

Western Liberty Development

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SLC 84106.

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REQ OF \_\_\_\_\_  
DEP \_\_\_\_\_  
Charles Y. Hoffmann

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KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

4229379

FIRST AMENDMENT TO AMENDED DECLARATION OF CONDOMINIUM  
FOR  
HARVEST LANE CONDOMINIUM PROJECT

This First Amendment to Declaration of Condominium of Harvest Lane Condominium Project, hereinafter referred to as the "First Amendment" is executed this 14 day of APRIL, 1986 by John A. Fericks, Vice President of Harvest Lane Limited, hereinafter referred to "Declarant".

R E C I T A L S

A. Pursuant to the provisions of a certain Declaration of Condominium for Harvest Lane Condominium Project (hereinafter the "Declaration") which was recorded in the office of the County Recorder of Salt Lake County, State of Utah on the 3rd day of February, 1986 as entry number 4196426 in Book 5732 at Page 2753, a condominium project (hereinafter "The Project") was created in and upon the following described real property situated in Salt Lake County, State of Utah:

Beginning at a point S 0°07' W 1693.69 feet along the section line and S 89°53' E 33.00 feet from the Northwest corner of Section 5, Township 3 South, Range 1 East, Salt Lake Base and Meridian, running

- thence S 89°53' E 453.84 feet;
- thence easterly 56.12 feet along the arc of a 275.31 foot radius curve to the right (long chord bears S 84°02'35" E 56.03 feet);
- thence easterly 56.12 feet along the arc of a 275.31 foot radius curve to the left (long chord bears S 84°02'35" E 56.02 feet);
- thence S 89°53' E 87.50 feet;
- thence S 0°07' W 30.00 feet;
- thence N 89°53' W 59.33 feet;
- thence southwesterly 137.77 feet along the arc of a 62.73 foot radius curve to the left (long chord bears S 27°12' W 111.70 feet);
- thence S 35°43' E 350.01 feet;
- thence S 54°17' W 150.00 feet;
- thence N 60°41'24" W 249.86 feet;
- thence N 0°07' E 311.88 feet;
- thence S 89°53' E 81.12 feet;
- thence northwesterly 83.63 feet along the arc of a 83.04 foot radius curve to the left (long chord bears N 61°01'49" W 80.14 feet);
- thence N 89°53' W 418.74 feet;
- thence N 0°07' E 40.00 feet to the point of beginning.

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Beginning at a point S 0°07' W 1693.69 feet along the section line and S 89°53' E 33.00 feet from the Northwest corner of Section 5, Township 3 South, Range 1 East, Salt Lake Base and Meridian, running;

thence S 89°53' E 402.81 feet;  
thence S 0°07' W 40.00 feet;  
thence N 89°53' W 402.81 feet;  
thence N 0°07' E 40.00 feet to  
the point of beginning.

B. The Declaration provides that the owners holding 67 percent of the total vote of the Association may amend the Declaration by written instruments duly recorded in the office of the County Recorder, Salt Lake County, State of Utah. The Declarant is the owner and holds 100 percent of the total votes of the Association. Therefore, the Declarant hereby amends the Declaration and declares as follows:

#### AMENDMENTS

1. The following three sections of the Declaration are hereby amended in their entirety to read as follows:

(a) R E C I T A L S

A. Description of Land.

1. The Declarant is the owner of the following land on which the buildings of the condominiums are or will be built:

Beginning at a point S 0°07' W 1693.69 feet along the section line and S 89°53' E 33.00 feet from the Northwest corner of Section 5, Township 3 South, Range 1 East, Salt Lake Base and Meridian, running

thence S 89°53' E 453.84 feet;  
thence easterly 56.12 feet along the arc of a 275.31 foot radius curve to the right (long chord bears S 84°02'35" E 56.03 feet);  
thence easterly 56.12 feet along the arc of a 275.31 foot radius curve to the left (long chord bears S 84°02'35" E 56.02 feet);  
thence S 89°53' E 87.50 feet;  
thence S 0°07' W 30.00 feet;  
thence N 89°53' W 59.33 feet;  
thence southwesterly 137.77 feet along the arc of a 62.73 foot radius curve to

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the left (long chord bears S 27°12' W  
111.70 feet);  
thence S 35°43' E 350.01 feet;  
thence S 54°17' W 150.00 feet;  
thence N 60°41'24" W 249.86 feet;  
thence N 0°07' E 311.88 feet;  
thence S 89°53' E 81.12 feet;  
thence northwesterly 83.63 feet along  
the arc of a 83.04 foot radius curve to  
the left (long chord bears N  
61°01'49" W 80.14 feet);  
thence N 89°53' W 418.74 feet;  
thence N 0°07' E 40.00 feet to the  
point of beginning.

(b) ARTICLE I

1.3 Common Areas - shall mean  
all physical portions of the Condominium  
Project, except the private air space  
conveyed by deed to purchasers of a unit as  
defined in paragraph 1.17 herein.

(c) ARTICLE IX

THE ASSOCIATION

9.1 Membership - Each owner  
shall be entitled to and be required to  
be a member of the Association. Membership  
shall begin immediately and automatically  
upon becoming a unit owner and shall  
terminate immediately and automatically when  
that unit ownership is terminated by  
transfer by deed or operation of law or any  
other means. If title to a condominium is  
held by more than one person, the membership  
pertinent to such condominium shall be  
shared by all persons in the same type of  
tenancy as title to the condominium is  
held. An owner shall be entitled to one  
membership for each condominium owned by  
him. Each membership shall be appurtenant  
to the condominium to which it relates and  
shall be transferred automatically by  
conveyance of that condominium. No person  
or entity other than an owner may be a  
member of the Association and membership in  
the Association may not be transferred  
except in connection with the transfer of a  
condominium.

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2. Unless the context otherwise requires and except as otherwise provided herein, all terms defined in the Declaration shall have such defined meanings when used herein.

3. Except as expressly provided in this First Amendment, the Declaration shall remain in full force and effect in accordance with the provisions thereof.

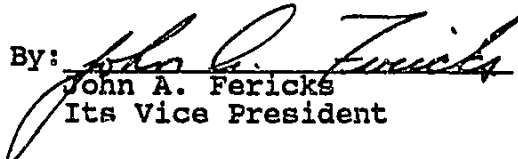
4. This First Amendment shall become effective when recorded in the office of the County Recorder of Salt Lake County, State of Utah.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment as of the day and year first above written.

DECLARANT:

HARVEST LANE LIMITED,  
a Utah Limited Partnership  
By Its General Partner  
Sandy Limited, a Utah  
Limited Partnership,  
By Its General Partner,  
Western Liberty Development  
Company, a Utah corporation

By:

  
John A. Fericks  
Its Vice President

