

3458793

APPLICANT

JUL 30 1980

Michael H. Highmore
1050

AMENDMENT OF DECLARATION AND
ANNEXATION OF CONTIGUOUS LAND
FOREST GLEN - PHASE III
A CONDOMINIUM

REF. DEPT. OF PUBLIC SAFETY
GUARDIAN TITLE CO.
DAVID L. DORR

JUL 30 11 22 AM '80

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

This amendment to Declaration made on the date hereinafter set forth by ARTISTIC HOMES, INC., hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant executed a certain Declaration entitled "Declaration of covenants, Conditions and Restrictions of Forest Glen Phase I, a Condominium, which Declaration was on the 9th day of October, Entry No. 3184704, Book 4757, Page 1064; and

WHEREAS Declarant executed an Amendment of Declaration and Annexation of Contiguous land for Forest Glen - Phase II, the same being recorded September 14, 1979 as Entry No. 3336681 in Book 4944, Page 10; and

WHEREAS, Declarant is the owner of other lands adjoining and contiguous to the lands and premises comprising Forest Glen - Phase I, and Phase II, and will cause a plat thereof to be prepared and filed for record entitled "Forest Glen - Phase III" providing for the development of additional lots and common areas as a condominium being part of a contiguous and unified planned unit development with Forest Glen - Phase I, and Phase II.

NOW THEREFORE:

Section 1. Annexation. The real property hereinafter described is by this Declaration annexed to the lands contiguous thereto comprising the real property of Forest Glen - Phase I, and Phase II, and shall hereafter be known and described as Forest Glen - Phase III.

Section 2. Declaration. The real property hereinafter described shall be held, sold and conveyed subject to the easements, restrictions, covenants, and conditions set forth in the Declaration of Covenants, Conditions, and Restrictions of Forest Glen - Phase I, and Phase II, which Declarations are incorporated herein by reference and made a part hereof as though fully set forth.

Section 3. Binding Effect. The terms and conditions of this Amended Declaration shall run with the land and inure to the benefit of and bind all parties having any right, title or interest to the described real property or any part thereof, their heirs, successors or assigns.

Section 4. Property Description. See Exhibit "A" hereto attached.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein has hereunto set its hand and seal this 15th day of July, 1980.

ARTISTIC HOMES, INC.
Declarant

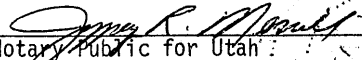
by *Gary M. Nagle*
President

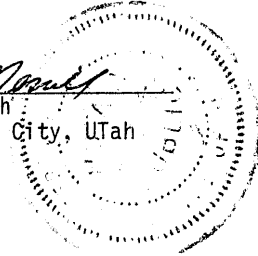
STATE OF UTAH)
) :ss
County of Salt Lake)

On the 15th day of July, 1980, personally appeared before me Gary M. Nagle, who being by me duly sworn did say that he is the

BOOK 5129 PAGE 326

President of ARTISTIC HOMES, INC. and that said instrument was signed in behalf of said corporation by authority of its bylaws and said Gary M. Nagle acknowledges to me that said corporation executed the same.


Notary Public for Utah
Residing at Salt Lake City, Utah



My Commission Expires:

May 8, 1982

BOOK 5129 PAGE 327

EXHIBIT "A"

Beginning at the Northwest corner of the first phase of FOREST GLEN CONDOMINIUM PROJECT said point being N. $0^{\circ}14'48''$ E along the block line 1467.672 feet from the Southeast corner of Block 45, 10 acre Plat A, big field survey (Basis of bearing being N $12^{\circ}38'$ W along the Highland Drive monument line); thence N $0^{\circ}14'48''$ E 160.914 feet; thence S $89^{\circ}51'42''$ E 172.115 feet; thence South 146.12 feet to a point on the arc of a 182.617 foot radius curve, the center of which bears S $11^{\circ}09'09''$ E; thence Northeasterly along said curve to the right through a central angle of $11^{\circ}09'09''$ 35.546 feet; thence East 44.107 feet to a point of curvature of a 106.344 foot radius curve, the center of which bears North; thence Northeasterly along said curve to the left through a central angle of $20^{\circ}00'$ 37.121 feet to a point of reverse curve where the center of a 131.344 foot radius curve bears S 20° E; thence Northeasterly along said last mentioned curve to the right through a central angle of $20^{\circ}00'$ 45.848 feet; thence East 16.853 feet to a point of curvature of a 525.00 foot radius curve, the center of which bears South; thence Southeasterly along said curve to the right through a central angle of $6^{\circ}02'15''$ 55.322 feet; thence S $83^{\circ}57'45''$ E 23.534 feet to a point on the West line of Elizabeth Street, said point being S $89^{\circ}58'42''$ W 366.014 feet, S $6^{\circ}22'$ W 32.187 feet, N $89^{\circ}51'42''$ W 76.46 feet and S $6^{\circ}02'15''$ W 133.808 feet from a city monument at the intersection of Highland Drive and Warnock Avenue; thence S $6^{\circ}02'15''$ W along said West line 25.00 feet; thence N $83^{\circ}57'45''$ W 23.534 feet to a point of curvature of a 500.00 foot radius curve, the center of which bears S $6^{\circ}02'15''$ W; thence Northwesterly along said curve to the left through a central angle of $6^{\circ}02'15''$ 52.687 feet; thence West 16.853 feet to a point of curvature of a 106.344 foot radius curve the center of which bears South; thence Southwesterly along said curve to the left through a central angle of $20^{\circ}00'$ 37.121 feet to a point of reverse curve where the center of a 131.344 foot radius curve bears N $20^{\circ}00'$ W; thence Southwesterly along said last mentioned curve to the right through a central angle of $20^{\circ}00'$ 45.848 feet; thence West 44.107 feet, to a point of curvature of a 157.617 foot radius curve the center of which bears South; thence Southwesterly along said curve to the left through a central angle of $12^{\circ}57'$ 35.625 feet; thence South 65.184 feet to a point on the Northerly boundary of the first phase of FOREST GLEN CONDOMINIUM PROJECT; thence along said Northerly boundary N 45° W 108.00 feet and West 96.439 feet to the point of beginning containing 0.851 acres.

APPROVED

JUL 29 1980

Mildred V. Negham
CITY RECORDER

APPROVAL BY CITY

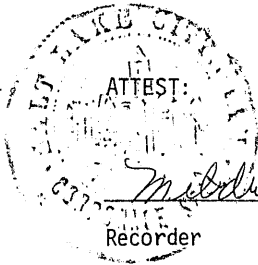
SALT LAKE CITY, a body corporate and politic, and the City in which FOREST GLEN - PHASE III, a Utah Condominium Project, is located, by and through its duly elected Mayor, does hereby give final approval to the said Project, to the foregoing Declaration, to the Record of Survey Map recorded concurrently herewith, and to the attributes of the said Project which are mentioned in Section 57-8-35(3) of the Utah Condominium Ownership Act, as amended and expanded by the laws of the State of Utah, 1975, Chapter 173, Section 18.

DATED this 29th day of July, 1980.

SALT LAKE CITY

BY *Ed. Wilson*

MAYOR



Recorder

BOOK 5129 PAGE 329