

3301982

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

KATIE L. OXON  
RECORDER  
SALT LAKE COUNTY  
UTAH

JUN 29 6 42 AM '79

701  
REF  
SECURITY TITLE  
DAVID DOMER

THIS NOTICE OF MERGER is made and executed this  
28th day of June, 1979, 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. Also  
recorded of record was a "Notice of Merger of, First Phase, Second  
Phase, Third Phase, and Phase IIIA of The Terraces At Mount Olympus",  
on March 29, 1978, as Entry No. 3084585, in Book 4646, on

SECURITY TITLE COMPANY  
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page 549 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. On October 18, 1978, Declarant filed of record in the office of the Recorder of Salt Lake County, Utah, a Notice of Merger and amendment of First Phase, Second Phase, Third Phase, Phase IIIA, and Fourth Phase of The Terraces at Mount Olympus, Entry No. 3183900, a document titled "Enabling Declaration of The Terraces at Mount Olympus (Fourth Phase)," Entry No. 3183898, together with accompanying map, Entry No. 3183899, Book 78-10, page 291. Concurrently with this Notice of Merger, Declarant is filing of record in the office of the Recorder of Salt Lake County, Utah, a document titled "Enabling Declaration of The Terraces at Mount Olympus (Fifth Phase)," Entry No. 3301980, Book \_\_\_\_\_, page \_\_\_\_\_, together with accompanying map, Entry No. 3301981, Book 79-6, page 236.

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 Fifth Phase is merged by this document, said Fifth Phase Enabling Declaration, and Record of Survey Map is automatically and completely merged into and shall become a part of the First Phase, <sup>Second Phase, Third Phase, Phase IIIA, and Fourth Phase</sup> 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, Fourth Phase and Fifth Phase as described above.

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 interest 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

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, <sup>Phase IIIA,</sup> as amended, Fourth Phase and Fifth 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.

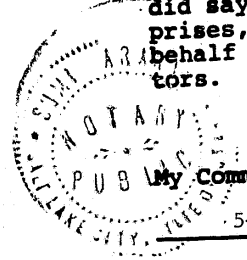
The last sentence in Paragraph 10, page 5, of the Enabling Declaration of The Terraces at Mount Olympus (Fourth Phase) shall be amended to read, "The submission which is effected by this Declaration, the rights and obligations which are created by this Declaration, and the improvements described in the Survey Map which have been or will be constructed, together constitute a phase - "Fourth Phase" - of the condominium project.

IN WITNESS WHEREOF, the undersigned Declarant has caused this instrument to be executed at Salt Lake City, Utah, this 28 day of JUNE, 1979.

SIXTH AVENUE ENTERPRISES  
BY Ralph F. Evans

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

On the 28th day of June, 1979, 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 Directors.



Sumi Aralati  
NOTARY PUBLIC  
Residing at Salt Lake City, Utah

My Commission Expires:  
5-6-82

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EXHIBIT "A"  
TO  
NOTICE OF MERGER  
OF  
FIRST PHASE, SECOND PHASE, THIRD PHASE, & PHASE IIIA,  
PHASE IV, AND PHASE V 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  $19^{\circ}35'20''$  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  $89^{\circ}41'20''$  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  $62^{\circ}10'$  West 72.31 feet; thence South  $67^{\circ}30'$  West 150.0 feet; thence South  $73^{\circ}05'$  West 65.75 feet; thence South  $71^{\circ}10'$  West 160.76 feet; thence South  $66^{\circ}34'50''$  West 115.92 feet; thence South  $67^{\circ}00'45''$  West 78.35 feet; thence South  $59^{\circ}52'25''$  West 111.76 feet; thence South  $70^{\circ}18'03''$  West 24.90 feet; thence South  $63^{\circ}20'$  West 14.68 feet; thence South  $70^{\circ}45'$  West 43.0 feet; thence South  $80^{\circ}35'$  West 54.0 feet; thence South  $74^{\circ}20'$  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  $72^{\circ}33'06''$  East 79.17 feet; thence North  $14^{\circ}11'12''$  East 49.68 feet; thence North  $55^{\circ}55'48''$  West 70.76 feet; thence North  $5^{\circ}37'$  East 37.84 feet; thence North  $54^{\circ}13'$  West 43.20 feet; thence leaving said East bank and running thence North  $58^{\circ}30'$  East 130.00 feet; thence North  $31^{\circ}30'$  West 248.0 feet; thence East 70.36 feet; thence North  $58^{\circ}30'$  East 150.0 feet; thence North  $11^{\circ}30'$  East 125.0 feet; thence North  $89^{\circ}40'30''$  East 594.33 feet to the point of beginning. (In Salt Lake County, State of Utah.)

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	2.58
F	4748 "	3.62
G	4749 "	2.12
I	4750 "	2.07
J	4751 "	2.48
I	4752 "	2.07
D	4753 "	2.39
B	4754 "	2.39
H	4755 "	2.07
I	4756 "	2.07
E	4757 "	3.37
A	4758 "	2.66
<u>Phase II (10 units)</u>		
E	4759 Ichabod	3.37
C	4761 "	2.58
H	4763 "	2.07
H	4765 "	2.07
A	4766 "	2.66
H	4767 "	2.07
B	4768 "	2.39
E	4769 "	3.37
B	4770 "	2.39
B	4772 "	2.39
<u>Phase III (6 units)</u>		
D <sup>A</sup>	4769 Naniloa	2.47
D <sup>A</sup>	4771 "	2.39
D <sup>A</sup>	4773 "	2.47
D <sup>A</sup>	4775 "	2.39
D <sup>A</sup>	4777 "	2.47
D <sup>A</sup>	4779 "	2.39
<u>Phase IV (6 units)</u>		
D <sup>A</sup>	4781 Naniloa	2.47
D <sup>A</sup>	4783 "	2.39
D <sup>A</sup>	4785 "	2.47
D <sup>A</sup>	4787 "	2.39
D	4789 "	2.47
E <sup>A</sup>	4791 "	3.37
<u>Phase V (6 units)</u>		
A	4782 Naniloa	2.66
K	4784 "	2.30
B	4786 "	2.39
K	4788 "	2.30
K	4790 "	2.30
A	4792 "	2.66
		<u>100.00</u>