

4198502

SUPPLEMENTAL DECLARATION OF PHASE II
FIFTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OF THE JEFFERSON PLACE CONDOMINIUM

Handwritten initials

Handwritten signature: Penni Koroligos

Handwritten signature: Jefferson Place

JUL 10 1 59 PM '85

SALT LAKE COUNTY

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THIS FORTH AMENDMENT TO DECLARATION OF CONDOMINIUM, executed this 21 day of Feb., 1985, by JEFFERSON PLACE, a Utah corporation with an office at 9500 South 500 West, Suite 101, Sandy, Utah (hereinafter referred to as the "Declarant").

W I T N E S S E T H:

WHEREAS, a certain Declaration of Condominium of the Jefferson Place Condominium was executed on August 18, 1982, and recorded in the Office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 3703854 in Book 5403, at Pages 2988 to 3059; and

WHEREAS, a certain Amendment to Declaration of Condominium of Jefferson Place Condominium was executed on April 1, 1983, and recorded in the office of the County Recorder of Salt Lake County, State of Utah on April 12, 1983 as Entry NO. 3779649: and

WHEREAS, a certain Second Amendment to Declaration of Condominium of Jefferson Place Condominium was executed on April 19, 1983, and recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 3784837: and

WHEREAS, a certain Amendment to Declaration of Condominium of the Jefferson Place Condominium was executed on October 4, 1983, and recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 3853600 in Book 5496, at Page 2936 et seq. (said Declaration of Condominium, Amendment to Declaration of Condominium, Second Amendment to Declaration of Condominium and Third Amendment to Declaration of Condominium are hereinafter collectively designated as the "Declaration"): and

WHEREAS, a Declarant is the owner of certain real property situated in Salt Lake County, Utah, together with the buildings and other improvements located thereon (hereinafter referred to as "Phase II"), which is more particularly described as follows, to wit:

BEGINNING AT THIS POINT N. 0 10'27"
E. ALONG THE SECTION LINE 1167.01
FEET, AND EAST 44.45 FEET FROM THE
SOUTHEAST CORNER OF SECTION 2, T
35., R.1W., S.L.B. & M.: RUNNING
THENCE EAST 104.39 FT.; THENCE S. 41
42'38" W. 247.87 FT.; THENCE N. 43

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54'32" 241.68 FT. TO A POINT ON A
735 FOOT RADIUS CURVE TO THE RIGHT;
SAID POINT BEING ON THE EASTERLY R/W
LINE OF 700 WEST STREET; THENCE
ALONG SAID EASTERLY AND THE ARC OF
SAID CURVE 104.09 FT. (THE LONG
CHORD BEARS N. 42 01'39" E.,
104.00FT.); THENCE S. 44 42'56" E.
60.31FT.; THENCE N. 45 17'04" E.
36.00 FT.; THENCE S. 61 39'55" E.
102.82 FT. TO THE POINT OF
BEGINNING. CONTAINS 0.884 ACRES.

WHEREAS, the Declarant, as provided in Section 16.01 of the Declaration and pursuant to Section 57-8-10(4) of the Act, has reserved the sole and exclusive right to add Phase II to the Project: and

WHEREAS, the Declarant desires to add Phase II to the Project, to create Units within Phase II, and re-allocate the undivided interests in the Common Areas of the Project between the existing Units in the Project and the Units to be created in Phase II in accordance with Section 57-8-13.10 of the Act and Section 16.01 of the Declaration.

NOW, THEREFORE, and for that purpose, Declarant hereby amends the Declaration of Condominium of the Jefferson Place Condominium project, as follows:

1. Submission and Division of Phase II.

(a) Submission to Condominium Act. The Declaration hereby submits Phase II to the provisions of the condominium Act. All of Phase II is and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, and improved as part of the Project. All of Phase II is and shall be subject to the covenants, conditions, restrictions, uses, limitations, and obligations set forth in the Declaration, as amended, each and all of which are declared and agreed to be for the benefit of the Project and furtherance of a plan for the improvement of the Phase II and the division thereof into Condominium Units; further, each and all of the provisions hereof shall be deemed to run with the land and shall be a burden and a benefit on the land and shall be binding upon the Declarant, its successors and assigns, upon any person acquiring, leasing, or owning an interest in the real property and improvements comprising the Project, and upon their respective personal representatives, heirs, successors, and assigns.

(b) Division into Condominiums. Phase II is hereby divided into Condominium units as set forth in Second Amended Exhibit "A" attached hereto and incorporated herein by reference.

2. Units and Boundaries. Jefferson Place Condominium, a Utah Condominium Project, as hereby expanded shall consist of Twelve (12) buildings containing a total of Ninety-six (96) units. Each unit is given an identifying number and is depicted on that certain Supplemental Record of Survey Map of Phase II entitled "Record of Survey Map Jefferson Place Condominium Phase II" which is being recorded on even date herewith in the office of the County Recorder of Salt Lake County, State of Utah. The Project as expanded by this Amendment shall be known as Jefferson Place Condominium, a Utah Condominium Project.

3. Undivided Interest in Common Elements. Pursuant to the provisions of Section 57-8-13.6 and Section 57-8-13.10 of the Act, the undivided ownership interests in the Common Areas of the Project are hereby re-allocated between each Unit in the Project, including the Units created in Phase II, in accordance with the attached Second Amended Exhibit "A".

4. Definitions. Each of the words used in this Amendment to the Declaration shall have the meaning given to each such term in the Declaration.

5. Ratification of Terms and Provisions. Except as modified by this Amendment, the Declaration hereby ratifies and confirms all of the terms and provisions of the Declaration.

IN WITNESS WHEREFORE, the undersigned have executed this instrument on the date and year first above written.

DECLARANT:

ATTEST:

JEFFERSON PLACE, a Utah corporation

By: Eugene Peterson
Eugene Peterson,
Secretary

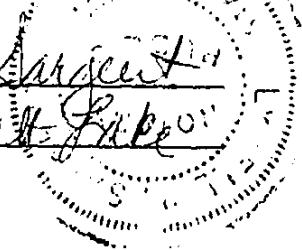
By: R.L. Yergensen
R.L. Yergensen,
President

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

On the 21 day of February, 1985, personally appeared before me R.L. Yergensen and Eugene Peterson who being by me duly sworn, did say that they are the President and Secretary, respectively, of Jefferson Place, a Utah corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of its Board of Directors, and said R.L. Yergensen and Eugene Peterson acknowledge to me that said Corporation executed the same.

Faynell R. Yergensen
NOTARY PUBLIC
Residing at: Mill Park



My Commission Expires:

9/21/89

THIRD AMENDED
EXHIBIT A

(Attached to and forming a part of the Declaration of Condominium
of the Jefferson Place Condominium Project.)

UNITS, UNDIVIDED OWNERSHIP INTEREST, AND VOTES:

UNIT NO.	SIZE* (Square Feet)	UNDIVIDED OWNERSHIP INTERESTS**(Percentage)	VOTES
1-A	921	.9399	.9399
1-B	921	.9399	.9399
1-C	921	.9399	.9399
1-D	921	.9399	.9399
1-E	921	.9399	.9399
1-F	921	.9399	.9399
1-G	921	.9399	.9399
1-H	921	.9399	.9399
2-A	921	.9399	.9399
2-B	921	.9399	.9399
2-C	921	.9399	.9399
2-D	921	.9399	.9399
2-E	921	.9399	.9399
2-F	921	.9399	.9399
2-G	921	.9399	.9399
2-H	921	.9399	.9399
3-A	921	.9399	.9399
3-B	921	.9399	.9399
3-C	921	.9399	.9399
3-D	921	.9399	.9399
3-E	921	.9399	.9399
3-F	921	.9399	.9399
3-G	921	.9399	.9399
3-H	921	.9399	.9399
4-A	921	.9399	.9399
4-B	921	.9399	.9399
4-C	921	.9399	.9399
4-D	921	.9399	.9399
4-E	921	.9399	.9399
4-F	921	.9399	.9399
4-G	921	.9399	.9399
4-H	921	.9399	.9399

(CONTINUED)

THIRD AMENDED EXHIBIT A
(Continued)

UNITS, UNDIVIDED OWNERSHIP INTEREST, AND VOTES:

UNIT NO.	SIZE* (Square feet)	UNDIVIDED OWNERSHIP INTERESTS**(Percentage)	VOTES
5-A	921	.9399	.9399
5-B	921	.9399	.9399
5-C	1320	1.347	1.347
5-D	1320	1.347	1.347
5-E	921	.9399	.9399
5-F	921	.9399	.9399
5-G	1320	1.347	1.347
5-H	1320	1.347	1.347
6-A	921	.9399	.9399
6-B	921	.9399	.9399
6-C	1320	1.347	1.347
6-D	1320	1.347	1.347
6-E	921	.9399	.9399
6-F	921	.9399	.9399
6-G	1320	1.347	1.347
6-H	1320	1.347	1.347
7-A	921	.9399	.9399
7-B	921	.9399	.9399
7-C	1320	1.347	1.347
7-D	1320	1.347	1.347
7-E	921	.9399	.9399
7-F	921	.9399	.9399
7-G	1320	1.347	1.347
7-H	1320	1.347	1.347
14-A	921	.9399	.9399
14-B	921	.9399	.9399
14-C	921	.9399	.9399
14-D	921	.9399	.9399
14-E	921	.9399	.9399
14-F	921	.9399	.9399
14-G	921	.9399	.9399
14-H	921	.9399	.9399

(Continued)

THIRD AMENDED EXHIBIT A
(Continued)

UNITS, UNDIVIDED OWNERSHIP INTEREST, AND VOTES:

UNIT NO.	SIZE* (Square Feet)	UNDIVIDED OWNERSHIP INTERESTS**(Percentage)	VOTES
15-A	921	.9399	.9399
15-B	921	.9399	.9399
15-C	1320	1.347	1.347
15-D	1320	1.347	1.347
15-E	921	.9399	.9399
15-F	921	.9399	.9399
15-G	1320	1.347	1.347
15-H	1320	1.347	1.347
16-A	921	.9399	.9399
16-B	921	.9399	.9399
16-C	1320	1.347	1.347
16-D	1320	1.347	1.347
16-E	921	.9399	.9399
16-F	921	.9399	.9399
16-G	1320	1.347	1.347
16-H	1320	1.347	1.347
17-A	921	.9399	.9399
17-B	921	.9399	.9399
17-C	1320	1.347	1.347
17-D	1320	1.347	1.347
17-E	921	.9399	.9399
17-F	921	.9399	.9399
17-G	1320	1.347	1.347
17-H	1320	1.347	1.347
18-A	921	.9399	.9399
18-B	921	.9399	.9399
18-C	921	.9399	.9399
18-D	921	.9399	.9399
18-E	921	.9399	.9399
18-F	921	.9399	.9399
18-G	921	.9399	.9399
18-H	921	.9399	.9399

*Size had been determined on the basis of the approximate number of square feet of floor space within each respective unit, as shown on the Map and rounded off.

**Undivided Ownership Interest Percentage have been computed on the basis of the approximate number of square feet of floor space within each respective Unit of the Project taken as a percentage of the approximate aggregate number of square feet of floor space within all Units in the Project.