

6429997

SUPPLEMENTAL DECLARATION

TO THE

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CAPITOL PARK PLANNED DEVELOPMENT

Capitol Park Development, L.C., a Utah Limited Liability Company (the "Declarant") does hereby supplement the Declaration of Covenants, Conditions and Restrictions applicable to the Capitol Park Planned Development, which Declaration is filed at Book No. 7092, beginning at Page No. 2054, ending at Page 2090, as Entry No., 6238290, with the records of the Salt Lake County Recorder.

By this Supplemental Declaration, Declarant unilaterally annexes into Capitol Park Planned Development the properties which are described on Exhibit "A", which is attached hereto and incorporated herein by this reference, and is hereby made subject to the above referenced Declaration, as a part of the Capitol Park Planned Development. The said property is part of the Master Plan for the Capitol Park Planned Development and has been approved for subdivision and inclusion in the Capitol Park Planned Development by Salt Lake City.

The undersigned Declarant, in its capacity as Declarant and as the Class "B" Member of the Capitol Park Homeowner's Association, Inc., a Utah Non-Profit Corporation, is authorized to unilaterally make this Supplemental Declaration pursuant to the provisions of the Declaration, and specifically, but without limitation intended, Section 7.1 thereof.

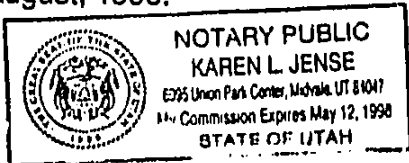
DATED this 7th day of August, 1996.

CAPITOL PARK DEVELOPMENT, L.C.

By: Kevin D. Oakes

Title: MEMBER

SUBSCRIBED AND SWORN to before me by Kevin D. Oakes this 7th day of August, 1996.



Karen L. Jense
Notary Public

BOOK 7465 PAGE 2129

EXHIBIT A

LEGAL DESCRIPTION CAPITOL PARK PLANNED DEVELOPMENT PHASE 4

Beginning at the Northeast corner of Lot 311 of CAPITOL PARK PLANNED DEVELOPMENT PHASE 3, which point is 636.28 feet North 00°00'24" West and 75.48 feet East from the Southeast corner of Block 158, Plat "D", Salt Lake City Survey (being a part of the Northeast quarter of Section 31, Township 1 North, Range 1 East, Salt Lake Base and Meridian), (said point of beginning is also 35.13 feet South 89°52'22" East along the monument line and 263.09 feet North from the Salt Lake City monument in the intersection of 12th Avenue and "D" Street), and running thence along the Northerly boundary line of said Capitol Park Planned Development Phase 3 the following six courses and distances: (1) North 57°39'58" West 40.00 feet; thence (2) Southwesterly and Westerly 118.86 feet along the arc of a 90.00-foot radius curve to the right (chord bears South 70°10'01" West 110.41 feet) to the point of tangency; thence (3) North 72°00'00" West 54.38 feet; thence (4) North 41°25'00" West 163.00 feet; thence (5) North 88°22'00" West 85.00 feet; and thence (6) North 74°39'00" West 168.60 feet to the Easterly boundary line of Bonneville Boulevard; thence along the said Easterly line the following four (4) courses and distances: (1) North 27°19'03" East 22.27 feet; thence (2) North 05°10'24" East 26.91 feet; thence (3) North 05°11'20" East 138.73; and North (4) North 18°25'38" West 174.35 feet; thence South 89°51'43" East 583.68 feet; thence North 00°00'24" West 100.00 feet; thence South 89°51'43" East 354.14 feet; thence South 00°00'24" East 296.86 feet; thence South 40.00 feet; thence West 258.00 feet to the point of curvature with a 85.00-foot radius curve to the left; thence Westerly, Southwesterly and Southerly 133.52 feet along the arc of said curve (chord bears South 45°00'00" West 120.21 feet) to the point of tangency; thence South 126.54 feet to the point of tangency with a 130.00-foot radius curve to the right; thence Southerly 73.36 feet along the arc of said curve (chord bears South 16°10'01" West 72.39 feet) to the point of beginning.

6429997
08/14/96 1:04 PM 65-00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
CAPITOL PARK DEVELOPMENT
PO BOX 21186 SLC UT 84121
REC BY:V ASHBY DEPUTY - WI

BOOK 7465 PAGE 2180