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AMENDMENT TO DECLARATION  
FOR  
COTTONWOOD HILLS CONDOMINIUMS

EXPANDING THE PROJECT BY ADDING  
COTTONWOOD HILLS CONDOMINIUMS, PHASE II

This amendment to declaration made on the date hereinafter set forth, by United Homes, Inc., a Utah corporation, hereinafter designated and referred to as "Declarant", pursuant to the provisions of §57-8-13.6 of the Utah Condominium Ownership Act and paragraph 10 of the Declaration containing Covenants, Conditions and Restrictions for Cottonwood Hills Condominiums, A Condominium Project,

WITNESSETH:

WHEREAS, Declarant executed that certain declaration entitled "Declaration containing Covenants, Conditions and Restrictions for Cottonwood Hills Condominiums, A Condominium Project" which declaration was recorded November 30, 1979 in the office of the Salt Lake County Recorder at Entry No. 3371141, Book 4996, Page 247; and

WHEREAS, Declarant is the owner of other real property adjoining and contiguous to the real property and premises comprising Cottonwood Hills Condominiums, a condominium project, and desires to expand said condominium project pursuant to paragraph 10 of said declaration and §57-8-13.6 of the Utah Condominium Ownership Act;

NOW, THEREFORE:

1. Expansion. The real property hereinafter described is by this declaration annexed to and added to the condominium project known as Cottonwood Hills Condominiums, and shall hereinafter be described as "Cottonwood Hills Condominiums, Phase II".

2. Declaration. The real property hereinafter described shall be held, sold and conveyed subject to the covenants, conditions, restrictions and easements set forth in the Declaration containing Covenants, Conditions and Restrictions for Cottonwood Hills Condominiums, A Condominium Project, which declaration is incorporated herein by reference and made a part hereof as though fully set forth.

7450

REF. FILE & ABST.  
DAVID DOME

Oct 27 8 23 AM '90

KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

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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 in Cottonwood Hills Condominiums and Cottonwood Hills Condominiums, Phase II, or their heirs, successors or assigns.

4. Legal Description. The legal description of the property known as Cottonwood Hills Condominiums is set forth in Exhibit "A" attached hereto. The legal description of the additional land being added to the condominium project and hereafter to be known as Cottonwood Hills Condominiums, Phase II is set forth in Exhibit "B", attached hereto and is also set forth on the Record of Survey Map to be recorded simultaneously herewith.

5. Reallocation of Undivided Interests. For all purposes of the Utah Condominium Ownership Act, the undivided interests in the common areas and facilities of both Cottonwood Hills Condominiums and Cottonwood Hills Condominiums, Phase II are hereby reallocated as set forth in Exhibit "C" attached hereto.

6. Reservation of Right to Additional Expansion. Nothing contained herein shall be construed as a limitation on Declarant's right to further expand the condominium project and add additional phases pursuant to paragraph 10 of the Declaration containing Covenants, Conditions and Restrictions for Cottonwood Hills Condominiums, A Condominium Project.

IN WITNESS WHEREOF, the undersigned being the Declarant herein has hereunto set its hand and seal this 17<sup>th</sup> day of September, 1980.

DECLARANT:

United Homes, Inc.

By

  
Frederick M. Paulsen

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

On this 17<sup>th</sup> day of September, 1980, personally appeared before me Frederick M. Paulsen, who being by me duly sworn, did acknowledge that he is the President of United Homes, Inc., a Utah corporation, and that the above instrument was executed in behalf of said corporation, by authority of its by-laws and upon a proper resolution of its board of directors.

Mildred B. Hainstock  
Notary Public



My Commission Expires:

January 3, 1981

Residing in: Salt Lake City, Utah

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EXHIBIT "A"

Real Property located in Salt Lake County, State of Utah, and more particularly described as follows:

Beginning at a point which is North 449.14 feet and West 51.84 feet from the east quarter corner of Section 32, Township 2 South, Range 1 East, Salt Lake Base and Meridian (the basis of bearing for this survey and description being the section line, northerly, from said quarter section corner, which is assumed to have a bearing of  $N0^{\circ}08'55''E$ ):

thence,  $N44^{\circ}51'05''W$ , 22.63 feet which is the long chord of the curve, concave to the southwest, (the curve being the boundary--not the long chord--with an arc length of 25.13 feet, more or less) through a central angle of  $90^{\circ}00'00''$  with radius of 16.00;

thence  $N89^{\circ}51'05''W$ , 41.00 feet;

thence  $S76^{\circ}54'02''W$ , 66.46 feet which is the long chord of a curve, concave southerly, (the curve being the boundary--not the long chord--with an arc length of 67.05 feet, more or less) through a central angle of  $26^{\circ}29'45''$ , with radius of 145.00;

thence  $S70^{\circ}18'42''W$ , 86.85 feet which is the long chord of a curve, concave to the northwest, (the curve being the boundary--not the long chord with an arc length of 87.05 feet, more or less) through a central angle of  $13^{\circ}19'04''$ , with a radius of 374.50;

thence  $S38^{\circ}29'07''W$ , 12.45 feet which is the long chord of a curve, concave to the southeast, (the curve being the boundary--not the long chord--with an arc length of 13.43 feet, more or less) through a central angle of  $76^{\circ}58'14''$ , with a radius of 10.00;

thence  $N79^{\circ}55'40''W$ , 25.39 feet;

thence  $N48^{\circ}12'46''W$ , 14.91 feet which is the long chord of a curve, concave to the southwest, (the curve being the boundary--not the long chord--with an arc length of 16.83 feet, more or less) through a central angle of  $96^{\circ}25'32''$ , with a radius of 10.00;

thence  $N84^{\circ}42'00''W$ , 147.34 feet which is the long chord of a curve, concave northerly, (the curve being the boundary--not the long chord--with an arc length of 148.37 feet, more or less) through a central angle of  $23^{\circ}27'04''$ , with a radius of 362.50;

thence  $S53^{\circ}31'06''W$ , 188.92 feet which is the long chord of a curve, concave to the southeast, (the curve being the boundary--not the long chord--with an arc length of 219.46 feet, more or less) through a central angle of  $107^{\circ}00'54''$ , with a radius of 117.50;

EXHIBIT "A"  
continued

thence S23°37'17"W, 94.12 feet which is the long chord of a curve, concave to the northwest, (the curve being the boundary--not the long chord--with an arc length of 96.84 feet, more or less) through a central angle of 47°13'17", with a radius of 117.50;

thence S74°33'09"W, 162.93 feet which is the long chord of a curve, concave to the northwest, (the curve being the boundary--not the long chord--with an arc length of 169.27 feet, more or less) through a central angle of 54°38'26" with radius of 177.50;

thence N19°45'25"W, 225.64 feet which is the long chord of a curve, concave to the northeast, (the curve being the boundary--not the long chord--with an arc length of 269.97 feet, more or less) through a central angle of 116°44'25", with radius of 132.50;

thence N1°50'41"W, 12.98 feet which is the long chord of a curve, concave westerly, (the curve being the boundary--not the long chord--with an arc length of 14.12 feet, more or less) through a central angle of 80°54'55", with radius of 10.00;

thence N42°18'08"W, 13.58 feet;

thence S68°50'56"W, 13.06 feet which is the long chord of a curve concave to the southeast, (the curve being the boundary--not the long chord--with an arc length of 16.82 feet, more or less), through a central angle 137°41'52", with radius of 7.00;

thence SOUTH 17.83 feet;

thence WEST 158.63 feet;

thence NORTH 241.59 feet;

thence N89°59'58"E, 786.13 feet;

thence SOUTH 73.00 feet;

thence S45°00'00"E, 9.90 feet which is the long chord of a curve, concave to the northeast, (the curve being the boundary--not the long chord--with an arc length of 11.00 feet, more or less) through a central angle of 90°00'00", with radius of 7.00;

EXHIBIT "A"  
continued

thence EAST 17.00 feet;

thence SOUTH 96.41 feet;

thence N66°40'40"E, 58.24 feet which is the long chord of a curve, concave to the northwest, (the curve being the boundary--not the long chord--with an arc length of 58.32 feet, more or less) through a central angle of 10°12'12", with radius of 327.50;

thence N75°51'44"E, 99.94 feet which is the long chord of a curve, concave southerly, (the curve being the boundary--not the long chord--with an arc length of 100.98 feet, more or less) through a central angle of 28°34'21", with radius of 202.50;

thence S89°51'05"E, 21.00 feet;

thence N45°08'55"E, 22.63 feet which is the long chord of a curve, concave to the northwest, (the curve being the boundary--not the long chord--with an arc length of 25.13 feet, more or less) through a central angle of 90°00'00", with radius of 16.00;

thence S0°08'55"W, 89.50 feet, to the point of beginning.

The area contained within the foregoing is 5.8359 acres.

EXHIBIT "B"

DESCRIPTION FOR  
COTTONWOOD HILLS PHASE II

Real Property located in Salt Lake County, State of Utah, and more particularly described as follows:

BEGINNING at a point which is 415.66 feet North and 288.05 feet West from the East quarter corner of Section 32, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North  $48^{\circ}12'46''$  West, 14.91 feet which is the long chord of a curve, concave to the Southwest, (the curve being the boundary--not the long chord--with an arc length of 16.83 feet, more or less) through a central angle of  $96^{\circ}25'32''$ , with a radius of 10.00; thence North  $84^{\circ}42'00''$  West, 147.34 feet which is the long chord of a curve, concave Northerly, (the curve being the boundary--not the long chord--with an arc length of 148.37 feet, more or less) through a central angle of  $23^{\circ}27'04''$ , with a radius of 362.50; thence South  $53^{\circ}31'06''$  West, 188.92 feet which is the long chord of a curve, concave to the Southeast, (the curve being the boundary--not the long chord--with an arc length of 219.46 feet, more or less) through a central angle of  $107^{\circ}00'54''$ , with a radius of 117.50; thence South  $23^{\circ}37'17''$  West, 94.12 feet which is the long chord of a curve, concave to the Northwest, (the curve being the boundary--not the long--chord--with an arc length of 96.84 feet, more or less) through a central angle of  $47^{\circ}13'17''$ , with a radius of 117.50; thence South  $74^{\circ}33'09''$  West, 162.93 feet which is the long chord of a curve, concave to the Northwest, (the curve being the boundary--not the long chord--with an arc length of 169.27 feet, more or less) through a central angle of  $54^{\circ}38'26''$  with radius of 177.50; thence North  $19^{\circ}45'25''$  West, 225.64 feet which is the long chord of a curve, concave to the Northeast, (the curve being the boundary--not the long chord--with an arc length of 269.97 feet, more or less) through a central angle of  $116^{\circ}44'25''$ , with radius of 132.50; thence North  $1^{\circ}50'41''$  West, 12.98 feet which is the long chord of a curve, concave Westerly, (the curve being the boundary--not the long chord--with an arc length of 14.12 feet, more or less) through a central angle of  $80^{\circ}54'55''$ , with radius of 10.00; thence North  $42^{\circ}18'08''$  West, 13.58 feet; thence South  $68^{\circ}50'56''$  West, 13.06 feet which is the long chord of a curve concave to the Southeast, (the curve being the boundary--not the long chord--with an arc length of 16.82 feet, more or less), through a central angle  $137^{\circ}41'52''$  with radius of 7.00; thence South 17.83 feet; thence West 158.63 feet; thence North 241.28 feet; thence West 121.37 feet; thence South 447.34 feet; thence East 267.50 feet; thence South 20.0 feet; thence East 370.0 feet; thence North 50.0 feet; thence East 210.0 feet; thence North 181.64 feet; thence East 34.95 feet to the place of BEGINNING.

EXHIBIT "C"

REALLOCATION OF UNDIVIDED INTERESTS

	<u>Units</u>	<u>Par Value Per Unit</u>	<u>Undivided Fractional Interest in Common Areas Per Unit</u>
PHASE I	11, 12, 15, 16		
	21, 22, 25, 26		
	31, 32, 35, 36		
(lower units)	41, 42, 45, 46		
	51, 52, 55, 56		
	61, 62, 65, 66		
	71, 72, 75, 76		
	81, 82, 85, 86	\$45,000.00	9/1280
	13, 14, 17, 18		
	23, 24, 27, 28		
(upper units)	33, 34, 37, 38		
	43, 44, 47, 48		
	53, 54, 57, 58		
	63, 64, 67, 68		
	73, 74, 77, 78		
	83, 84, 87, 88	\$55,000.00	11/1280
PHASE II	91, 92, 95, 96		
	101, 102, 105, 106		
(lower units)	131, 132, 135, 136		
	141, 142, 145, 146		
	151, 152, 155, 156		
	161, 162, 165, 166		
	291, 292, 295, 296		
	301, 302, 305, 306	\$45,000.00	9/1280
	93, 94, 97, 98		
	103, 104, 107, 108		
(upper units)	133, 134, 137, 138		
	143, 144, 147, 148		
	153, 154, 157, 158		
	163, 164, 167, 168		
	293, 294, 297, 298		
	303, 304, 307, 308	\$55,000.00	11/1280