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Edith D. White

Printed Indexed
Map Abstract

NOTICE OF ADDITION OF PROPERTY
AND AMENDED DECLARATION OF
COVENANTS, CONDITIONS AND
RESTRICTIONS AND RESERVATIONS OF
EASEMENTS FOR EASTGROVE
CONDOMINIUM, PHASE 2
*** **

This notice of Addition of Property and Amended Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Eastgrove Condominium, Phase 2 is made on the 7 day of December, 1979, by LAND DEV. WEST, INC., a Utah corporation, hereinafter called Declarant.

PREAMBLE

A. Declarant is the successor in interest to A & B Investment Co., a partnership, and the owner of the following described real property situate in Weber County, State of Utah, to-wit:

Part of the N.W. 4 of the N.W. 4 of Section 27, T.6N., R.1W., S.L.B.&M., U.S. Survey beginning at a point on the South line of vacated 20th St. 726.72 feet S 89°02'E and 49.5 feet S 0°58'W from the intersection of the centerline of 20th St. and Harrison Blvd., said point being at Ogden City Engineer's "A" Station 145+24.20 and "B" Station 168+46.92; running thence on the arc of a curve to the right whose radius is 299.0 ft. A distance of 154.98 feet, the chord of said curve bears S 26°02'54"E 153.01 feet, thence S 89°02'E 5.30 feet to the East line of Tyler Ave., thence N 0°58'E 136.31 feet to the N.W. corner of Eastgrove Condominium, thence S 89°02'E along North line of said Eastgrove Condominium 32.50 feet, thence N 0°58'E 168.00 feet, thence N 89°02'W 108.52 feet to the East line of proposed Tyler Ave., thence S 0°58'W 168.00 feet along said East line of proposed Tyler Ave., thence S 0°02'E 1.22 feet to the point of beginning.

B. A & B Investment Co., has previously executed a Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Eastgrove Condominium, dated the 21st day of February, 1979, recorded February 23, 1979, in Book 1285, page 327, et seq as Entry No. 767981, Office of the Weber County Recorder, State of Utah, which is binding on all owners of units in the Project.

12-15-80 10:00 AM

C. Pursuant to the Article XVIII of the Declaration, Declarant now desires to annex additional property to the territory as Phase 2 thereof.

THEREFORE, Declarant hereby declares as follows:

1. Declarant is the owner of the additional property above described and hereby declares that the said additional property is annexed to and made a part of territory subject to the Declaration.

2. Eastgrove Condominium Project consists of the units and common areas and facilities, limited common areas and facilities in accordance with plans and drawings set forth in the Record of Survey Map filed concurrently herewith consisting of one sheet prepared and certified by O. Neil Smith a registered Land Surveyor.

3. This Phase 2 Project consists of one building with four units. The building is constructed of concrete, frame and masonry. The unit number of each unit is as designated on the Record of Survey Map.

4. Article III Section 1 of the Declaration is amended to read:

ARTICLE III

Section 1. Ownership of a Unit except with respect to any of the condominium common areas located within the bounds of a unit, each unit owner shall be entitled to the exclusive ownership and possession of his unit and to the ownership of an undivided interest in the common areas in equal percentages.

5. Article III, Section 5 of the Declaration is amended to read:

ARTICLE III

Section 5. Interest in Common Areas. The percentage of interest in the common areas for each unit shall be equal.

6. The percentage interest in the common areas for each unit provided for in the Declaration is hereby adjusted so that such interest is the same as, and equal to the percentage interest of in the common areas of the units in Phase 2.

7. The rights, obligations and easements of all owners of units located in the additional property shall be the same as the rights and obligations of the owners of units currently affected by the Declaration.

8. The common areas and facilities, including the limited common areas and facilities, of this Phase 2 are part of the common areas and facilities and limited common areas and facilities provided for in the Declaration and the common areas and facilities and limited common areas and facilities provided for in the Declaration are part of the common areas and facilities and limited common areas and facilities of this Phase 2.

9. The provisions of this Notice of Addition of Property and amended Declaration shall run with the additional property and the property of the Declaration and shall be binding on all persons having or acquiring any interest therein or any part thereof and shall inure to the benefit of every portion of all of the properties and any interest therein, and shall inure to the benefit of and be binding on each successors in interest of Declarant and may be enforced by any owner, Declarant, the management committee or their successors in interest.

EXECUTED this 7 day of December, 1979.

LAN DEV WEST, INC.

by William A. Buckley
President

ATTEST:

[Signature]
Secretary

STATE OF UTAH)
) ss
COUNTY OF WEBER)

On the 7 day of Dec, 1979, personally
appeared before me William A. Baker and Robert J. Anderson
who being by me duly sworn, did say that they are the President
and Secretary respectively of the LAND DEV. WEST, INC., and that
said instrument was signed in behalf of said corporation by
authority of a resolution of its Board of Directors and the
said William A. Baker acknowledged to me that the said
corporation executed the same.

William A. Baker
Notary Public
Residing at: Lawrence

My Commission Expires: 7-15-82