

MAIL TO:

AFTER RECORDING PLEASE RETURN TO:

II Centro Piazza Condominiums  
Paul Washburn  
505 North 1500 West  
Orem, Utah 84057

M  
↙



ENT 21613:2013 PG 1 of 6  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Mar 06 12:56 pm FEE 42.00 BY SS  
RECORDED FOR OREN CITY CORPORATION

**SIXTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
(Including Owner Association Bylaws)  
OF  
II CENTRO PIAZZA CONDOMINIUMS  
(A Convertible Space Condominium Project)  
Orem, Utah**

THIS SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM (the "Sixth Amendment to Declaration") is made this 19<sup>th</sup> day of February, 2013, by PAUL V. WASHBURN and ROBERT A. HENRIE ("Declarant") pursuant of the provisions of Title 57, Chapter 8 of the *Utah code*, as amended, know as the Condominium Ownership Act (the "Act").

**RECITALS:**

- A. All defined terms as used in this Sixth Supplemental Amendment to Declaration shall have the meanings ascribed to them herein, or as the case may be, in the Condominium Project's Declaration of Condominium, recorded in the Public Records as Entry 119219-2008 on November 5, 2008 pages 1 through 25, inclusive (the "Declaration").
- B. Declarant is the owner/developer of the Project and recorded a Record of Survey Map therefore in the Public Records as Entry 119218-2008 Map #12899 on November 5, 2008.
- C. Pursuant to ARTICLE III of the Declaration, and Sections 57-8-13 (3) and 57-8-13.4 of the Act, Declarant has caused a Sixth Supplemental Record of Survey Map and this Sixth Amendment of Declaration to be prepared for simultaneous recordation in the Public Records I

order to convert certain Convertible Space in the Project into additional Units as reflected on the Sixth Supplemental Record of Survey Map.

D. The real property to which this Sixth Amendment to Declaration and the Sixth Supplemental Record of Survey map are applicable is located in Orem, Utah County, Utah, and is described as follows:

**INSERT LEGAL DESCRIPTION**

**SEE ATTACHED**

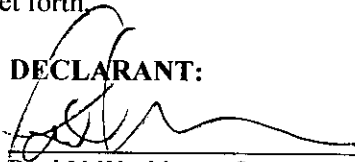
**NOW, THEREFORE**, Declarant hereby makes this Sixth Amendment to Declaration as follows:

- 1 The Declaration is hereby amended in the following particulars as a result of, and pursuant to, the conversion of a portion of the Convertible Space:
  - (a) Section 2.02 of the Declaration is amended in its entirety to read as follows:
 

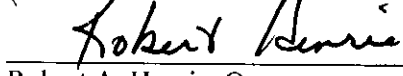
**2.02 Division of Project into Condominium Units and Convertible Space; Ownership Interests.** The project is hereby divided into 22 Condominium Units as set forth on the Map. In addition to fee title to a Unit, each Unit's Owner shall have an appurtenant, undivided ownership interest in and to the Common Areas and Facilities to the extent set forth in **Amended Exhibit B**, attached hereto and incorporated herein by this reference.
  - (b) **Exhibit B** to the Declaration is amended in its entirety to read as set forth in **Amended Exhibit B**, attached hereto and made a part hereof.
- 2 Except as amended by the provisions of this Sixth Amendment to Declaration, the Declaration shall remain unchanged and shall constitute the entire Declaration of Condominium for the Project, reflecting the conversion of portions of the Convertible Space as described on the First Supplemental Record of Survey Map and the attached **Amended Exhibit B**.
- 3 This Sixth Amendment to Declaration shall be recorded in the Public Records simultaneously with the Project's Second Supplemental Record of Survey Map, consisting of two sheets prepared by Roger D. Dudley, a Utah registered land surveyor holding Certificate No. 147089. Both such instruments shall be effective upon recordation.

DATED as of the day and year first above set forth.

DECLARANT:



Paul V. Washburn, Owner

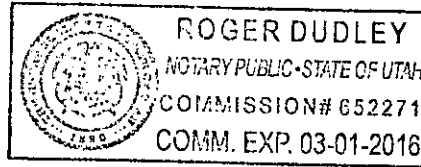


Robert A. Henrie, Owner

STATE OF UTAH )  
                                  : ss.  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this 19 day of FEB, 2013 by Paul V. Washburn and Robert A. Henrie in the capacity indicated.

  
NOTARY PUBLIC



**DECLARATION OF CONDOMINIUM  
(Including Owner Association Bylaws)**

**OF**

**II CENTRO PIAZZA CONDOMINIUMS**

**(A Convertible Space Condominium Project)  
Orem, Utah**

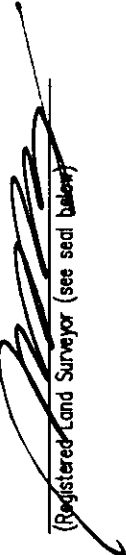
| <u>Unit No.</u>             | <u>Size Usable</u><br>(Square Feet) | <u>Interest in Common Area</u><br>(Percentage) | <u>Votes</u> |
|-----------------------------|-------------------------------------|--|--------------|
| <b>1st Floor</b>            |                                     |  |              |
| 101                         | 2,648                               | 4.51   | 2,648        |
| 102                         | 2,848                               | 4.86   | 2,848        |
| 103                         | 3,693                               | 6.30   | 3,693        |
| 104                         | 729                                 | 1.25   | 729          |
| 105                         | 4,877                               | 8.31   | 4,877        |
| 107                         | 2,304                               | 3.94   | 2,304        |
| 108                         | 3,043                               | 5.19   | 3,043        |
| <b>2<sup>nd</sup> Floor</b> |                                     |  |              |
| 201                         | 3,400                               | 5.80   | 3,400        |
| 202                         | 2,313                               | 3.94   | 2,313        |
| 203                         | 1,909                               | 3.26   | 1,909        |
| 204                         | 2,131                               | 3.64   | 2,131        |
| 205                         | 4,289                               | 7.31   | 4,289        |
| 206                         | 916                                 | 1.56   | 916          |
| 207                         | 1,581                               | 2.64   | 1,581        |
| 208                         | 3,066                               | 5.23   | 3,066        |
| <b>3<sup>rd</sup> Floor</b> |                                     |  |              |
| 301                         | 2,580                               | 4.40   | 2,580        |
| 302                         | 2,530                               | 4.31   | 2,530        |
| 303                         | 3,072                               | 5.24   | 3,072        |

|                |               |                |               |
|----------------|---------------|----------------|---------------|
| <b>305</b>     | 2,148         | 3.66           | 2,148         |
| <b>306</b>     | 3,040         | 5.18           | 3,040         |
| <b>307</b>     | 2,755         | 4.69           | 2,755         |
| <b>308</b>     | 2,803         | 4.78           | 2,803         |
| <b>Totals:</b> | <b>58,934</b> | <b>100.00%</b> | <b>58,934</b> |

- (1) Size based on the approximated number of square feet of floor space within each respective unit or Convertible Space as shown on the Map and rounded off (including to center under interior walls and to surface of exterior walls), as determined by Dudley & Associates Engineers-Planners-Surveyors, Orem, Utah.
- (2) Percentages may be adjusted by one one-thousandth of a percentage point in order to provide for a total of one hundred percent (100%).

## Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 147089 as prescribed under the laws of the State of Utah. I further certify that at the request of the owner of the below-described land, I performed a Survey of said land: that the boundary description below correctly describes the land surface upon which will be constructed IL Centro Piazza Condominiums. A Convertible Space Condominium, that the record of survey map for said Condominium Project, consisting of two ( 2 ) page(s), is accurate and complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act; and that the reference markers shown on said map are located as shown and are sufficient to readily retrace or reestablish this survey.

Date 2/19/13  
  
 (Registered Land Surveyor (see seal below))

## Boundary Description

Commencing at a point located North 00°39'38" West along the Section line 145.054 feet and West 708.21 feet from the East quarter corner of Section 9, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°25'50" West along the Northerly boundary line of 800 North Street 359.78 feet; thence North 129.69 feet; thence East 9.08 feet; thence North 135.48 feet; thence West 21.74 feet; thence North 190.07 feet; thence East along the Southerly boundary line of 880 North Street 353.25 feet; thence along the arc of a 20.00 foot radius curve to the right 31.45 feet (chord bears South 44°56'43" East 28.31 feet) thence; South 00°06'34" West along the Westerly boundary line of 900 West Street 431.63 feet to the point of beginning.

Area: 164,422 SF 3.77 Acres

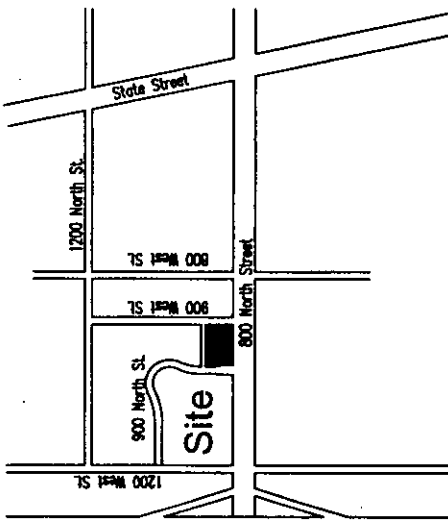
Basis of Bearing is North 00°39'38" West along the Section line from the East quarter corner of the Northeast corner of said Section 9.

## Owner's Certificate and Dedication

The Undersigned owner ("owner", without regard to number of gender) of the above-described Land hereby certifies that: owner has caused a survey to be made of said land and this record of Survey Map ("Map") and Declaration of Condominium ("Declaration") to be prepared for IL Centro Piazza Condominiums. A Convertible Space Condominium Project (the "Project"); owner hereby consents to the concurrent recordation of the Map and Declaration and hereby submits the described land to the provisions of the Utah Condominium Ownership Act: owner hereby dedicates any public streets reflected on the map for the use by the General Public and Declares all other driveways or private streets reflected on the Map to be private and intended for use only by owners of Condominium Units within the project, their guests and invitees, as reflected in the provisions of the declaration.

## Utility Dedication

The undersigned owner of the Parcel of land which is shown upon the Plat of IL Centro Piazza Condominiums, A Convertible Space Condominium, consent to the preparation and recordation of this Plat and does hereby offer and convey to all Public Utility Agencies and their successors and assigns a permanent easment and right of way as shown by the areas marked "Utility Easement", "Private Streets", and "Common Area" on the within Plat for the construction and maintenance of public utilities and appurtenances, together with right of access thereto. It is also hereby understood that all Units have a cross easement through each other for the placement of necessary utilities to serve adjacent units.



Vicinity Map