

2650

5029429
20 FEBRUARY 91 12:19 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
TITLE INSURANCE AGENCY
REC BY: REBECCA GRAY , DEPUTY

5029429

CORRECTIVE SUPPLEMENTAL DECLARATION OF AND
THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF THE COUNTRY CORNERS CONDOMINIUM,
A Utah Condominium Project

THIS CORRECTIVE SUPPLEMENTAL DECLARATION OF AND THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF THE COUNTRY CORNERS CONDOMINIUM, a Utah Condominium Project (hereinafter the "Corrective Third Amendment"), is made and executed this ___ day of February, 1991, by UNITED SAVINGS BANK, formerly known as United Savings And Loan Association (hereinafter "Declarant"), as successor in interest to all right, title and interest in and to the Project (as hereinafter defined) of G. THOMAS DIPO and DARLENE DIPO (hereinafter collectively "Dipo").

RECITALS:

A. On the 17th day of May, 1985, Dipo, as Declarant, made and executed a certain Declaration of Condominium of the Country Corners Condominium, a Utah Condominium Project (hereinafter the "Declaration") thereby creating Country Corners Condominium, a Utah Condominium Project (hereinafter the "Project"), which Declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on May 29, 1985, as Entry No. 4091725, in Book 5658, at Pages 586, et seq.

B. A related record of survey map entitled "Record of Survey Map of Country Corners Condominium" (hereinafter the "Map") was recorded concurrently with the Declaration as Entry No. 4091724, in Book 8505 of Plats, at Pages 103, et seq.

C. The Declaration and Map submitted to the provisions of the Utah Condominium Ownership Act (hereinafter the "Act"), Utah Code Annotated, Section 57-8-1, et seq., contained certain real property owned by Dipo and described in Paragraph A of the Recitals of the Declaration and in the Map.

D. Dipo, as provided in Section 16.01 of the Declaration and pursuant to Section 57-8-13.6 of the Act, reserved the sole and exclusive right to expand the Project from time to time by adding thereto all or any portion of that certain real property (hereinafter the "Additional Land") described in Section 16.07 of the Declaration.

BK 6291 Pg 24 06

E. On the 12th day of June, 1986, Dipo, as Declarant, made and executed a certain Supplemental Declaration of and First Amendment to the Declaration of Condominium of the Country Corners Condominium, a Utah Condominium Project (hereinafter the "First Amendment") thereby expanding the Project, which First Amendment was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on June 16, 1986, as Entry No. 4261980.

F. A related record of survey map entitled "Record of Survey Map of Country Corners Condominium Phase 2, a Utah Condominium Project" (hereinafter the "Phase 2 Map") was recorded concurrently with the First Amendment on June 16, 1986, as Entry No. 4261979.

G. Pursuant to that certain Warranty Deed dated August 15, 1986 between Dipo as grantor and Declarant as grantee, which Warranty Deed was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on August 22, 1986, as Entry No. 4300841, in Book 5886, at Page 2626, and that certain Warranty Deed between Dipo as grantor and Declarant as grantee, which Warranty Deed was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on July 7, 1987, as Entry No. 4487507, in Book 5938, at Page 1708, Dipo conveyed all of their right, title and interest in and to the Project and the Additional Land to Declarant.

H. Pursuant to that certain Bill of Sale and Assignment dated August 15, 1986 between Dipo and Declarant, Dipo assigned and transferred all of their right, title and interest in and to all tangible and intangible personal property located on or associated with the Project to Declarant.

I. Declarant, made and executed a certain Supplemental Declaration of and Second Amendment to the Declaration of Condominium of the Country Corners Condominium, a Utah Condominium Project (hereinafter the "Second Amendment") thereby further expanding the Project, which Second Amendment was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on November 3, 1987, as Entry No. 4545513, in Book 5976, at Pages 2035, et seq.

J. A related record of survey map entitled "Record of Survey Map of Country Corners Condominium Phase 3, a Utah Condominium Project" (hereinafter the "Phase 3 Map") was recorded concurrently with the Second Amendment on November 3, 1987, as Entry No. 4545512, in Book 87-11, at Page 134.

K. Declarant, made and executed a certain Supplemental Declaration of and Third Amendment to the Declaration of Condominium of the Country Corners Condominium, a Utah Condominium Project (hereinafter the "Third Amendment") thereby further expanding the Project, which Third Amendment was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on August 20, 1990, as Entry No. 4954757.

L. A related record of survey map entitled "Record of Survey Map of Country Corners Condominium Phase 4, a Utah Condominium Project" (hereinafter the "Phase 4 Map") was recorded concurrently with the Third Amendment on August 20, 1990, as Entry No. 5029428 in Book , at Page _____.

M. Declarant inadvertently included in the Third Amendment and the Phase 4 Map the incorrect legal description of the Phase 4 Property, as defined and more particularly described in Paragraph K of the Third Amendment and the Phase 4 Map.

N. Declarant desires to correct the incorrect legal description of the Phase 4 Property, by deleting said incorrect legal description as it presently appears in Paragraph K of the Third Amendment, and substituting therefor in this Corrective Third Amendment the correct legal description of the Phase 4 Property as follows:

All of that certain real property located in Salt Lake County, State of Utah, which comprises a portion of the Additional Land and which is more particularly described as follows:

BEGINNING at a point which is N 0°06'20" E 109.00 feet and N 89°54'10" W 7.00 feet from the Southeast corner of Lot 1, Block 3, 10 Acre Plat "A", Big Field Survey, and running thence N 0°06'20" E 90.70 feet; thence N 89°54'10" W 95.50 feet; thence N 0°06'20" E 97.30 feet; thence N 89°54'10" W 22.00 feet; thence S 0°06'20" W 97.30 feet; thence N 89°54'10" W 99.50 feet; thence S 0°06'20" W 179.70 feet; thence S 89°54'10" E 97.00 feet; thence N 0°06'20" E 89.00 feet; thence S 89°54'10" E 120.00 feet to the point of BEGINNING.

NOW, THEREFORE, and for that purpose, Declarant hereby agrees that the Third Amendment is hereby amended to include the correct description of the Phase 4 Property, and that this Corrective Third Amendment is otherwise identical to and does not further amend the Third Amendment:

1. Units and Boundaries. The Project as hereby expanded shall consist of twenty-eight (28) total condominium units located in seven (7) buildings with basements. Each Unit is given an identifying number and each building is depicted on the Record of Survey Map of Country Corners Condominiums Phase 4 (amended). The Project as expanded by this Corrective Third Amendment shall be known as Country Corners Condominium, a Utah Condominium Project.

2. Undivided Interest in Common Elements. Pursuant to the provisions of Section 57-8-13.10 of the Act, the undivided ownership interests in the Common Areas and Facilities of the Project are hereby reallocated between each Unit in the Project in accordance with the attached Third Amended Exhibit "A" which is attached hereto and incorporated herein by this reference.

3. Definitions. Each of the words used in this Corrective Third Amendment to the Declaration shall have the meaning given to each such term in the Declaration.

4. Ratification of Terms and Provisions. Except as modified by this Corrective Third Amendment, Declarant hereby ratifies and confirms all of the terms and provisions of the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment on the date and year first above written.

DECLARANT:

UNITED SAVINGS BANK, formerly known as
United Savings And Loan Association,
a Utah corporation

By: _____ *August M. Miller*

Its: _____ *VICE-PRES.*

Attest:

Debra J. Fullmer
Secretary *VICE PRESIDENT*

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

On the 19th day of February, 1991, personally appeared before me Angus Mollison, who being by me duly sworn did say that he is the Vice President of UNITED SAVINGS BANK, formerly known as United Savings And Loan Association, a Utah corporation, the corporation that executed the above and foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors and said Angus Mollison acknowledged to me that said corporation executed the same.

C. Catherine Moss
NOTARY PUBLIC

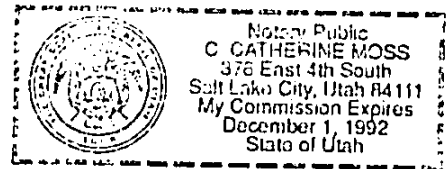
My Commission Expires:

12/01/92

Residing At:

Salt Lake City, UT

CDN2919I



THIRD AMENDED EXHIBIT "A"

Attached to and forming a part of the Declaration of Condominium of the Country Corners Condominium, a Utah Condominium Project.

UNITS, UNDIVIDED OWNERSHIP INTERESTS, AND VOTES

<u>UNIT NO.</u>	<u>UNDIVIDED OWNERSHIP INTERESTS* (Fraction)</u>	<u>VOTES</u>
1	1/28th	1
2	1/28th	1
3	1/28th	1
4	1/28th	1
5	1/28th	1
6	1/28th	1
7	1/28th	1
8	1/28th	1
9	1/28th	1
10	1/28th	1
11	1/28th	1
12	1/28th	1
13	1/28th	1
14	1/28th	1
15	1/28th	1
16	1/28th	1
17	1/28th	1
18	1/28th	1
23	1/28th	1
24	1/28th	1
27	1/28th	1
28	1/28th	1
29	1/28th	1
31	1/28th	1
32	1/28th	1
33	1/28th	1
34	1/28th	1
35	1/28th	1

* Each of the Units in the Project has been assigned an equal Undivided Ownership Fraction. In the event that additional Units are added to the Project pursuant to the provisions of Article XVI of this Declaration, the Undivided Ownership

Interest Fractions may be recomputed so that each perspective Unit of the Project has an equal undivided Ownership Fraction (as expanded).

CDN2919I