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FIRST AMENDMENT TO AMENDED DECLARATION OF
GARDEN VILLA APARTMENT HOMES CONDOMINIUM PROJECT

This First Amendment to Amended Declaration of Garden Villa Apartment Homes Condominium Project is made and executed by Garden Villa Development Company, by True C. Dixon, and by the unit owners signing this instrument, who are hereafter referred to as "the signing unit owners." This First Amendment is made pursuant to the provisions of the Utah Condominium Ownership Act and of paragraph 12 of the Amended Declaration for Garden Villa Apartment Homes Condominium Project, which is recorded as Entry No. 12869, on August 20, 1965, in Book 1020, at pages 42-55 in the office of the Utah County Recorder.

WITNESSETH:

WHEREAS, True C. Dixon is the owner of condominium units identified and known as apartments 24, 25, 26, 27, 28, 29, and 30, Building 12, and apartments 31, 32, 33, 34, 35, 36, and 37, Building 13, and apartments 38, 39, 40, 41, 42, 43, 44, 45, and 46, Building 14, as shown by the Amended Record of Survey Map duly recorded on August 20, 1965, in the office of the Utah County Recorder as Map Filing No. 650, and

WHEREAS, said apartment units have not actually been constructed, and no construction has been commenced, and

WHEREAS, the metes and bounds description of the land platted for said condominium apartment units above set forth as shown by said Record of Survey Map hereinabove referred to is as follows:

The Northwesterly portion of the Amended Plat of Garden Villa Apartment Homes, a Condominium Project and recorded as Map Filing No. 650, Sheet No. 2 of 4 in the office of the Recorder of Utah County, Utah, and described as follows: Commencing North 577.48 feet and East 263.37 feet from the Southwest corner of Section 30, Township 6 South, Range 3 East, Salt Lake Base and Meridian; thence North 0° 50' East 223.79 feet; thence South 89° 10' East 209.28 feet; thence North 0° 50' East 76.50 feet to the South line of Rock Canyon Road; thence East 153.10 feet along said South line of road; thence South

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154.75 feet to the North building line of Car Port No. 9 of Building No. 5 of said Amended Plat; thence South $84^{\circ} 55'$ West 7.52 feet to the Northwest corner of said car port; thence South $4^{\circ} 56'$ East 107.38 feet along the Westerly building line of said car port and the street side walk line of a 4.00 ft. concrete walk; thence South $83^{\circ} 58'$ West 369.57 feet along said walk line; thence North $0^{\circ} 50'$ east 4.01 feet to beginning. Area, 1.98 acres.

and,

WHEREAS, True C. Dixon, the Garden Villa Development Company, and the signing unit owners are desirous, because of the advantages accruing to each of them, that the said land described by metes and bounds above set forth, be withdrawn from the said condominium project so that it will no longer be subject to the restrictions or qualify for the advantages of the condominium and so that the said True C. Dixon shall forfeit all her right, title and interest in the common areas and facilities appurtenant to the remainder of the condominium project,

NOW, THEREFORE, for such purposes, the said True C. Dixon, Garden Villa Development Company, and the signing unit owners hereby make the following First Amendment to the Amended Declaration of the Garden Villa Apartment Homes Condominium Project:

1. The property known and identified on the Amended Record of Survey Map hereinabove referred to as apartments 24, 25, 26, 27, 28, 29, and 30, Building 12, and apartments 31, 32, 33, 34, 35, 36, and 37, Building 13, and apartments 38, 39, 40, 41, 42, 43, 44, 45, and 46, Building 14, and more particularly the following described land:

The Northwesterly portion of the Amended Plat of Garden Villa Apartment Homes, A condominium Project and recorded as Map Filing No. 650, Sheet No. 2 of 4 in the office of the Recorder of Utah County, Utah and described as follows: Commencing North 577.48 feet and East 263.37 feet from the Southwest corner of Section 30, Township 6 South, Range 3 East, Salt Lake Base and Meridian; thence North $0^{\circ} 50'$ East 223.79 feet; thence South $89^{\circ} 10'$ East 209.28 feet; thence North $0^{\circ} 50'$ East 76.50 feet to the South line of Rock Canyon Road; thence East 153.10 feet along said South line of road; thence South 154.74 feet to the North building line of Car Port No. 9 of Building No. 5 of said Amended Plat; thence South $84^{\circ} 55'$ West 7.52 feet to the Northwest corner of said car port; thence South $4^{\circ} 56'$ East 107.38 feet along the westerly

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building line of said car port and the street side walk line of a 4.00 ft. concrete walk; thence South $83^{\circ} 58'$ West 369.57 feet along said walk line; thence North $0^{\circ} 50'$ East 4.01 feet to beginning. Area, 1.98 acres.

is hereby withdrawn, together with all appurtenances thereto, from the provisions of the Utah Condominium Ownership Act as a condominium project and from the Garden Villa Apartment Homes Condominium Project, and said Amended Record of Survey Map is deemed amended to show the withdrawal and deletion of said land from said condominium project.

2. The property described in the foregoing paragraph is hereby declared to be free from any and all divisions, covenants, restrictions, limitations, conditions and uses imposed by the provisions of the Utah Condominium Ownership Act or by the provisions of the Declaration or Amended Declaration of the Garden Villa Apartment Homes Condominium Project or by force of the Record of Survey Map duly recorded in the office of the Recorder in and for Utah County, Utah, on the 20th day of August, 1965, as Map Filing No. 650, and the owner of the said property, True C. Dixon, hereby relinquishes, renounces and releases all of her right, title and interest and all of the right, title and interest pertaining to the property described in the foregoing paragraph in and to the common areas and facilities of the Garden Villa Apartment Homes Condominium Project, as modified by this First Amendment.

3. It is understood that the relative proportionate ownership of unit owners in the common areas and facilities of said condominium project remaining after the withdrawal of the apartment units and land hereinabove described is not changed by this First Amendment, and that said percentage of ownership in said common areas and facilities in the remaining condominium project are as set forth on First Amended Exhibit "A" attached hereto.

4. This First Amendment is being prepared in multiple copies. Persons signing any copy agree that the copy they have signed can be placed on record with or without the signatures of other persons, and that all copies will be read together as if all persons signing any copy had signed a single copy.

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5. Persons signing this instrument further agree that their signature and assent to this instrument is irrevocable and binding upon their heirs, successors, grantees or assigns and cannot be withdrawn or cancelled either before or after the requisite number of signatures have been obtained to make this First Amendment effective; provided, that if the number of signatures to this instrument necessary to make this First Amendment effective shall not have been obtained and placed on record by September 1, 1978, then this First Amendment and all signatures obtained on it and instruments obtained or filed concerning it shall be null and void and of no effect whatsoever.

6. This First Amendment will take effect immediately upon the execution and filing for record of copies of this instrument containing the signatures of the requisite number of unit owners required for such amendment.

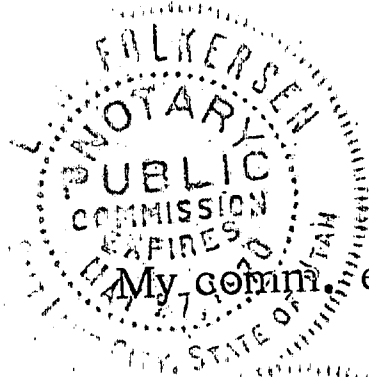
Made and executed as of the day and year set forth below.

Aug 30 1968
Date

True C. Dixon
True C. Dixon

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the 30th day of August, 1968, personally appeared before me, True C. Dixon, the signer of the above instrument, who duly acknowledged that she had executed the same.

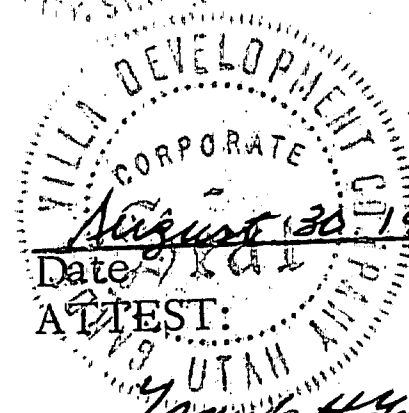


[Signature]
Notary Public

Residing At: Salt Lake City, Utah

GARDEN VILLA DEVELOPMENT CO.

By True C. Dixon
True C. Dixon, President



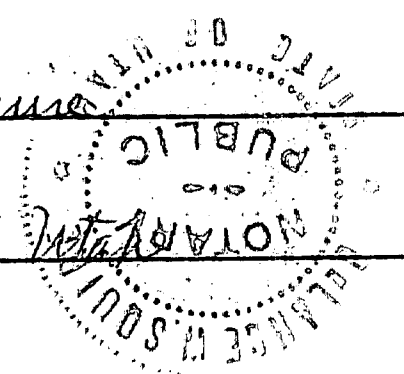
[Signature]
Frank H. Gardner, Secretary

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STATE OF UTAH)
 : ss
COUNTY OF Utah)

On this 31st day of August, 1968, personally appeared before me True C. Dixon and Frank H. Gardner, who being by me duly sworn did say: That they are the president and secretary, respectively, of Garden Villa Development Company, a Utah corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and the said True C. Dixon and Frank H. Gardner duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

Kelena W. Quinn
Notary Public



My comm. expires: 1-3-70 Residing at: Chem, Utah

THE SIGNING UNIT OWNERS

The undersigned persons, who are unit owners in Garden Villa Apartment Homes Condominium Project, hereby join in and give their consent and approval to all the provisions of the above First Amendment to Amended Declaration of Garden Villa Apartment Homes Condominium Project and to the corresponding amendment of Map Filing No. 650 necessary to give effect to the provisions of the said First Amendment.

aug. 30, 1968
Date

Willard C. Dixon
Willard C. Dixon, Executor of the Estate of Charles H. Dixon, Deceased

Owner of Apartments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 in Building 5

STATE OF UTAH)
 : ss
COUNTY OF Salt Lake)

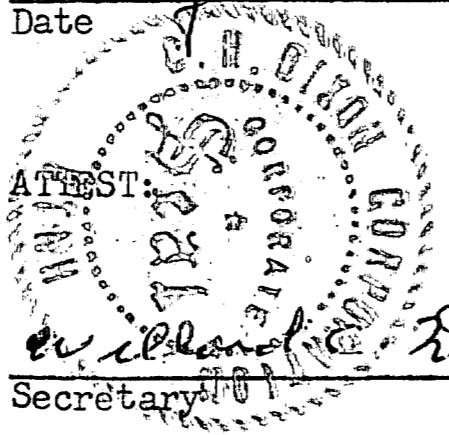
On this 30 day of August, 1968, personally appeared before me, Willard C. Dixon, Executor of the Estate of Charles H. Dixon, Deceased, a

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Aug 30, 1968
Date

C.H. DIXON CORPORATION

By: True C. Dixon
President

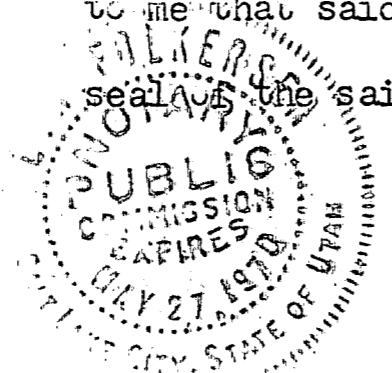


Willard C. Dixon
Secretary

Owner of Apartment 2 in Building 7;
Apartments 5, 6, and 7 in Building 8;
and Apartment 11 in Building 9.

STATE OF UTAH)
) : ss
COUNTY OF SALT LAKE)

On this 30th day of August, 1968, personally appeared before me True C. Dixon and Willard C. Dixon, who being by me duly sworn did say: That they are the president and secretary, respectively, of C.H. Dixon Corporation, a Utah corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and the said True C. Dixon and Willard C. Dixon duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.



[Signature]
Notary Public

My comm. expires: 5-27-70 Residing at: Salt Lake City, Utah

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signer of the foregoing instrument, who duly acknowledged that he had executed the same



[Signature]
Notary Public

My comm. expires: 5-27-70 Residing at: Salt Lake City, Utah

SLAVENS HOMES INC.

September 5, 1968
Date

By [Signature]
President

ATTEST:

[Signature]
Secretary

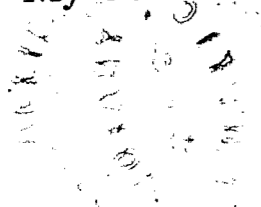
Owner of Apartments 14, 15, 16, 17,
and 18 in Building 10, and Apartments
19, 20, 21, 22, and 23 in Building 11.

STATE OF UTAH)
 : ss
COUNTY OF UTAH)

On this 5th day of September, 1968, personally appeared before me George E. Ballif and Phyl G. Ekins, who being by me duly sworn did say: That they are the president and secretary, respectively, of Slavens Homes Inc., a Utah corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and the said George E. Ballif and Phyl G. Ekins duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

[Signature]
Notary Public

My comm. expires: 9/20/68 Residing at: Provo, Utah



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FIRST AMENDED EXHIBIT "A"

Unit Designation	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location as shown on Survey Map
Apt. 1, Building 1	860	5	1.32%	Ground Floor
Apt. 2, Building 1	860	5	1.32%	Ground Floor
Apt. 3, Building 1	860	5	1.32%	Second Floor
Apt. 4, Building 1	860	5	1.32%	Second Floor
Apt. 1, Building 2	1146	5	1.76%	Ground Floor
Apt. 2, Building 2	1198	7	1.91%	Ground Floor
Apt. 3, Building 2	660	4	1.03%	Ground Floor
Apt. 4, Building 2	1195	6	1.91%	Ground Floor
Apt. 1, Building 3	954 (Plus basement area)	5	1.47%	Ground Floor
Apt. 2, Building 3	860	5	1.32%	Ground Floor
Apt. 3, Building 3	672	4	1.03%	Ground Floor
Apt. 4, Building 3	672	4	1.03%	Ground Floor
Apt. 5, Building 3	960 (Plus basement area)	5	1.47%	Ground Floor
Apt. 6, Building 3	1233	6	1.91%	Ground Floor
Apt. 1, Building 4	1187	7	1.76%	Ground Floor
Apt. 2, Building 4	1187	7	1.76%	Ground Floor
Apt. 3, Building 4	912	5	1.32%	Ground Floor
Apt. 4, Building 4	912	5	1.32%	Ground Floor
Apt. 5, Building 4	912	5	1.32%	Ground Floor
Apt. 1, Building 5	1056	6	1.62%	Ground Floor
Apt. 2, Building 5	1056	6	1.62%	Ground Floor
Apt. 3, Building 5	912	5	1.32%	Ground Floor
Apt. 4, Building 5	1056	6	1.62%	Ground Floor
Apt. 5, Building 5	1056	6	1.62%	Ground Floor
Apt. 6, Building 5	912	5	1.32%	Ground Floor
Apt. 7, Building 5	1056	6	1.62%	Second Floor
Apt. 8, Building 5	1056	6	1.62%	Second Floor
Apt. 9, Building 5	912	5	1.32%	Second Floor
Apt. 10, Building 5	1056	6	1.62%	Second Floor
Apt. 11, Building 5	1056	6	1.62%	Second Floor
Apt. 12, Building 5	912	5	1.32%	Second Floor
Apt. 1, Building 6	1187	7	1.76%	Ground Floor
Apt. 2, Building 6	1187	7	1.76%	Ground Floor
Apt. 3, Building 6	1187	7	1.76%	Ground Floor
Apt. 4, Building 6	1187	7	1.76%	Ground Floor
Apt. 1, Building 7	1510 (plus basement area)	11	2.20%	Ground & Second Floor
	755 square feet on each floor			
Apt. 2, Building 7	1510 (plus basement area)	11	2.20%	Ground & Second Floor
	755 square feet on each floor			
Apt. 3, Building 7	1510 (plus basement area)	11	2.20%	Ground & Second Floor
	755 square feet on each floor			

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FIRST AMENDED EXHIBIT "A"

Unit Designation	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location as Shown on Survey Map
Apt. 4, Building 8	1510 square feet, 755 on each floor	11	2.20%	Ground & Second Floor
Apt. 5, Building 8	1510 square feet, 755 on each floor	11	2.20%	Ground & Second Floor
Apt. 6, Building 8	1510 square feet, 755 on each floor	11	2.20%	Ground & Second Floor
Apt. 7, Building 8	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 8, Building 8	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
apt. 9, Building 8	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 10, Building 9	1112 (plus basement area) 556 square feet on each floor	7	1.62%	Ground & Second Floor
Apt. 11, Building 9	1112 (plus basement area) 556 square feet on each floor	7	1.62%	Ground & Second Floor
Apt. 12, Building 9	1112 (plus basement area) 556 square feet on each floor	7	1.62%	Ground & Second Floor
Apt. 13, Building 9	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 14, Building 10	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 15, Building 10	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 16, Building 10	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor

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FIRST AMENDED EXHIBIT "A"

Unit Designation	Approximate Number of Square feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location as shown on Survey Map
Apt. 17, Building 10	1510 (plus Basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 18, Building 10	1510 (plus basement area) 755 square feet on each floor	11	2.20%	Ground & Second Floor
Apt. 19, Building 11	1112 square feet, 556 on each floor	7	1.62%	Ground & Second Floor
Apt. 20, Building 11	1112 square feet, 556 on each floor	7	1.62%	Ground & Second Floor
Apt. 21, Building 11	1112 square feet, 556 on each floor	7	1.62%	Ground & Second Floor
Apt. 22, Building 11	1510 square feet, 755 on each floor	11	2.20%	Ground & Second Floor
Apt. 23, Building 11	1510 square feet, 755 on each floor	11	2.20%	Ground & Second Floor

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RECORDED AT THE REQUEST OF
David J. Sunmeyer
 BOOK _____ PAGE _____

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CLARICE B. CARTER
 UTAH COUNTY RECORDER
 DEPUTY
 MAIL TO *2/17/68*
220 East
Swano, Utah.