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07 SEPTEMBER 90 02:22 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
CAPSTONE H O A  
3369 HONEYCUT RD SLC, 84106  
REC BY: REBECCA GRAY, DEPUTY

STATE OF UTAH )  
                  : ss  
COUNTY OF SALT Lake )

4963145

RALPH N. CREER, being duly sworn, states the following:

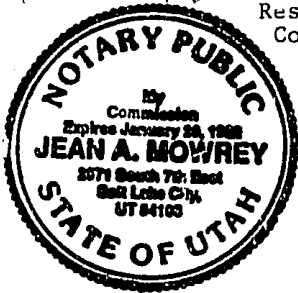
1. that he executed, on behalf of the Capstone Homeowners Association, amendments to Sections 7, 13 and 23, Article IV of the Revised and Restated Declaration of Condominium of the Capstone Condominium Project, and paid a \$34.00 recording fee to cover the entire project totalling 48 units;
2. that referenced amendments were recorded on June 13, 1990 in BK 6228, PG 1177;
3. that we, the Capstone Homeowners Association, were informed by the Recorder's Office that Exhibit "A", the legal description provided with our June 1 amendments (item 1 above), was incomplete, covering only Phases 1 and 2 of the Capstone Condominium Project totalling 26 units;
4. that the enclosed revised Exhibit "A" includes all four phases of the project, totalling 48 units.
5. that he is the President of Capstone Homeowners Association, a Utah condominium project.

*Ralph N. Creer*  
\_\_\_\_\_  
Ralph N. Creer

SUBSCRIBED AND SWORN to before me this 14<sup>th</sup> day of August, 1990.

*Jean A. Mowrey*  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake  
County, UT

My Commission Expires:  
January 20, 1994



BK 6250 PG 2742

EXHIBIT "A"

TO

AMENDMENT TO REVISED AND RESTATED DECLARATION OF  
CONDOMINIUM OF THE CAPSTONE CONDOMINIUM PROJECT

(An Expandable Condominium)

The "Tract" which is referred to in and affected by said Declaration is situated in Salt Lake County, State of Utah, and is described as follows:

Phase One

BEGINNING at a point North  $89^{\circ}53'40''$  West along the Section line 1008.90 feet from the Southeast Corner of Section 28, Township One South, Range One East, Salt Lake Base and Meridian, and running thence North  $89^{\circ}53'40''$  West along said Section line 232.01 feet to the East line of 1850 East Street; thence North  $0^{\circ}54'10''$  West along said East line 330.30 feet to the Southwest corner of the parcel described in the Record of Survey Map of "Capstone" (Phase No. 2) recorded in Book KK at Page 83; thence South  $89^{\circ}53'40''$  East along the Southerly boundary of said parcel 223.82 feet; thence South  $0^{\circ}06'20''$  West 81.00 feet; thence North  $89^{\circ}53'40''$  West 11.00 feet; thence South  $0^{\circ}06'20''$  West 185.25 feet; thence South  $89^{\circ}53'40''$  East 25.00 feet; thence South  $0^{\circ}06'20''$  West 64.00 feet to the point of BEGINNING.

Phase Two

ALSO: BEGINNING at a point North  $0^{\circ}04'$  East 330.25 feet and North  $89^{\circ}53'40''$  West 945.10 feet from the Southeast Corner of Section 28, Township 1 South, Range 1 East, Salt Lake Base and Meridian (said point lying on the projection of the Northerly boundary of the parcel described in the Record of Survey Map of "Capstone" (Phase No. 1) recorded in Book II at Page 27) and running thence North  $89^{\circ}53'40''$  West along the projection and Northerly boundary of said parcel 300.90 feet to the Northwest corner of said parcel; thence North  $0^{\circ}54'10''$  West 212.03 feet; thence South  $89^{\circ}56'$  East 394.49 feet; thence South  $0^{\circ}04'$  West 84.00 feet; thence North  $89^{\circ}56'$  West 26.00 feet; thence South  $0^{\circ}04'$  West 107.20 feet; thence North  $89^{\circ}56'$  West 64.00 feet; thence South  $0^{\circ}04'$  West 21.00 feet to the point of BEGINNING.

8K6250PG2743

EXHIBIT "A"

Phase Three

BEGINNING at a point  $N89^{\circ} 53'40''W$  869 feet along the section line from the southeast corner of section 28, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence  $N89^{\circ} 53'40''W$  139.90 feet along the section line to the Southeast corner of "Capstone - Phase No. 1", a Utah condominium project as filed in the office of the Salt Lake County Recorder; thence along the following five courses along the eastern boundary of said "Capstone - Phase No. 1";  $N0^{\circ} 06'20''E$  64.00 feet,  $N89^{\circ} 53'40''W$  25.00 feet,  $N0^{\circ} 06'20''E$  185.25 feet,  $S89^{\circ} 53'40''E$  11.00 feet,  $N0^{\circ} 06'20''E$  81.00 feet to the Northeast corner of said "Capstone - Phase No. 1", which point also lies on the southern boundary of "Capstone - Phase No. 2", a Utah condominium project as filed in the office of the Salt Lake County Recorder; thence along the following five courses along the southern and eastern boundaries of the said "Capstone - Phase No. 2":  $S89^{\circ} 53'40''E$  77.08 feet,  $N0^{\circ} 04'00''E$  21.00 feet,  $S89^{\circ} 56'00''E$  64.00 feet,  $N0^{\circ} 04'00''E$  107.20 feet,  $S89^{\circ} 56'00''E$  26.00 feet to the southeast corner of said "Capstone - Phase No. 2" which point also lies on the western boundary of "East Millcreek Subdivision"; thence along the western boundary of said "East Millcreek Subdivision"  $S0^{\circ} 04'00''W$  121.00 feet to the southwest corner of said subdivision; thence  $N89^{\circ} 56'00''W$  13.18 feet; thence  $S0^{\circ} 06'20''W$  337.50 feet to the point of beginning. Containing 1.298 acres.

Phase Four

BEGINNING at a point on the eastern boundary of "Capstone Condominiums - Phase Three", a Utah condominium project as filed in the office of the Salt Lake County Recorder. said point being  $N89^{\circ} 53'40''W$  869.00 feet and  $N0^{\circ} 06'20''E$  224.72 feet from the southeast corner of Section 28, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence  $N0^{\circ} 06'20''E$  112.94 feet along the eastern boundary line of said "Capstone Condominiums - Phase Three" to a point on the south boundary line extended of "East Mill Creek Subdivision"; thence  $S89^{\circ} 56'E$  along said line 353.38 feet to a point 6.24 feet more or less  $N89^{\circ} 56'W$  from the southeast corner of lot 14 of said subdivision; thence  $S0^{\circ} 06'20''W$  113.18 feet; thence  $N89^{\circ} 53'40''W$  353.38 feet to the point of beginning. Containing 0.917 acres

OK 6250 PG 27/44