

**THIRD AMENDMENT TO THE AMENDED DECLARATION FOR
GARDEN VILLA APARTMENT HOMES CONDOMINIUM PROJECT**

**NOW KNOWN AS
GARDEN APARTMENTS**

ENT. 73480;2000 PG 1 of 5
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2000 Sep 19 9:52 am FEE 19.00 BY ML
RECORDED FOR ROBINSON SEILER & GLAZIER

THIS THIRD AMENDMENT is made and executed this 16th day of August, 2000, by GARDEN APARTMENTS a/k/a GARDEN VILLA, a Utah Non-Profit Corporation (hereinafter referred to as the "Association"), acting by and through its President, HILMA HONEYMAN.

WITNESSETH

WHEREAS, an Amendment to the Amended Declaration for Garden Villa Apartment Homes Condominium Project n/k/a Garden Apartments, dated February 15, 1990 (hereinafter referred to as the "Amended Declaration"), was recorded on the 16th day of February, 1990 in the office of the Utah County Recorder, State of Utah, as Entry No. 4946, in Book 2666, on Pages 311, et seq.;

WHEREAS, the Association does now desire to amend the Amended Declaration in order to correct clerical errors contained in the originally recorded Amended Exhibit "A".

NOW, THEREFORE, the Amended Declaration is hereby amended as follows:

The Percentage of Ownership in the Common Areas/Facilities on the Amended Exhibit "A" attached to the Amended Declaration is hereby revised as follows:

<u>Unit Designation</u>	<u>% Ownership in Common Areas/Fac.</u>
Apt. 31, Bldg. 13	1.1% (Previously 1.5%)
Apt. 32, Bldg. 13	1.1% (Previously 1.5%)
Apt. 33, Bldg. 13	1.1% (Previously 1.5%)
Apt. 35, Bldg. 13	1.5% (Previously 1.1%)

In all other respects, the undersigned hereby confirms, republishes, and reinstates all other provisions of the Amendment to the Amended Declaration for Garden Villa Apartment Homes Condominium Project n/k/a Garden Apartments, dated February 15, 1990, and recorded on the 16th day of February, 1990 in the office of the Utah County Recorder, State of Utah, as Entry No. 4946, in Book 2666, on Pages 311, et seq., which concerns the real property described in Exhibit "A" attached hereto, and which has not been modified by this Third Amendment.

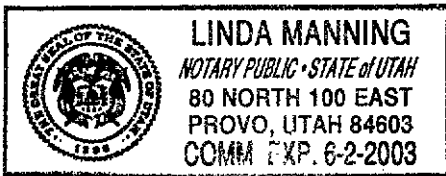
IN WITNESS WHEREOF, the Association has caused this Amendment to be executed as of the date first above written.

**GARDEN APARTMENTS a/k/a GARDEN VILLA,
A Utah Non-Profit Corporation**

By: *Hilma Honeyman*
HILMA HONEYMAN, President

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

I, the undersigned, a Notary Public, hereby certify that on the 13th day of July, 2000, personally appeared before me, HILMA HONEYMAN, who being by me first duly sworn, declared that she is the President of GARDEN APARTMENTS a/k/a GARDEN VILLA, a Utah Non-Profit Corporation (the "Association"), and that she signed the foregoing instrument on behalf of said Association.



Linda Manning
NOTARY PUBLIC

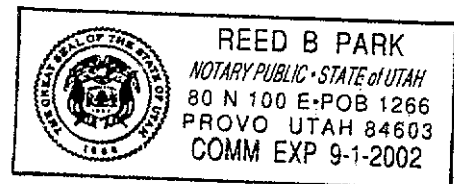
APPROVED AND ACCEPTED BY:

Coran Cluff
CORAN CLUFF
Apt. 31, Bldg. 13
2217 North 200 East
Provo, Utah 84604

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 14th day of AUGUST, 2000, personally appeared before me, a Notary Public in and for the State of Utah, CORAN CLUFF, the signer of the above instrument, who duly acknowledged to me that he executed the same.

Reed B Park
NOTARY PUBLIC



APPROVED AND ACCEPTED BY:

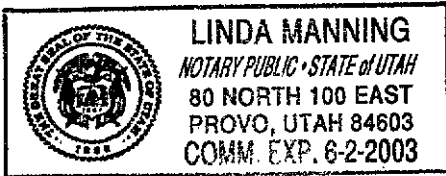
Hilma Honeyman

HILMA HONEYMAN

Apt. 33, Bldg. 13
2209 North 200 East
Provo, Utah 84604

STATE OF UTAH)
) :ss.
COUNTY OF UTAH)

On the 13th day of July, 2000, personally appeared before me, a Notary Public in and for the State of Utah, HILMA HONEYMAN, the signer of the above instrument, who duly acknowledged to me that she executed the same.



Linda Manning

NOTARY PUBLIC

APPROVED AND ACCEPTED BY:

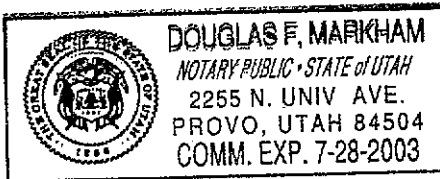
Elena Crnkovic

ELENA CRNKOVIC

Apt. 32, Bldg. 13
2209 North 200 East
Provo, Utah 84604

STATE OF UTAH)
) :ss.
COUNTY OF UTAH)

On the 16 day of Aug., 2000, personally appeared before me, a Notary Public in and for the State of Utah, ELENA CRNKOVIC, the signer of the above instrument, who duly acknowledged to me that she executed the same.



[Signature]

NOTARY PUBLIC

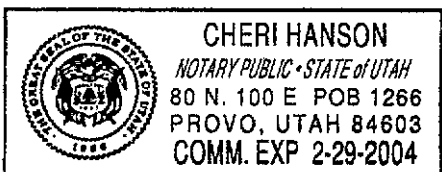
APPROVED AND ACCEPTED BY:

Ellen Q. Larson

ELLEN LARSON
Apt. 35, Bldg. 13
2209 North 200 East
Provo, Utah 84604

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 17 day of July, 2000, personally appeared before me, a Notary Public in and for the State of Utah, ELLEN LARSON, the signer of the above instrument, who duly acknowledged to me that she executed the same.



Cheri Hanson
NOTARY PUBLIC

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EXHIBIT "A"

The following described tract of land situated in the City of Provo, Utah County, State of Utah, to wit:

Beginning at a point on the South side of 2100 North Street, said point being North 189.99 feet, East 253.71 feet, and North $86^{\circ} 10'$ East 119.56 feet from the Southwest corner of Section 30, Township 6 South, Range 3 East, Salt Lake Base and Meridian; running thence North $86^{\circ} 10'$ East 353.54 feet to a point on a 245.03 foot radius curve to the left; thence Northeasterly 93.56 feet along the arc of said curve to a point of tangency on the West boundary of Pleasant Village Subdivision; thence along said boundary South $4^{\circ} 56'$ East 169.44 feet; thence South $60^{\circ} 20'$ West 61.00 feet; thence South $77^{\circ} 31'$ West 84.91 feet; thence South 28.00 feet to a point on the South line of Section 30, Township 6 South, Range 3 East, Salt Lake Base and Meridian; thence West 238.25 feet along said section line; thence North $44^{\circ} 30'$ West 118.61 feet; thence North 113.38 feet to the point of beginning.

ALSO: Beginning at a point which is North 240.15 feet and East 254.46 feet from the Southwest corner of Section 30, Township 6 South, Range 3 East, Salt Lake Base and Meridian; and running thence North $0^{\circ} 50'$ East 337.43 feet; thence South $89^{\circ} 10'$ East 4.00 feet; thence North $0^{\circ} 50'$ East 223.79 feet; thence South $89^{\circ} 10'$ East 209.28 feet; thence North $0^{\circ} 50'$ East 76.5 feet to the South line of Rock Canyon Road; thence East along said South line of road 153.10 feet; thence South 153.74 feet; thence North $84^{\circ} 55'$ East 143.71 feet; thence South $4^{\circ} 56'$ East 428.23 feet to a point on the North line of 2100 North Street; thence Southwesterly along a curve to the right having a radius of 268.45 feet for an arc length of 17.21 feet; thence South $68^{\circ} 01' 20''$ West 41.88 feet to point of a 176.29 foot radius curve to the right; thence Southwesterly along the arc of said curve 55.83 feet; thence South $86^{\circ} 10'$ West 158.94 feet; thence North $3^{\circ} 50'$ West 115.00 feet; thence South $86^{\circ} 10'$ West 80.00 feet; thence South $3^{\circ} 50'$ East 115.00 feet; thence South $86^{\circ} 10'$ West 209.37 feet to the point of beginning.