

APR 21

**SIXTH AMENDMENT FOR EXPANSION FOR
FRANKLIN PARK CONDOMINIUMS**

(An Expandable Condominium Project)

ENT 33760 BK 4260 PG 128
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
1997 May 02 11:29 am FEE 27.00 BY AC
RECORDED FOR UTAH ARMADILLO

This amendment to the Declaration of Covenants, Conditions and Restrictions of the Franklin Park Condominiums, an Expandable Condominium Project (hereinafter referred to as the "Declaration"), is made effective as of the date of the recording hereof in the Utah County Recorder's office by Utah Armadillo Limited Company (hereinafter referred to as "Declarant") pursuant to Utah Code Annotated Section 57-8-13.6 and pursuant to Section 35 of Article III of the Declaration, as amended.

RECITALS

WHEREAS, Declarant caused the Declaration to be recorded on March 26, 1996, as Entry No. 24694, in Book 3923, at Pages 624-669 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map was recorded by Declarant on March 26, 1996, as Entry No. 24693, Map No. 6517, in the official records of the Utah County Recorder, and

WHEREAS, the Declaration provides for the expansion of the condominium project, and

WHEREAS, Declarant caused an amendment for expansion for Phase II of the project to be recorded on May 1, 1996, as Entry No. 36429, in Book 3957, at Pages 712-714 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase II of the project was recorded by Declarant on May 1, 1996, as Entry No. 36428, Map No. 6578, in the official records of the Utah County Recorder, and

WHEREAS, Declarant caused an amendment for expansion for Phase III of the Project to be recorded on May 24, 1996, as Entry No. 43874, in Book 3978 at Pages 376-378 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase III of the project was recorded by Declarant on April 11, 1996, as Entry No. 30347, Map No. 6547, in the official records of the Utah County Recorder, and

WHEREAS, Declarant caused an amendment for expansion for Phase IV to the existing condominium project to be recorded on May 28, 1996, as Entry No. 44427, in Book 3980 at Pages 130-133 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase IV of the project was recorded by Declarant on May 28, 1996, as Entry No. 44426, Map No. 6612, in the official records of the Utah County Recorder, and

WHEREAS, Declarant caused an amendment for expansion for Phase VII to the existing condominium project to be recorded on November 4, 1996, as Entry No. 90052, in Book 4112

at Pages 845-847 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase VII of the project was recorded by Declarant on November 4, 1996, as Entry No. 90051, Map No. 6831, in the official records of the Utah County Recorder, and

WHEREAS, Declarant caused an amendment for expansion for Phase VIII to the existing condominium project to be recorded on March 17, 1997, as Entry No. 19681, in Book 4216 at Pages 432-435 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase VIII of the project was recorded by Declarant on March 17, 1997, as Entry No. 19680, Map No. 6966, in the official records of the Utah County Recorder, and

WHEREAS, Declarant now desires to add Phase V to the existing condominium project pursuant to the terms of the Declaration, as amended, and

WHEREAS, the record of survey map for Phase V is being recorded concurrently herewith by Declarant in the official records of the Utah County Recorder,

NOW THEREFORE, for the foregoing purposes, Declarant hereby declares and certifies as follows:

1. Declarant hereby submits to the provisions of the Utah Condominium Act, Utah Code Annotated Section 57-8-1 et seq. (hereinafter referred to as the "Act"), the following described real property situated in Utah County, State of Utah:

See Exhibit "A" attached hereto.

2. The real property hereby submitted to the Act shall be known as Phase V of the Franklin Park Condominiums and shall be subject to the terms of the Declaration. The structure to be built on said real property shall consist of one twelve-unit building with a maximum and minimum of 12 Units.

3. All improvements constructed on the real property included in Phase V shall be consistent in quality of construction and principal materials and shall be compatible in architectural style with the structures on the land within the original project identified as Phase I. The building will be conventional wood-frame construction with stucco exterior and asphalt shingle roofing. The building will consist of three levels with the lower level being partially underground, making a building which is two and one-half stories in height. Each Unit will contain approximately 1083 square feet and will consist of three bedrooms, one and 3/4 baths, living room and a kitchen-dining area. The upper two levels will have a balcony for each Unit. Each Unit will be provided with one covered parking space which will not be attached to the Unit and shall be designated as Limited Common Area.

4. As specified in Section 35 of Article III of the Declaration, as amended, with this annexation of Phase V, each Unit Owner will have an undivided 1/84 interest in the Common Areas and Facilities.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on the 15 day of April, 1997 th

DECLARANT:

UTAH ARMADILLO LIMITED COMPANY

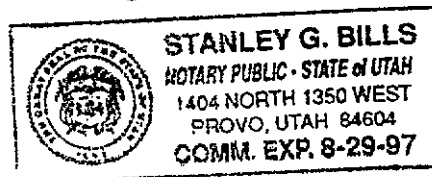
By: [Signature]
Terry C. Harward, co-manager

[Signature]
David K. Gardner, co-manager

STATE OF UTAH)
)ss.
COUNTY OF UTAH)

On the 15 day of April, 1997, personally appeared before me Terry C. Harward and David K. Gardner, who being by me duly sworn, did say that they are the managers of Utah Armadillo Limited Company and that said instrument was signed in behalf of said company by authority of its operating agreement and they acknowledged to me that said company executed the same.

[Signature]
Notary Public



FRANKLIN PARK CONDOMINIUMS
PHASE V - PROPERTY DESCRIPTION

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Commencing at a point South 33.10 feet and West 240.16 feet from the Northwest corner of Section 12 Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence West 186.99 feet; thence North 00 degrees 49 minutes 30 seconds East 21.25 feet; thence North 89 degrees 10 minutes 30 seconds West 71.09 feet; thence North 01 degrees 00 minutes 00 seconds East 90.13 feet; thence North 89 degrees 00 minutes 00 seconds West 0.72 feet; thence North 01 degrees 00 minutes 00 seconds East 17.88 feet; thence South 89 degrees 10 minutes 30 seconds East 66.45 feet; thence North 00 degrees 49 minutes 30 seconds East 18.00 feet; East 191.85 feet; thence South 01 degrees 00 minutes 00 seconds West 114.74 feet; thence North 49 degrees 45 minutes 00 seconds East 0.78 feet; thence South 01 degrees 00 minutes 00 seconds West 33.10 feet to the point of beginning.

Containing 0.810 acres.

EXHIBIT "A"