

Recorded at Request of D.T. Johnson 3278 So 3690 W
at 1249 P Fee Paid \$ 4.00 KATHIE L. DIXON, Recorder, SIC 84/20
Salt Lake County, Utah, By Cheryl Warrington Dept. Date OCT 26 1976

DECLARATION FOR ROGERS MINI-WAREHOUSE CONDOMINIUM

2869809

A CONDOMINIUM PROJECT

THIS DECLARATION is made this _____ day of October, 1976, by DUAYNE T. JOHNSON and VENNA G. JOHNSON, his wife, as owners and developers of the condominium project hereafter described in accordance with Section 57-8-10, Utah Code Annotated (1953):

1. Description of land. The buildings and improvements are partially constructed and are situated on the southerly 124 feet of the following described tract of land in Salt Lake County, Utah, to-wit:

Beginning at a point which is S 89°57'30" W 665.14 feet, N 89°54' W along the centerline of 5900 South Street 1934.62 feet, N 0°30' E along the centerline of the Union Pacific Railroad track and right-of-way 584.093 feet and S 89°48'30" W 61.503 feet from a monument in the intersection of 5900 South and State Streets, said monument being N 89°56'15" E 708.625 feet and S 2°15'30" W along the State Street monument line 1094.19 feet from the East 1/4 corner of Section 13, T. 2 S., R. 1 W., S.L.B. & M.; Thence S 89°48'30" W 166.53 feet; thence S 0°30' W 308.00 feet; thence N 89°48'30" E 166.53 feet; thence N 0°30' E 308.00 feet to the point of beginning.

reserving, however, an easement and right to use the northerly 36 feet of the said portion in connection with a similar condominium project extending northward from said 36 foot strip.

2. Description of building. The project, when completed, will consist of one one-story building, without basement, built of reinforced cinder block in accordance with the Murray City Building Code, with a concrete floor and built-up roof, consisting of twenty-four (24) units, twelve (12) opening to the North and twelve (12) opening to the South, with a common back wall, each unit being of the same size, except that the two easterly units and the two westerly units are fractionally larger.

3. Identification of units. The building being constructed is laid out on the square of the property as described with a 36 foot right-of-way or access way south of the southerly twelve (12) units and a similar right-of-way or access way over 36 feet to the north of the northerly twelve (12) units, and with a hard-surfaced access area approximately 21 feet wide abutting 300 West Street and giving access to the project from 300 West Street. The units are numbered C-1 to C-24 consecutively in a clockwise direction starting at the Southeast unit. Units C-1, C-12, C-13 and C-24 have widths of 12.15 feet with a door opening of 10.20 feet, and all other units, being numbers C-2 to C-11 inclusive and C-14 to C-23 inclusive, have a door opening of 10.00 feet and a maximum width from center of wall to center of wall of 11.97 feet, each with an elevation from floor to ceiling of approximately 11 feet.

The common areas or access areas 36 feet in width to the South, 36 feet in width to the North, and 21-plus feet in width to the East will be hard-surfaced and available for ingress and egress to the several units.

BOOK 4381 PAGE 221

Each unit will be wired for electricity with outlets for electric lights and for appliances to be plugged into wall plugs, all with 110 volt capacity.

4. Common areas. The hard-surfaced common areas or access areas will give each unit direct access from 300 West Street by motor vehicle or other vehicles and permitting vehicles up to 25 feet long to park in front of each unit for loading and unloading purposes and provide passageway for other vehicles beyond said standing vehicles.

5. Limited common areas. There are no common areas specifically limited to any unit. It is intended, and By-laws provide, that primarily each unit owner will limit standing vehicles to the area in front of his unit on a regular basis and that emergency use of other areas will be limited to one hour's time or based on written approval of the owners adjoining the area where the vehicle is allowed to stand.

6. Value of units and percentage of ownership. Units C-1 to C-24 are valued at \$5,350.00 each. Each unit will have a one-twenty-fourth (1/24) interest in the common areas and facilities and an equal voice with other unit owners in management of the project, including voting, or 4.167 percent as to each unit.

7. Use of building. The building belonging to each unit is intended primarily for storage of materials, excluding bulk gasoline or explosives. They will also be used for repair work or transfer of goods and individual owners may find other, different, lawful uses.

8. Process agent. Process may be served on Duayne T. Johnson, 3276 South 3690 West, Salt Lake City (Granger), Utah 84120.

9. Dissolution or rebuilding. Actions of the Board of Trustees shall be taken by a majority and actions submitted to the unit owners shall be by a majority of a quorum, a quorum being one person more than fifty percent (50%) of the units owned. In such matters as selling the property, dissolving the organization, rebuilding or restoring when all or a substantial part of the improvements have been destroyed by fire or casualty or by threat of condemnation, affirmative action shall be taken only by seventy-five percent (75%) vote, the percentage relating to the units represented.

10. Amendment of Declaration. Except as to matters covered by Paragraph 9, this Declaration may be amended by the affirmative vote of unit owners owning at least fifty percent (50%) of the total units.

11. Name of project. This condominium project shall be known as the Rogers Mini-Warehouse Condominium and has a "C" as a prefix to the unit numbers to avoid confusion with "A" projects and "B" projects handled out of the same office.

12. Expansion of the project. Declarants are the owners of the additional property contained in the overall description of Paragraph 1 and reserve the right to build one or two similar additional buildings of approximately twenty-four (24) units each and of approximately the same size, with right-of-way or access

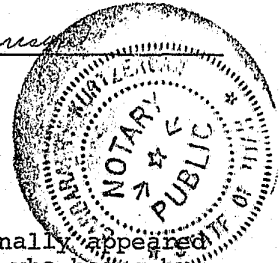
areas 36 feet in width to the front of each opening and 21 feet to the East or to the West of the building, which additional projects may be combined with the Rogers Mini-Warehouse Condominium project during the next three (3) years by Amendment of this Declaration.

13. The name "Mini-warehouse". The name "Mini-warehouse" is a registered trade name owned by Signal Corporation, which has given its written consent to use of its name in this condominium project.

WITNESS the hands of the parties.

Duayne T. Johnson
DUAYNE T. JOHNSON

Venna G. Johnson
VENNA G. JOHNSON



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

On the 26 day of October, 1976, personally appeared before me DUAYNE T. JOHNSON and VENNA G. JOHNSON, who being by me duly sworn, duly acknowledged to me that they are the Declarants in the foregoing Declaration and the owners of the Rogers Mini-warehouse Condominium, a condominium project, and the signers of the foregoing Declaration, and further duly acknowledged to me that they executed the same.

Barbara R. Kurtz
NOTARY PUBLIC
Residing at Salt Lake City, Utah

My Commission Expires:

August 4, 1979