" East 20.05 feet, thence South 0 deg. 21'06" Kest 103.98 feet, thence North 89 deg. 51'12" East 17.20 feet, thence South 0 deg. 21'06" West 23.69 feet to the point of beginning.

CO. RECORDE

# EXHIBIT "B"

Beginning at a point 600.47 feet North 0 deg. 21' 27" East along the West Right of Way Line of 900 East street from the Southeast Corner of Lot 1, Block 44, Ten Acre Plat "A" Big Field Survey, and running thence South 89 deg. 51' 12" West 150.00 feet; thence North 0 deg. 21' 08" East 18.00 feet; thence North 89 deg. 51' 12" East 150.00 feet; thence South 0 deg. 21' 27" West 18.00 feet to the point of Beginning.

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# EXHIBIT 'C'

The description of Said Declaration of Condomminium of Parkside Heights Condominiums/Subdivision Amended should be as follows:

Beginning at a point which is North 0 deg. 21' 27" East 543.47 feet from the Southeast corner of Lot 1, Block 44, Ten Acre Plat "A", Big Field Survey, and running thence South 89 deg. 51' 12" West 150.00 feet; thence South 0 deg. 21' 08": West 60.00 feet; thence South 89 deg. 51' 12" West 18.07 feet to a point in the middle of a concrete ditch; thence South 8 deg. 55' 21" West 45.20 feet along the middle of said ditch; thence South 89 deg. 51' 12" West 291...20 feet; thence North 0 deg. 21' 13" East 307.30 feet; thence North 89 deg. 51' 12" East 316.00 feet; thence South 0 deg. 21' 08 "West 145.67 feet; thence North 89 deg. 51' 12" East 150.00 feet; thence South 0 deg. 21' 27" West 57.00 feet to the point of Beginning.

Together with an access road easement described as follows: Beginning at a point 600.47 feet North 0 deg. 21' 27" East along the West right of way line of 900 East street from the Southeast corner of Lot 1, Block 44, Ten Acre Plat "A" Big Field Survey, and running thence South 89 deg. 51' 12" West 150.00 feet; thence North 0 deg. 21' 08" East 18.00 feet; thence North 89 deg. 51' 12" East 150.00 feet thence South 0 deg. 21' 27" West 18.00 feet to the point of Begnining.