

Recorded OCT 18 1978 at 11:40 M
Request of SECURITY TITLE COMPANY
Fee Paid KATIE L. DIXON
Recorder, Salt Lake County, Utah
\$25.50 By Evelyn Thompson Deputy

3183900

NOTICE OF MERGER AND AMENDMENT OF
FIRST PHASE, SECOND PHASE, THIRD PHASE, PHASE IIIA,
AND FOURTH PHASE OF THE TERRACES AT MOUNT OLYMPUS

THIS NOTICE OF MERGER is made and executed this
18th day of October, 1978, by Sixth Avenue Enter-
prises, Inc., a Utah corporation (hereafter referred to as
"Declarant").

RECITALS:

On the last day of March, 1973, Declarant created
the First Phase of The Terraces at Mount Olympus by filing
for record on March 13, 1973, as Entry No. 2524577, Book
3277, page 305, at the office of the Salt Lake County Re-
corder, the Enabling Declarations of The Terraces at Mount
Olympus (First Phase), together with a Record of Survey Map
of said condominium, recorded in said office on March 13,
1973, as Entry No. 2524578, in Book NN at page 44. Then on
December 26, 1973, the Second Phase Enabling Declaration of
The Terraces at Mount Olympus was duly recorded in the
office of the Salt Lake County Recorder, as Entry No. 2590292,
in Book 3484, page 192; together with and concurrently filed
was a map of said Second Phase, recorded as Entry No. 2590293,
in Book 73-12, on page 124, in said office. More recently,
on January 18, 1978, Declarant filed the Third Phase Enabling
Declaration of The Terraces at Mount Olympus in the office
of the Salt Lake County Recorder, Entry No. 3052549, Book
4611, page 576, with an accompanying map which was duly
recorded in said office in Book 78-1, at page 20, as Entry
No. 3052550, on January 18, 1978. Declarant has filed in
the office of the Recorder of Salt Lake County, Utah, a
document titled "Amendment to the Enabling Declarations of
The Terraces at Mount Olympus (Third Phase)", amending said
Third Phase Declaration, Entry No. 3084583, Book 4646,

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page 546, together with a map titled "Record of Survey Map of The Terraces at Mount Olympus Phase IIIA-Common Areas Recreational Facility, a Condominium Residence Project", recorded as Entry No. 3084584, Book 78-3, page 101 of Plats Concurrently with this Notice of Merger, Declarant is filing a record in the office of the Recorder of Salt Lake County, Utah, a document titled "Enabling Declaration of The Terraces at Mount Olympus (Fourth Phase)", Entry No. 3183898, Book _____, page _____, together with accompanying map, Entry No. 3183899, Book 78-10, page 291.

All of the Phases described above are within the perimeter of the total tract identified at paragraph 9 of the First Phase Enabling Declaration, as shown at Book 3277, page 308, and more particularly described in Exhibit A attached hereto, which tract is located in Salt Lake County, Utah.

Upon the recording of this Notice of Merger in the office of the Salt Lake County Recorder, the Second Phase and Third Phase, as amended, Phase IIIA, and Fourth Phase, are automatically and completely merged into and become a part with the First Phase in the overall project to date. The Record of Survey Map of The Terraces at Mount Olympus shall consist of the Record of Survey Maps of the First Phase, Second Phase, Third Phase, Phase IIIA, and Fourth Phase as described.

Attached hereto is Exhibit B, which contains the revised percentage interests in the condominium common areas attributable to the respective units of the merged project, and said undivided ownership interests shall appertain to the unit designated in the project upon and after the recording of this Notice in the office of the Salt Lake County

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Recorder, and each unit shall be subject to diminution proportionately as additional phases are added and included in the project, pursuant to the provisions of the Enabling Declarations of the First Phase, Second Phase, Third Phase, as amended, Fourth Phase, and the Utah Condominium Ownership Act.

Upon recordation of this Notice, the schedule (Exhibit B) shall automatically become effective and adjustment of the undivided ownership interest of each unit in the common areas and facilities shall be accomplished by the recording of subsequent Enabling Declarations on additional phases, together with a Notice of Merger.

In order to facilitate the practical, technical, administrative and functional integration of the First, Second, Third, IIIA, and Fourth Phases, and pursuant to paragraph 25 of the Declaration of each such Phase, paragraph 11 of the Declaration of each such Phase is hereby amended to read as follows:

11. The original committee for Phase One shall be composed of five members. At the first regular Owners meeting, three committee members shall be elected for two-year terms and two members for one-year terms. As each subsequent Phase is added to the Condominium, each such Phase shall elect one person who shall become a member of the Committee to serve for a two-year term. The Committee, as so constituted, shall function until (1) the final Phase of The Terraces at Mount Olympus has been merged into the Condominium, or (2) March 13, 1983, whichever occurs last. At such time, the Committee shall consist of seven members elected by all Unit Owners of the total condominium. At each annual Owners meeting, the entire condominium, as then constituted, shall vote upon and fill any vacant seat on the Committee with a member elected for a two-year term. Members shall serve on the Committee until their successors are elected and qualify. Only Unit Owners and officers and agents of corporate owners shall be eligible for Committee membership. At the annual meeting each Unit Owner may vote his percentage of undivided ownership interest in favor of as many candidates for Committee membership as there are seats on the Committee to be filled. In all cases of vacancy the remaining Committee members shall elect a replacement to sit

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on the Committee until the expiration of the term for which the member being replaced was elected. Committee members shall be reimbursed for all expenses reasonably incurred in connection with Committee business. The Committee may fix such compensation for any member as may be reasonable in light of the Committee duties which that member is required to perform.

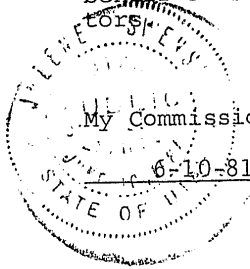
IN WITNESS WHEREOF, the undersigned Declarant has caused this instrument to be executed at Salt Lake City, Utah, this 18th day of October, 1978.

SIXTH AVENUE ENTERPRISES

By Ralph F. Evans
its Vice President

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

On the 18th day of October, 1978, personally appeared before me Ralph F. Evans, who being by me duly sworn did say that he is the Vice President of Sixth Avenue Enterprises, Inc., and that he executed the foregoing document on behalf of said corporation by authority of its Board of Direc-



My Commission Expires:
6-10-81

Ralph F. Evans
NOTARY PUBLIC
Residing at Salt Lake City, Utah

EXHIBIT "A"
TO
NOTICE OF MERGER
OF
FIRST PHASE, SECOND PHASE, THIRD PHASE, & PHASE IIIA,
AND PHASE IV OF THE TERRACES AT MOUNT OLYMPUS

Beginning at the Southeast corner of Lot 20, Sleepy Hollow Subdivision No. 1, Salt Lake County, Utah, said point of beginning also being South 341.04 feet and West 633.76 feet from the North quarter corner of said Section 11, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 19°35'20" East 221.80 feet; thence West 134.60 feet; thence South 106.24 feet to the South line of the Northeast quarter of the Northwest quarter of said Section 11; thence South 89°41'20" East 63.93 feet; thence southeasterly around a 325.0 foot radius curve to the right, 41.84 feet to the center of Dry Creek Spring Ditch; thence southwesterly along the center of said ditch for the next twelve courses; thence South 62°10' West 72.31 feet; thence South 67°30' West 150.0 feet; thence South 73°05' West 65.75 feet; thence South 71°10' West 160.76 feet; thence South 66°34'50" West 115.92 feet; thence South 67°00'45" West 78.35 feet; thence South 59°52'25" West 111.76 feet; thence South 70°18'03" West 24.90 feet; thence South 63°20' West 14.68 feet; thence South 70°45' West 43.0 feet; thence South 80°35' West 54.0 feet; thence South 74°20' West 34.0 feet to the East bank of the Upper Big Cottonwood Canal; thence Northeasterly along said East bank of canal for the next six courses; thence Northeasterly 59.80 feet, more less; thence North 72°33'06" East 79.17 feet; thence North 14°11'12" East 49.68 feet; thence North 55°55'48" West 70.76 feet; thence North 5°37' East 37.84 feet; thence North 54°13' West 43.20 feet; thence leaving said East bank and running thence North 58°30' East 130.00 feet; thence North 31°30' West 248.0 feet; thence East 70.36 feet; thence North 58°30' East 150.0 feet; thence North 11°30' East 125.0 feet; thence North 89°40'30" East 594.33 feet to the point of beginning. (In Salt Lake County, State of Utah.)

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EXHIBIT "B"

<u>Unit No.</u>	<u>Location</u>	<u>% of ownership of common areas</u>
<u>Phase I (12 units)</u>		
C	4747 Ichabod	3.02
F	4748 "	3.12
G	4749 "	2.48
I	4750 "	2.43
J	4751 "	2.91
I	4752 "	2.43
D	4753 "	2.80
B	4754 "	2.80
H	4755 "	2.43
I	4756 "	2.43
E	4757 "	4.15
A	4758 "	3.12
<u>Phase II (10 units)</u>		
E	4759 Ichabod	4.15
C	4761 "	3.22
H	4763 "	2.43
H	4765 "	2.43
A	4766 "	3.12
H	4767 "	2.43
B	4768 "	2.80
E	4769 "	4.15
B	4770 "	2.80
B	4772 "	2.80
<u>Phase III (6 units)</u>		
D ^A	4769 Naniloa	2.90
D	4771 "	2.80
D ^A	4773 "	2.90
D ^A	4775 "	2.80
D ^A	4777 "	2.90
D	4779 "	2.80
<u>Phase IV (6 units)</u>		
D ^A	4781 Naniloa	2.90
D ^A	4783 "	2.80
D ^A	4785 "	2.90
D ^A	4787 "	2.80
D ^A	4789 "	2.90
E	4791 "	4.15

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