

Please record and return to
Wayland Station
645 East 4065 South
Salt Lake City, Utah 84107

7484771
10/07/1999 02:12 PM 318.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
WAYLAND STATION
645 E 4065 S
MURRAY UT 84107
BY: JLP, DEPUTY - WI 9 P.

**WAYLAND STATION AT OLD FARM
A Prowswood Open Space Community**

**FIRST AMENDMENT TO
DECLARATIONS OF CONDOMINIUM**

THIS FIRST AMENDMENT (this "Amendment") TO DECLARATIONS OF CONDOMINIUM OF WAYLAND STATION AT OLD FARM, made and executed this 23rd day of September 1999 pursuant to the provisions of the Utah Condominium Ownership Act.

Recitals:

A. The Declarations of Condominium of Wayland Station at Old Farm. A Prowswood Open Space Community (Phases Nos. I, II and II) (the "Declarations") were filed of record in the office of the Salt Lake County Recorder as follows: Phase No. I on December 31, 1975, in Book 4067, Pages 203-241, as Entry No. 2773421; Phase No. II on October 5, 1976, in Book 4632, Pages 119-151, as Entry No. 2863984; Phase No. III on March 10, 1977, in Book 4458, Pages 1138-1179, as Entry No. 2917096.

B. Paragraph 25 of Article III of the Declarations provide that the Declarations may be amended upon the vote of at least 2/3 of the undivided ownership interest in the Common Areas and Facilities (as defined in the Declarations) of the community.

C. On November 12, 1998, a meeting of the unit owners was duly held at which a quorum was present. At such meeting, unit owners holding in the aggregate 75 per cent of the undivided ownership interest in the Common Areas and Facilities voted in favor of the amendment to the Declarations as set forth below:

NOW, THEREFORE, the Declarations are hereby amended as follows:

1. Paragraph 18(g) of Article III of the Declarations shall be amended to read as follows:

(g) Rules and Regulations. The Management Committee may make reasonable rules and regulations governing the operations and use of the Common Areas and of other matters over which it has jurisdiction, which rules and regulations shall be consistent with the rights and duties established in these Declarations and in the Old Farm Declaration creating the Home Owners Association. The Management Committee may suspend any Owner's voting rights at any meeting of the Unit Owners during any period or periods during which such Owner fails to comply with such rules and regulations, or with any other obligations of such Owner under these Declarations. The Management Committee may also take judicial action against any Owner to enforce compliance with such rules and regulations or other obligations or to obtain damages for noncompliance, all to the extent permitted by law. In any such action to enforce such rules, regulations or obligations, the breaching Owner shall reimburse the Management Committee for all costs, including reasonable attorneys' fees, incurred in connection therewith and in enforcing or collecting any judgment rendered therein.

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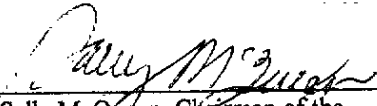
BOOK 8314 PAGE 7172

2. Paragraph 30 of Article III of the Declarations shall be amended to read as follows:

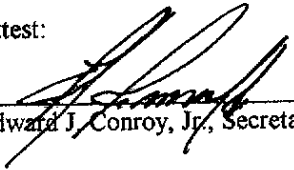
30. **Enforcement.** Each Unit Owner shall comply strictly with the provisions of these Declarations and with the administrative rules and regulations drafted pursuant thereto as the same may be lawfully amended from time to time and with the decisions adopted pursuant to these Declarations and the administrative rules and regulations, and failure to comply shall be grounds for an action to recover sums due for damages or injunctive relief or both, maintainable by the Management Committee or manager on behalf of the Unit Owners, or in a proper case, by an aggrieved Unit Owner. In any such action to enforce these Declarations or the rules and regulations adopted pursuant hereto, the breaching party or parties shall reimburse the Management Committee, manager and/or aggrieved Unit Owner, as the case may be, for all costs, including reasonable attorneys' fees, incurred in connection therewith and in enforcing or collecting any judgment rendered therein.

3. All provisions of the Declarations not expressly amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Chairman of the Management Committee of Wayland Station at Old Farm, has executed this Amendment at Salt Lake City, Utah, the day and year first hereinabove written.


Sally McQueen, Chairman of the
Wayland Station Management Committee

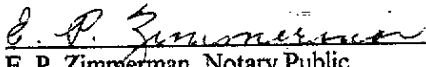
Attest:

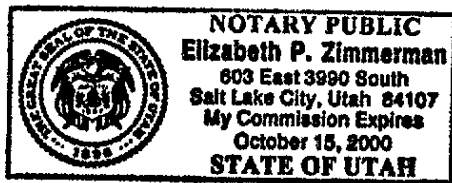

Edward J. Conroy, Jr., Secretary

STATE OF UTAH)

County of Salt Lake)

On the 23rd day of September, 1999 personally appeared before me Sally McQueen and Edward J. Conroy, Jr., the signers of the above instrument, who duly acknowledged to me that they executed the same.


E. P. Zimmerman, Notary Public



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Management Committee

9/23/99

**WAYLAND STATION AT OLD FARM
A Prowswood Open Space Community**

**RESOLUTIONS ADOPTED AT A SPECIAL MEETING
OF THE MANAGEMENT COMMITTEE**

THE UNDERSIGNED, being the Secretary of the Management Committee of Wayland Station at Old Farm (the "Community"), does hereby set forth the following resolutions duly adopted by the Management Committee of the Community:


RESOLVED, that the First Amendment to Declaration of Condominium of the Community in the form appended hereto as Exhibit A, and the amendments to the Declaration of Condominium to be made by such First Amendment, are in all respects approved and adopted.

FURTHER RESOLVED, that the First Amendment to Declaration of Condominium be submitted to the unit owners of the Community for approval.

FURTHER RESOLVED, that upon approval of the First Amendment to Declaration of Condominium by the unit owners of the Community, the proper officers of the Management Committee are hereby authorized and directed to execute and to file with the office of the Salt Lake County Recorder the First Amendment to Declaration of Condominium attached hereto as Exhibit A.

FURTHER RESOLVED, that the officers of the Management Committee are hereby authorized to (a) sign, execute, certify to, verify, acknowledge, deliver, accept, file and record any and all instruments and documents and (b) take, or cause to be taken, any and all such action, in the name and on behalf of the Community or otherwise, as (in such officers' judgment) shall be necessary, desirable, or appropriate in order to effect the purpose of the foregoing resolutions.

IN WITNESS WHEREOF, I have executed this statement this 23^d day of September, 1999



Secretary
Edward J. Conroy, Jr.

BNW 8314PC7174

Recorded 100 21 1976 11/21
Record of SECURITY TITLE
COMPANY
Fee Paid KATHI L. DIXON
Recorder, Salt Lake County, Utah
Ref. 1-106-264-1
1-106-268-1
+ Misc Index #5

2773421

DECLARATION OF CONDOMINIUM
OF

WAYLAND STATION AT OLD FARM
A Prowswood OpenSpace Community
(Phase No. 1)

RECORDED
11/21/76

THIS DECLARATION is made as of the date hereinafter set forth by PROSWOOD, INC., formerly Richard Prows, Inc., a Utah corporation, (hereinafter the "DECLARANT"), pursuant to the provisions of the Utah Condominium Ownership Act.

-POOR COPY-
CO. RECORDER

2853984
2853984

DECLARATION OF CONDOMINIUM
OF

WAYLAND STATION AT OLD FARM
A Prowswood Open Space Community
(Phase No. 2)

1114-411-1, 1114-415-1,
1114-419-1, 1114-423-1
+ Misc Index #5

THIS DECLARATION is made and executed this 5th day of October, 1976, by PROSWOOD, INC., formerly Richard Prows, Inc., a Utah corporation (hereinafter referred to as "Declarant"), pursuant to the provisions of the Utah Condominium Ownership Act.

MAIL TO -

MAR 10 1977
Record of SECURITY TITLE COMP. &
Fee Paid KATHI L. DIXON
Recorder, Salt Lake County, Utah
By [Signature]
Ref. [Number]

2817086
2817086

DECLARATION OF CONDOMINIUM
OF

WAYLAND STATION AT OLD FARM
A Prowswood Open Space Community
(Phase No. 3)

THIS DECLARATION is made and executed this 7th day of MARCH, 1977, by PROSWOOD, INC., formerly Richard Prows, Inc., a Utah corporation (hereinafter referred to as "Declarant"), pursuant to the provisions of the Utah Condominium Ownership Act.

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15. Entire Tract shall mean and refer to the following described tract of land situate in Salt Lake County, State of Utah, together with all appurtenances thereto:

Beginning at a point which is North $89^{\circ} 58' 25''$ West 401.96 feet and South $0^{\circ} 09' 36''$ West 272.66 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey and running thence South $89^{\circ} 58' 49''$ East 37.61 feet; thence South $0^{\circ} 10' 05''$ West 545.28 feet; thence South $89^{\circ} 59' 55''$ East 301.32 feet to the west right of way line of 700 East Street; thence South $0^{\circ} 14' 13''$ West along said right of way line 928.23 feet; thence North $87^{\circ} 59' 36''$ West 393.41 feet to a point of a 132.00 foot radius curve to the right, the radius point of which is South $86^{\circ} 54' 29''$ East 132.00 feet; thence Northeasterly along the arc of said curve 80.42 feet to a point of a reverse curve to the left, the radius point of which is North $52^{\circ} 00'$ West 113.50 feet; thence Northeasterly along the arc of said curve 136.68 feet to a point of a reverse curve to the right, the radius point of which is North $59^{\circ} 00'$ East 254.80 feet; thence Northwesterly along the arc of said curve 137.86 feet to a point of tangency; thence North 272.95 feet to a point of a 265.00 foot radius curve to the left, the radius point of which is West 265.00 feet; thence Northwesterly along the arc of said curve 116.40 feet to a point of a reverse curve to the right, the radius point of which is North $64^{\circ} 50'$ East 215.00 feet; thence Northwesterly along the arc of said curve 45.65 feet to a point of a compound curve to the right, the radius point of which is North $77^{\circ} 00'$ East 1035.00 feet; thence Northwesterly along the arc of said curve 198.70 feet to a point of tangency; thence North $2^{\circ} 00'$ West 108.63 feet to a point of a 913.72 foot radius curve to the right, the radius point of which is North $88^{\circ} 00'$ East 913.72 feet; thence Northeasterly along the arc of said curve 180.74 feet to a point of a compound curve to the right, the radius point of which is South $80^{\circ} 40'$ East 371.00 feet; thence Northeasterly along the arc of said curve 180.76 feet

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to a point of a reverse curve to the left, the radius point of which is North 52°45' West 185.00 feet; thence Northeasterly along the arc of said curve 54.51 feet; thence South 89°58'49" East 21.69 feet to the point of beginning. Contains 10.2418 acres.

Also: Beginning at a point South 272.45 feet and West 479.19 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning also on a curve to the right, the radius point of which is North 61° 31' 13" West 135.00 feet; thence Southwesterly along the arc of said curve 20.66 feet to a point of a reverse curve to the left, the radius point of which is South 52° 45' East 421.00 feet; thence Southwesterly along the arc of said curve 205.13 feet to a point of a compound curve to the left, the radius point of which is South 80° 40' East 963.72 feet; thence Southwesterly along the arc of said curve 190.63 feet to a point of tangency; thence South 2° 00' East 108.63 feet to the point of a 1085.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 208.30 feet to a point of a compound curve to the left, the radius point of which is North 77° 00' East 265.00 feet; thence Southeasterly along the arc of said curve 56.27 feet to a point of a reverse curve to the right, the radius point of which is South 64° 50' West 215.00 feet; thence Southeasterly along the arc of said curve 94.44 feet to a point of tangency; thence South 272.95 feet to the point of a 304.80 foot radius curve to the left; thence Southeasterly along the arc of said curve 164.91 feet to a point of a reverse curve to the right, the radius point of which is South 59° 00' West 63.50 feet; thence Southeasterly along the arc of said curve 6.03 feet; thence North 67°35' West 309.93 feet; thence North 53°00' East 4.0 feet; thence North 16°00' West 130.00 feet; thence North 168.97 feet; thence South 89° 59' 30" West 105.51 feet; thence North 0° 01' 07" East 413.21 feet; thence South 89° 58' 53" East 25.00 feet; thence North 0° 01' 07" East 161.00 feet; thence North 87° 32' 30" East 7.11 feet; thence North 0° 12' East 11.00 feet; thence South 88° 18' 30" East 84.90 feet; thence North 1°11'32" East 291.00 feet; thence South 89°58'49" East 288.99 feet to the point of beginning. Contains 7.9327 Acres.

The land which this Declaration submits to the terms of the Act comprises only a part of the Entire Tract. Declarant is the Owner of such part and anticipates that in the future it may obtain title to some or all of the remainder of the Entire Tract. A description of the Entire Tract is set forth in this Declaration solely for purposes of identification. This Declaration is not intended and should not be deemed to constitute any lien, encumbrance, restriction or limitation upon any real property or interests in real property other than the land which this Declaration expressly submits to the provisions of the Act.

16. Tract shall mean and refer to each portion of the Entire Tract which is separately submitted to the terms of the Act with the intention that it shall thereby comprise, or in the future may become, a part of the Project. The real property which Article II of this Declaration submits to the terms of the Act constitutes a Tract.

17. Additional Land shall mean and refer to any land or an interest therein which may come from time to time, be added to the initial Project as an extension thereof under the terms and conditions of this Declaration. Such additional land may include all or part of the following described tracts of land and situate in Salt Lake County, State of Utah, together with all appurtenances thereto, to-wit:

Beginning at a point which is North $89^{\circ}58'25''$ West 401.96 feet and South $0^{\circ}09'36''$ West 272.66 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey and running thence South $89^{\circ}58'49''$ East 37.61 feet; thence South $0^{\circ}10'05''$ West 545.28 feet; thence South $89^{\circ}59'55''$ East 301.32 feet to the West right of way line of 700 East Street; thence South $0^{\circ}14'13''$ West along said right of way line 688.23 feet; thence North $88^{\circ}00'$ West 115.00 feet; thence North $13^{\circ}00'$ West 108.0 feet; thence North $61^{\circ}00'$ West 215.0 feet; thence West 67.65 feet; thence North 166.95 feet to a point of a 265.00 foot radius curve to the left, the radius point of which is West 265.00 feet; thence Northwesterly along the arc of said curve 116.40 feet to a point of a reverse curve to the right, the radius point of which is North $64^{\circ}50'$ East 215.00 feet; thence Northwesterly along the arc of said curve 45.65 feet to a point of a compound curve to the right, the radius point of which is North $77^{\circ}00'$ East 1035.00 feet; thence Northwesterly along the arc of said curve 198.70 feet to a point of tangency; thence North $2^{\circ}00'$ West 108.63 feet to a point of a 913.72 foot radius curve to the right, the radius point of which is North $88^{\circ}00'$ East 913.72 feet; thence Northeasterly along the arc of said curve 180.74 feet to a point of a compound curve to the right, the radius point of which is South $80^{\circ}40'$ East 371.00 feet; thence Northeasterly along the arc of said curve 180.76 feet to a point of a reverse curve to the left, the radius point of which is North $52^{\circ}45'$ West 185.00 feet; thence Northeasterly along the arc of said curve 54.51 feet; thence South $89^{\circ}58'49''$ East 21.69 feet to the point of beginning. Contains 7.255 Acres.

Also: Beginning at a point South 272.45 feet and West 479.19 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning also on a curve to the right, the radius point of which is North $61^{\circ}31'13''$ West 135.00 feet; thence Southwesterly along the arc of said curve 20.66 feet to a point of a reverse curve to the left, the radius point of which is South $52^{\circ}45'$ East 421.00 feet; thence Southwesterly along the arc of said curve 205.13 feet to a point of a compound curve to the left, the radius point of which is South $80^{\circ}40'$ East 963.72 feet; thence Southwesterly along the arc of said curve 190.63 feet to a point of tangency; thence South $2^{\circ}00'$ East 108.63 feet to the point of a 1085.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 208.30 feet to a point of a compound curve to the left, the radius point of which is North $77^{\circ}00'$ East 265.00 feet; thence Southeasterly along the arc of said curve 56.27 feet to a point of a reverse curve to the right, the radius point of which is South $64^{\circ}50'$ West 215.00 feet; thence Southeasterly along the arc of said curve 94.44 feet to a point of tangency; thence South 20.65 feet; thence South $89^{\circ}59'30''$ West 378.28 feet; thence North $0^{\circ}01'07''$ East 413.21 feet; thence South $89^{\circ}58'53''$ East 25.00 feet; thence North $0^{\circ}01'07''$ East 161.00 feet; thence North $87^{\circ}32'30''$ East 7.11 feet; thence North $0^{\circ}12'$ East 11.00 feet; thence South $88^{\circ}18'30''$ East 84.90 feet; thence

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North $1^{\circ}11'32''$ East 291.00 feet; thence South $89^{\circ}58'49''$ East
288.99 feet to the point of beginning. Contains 5.634 Acres.



**Wayland
Station
in
Old Farm**

COMMUNITY MANAGEMENT • 645 East 4065 South • Salt Lake City, Utah 84107 • Phone (801) 268-6082

TO: Nancy Workman
Salt Lake County Recorder
2001 South State Street - N 1600
Salt Lake City, Utah 84190-1150

FROM: Bette Zimmerman, Manager

DATE: September 22, 1999

RE: Filing of First Amendment to Declarations of Condominium

Enclosed are four pages regarding the First Amendment to the Declarations of Condominium for Wayland Station at Old Farm.

Also enclosed are five pages of the legal description of Wayland Station as recorded in the Phase I Declaration which covers the entire tract.

There were 293 units recorded although only 282 were actually constructed. We understand that the first unit being recorded is free, so this leaves 292 units to be recorded plus the eight pages indicated above. This letter is also to be recorded so I am enclosing a check from Wayland Station in the amount of \$320.00 to cover the cost of this recording.

Please returning the recorded material to Wayland Station at 645 East 4065 South, Salt Lake City, Utah 84107.

Thank you for your courtesy and cooperation in this matter.

cc: Wayland Station Management Committee

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