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 RECORDER JOE DEAN HUBER BY BRUCE BAILEY
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When Recorded, Mail To:

Paul W. Hess
 STRONG & HANNI
 Sixth Floor Boston Bldg.
 Salt Lake City, Utah 84111

FIFTH AMENDMENT
 TO DECLARATION OF
 COVENANTS, CONDITIONS, AND RESTRICTIONS
 FOR
 SCHNEITTER'S SWISS OAKS,
 An Expandable Condominium Project

THIS FIFTH AMENDMENT is made and entered into as of the 16th day of February, 1990, by SCHNEITTER'S SWISS OAKS, LTD., a Utah limited partnership (hereinafter referred to as the "Declarant").

RECITALS:

A. The Declaration. The Declarant previously executed a Declaration of Covenants, Conditions, and Restrictions for Schneitter's Swiss Oaks, An Expandable Condominium Project (hereinafter referred to as the "Declaration"), dated September 24, 1985 and recorded September 26, 1985, Entry No. 136583, Book 175, Pages 418-482, at the Wasatch County Recorder's Office, submitting the Land and Buildings as described and defined therein to the provisions of the Utah Condominium Ownership Act (Title 57, Chapter 8, Utah Code Annotated).

B. The First Amendment. The Declaration was amended by a First Amendment dated December 21, 1985, and recorded January 14, 1986, Entry No. 137522, Book 178, Pages 142-145, at the Wasatch County Recorder's Office.

C. The Second Amendment. The Declaration was again amended by a Second Amendment dated January 6, 1987, and recorded January 13, 1987, Entry No. 140973, Book 186, Pages 717-722, at the Wasatch County Recorder's Office.

D. The Third Amendment. The Declaration was again amended by a Third Amendment dated as of January 22, 1989, and

recorded February 22, 1989, Entry No. 148121, Book 206, Pages 645-656.

E. Fourth Amendment. The Declaration was again amended by a Fourth Amendment dated as of June 6, 1989, and recorded June 14, 1989, Entry No. 149044, Book 209, Pages 142-148.

F. Expansion. Declarant now desires to expand the Project and to reallocate undivided interests in accordance with the provisions of Article IV of the Declaration (as amended) and Section 57-8-13.6 of the Condominium Act.

NOW, THEREFORE, the Declaration is hereby amended and supplemented as follows:

1. Additional Land. The land described in Exhibit B attached hereto and incorporated herein by reference, constituting part of the Additional Land under the Declaration, located in Wasatch County, State of Utah, is hereby added to the Project, as defined in the Declaration. Building F is to be constructed on said property being added.

2. Reallocation of Undivided Interest. The undivided interests in Common Areas and votes appurtenant to the Units are reallocated among all of the Units in the Project, as set forth in Exhibit A attached hereto and incorporated herein by reference. The attached Exhibit A amends and supersedes Exhibit A to the Declaration (and all amendments to the Declaration).

3. Definitions and Confirmation. All terms used in this Fifth Amendment shall have the same meaning and import as given in the Declaration. Except as expressly and specifically amended herein, the Declaration is hereby confirmed as originally executed and recorded and as amended by the First, Second, Third, Fourth, and Fifth Amendments.

IN WITNESS WHEREOF, this Fifth Amendment was executed as of the day and year first above written.

Attest:

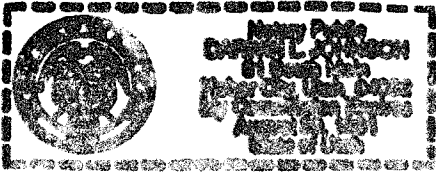
SWISS OAKS DEVELOPMENT, INC., a
Utah corporation, General Partner,
for and in behalf of SCHNEITTER'S
SWISS OAKS, LTD., a Utah limited
partnership

Colleen O. Fuller
Secretary

By Robert L. Fuller
President

STATE OF UTAH)
)
) : SS
COUNTY OF Wasatch)

On the 16 day of February, 1990, personally appeared before me Robert L. Fuller, who being by me duly sworn did say that he is the President of Swiss Oaks Development, Inc., a Utah corporation, and that the within and foregoing Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project, was signed in behalf of said corporation by authority of its bylaws or a resolution of its board of directors; said person duly acknowledged to me that said corporation executed the same for and in behalf of Schneitter's Swiss Oaks, Ltd., a Utah limited partnership.



Robert L. Fuller
NOTARY PUBLIC
Residing at: Heber UTAH

My Commission Expires:

8-30-91

S9/AMENDnh

EXHIBIT A

(Attached to and forming part of the Fifth Amendment to the Declaration of Covenants, Conditions, and Restrictions for Schnetter's Swiss Oaks, an Expandable Condominium Project.)

Beginning at a point located 150.27 feet West and 666.75 feet South from the West quarter corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence the following along the westerly boundary of Swiss Oaks Condominiums, Plat F: South 07°16'29" East 150.60 feet, and South 19°00'00" East 30.00 feet; thence South 71°00'00" West along the northerly boundary of Swiss Oaks Condominiums, Plat D, 74.00 feet; thence North 19°00'00" West 159.37 feet; thence North 61°11'21" East 106.16 feet to the point of beginning. (Contains approximately 0.3316 acres)