

After recording return to: Gary Havens, 77 W. 200 S., SLC, Utah 84101

APPROVED

AMENDMENT OF DECLARATION AND  
ANNEXATION OF CONTIGUOUS LAND

APR 22 1986

FOREST GLEN - PHASE V, A CONDOMINIUM

CITY RECORDER

4238330

THIS AMENDMENT TO DECLARATION, made on the date hereinafter set forth by AMERICAN SAVINGS & LOAN ASSOCIATION, a Utah corporation (hereinafter referred to as "American").

W I T N E S S E T H:

WHEREAS, Artistic Homes, Inc. as Declarant (hereinafter "Declarant") executed a certain Declaration entitled "Declaration of Covenants, Conditions and Restrictions of Forest Glen, Phase I, a Condominium", which Declaration was recorded on the 9th day of October, 1978 as Entry No. 3184704, in Book 4757 at Page 1064; and

WHEREAS, Declarant executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase II which was recorded September 14, 1979 as Entry No. 3336681 in Book 4944 at Page 10; and

WHEREAS, Declarant executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase III which was recorded September 30, 1980 as Entry No. 3458793 in Book 5129 at Page 326; and

WHEREAS, Declarant executed an Amendment of Declaration and Annexation of Contiguous Land for Forest Glen - Phase IV which was recorded October 23, 1981 as Entry No. 3617113 in Book 5305 at Page 1245; and

WHEREAS, American is the successor owner to Declarant of other lands adjoining and contiguous with the lands and premises comprising Forest Glen Phases I, II, III and IV on which were developed additional condominiums in the Forest Glen Condominium Project and will cause a plat thereof to be prepared and filed for record entitled Forest Glen - Phase V, providing for the annexation of the development of the additional condominium units and common areas as a condominium being part of and contiguous with and part of the unified planned development with Forest Glen Phases I, II, III and IV.

NOW, THEREFORE:

Section 1 - Annexation. The real property hereinafter described is, by this Declaration, annexed to the lands contiguous thereto comprising the real property known as Forest Glen - Phase I, Phase II, Phase III and Phase IV and shall hereafter be known and described as Forest Glen - Phase V.

BOOK 5761 PAGE 2897

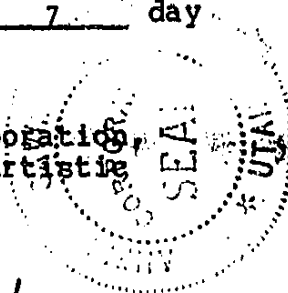
Section 2 - Declaration. The real property hereinafter described shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration of Covenants, Conditions and Restrictions of Forest Glen - Phase I, Phase II, Phase III and Phase IV, which declarations are incorporated herein by reference and made a part hereof as though fully set forth.

Section 3 - Binding Effect. The terms and conditions of this Amended Declaration shall run with the land and inure to the benefit of and bind all parties having any right, title or interest to the described real property or any part thereof, their heirs, successors or assigns.

Section 4 - Property Description. See Exhibit "A" hereto attached.

IN WITNESS WHEREOF, the underlying, being the successor to Declarant herein, has hereunto set its hand and seal this 7 day of April, 1986.

AMERICAN SAVINGS & LOAN ASSOCIATION, a Utah corporation,  
Successor to Declarant Artistic Homes, Inc.



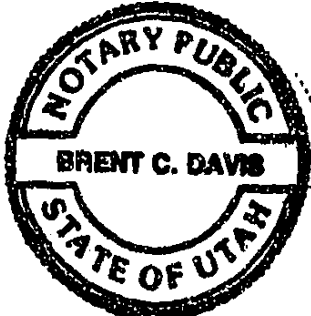
By *Roger J. Sanders*  
Its Senior Vice President

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

On the 7 day of April, 1986, personally appeared before me Roger J. Sanders, who being by me duly sworn did say that he is the Senior Vice President of American Savings & Loan Association and that the foregoing Amendment of Declaration was signed by him pursuant to the bylaws or a resolution of said corporation and that said document was signed by said corporation.

My Commission Expires:  
15 September 1986

*Brent C. Davis*  
NOTARY PUBLIC - Residing at:  
Salt Lake City, Utah



BOOK 5761 PAGE 2898

EXHIBIT "A"

Beginning at a point that is North 0°14'48" East 1628.586 feet and South 89°51'42" East 172.115 feet from the Southeast corner of Block 45, Ten Acre Plat "A", Big Field Survey (the basis of bearing being South 12°38' East along the Highland Drive Monument Line); said point of beginning being on the Southerly line of Wood Hollow, a condominium project as recorded in Book 80-7 of Plats at Page 111 in the Office of the County Recorder of Salt Lake County, State of Utah; thence South 146.12 feet to a point on the arc of a 182.617 foot radius curve, the center of which bears South 11°09'09" East; thence Northeasterly along said curve to the right through a central angle of 11°09'09" 35.546 feet; thence East 44.107 feet to a point of curvature of a 106.344 foot radius curve, the center of which bears North; thence Northeasterly along said curve to the left through a central angle of 20°00' 37.121 feet to a point of reverse curve where the center of a 131.344 foot radius curve bears South 20° East; thence Northeasterly along said last mentioned curve to the right through a central angle of 20°00' 45.848 feet thence North 11°21'48" West 25.51 feet; thence West 20.95 feet; thence North 0°08'18" East 103.00 feet; thence North 89°51'42" West 135.00 feet to the point of beginning. Containing 0.45 acres more or less.

Together with all easements and rights-of-way of record.

EXHIBIT "B"

COMMON AREA OWNERSHIP

As amended and annexed, each unit owner shall own as a tenant in common with the other unit owners, an undivided one-one hundred-twenty-eighth (1/128th) interest in the general common areas and own as a tenant in common with the other unit owners an undivided one-eighth (1/8th) interest in the limited common areas associated with the building in which the unit is located.

BOOK 5761 PAGE 2899

APPROVAL BY CITY

Salt Lake City, a body corporate and politic, and the city in which Forest Glen Condominium, a Utah condominium project, is located, by and through its duly elected mayor, does hereby give final approval to the Phase V of the said project to this Amendment of Declaration, to the Record of Survey Map recorded concurrently herewith, and to the attributes of the said project which are mentioned in Section 57-8-35(3) of the Utah Condominium Ownership Act as amended and expanded by the laws of Utah, 1975, Chapter 173, Section 18.

Dated this \_\_\_\_\_ day of APR 22 1986, 1986.

SALT LAKE CITY

By Palmer A. DePaulis  
Mayor

Attest  
[Signature]  
CITY RECORDER  
CORPORATE SEAL

APPROVED

APR 22 1986

CITY RECORDER

EST  
APR 30 2 10 PM '86  
REC OF American Savings  
DEP  
[Signature]  
Penni Koroligos

KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

BOOK 5761 PAGE 2900