

18

4664717  
18 AUGUST 88 09:57 AM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
CLARENCE BUEHNER  
2514 ELIZABETH NO 4 SLC, 84106  
REC BY: REBECCA GRAY , DEPUTY

\*Return to:  
CITY RECORDER  
324 South State, 5th Floor  
Salt Lake City, Utah 84111

APPROVED

AUG 09 1988

AMENDMENT OF DECLARATION AND  
ANNEXATION OF CONTIGUOUS LAND

CITY RECORDER

FOREST GLEN - PHASE VI, A CONDOMINIUM

THIS AMENDMENT TO DECLARATION made on the date hereinafter set forth by CLARENCE BUEHNER (hereinafter referred to as "Buehner").

W I T N E S S E T H:

WHEREAS, Artistic Homes, Inc. as Declarant (hereinafter "Declarant") executed a certain Declaration entitled "Declaration of Covenants, Conditions and Restrictions of Forest Glen, Phase I, a Condominium" which Declaration was recorded on the 9th day of October, 1978, as Entry No. 3184704 in Book 4757 at Page 1064; and

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

WHEREAS, Declarant executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase III which was recorded September 30, 1980 as Entry No. 3458793 in Book 5129 at Page 326; and

WHEREAS, Declarant executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase IV which was recorded October 23, 1981, as Entry No. 3617113 in Book 5305 at Page 1245; and

WHEREAS, American Savings & Loan Association, a Utah corporation, as a successor owner to Declarant of other lands adjoining and contiguous with the lands and premises comprising Forest Glen Phases I, II, III and IV on which were developed additional condominiums in the Forest Glen Condominium Project executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase V which was recorded April 30, 1986 in Book 5761 at Page 2897; and

4664717

BOOK 6056 PAGE 2183

WHEREAS, Buehner is the successor owner to Declarant and American Savings and Loan Association of other lands adjoining and contiguous with the lands and premises comprising Forest Glen Phases I, II, III, IV and V on which were developed additional condominiums in the Forest Glen Condominium Project and will cause a plat thereof to be prepared and filed for record entitled Forest Glen - Phase VI, providing for the annexation of the development of the additional condominium units and common areas as a condominium being part of and contiguous with and part of the unified planned development with Forest Glen Phases I, II, III, IV and V.

NOW, THEREFORE:


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

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, Phase II, Phase III, Phase IV and Phase V, 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, Clarence Buehner, the successor to Declarant and American Savings and Loan Association, has hereunto set his hand this 29th day of June, 1988.

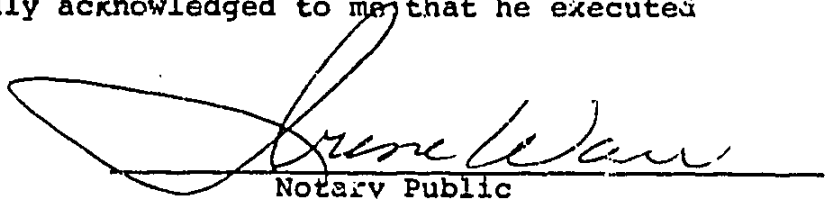
  
Clarence Buehner

STATE OF UTAH            )  
                                  :    SS  
COUNTY OF SALT LAKE)

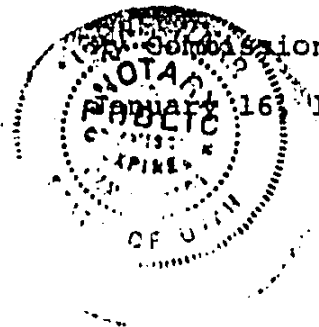
On this 29th day of June, 1988, personally appeared

BOOK 6056 PAGE 2184

before me Clarence Buehner, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.



Notary Public  
Residing at Salt Lake County, Utah



Commission Expires:  
January 16, 1991

BOOK 6256 PAGE 2185

EXHIBIT A

Beginning at a point that is N 0°14'48" E 1628.586 feet and S 89°51'42" E 307.115 feet from the Southeast corner of Block 45, Ten Acre Plat 'A', Big Field Survey, Salt Lake City, Utah (the basis of bearings being S 12°38'00" E along the Highland Drive Monument Line), said point of beginning also being on the Southerly line of Wood Hollow, a Condominium Project as recorded in Book 80-7 of Plats at Page 111 in the office of the Salt Lake County Recorder; running thence from said point of beginning S 89°51'42" E 135.270 feet; thence S 6°02'15" W 133.810 feet; thence N 83°57'45" W 23.530 feet to the beginning of a 525.000 foot radius curve to the left; thence along the arc of said curve to the left (Radius= 525.000 feet, Central Angle= 6°02'15", bearing to center=S 6°02'15" W) 55.321 feet; thence S 90°00'00" W 16.850 feet; thence N 11°21'48" W 25.508 feet; thence S 90°00'00" W 20.950 feet; thence N 0°08'18" E 103.000 feet to the point of beginning.

Together with a right of way and easement for gas distribution facilities in favor of Mountain Fuel Supply Company (entry #3121151, book 4687, page 707) is non-specific as to location of gas distribution facilities. The centerline location and width of easement are as shown hereon.

EXHIBIT B  
COMMON AREA OWNERSHIP

As amended and annexed, each unit owner shall own as a tenant in common with the other unit owners, an undivided one-one hundred-thirty-sixth (1/136th) interest in the general common areas and own as a tenant in common with the other unit owners an undivided one-eighth (1/8th) interest in the limited common areas associated with the building in which the unit is located.

BOOK 6056:PL 2186

APPROVAL BY CITY

SALT LAKE CITY, a body corporate and politic, and the City in which Forest Glenn Condominium, Phase VI, 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 Utah, 1975, Chapter 173, Section 18.

DATED: AUG 09 1988

APPROVED  
AUG 09 1988  
CITY RECORDER

SALT LAKE CITY

By Michael R. Zuhl  
Acting Mayor

ATTEST:

[Signature]  
Recorder



APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 8-9-88  
By [Signature]

BOOK 6056 PAGE 2187