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AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF  
MOUNT OLYMPUS CONDOMINIUM PHASE NUMBER TWO

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS and RESTRICTIONS OF MOUNT OLYMPUS CONDOMINIUM, hereinafter referred to as the "AMENDED DECLARATION PHASE NUMBER TWO," is made and executed in Salt Lake County, State of Utah, this 4th day of June, 1976, by Russell D. Callister and Linda K. Callister, doing business as Callister Company, a Partnership, hereinafter designated and referred to as "DECLARANT," pursuant to the provisions of the Utah Condominium Ownership Act [Sections 57-8-1 through 57-8-36 Utah Code Annotated, 1953, as amended] and the Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominiums - Phase Number One dated July, 1, 1975.

W I T N E S S E T H :

WHEREAS, pursuant to the Utah Condominium Ownership Act, the Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominium - Phase Number One, hereinafter referred to as Declaration-Phase Number One, was duly executed and acknowledged by Declarant, on July 1, 1975, said instruments were recorded on July 22, 1975, in the Official Records of Salt Lake County, State of Utah as Entry No. 2727498, in Book 3921, at Page 256; and,

WHEREAS, concurrently with the Declaration-Phase Number One, was recorded a Record of Survey Map for Mount Olympus Condominium-Phase Number One, hereinafter referred to as Survey Map-Phase Number One, in the Official Records of Salt Lake County, State of Utah, as Entry No. 2727497, in Book 7F-7 at Page 114; and,

Recorded JUL 2 1976 at 9:21 m.  
Request of Title Insurance Agency of Utah  
KATIE L. DIXON, Recorder  
Salt Lake County, Utah  
By Scott Duckworth Deputy  
\$ 19.50  
REF. \_\_\_\_\_

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WHEREAS, the said Declaration-Phase Number One and Survey Map-Phase Number One provides that the Mount Olympus Project is an expandable condominium, whereby additional land may be added along with the creation of additional units, common areas and facilities thereon and that Declarant may amend the Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominium-Phase Number One and the Record of Survey Map for Mount Olympus Condominium-Phase Number One, in accordance with the Condominium Act and the Declaration-Phase Number One; and,

WHEREAS, Declarant is the owner of that certain parcel of real property more particularly described in Article "B" below; and,

WHEREAS, Prudential Federal Savings and Loan Association, a Corporation of the United States, is the Trustee and Beneficiary of a certain Trust Deed encumbering that certain parcel of real property described in Article "B" below; Wayne F. Thornton and Shirley R. Thornton have an interest in and to the said parcel; and, Prudential Federal Savings and Loan Association, Wayne E. Thornton and Shirley R. Thornton have acknowledged and consent to this Declaration, which Acknowledgement and Consents are attached hereto and by this reference made a part hereof; and,

WHEREAS, Declarant is the owner of certain buildings and certain other improvements heretofore or hereafter to be constructed upon the said parcel; and,

WHEREAS, the said buildings and other improvements aforesaid have been or will be constructed and/or developed in accordance with the Plans and drawings set forth in the Amendment to Record of Survey Map-Phase Number Two, to be recorded concurrently herewith, consisting of three (3) sheets, prepared and certified by Keith R. Hafen of Engineering Association, Inc., a duly registered Utah Land Surveyor; and,

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WHEREAS, Declarant has sold fee title to some of the units contained in Phase Number One of the Condominium Project, together with an undivided percentage ownership interest in and to the common areas and facilities appurtenant to each of said units. The recordation in the office of the Salt Lake County Recorder, Salt Lake City, Utah of this Amendment to Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominium-Phase Number Two, together with the Amended Survey Map-Phase Number Two shall automatically grant, transfer and convey pro-tanto to the then owners of units in the project, their respective undivided percentage ownership interest in the new common areas and facilities added to the project as a result of this expansion, and to reduce pro-tanto, their undivided percentage of ownership interest in the original common areas and facilities as set forth in the Declaration-Phase Number One and Survey Map-Phase Number One; and,

WHEREAS, Declarant desires by filing this Amended Declaration-Phase Number Two and the aforesaid Amendment to Record of Survey Map-Phase Number Two to submit the property as described in Article "B" below, together with the buildings and all other improvements thereto to the provisions of the Utah Condominium Ownership Act and to the Declaration of Covenants, Conditions and Restrictions of the Mount Olympus Condominium-Phase Number One, as hereby amended as Phase Number Two of said Condominium Project; and,

WHEREAS, Declarant desires and intends to sell to various purchasers, the fee title to the Units contained in this Phase Number Two of the Condominium Project, together with the undivided ownership interests in the total common areas and facilities appurtenant to each of said units within the project, subject to the covenants, conditions and restrictions herein reserved; and,

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WHEREAS, the Condominium Project as hereby expanded is an expandable condominium whereby additional land or an interest in it may be added along with the creation of additional units, common areas and facilities thereon in accordance with this Declaration and the Condominium Act.

NOW, THEREFORE, Declarant and the Signatory to the affixed Consent and Acknowledgements, declare that all the described property in Article "B" below is and shall be held, sold, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the provisions of the Declaration-Phase Number One and the Survey Map-Phase Number One as hereby amended by this Amended Declaration-Phase Number Two and the Amended Survey Map-Phase Number Two, which covenants, conditions and restrictions contained therein and herein shall run with the land and be a burden and a benefit to all having an interest therein, their successors, assigns, heirs, executors, administrators, grantees and devisees, and hereby amend and/or supplement the Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominium as follows:

ARTICLE A

Article A(4), (7) and (16) of the Declaration-Phase Number One are hereby amended by deleting the original provision and substituting in lieu thereof the following:

(4) Declaration: Declaration shall mean and refer to the Declaration and all amendments and supplements thereto.

(7) Map or Survey Map: The Record of Survey Map dated even date with the Declaration and filed concurrently with the Declaration and all amendments and supplements thereto.

(16) Additional Land: This shall mean and refer to any land or an interest in it which may, from time to time, be added to or included in the initial Condominium Project as an expansion thereof under the terms and conditions of the Declaration. Such additional land may include all or part of the following described tract of land situated in Salt Lake

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County, State of Utah, together with all appurtenances thereto; to-wit:

Beginning on the West line of 2300 East Street at a point N 0° 04' 15" E 794.02' and West 40.00 feet from the South 1/4 corner, Section 34, T 1 S. R 1 E., Salt Lake Base and Meridian and running thence West 403.00'; thence South 179.83'; thence West 68.32'; thence North 118.00'; thence S 67° 00' W 265.30'; thence North 570.00'; thence East 716.03' to the West line of 2300 East Street; thence South 0° 04' 15" W 404.50' to the point of beginning.

Excepting the following parcels:

Parcel 1:

Beginning at a point on the West line of 2300 East Street; said point being N 0° 04' 15" E along the Quarter Section line 904.22 feet and West 40.00 feet from the S 1/4 Corner of Section 34 T. 1 S., R 1 E., Salt Lake Base and Meridian and running thence N 88° 30' W 233.63 feet; thence along the arc of a 293.67 foot radius curve to the left 54.08 feet, (long chord bears S 86° 13' 30" W 54.00 feet), thence S 9° 03' E 114.18 feet; thence West 133.67 feet; thence N 20° 30' W 100.94 feet; thence N 69° 30' E 89.57 feet; thence along the arc of a 323.67 foot radius curve to the right 75.28 feet (long chord bears N 76° 09' 47" E 75.11 feet) thence N 9° 47' 34" W 264.46 feet thence East 327.00 feet to the West line of 2300 East Street; thence S 0° 04' 15" W 294.30 feet to the beginning.

Parcel 2:

Beginning at a point on the West line of 2300 East St. said point being N 0° 04' 15" E along the quarter section line 904.22 ft. and West 40.0 ft. from the south quarter corner of Section 34 TIS-RIE., SLB&M and running thence; S 0° 04' 15" W 110.20 ft. along west line of said street, thence west 269.33 ft. thence N 9° 03' W 114.18 ft. to a point on a 293.67 ft. radius curve to the right 54.08 ft. (Radius bears S 9° 03' E and long chord bears N 86° 13' 30" E 54.00 ft.); thence 54.08' along the arc of said curve, thence S 88° 30' E 233.63 ft. to the point of beginning.

The description of the Additional Land as set forth above is solely for purposes of identification and is not a portion of the real property submitted to the terms of the Condominium Act. This Declaration-Phase Number Two is not intended and shall not be deemed to constitute any lien, encumbrance, restriction or limitation upon any real property or interest in real property, other than the property which the Declaration expressly submits to the provisions of the Condominium Act.

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ARTICLE B

Article B of the Declaration-Phase Number One is hereby amended to include "Phase Number Two", by adding the following subparagraph B(1) thereto:

B(1). Submission: Declarant hereby submits to the provisions of this Amended Declaration and the Condominium Act including herein Phase Number Two associated with Phase Number One by addition of the following described real property, located in Salt Lake County, State of Utah, to-wit:

Beginning at a point on the west line of 2300 East St. said point being N 0° 04' 15" E along the quarter section Line 904.22 ft. and West 40.0 ft. from the South quarter corner of section 34 TIS-RIE., SLB&M and running thence; S 0° 04' 15" W 110.20 ft. along west line of said street, thence West 269.33 ft. thence N 9° 03' W 114.18 ft. to a point on a 293.67 ft. radius curve to the right 54.08 ft. (radius bears S 9° 03' E and long chord bears N 86° 13' 30" E 54.00 ft.); thence 54.08' along the arc of said curve, thence S 88° 30' E 233.63 ft. to the point of beginning.

EXCEPT reserving therefrom such easements and rights of ingress and egress over, across, through and under the above-described property and any improvements now or hereinafter constructed thereon as may be necessary, desirable or convenient to develop each and every part of the Additional Land. If, pursuant to this reservation the above-described real property or any improvement thereon is transversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservation hereby effected shall terminate upon the first to occur of the following events:

(a) When the entire Additional Land which may be added hereto has been fully developed; or,

(b) When the right to add the Additional Land terminates.

ALSO RESERVING THEREFROM such easements, rights of ways, rights of ingress and egress over, across and through the above-described property and improvements now or hereafter constructed thereon as may be necessary, desirable or convenient to allow complete non-motorized access from and to any part of the Condominium project, including Additional Land, containing recreational facilities designed for the use and benefit of members of the Association.

The above-described properties, easements and rights are subject to the various electrical, telephone and gas or other utility easements or rights-of-ways shown on the Map.

#### ARTICLE C

Article C. 1. of the Declaration-Phase Number One is hereby amended by deleting the original provision and substituting in lieu thereof the following:

1. Names. The Condominium Project as submitted to the provisions of the Condominium Act shall be known as Mount Olympus Condominium.

Article C. 3. of the Declaration-Phase Number One is hereby amended by deleting the original provisions and substituting in lieu thereof the following:

3. Description of Units. The Project consists of nine (9) buildings with each building containing two (2) Units for a total of eighteen (18) Units, together with an outdoor swimming pool, a cabana containing two (2) restrooms and a barbeque pit. Each Unit shall have a full unfurnished basement and an enclosed garage. The Building and Units therein are restricted and intended for residential purposes only, except that Declarant specifically reserves the right, at its sole discretion, to occupy and utilize any unsold Unit as an office, sales office and/or model during the period of construction and marketing of the Condominium Units. The Building and garages are and shall be constructed of frame and masonry with cedar siding and brick veneer and the cabana shall be constituted of brick with an asphalt shingle roof.

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ARTICLE D

Exhibit "A" to the Declaration-Phase Number One is hereby amended by deleting the entirety thereof and inserting in lieu thereof Exhibit "A" as attached hereto and incorporated herein by this reference. Pursuant to the Condominium Act and the rights reserved by Declarant in the Declaration-Phase Number One, the recordation of this Amendment to Declaration of Covenants, Conditions and Restrictions of Mount Olympus Condominium-Phase Number Two, together with the Amendment to Record of Survey Map-Phase Number Two shall operate to automatically grant, transfer and convey pro-tanto to the present owners of units and to their mortgages as their interests may appear, at the time and date of such recordation, the undivided percentage interest, as set forth in Exhibit "A" hereto, in and to the new common areas and facilities added to the project by this Amended Declaration-Phase Number Two, and to reduce pro-tanto, their undivided percentage interest, as set forth in Exhibit "A" hereto, in and to the original common areas and facilities Condominium project as set forth in the Declaration-Phase Number One. The recordation by the Declarant of this Amended Declaration-Phase Number Two will be deemed for all purposes, the same as if each unit owner and their mortgagee had executed this Amended Declaration-Phase Number Two for purposes of making such conveyance, grant and transfer.

Effective Date. This Declaration shall take effect upon recording:

DECLARANT:

CALLISTER COMPANY,  
A Partnership

BY:

Russell D. Callister  
RUSSELL D. CALLISTER,  
General Partner

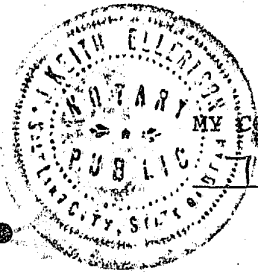
BY:

Linda K. Callister  
LINDA K. CALLISTER,  
General Partner



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

On the \_\_\_ day of June, 1976, personally appeared before me RUSSELL D. CALLISTER and LINDA K. CALLISTER, known to me to be the General Partners of CALLISTER COMPANY, a Partnership, and signers of the above instrument, and duly acknowledged to me that such Partnership executed the same.



*[Handwritten Signature]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

7-11-78

RESIDING IN:

*[Handwritten Signature]*  
Salt Lake City, Utah

EXHIBIT "A"

MOUNT OLYMPUS CONDOMINIUM-PHASE NUMBER ONE  
AND PHASE NUMBER TWO

Building and Unit Number	Approximate Area In Square Feet*	Approximate Area In Square Feet of Basement and Garage	Par Value of Units	Percent of Common Areas
1A	1464.67	1982.47	59,000.00	5.5555
1B	1464.67	1982.47	59,000.00	5.5555
2A	1464.67	1982.47	59,000.00	5.5555
2B	1464.67	1982.47	59,000.00	5.5555
3A	1464.67	1982.47	59,000.00	5.5555
3B	1464.67	1982.47	59,000.00	5.5555
4A	1464.67	1982.47	59,000.00	5.5555
4B	1464.67	1982.47	59,000.00	5.5555
5A	1464.67	1982.47	59,000.00	5.5555
5B	1464.67	1982.47	59,000.00	5.5555
6A	1464.67	1982.47	59,000.00	5.5555
6B	1464.67	1982.47	59,000.00	5.5555
13	1302.66	1738.97	59,000.00	5.5555
14	1302.66	1738.97	59,000.00	5.5555
15	1302.66	1738.97	59,000.00	5.5555
16	1302.66	1738.97	59,000.00	5.5555
17	1302.66	1738.97	59,000.00	5.5555
18	1302.66	1738.97	<u>59,000.00</u>	<u>5.5555</u>
TOTAL VALUE OF ALL UNITS			1,062,000.00	100

\*Excluding Garage and Basements