

Outlook Prop
P.O. Box 867
Garden Utah
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19 JANUARY 88 01:05 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
OUTLOOK PROPERTY
REC BY: JANET WONG , DEPUTY

AMENDMENT TO DECLARATION AND BY-LAWS OF ROSEWOOD GARDEN HOMES
FORMERLY CHIMNEY STREET CONDOMINIUMS

THIS DECLARATION OF AMENDMENT, made this 18 day of January 1988, by Outlook Properties, a Utah Corporation, hereinafter referred to as "DECLARANT";

W I T N E S S E T H :

WHEREAS, the original Declaration and By-Laws of the Chimney Street Condominiums were filed and recorded in Book 5431, Page 1346, Entry No. 3748788, in the office of the Salt Lake County Recorder; and

WHEREAS, DECLARANT has purchased said Condominium Project; and

WHEREAS, DECLARANT is changing the name of the aforesaid Condominium Project to Rosewood Garden Homes; and

WHEREAS, DECLARANT owns more than three-fourths (3/4) of the units in said Condominium Project and desires to amend said Declaration and By-Laws.

NOW THEREFORE, the provisions in the Declaration and By-Laws relating to the Association of Unit Owners, agent for service of process, dates, financing agencies and miscellaneous items shall be amended, modified and deleted as follows:

1. That any reference to the DECLARANT shall now be Outlook Properties, a Utah corporation.

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2. That any reference to the Condominium Project shall now mean Rosewood Garden Homes.

3. That any reference to the Association of Unit Owners or Association shall now be the Rosewood Garden Homes Association.

4. That the name and address of the person who has been appointed to receive service of process in matters pertaining to the Condominium Project is, David Fedel in Ogden, Utah. Telephone number is (801) 968-1312.

5. From the fourth sentence in the first paragraph on through and including the subsequent paragraph shall be deleted from Article III, Item 1, page 4 of the Declaration.

6. The following portion of the first sentence, "including but, not limited to, the City of West Valley or any other governmental body having jurisdiction over the Project.", shall be deleted from Article III, Item 20(f), page 10 of the Declaration.

7. The following portion of the first sentence, "the management committee shall promptly notify the Veterans Administration and obtain approval thereof", shall be deleted from Article III, Item 23(d), page 14 of the Declaration.

8. The following portion of the first sentence, "and V.A. Regulations concerning expandable condominiums.", shall be deleted from Article III, Item 31, page 18 of the Declaration.

9. The following portion of the first sentence, "Subject only to the prior written approval of the Veterans Administration," shall be deleted from Article III, Item 31A., page 18 of the Declaration.

10. The following portion of the first sentence, "and, specifically, in the first sentence of Paragraph A above.", shall be deleted from Article III, Item 31B., page 18 of the Declaration.

11. Article III, Item 31D., page 18 of the Declaration shall be modified to reflect that DECLARANT shall have the right to expand the Condominium Project at any time within seven (7) years from the date of recordation of this Amendment to Declaration and By-Laws.

12. Article III, Item 31H., page 19 of the Declaration, shall contain the following additional sentence: "The total maximum number of units which may be created on the Additional Land added to the Condominium Project may vary as may be amended by DECLARANT and approved by West Valley City."

13. Article III, Item 31I., O., and P., pages 19 and 20 of the Declaration, shall be deleted.

14. Article III, Item 32, page 20 of the Declaration shall be modified to reflect that DECLARANT shall have the right to add Additional Land to the Condominium Project at any time within

seven (7) years from the date of recordation of this Amendment to Declaration and By-Laws.

15. Article III, Item 32I., page 20 of the Declaration, shall be deleted.

16. The By-Laws of Rosewood Garden Homes Association shall be modified and amended to comply with the foregoing changes to the Declaration.

17. The foregoing amendments, modifications, and deletions shall affect the tract of land set forth on Exhibit "A" attached hereto.

OUTLOOK PROPERTIES, INC.
"DECLARANT"

BY David F. Fedel
ITS PRESIDENT

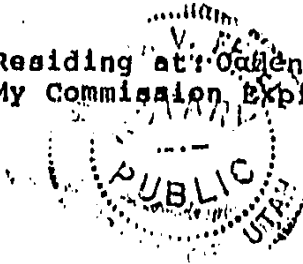
State of Utah)
County of Weber) : ss

CORPORATE ACKNOWLEDGMENT

On the 18 day of Jan, 1988, personally appeared before me David F. Fedel, who being by me duly sworn (or affirmed), did say that he is the President (or other officer or agent, as the case may be) of Outlook Properties, Inc., and that said instrument was signed in behalf of said corporation of authority of its bylaws (or of a resolution of its board of directors, as the case may be), and said David F. Fedel acknowledged to me that said corporation executed the same.

[Signature]
NOTARY PUBLIC

Residing at: Ogden, Utah
My Commission Expires 1-14-90



FORM 5987 REV. 11-15

EXHIBIT "A"

DESCRIPTION

BEGINNING at a point that is S. 89°57'17"W. 1038.298 (a prorated distance) and N. 0°05'10"W. 33.00 feet from the Southeast Corner of Section 29, Township 1 South, Range 1 West, Salt Lake Base & Meridian; thence S. 89°57'17"W. 46.147 feet (a prorated distance); thence N. 0°05'10"W. 213.00 feet; thence S. 89°57'17"W. 321.961 (a prorated distance); thence N. 50°00'W. 36.793 feet; thence N. 0°05'10"W. 1055.553 feet; thence S. 89°59'14"E. 600.499 feet (a prorated distance) to the West boundary of Lot 19, Meadow Valley No. 1 Subdivision, a recorded subdivision in the Southeast Quarter of the Southeast Quarter of Section 29, Township 1 South, Range 1 West, Salt Lake Base and Meridian; thence S. 01°20'00"W. 619.400 feet along said west line, thence S. 05°45'00"W. 109.03 feet; thence S. 00°05'10"E. 344.912 feet; thence S. 89°57'17"W. 177.811 feet; thence S. 0°05'10"E. 219.00 feet to the point of beginning. Contains 14.693 Acres and

Commencing 330 feet West and 518 feet North from the southeast corner of southwest ¼ of the southeast ¼ of Section 29, Township 1 South, Range 1 West, Salt Lake Base and Meridian, thence North 70 feet; thence East 128 feet; thence South 18 feet; thence East 92 feet; thence South 52 feet; thence West 220 feet to point of beginning.

PHASE 1

That portion of the South one-half (S½) of the Southeast Quarter (SE¼) of Section 29, Township 1 South, Range 1 West, Salt Lake Base and Meridian, described as follows:

BEGINNING at a point that is West 1051.270 feet and North 480.539 feet from the SE corner of Section 29, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°57'17" West 190.000 feet; thence South 17°00'00" West 35.788 feet; thence South 89°57'17" West 186.507 feet; thence North 00°05'10" West 70.000 feet; thence South 89°57'17" West 220.000 feet; thence North 00°05'10" West 70.000 feet; thence North 89°57'17" East 128.000 feet; thence South 00°05'10" East 18.000 feet; thence North 89°57'17" East 92.000 feet; thence North 00°05'10" West 126.000 feet; thence North 89°57'17" East 110.000 feet; thence North 00°05'17" West 10.000 feet; thence North 89°57'17" East 144.000 feet; thence South 00°05'10" East 98.000 feet; thence North 89°57'17" East 130.000 feet; thence South 00°05'10" East 125.000 feet to the point of beginning.

SUBJECT TO AND TOGETHER WITH a right of way over; Beginning 330 feet West of the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 29, and running thence North 588 feet; thence East 25 feet; thence South 370 feet; thence West 2 feet; thence South 210 feet; thence West 23 feet to the place of beginning.

SITUATE in Salt Lake County, State of Utah

ADDRESS: 3439 South 3450 West, West Valley City, Utah 84119

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EXHIBIT "B"

PARCEL "A";

Units #23 through #54, Phase II, CHIMNEY STREET CONDOMINIUM, a condominium project in "fee", validly formed under the Utah Condominium Ownership Act, together with appurtenant undivided interest in the common areas and facilities, as the same is identified and created by the Record of Survey Map, recorded January 13, 1983, in Book 83-1 of Plats, at Page 6 and as described, defined, and provided for in the Declaration of Condominium of said project recorded January 13, 1983, as Entry No. 3748791.

PARCEL "B";

Units #55 through #74, Phase III, CHIMNEY STREET CONDOMINIUM, a condominium project in "fee", validly formed under the Utah Condominium Ownership Act, together with appurtenant undivided interest in the common areas and facilities, as the same is identified and created by the Record of Survey Map, recorded January 13, 1983, in Book 83-1 of Plats, at Page 7 and as described, defined, and provided for in the Declaration of Condominium of said project recorded January 13, 1983, as Entry No. 3748788.

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CO. RECORDS

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