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01/09/2004 04:20 PM 49.00  
Book - 8932 Pg - 6556-6563  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
EQUITY TITLE  
BY: BRN, DEPUTY - WI 8 P.

WHEN RECORDED RETURN TO:  
Albion Village, LLC  
Jason B. Johnson  
287 N. Robertson Lane  
Springville, Utah 84663

5990  
100-182  
-21-72

100-182  
-21-72

**CORRECTED**  
**SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM**  
**FOR ALBION VILLAGE CONDOMINIUM,**  
**An Expandable Mixed Use Utah condominium**  
*(to correct error in legal description)*

This Corrected Second Amendment to the Declaration of Condominium for Albion Village Condominium, a Utah condominium, is made and executed by Albion Village, LLC, a Utah limited liability company, of 287 N. Robertson Lane, Springville, Utah 84663 (the "Declarant").

**RECITALS**

A. The Declaration of Condominium for Albion Village Condominium was recorded in the office of the County Recorder of Salt Lake County, Utah on August 25, 2003 as Entry No. 8788136 in Book 8869 at Pages 440-495 of the official records (the "Declaration").

B. The First Amendment to Declaration of Condominium for Albion Village Condominium was recorded in the office of the County Recorder of Salt Lake County, Utah on November 6, 2003 as Entry No. 8883087 in Book 8907 at Pages 8874-8882 of the official records (the "First Amendment").

C. The Affidavit of Withdrawal was recorded in the office of the County Recorder of Salt Lake County, Utah on December 5, 2003 as Entry No. 8917332 in Book 8920 at Pages 7730-7733 of the official records (the "Affidavit of Withdrawal").

D. The Second Amendment to Declaration of Condominium for Albion Village Condominium was recorded December 5, 2003 as Entry No. 891733 in Book 8920 at Pages 77334-7738 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Second Amendment").

E. The Corrected Affidavit of Withdrawal was recorded in the Office of the County Recorder of Salt Lake County, Utah on 1-9-04 as Entry No. 8945444 in Book 8932 at Pages 4022 of the Official Records (the "Corrected Affidavit").

F. There was an inadvertent error in the legal description of the property in the Second Amendment.

G. The undersigned desires to correct the error in the legal description.

H. This document affects the real property located in Salt Lake County, Utah, correctly described with particularity on Exhibit "A-3," attached hereto and incorporated herein by this reference (the "Property").

I. The Declarant is the owner of the Property.

J. All of the voting requirements of the Declaration have been satisfied.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, the Association hereby executes this corrected Second Amendment to Declaration of Condominium for Albion Village Condominium for and on behalf of all of the Unit Owners in order to modify Exhibit "C" to reflect the change in the order of development of the Buildings, the withdrawal of land, and use the same Building and Unit designations used in the Condominium Plat.

1. Exhibit "C" to the Declaration is hereby deleted in its entirety and Revised Exhibit "C," attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

2. In the event of any conflict, incongruity or inconsistency between the terms of this Corrected Second Amendment and the Second Amendment, the former shall in all respects govern and control.

3. The effective date of this Amendment is the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the undersigned has executed this instrument this \_\_\_ day of December, 2003.

ALBION VILLAGE, LLC  
By: ALBION DEVELOPMENT, LLC  
Managing Member

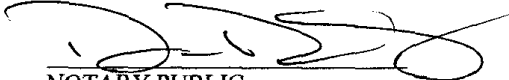
By: Y B Johnson  
Name: Jason B. Johnson  
Title: Manager

12/18/03  
Date

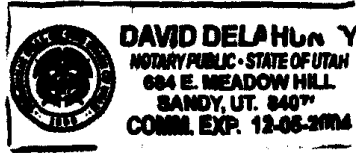
ACKNOWLEDGMENT

STATE OF UTAH             )  
  ss:  
COUNTY OF SALT LAKE )

On this 27 day of December, 2003, personally appeared before me, the undersigned Notary Public, in and for said county and state, Jason B. Johnson, being first duly sworn, who acknowledged to me that he is the Managing Member of Albion Development, LLC, who is the Managing Member of Albion Village, LLC, and that he signed the foregoing By-Laws, on and in behalf of said limited liability company pursuant to its Articles of Organization and a Resolution of its Members), and said Jason B. Johnson further acknowledged for and in behalf of Albion Development, LLC that Albion Village, LLC executed the same.



NOTARY PUBLIC  
Residing at:  
My Commission Expires:



**EXHIBIT "A-3"**

**ALBION VILLAGE CONDOMINIUM, PHASE 1, BUILDING NO. 3  
CORRECTED LEGAL DESCRIPTION**

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, S.L.B.& M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 12; THENCE NORTH 715.93 FEET AND WEST 1273.69 FEET TO THE REAL POINT OF BEGINNING; (BASIS OF BEARING BEING N.00°11'00"W. ALONG THE MONUMENTED CENTERLINE OF STATE STREET FROM THE BRASS CAP MONUMENT MARKING THE INTERSECTION OF 9800 SOUTH AND THE BRASS CAP MONUMENT MARKING THE CENTERLINE OF 9400 SOUTH.)

THENCE N.79°25'12"W. 247.28 FEET; THENCE S.00°01'20"E. 1.61 FEET; THENCE S.89°58'40"W. 37.54 FEET; THENCE WEST 139.96 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 116.00 FOOT RADIUS CURVE TO THE RIGHT 149.18 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 73°40'57" AND BEING SUBTENDED BY A CHORD THAT BEARS N.53°09'32"W. 139.11 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 14.00 FOOT RADIUS CURVE TO THE LEFT 10.65 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 43°35'34" AND BEING SUBTENDED BY A CHORD THAT BEARS N.38°06'50"W. 10.40 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 530.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 76.23 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 08°14'27" AND BEING SUBTENDED BY A CHORD THAT BEARS S.87°43'33"E. 76.16 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 44.55 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 127°37'33" AND BEING SUBTENDED BY A CHORD THAT BEARS S.18°21'57"E. 35.89 FEET; THENCE EAST 170.63 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 344.50 FOOT RADIUS CURVE TO THE RIGHT 63.61 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 10°34'48" AND BEING SUBTENDED BY A CHORD THAT BEARS S.84°42'36"E. 63.52 FEET; THENCE S.79°25'12"E. 31.29 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 194.00 FOOT RADIUS CURVE TO THE LEFT 22.39 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 06°36'43" AND BEING SUBTENDED BY A CHORD THAT BEARS S.82°43'34"E. 22.38 FEET; THENCE S.86°25'47"E. 25.19 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE RIGHT 25.58 FEET ALONG THE ARC OF SAID CURVE, HAVING A

CENTRAL ANGLE OF 07°19'56" AND BEING SUBTENDED BY A CHORD THAT BEARS S.83°05'10"E. 25.58 FEET; THENCE S.79°25'12"E. 126.14 FEET; THENCE N.10°34'48"E. 115.64 FEET; THENCE S.60°41'33"E. 120.30 FEET; THENCE S.69°25'12"E. 199.68 FEET; THENCE S.20°34'48"W. 26.58 FEET; THENCE S.21°03'49"E. 25.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 52.5 FOOT RADIUS CURVE TO THE LEFT 30.26 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 33°01'34" AND BEING SUBTENDED BY A CHORD THAT BEARS S.52°25'24"W. 29.84 FEET; THENCE S.35°54'37"W. 28.64 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT 24.07 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 91°55'31" AND BEING SUBTENDED BY A CHORD THAT BEARS S.10°03'08"E. 21.57 FEET; THENCE S.33°59'06"W. 37.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 499.00 FOOT RADIUS CURVE TO THE RIGHT 25.21 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 02°53'39" AND BEING SUBTENDED BY A CHORD THAT BEARS N.54°34'04"W. 25.20 FEET; THENCE N.53°07'15"W. 7.55 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 356.50 FOOT RADIUS CURVE TO THE LEFT 163.64 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 26°17'57" AND BEING SUBTENDED BY A CHORD THAT BEARS N.66°16'13"W. 162.20 FEET; THENCE N.79°25'12"W. 92.03 FEET TO THE POINT OF BEGINNING CONTAINING 1.67 ACRES OF LAND.

**REVISED EXHIBIT "C"**  
**PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST**

<b>Phase No.</b>	<b>Bldg. No.</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Percentage of Ownership</b>
1	3	1st	101	5.00%
1	3	1st	102	5.00%
1	3	1st	103	5.00%
1	3	1st	104	5.00%
1	3	1st	105	5.00%
1	3	1st	106	5.00%
1	3	2nd	201	5.00%
1	3	2nd	202	5.00%
1	3	2nd	203	5.00%
1	3	2nd	204	5.00%
1	3	2nd	205	5.00%
1	3	2nd	206	5.00%
1	3	3rd	301	5.00%
1	3	3rd	302	5.00%
1	3	3rd	303	5.00%
1	3	3rd	304	5.00%
1	3	3rd	305	5.00%
1	3	3rd	306	5.00%
1	3	4th	401	5.00%
1	3	4th	402	5.00%
1	3	4th	403	5.00%
1	3	4th	404	5.00%
1	3	4th	405	5.00%
1	3	4th	406	5.00%

**EXHIBIT "D"**  
**CONSENT OF OWNER**

COMES NOW the undersigned Owner of Unit No. 401 BWS and hereby  
consents to the foregoing Corrected Second Amendment.

By: *Suzanne Shayne*  
Name:  
Title:

1-05-04  
Date

**EXHIBIT "E"**  
**CONSENT OF MORTGAGEE**

COMES NOW the Bank of American Fork, the only lienholder and mortgagee on the Property above-described, and hereby consents to the foregoing Corrected Second Amendment

BANK OF AMERICAN FORK

By: Cheryl C. Williams  
Name: Cheryl C. Williams  
Title: Vice President

Date 1/8/04

*.Albion Village Second Amendment to Declaration*