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AFTER RECORDING PLEASE RETURN TO:
II Centro Piazza Condominiums
Paul Washburn
505 North 1500 West
Orem, Utah 84057



ENT 80638:2011 PG 1 of 6
JEFFERY SMITH
UTAH COUNTY RECORDER
2011 Nov 09 9:09 am FEE 38.00 BY SW
RECORDED FOR OREM CITY CORPORATION

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

THIS FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM (the "Fifth Amendment to Declaration") is made this 26 day of October, 2011, 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 Fifth 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 Fifth Supplemental Record of Survey Map and this Fifth 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 Fifth Supplemental Record of Survey Map.

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

INSERT LEGAL DESCRIPTION

NOW, THEREFORE, Declarant hereby makes this Fifth 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 17 Condominium Units and Convertible Space, 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.

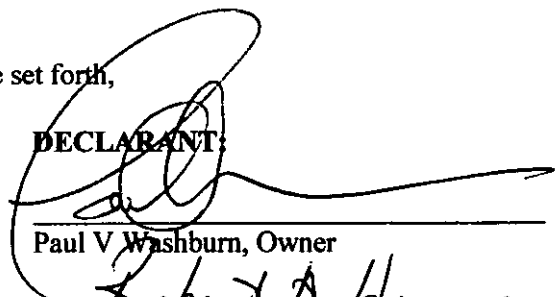
(b) **Exhibit B** to the Declaration is amended in its entirety to read as set forth in **Amended Exhibit B**, attached hereto and made a part hereof.

2 Except as amended by the provisions of this Fifth 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**.

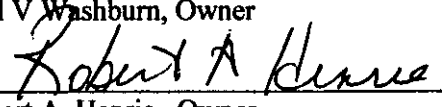
3 This Fifth Amendment to Declaration shall be recorded in the Public Records simultaneously with the Project's Second Supplemental Record of Survey Map, consisting of two sheets prepared by Roger D. Dudley, a Utah registered land surveyor holding Certificate No. 147089. Both such instruments shall be effective upon recordation.

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

DECLARANT:



Paul V. Washburn, Owner



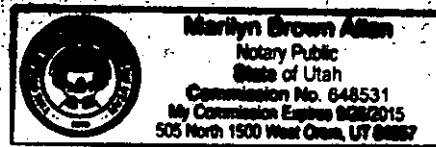
Robert A. Henrie, Owner

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 26 day of October 2011 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> (Square Feet)	<u>Interest in Common Area</u> (Percentage)	<u>Votes</u>
1st Floor			
101	2,648	4.50	2,648
102	2,848	4.83	2,848
103	3,693	6.28	3,693
104	729	1.23	729
105	4,877	8.23	4,877
107	2,304	3.90	2,304
108	3,043	5.16	3,043
2nd Floor			
Convertible Space	4,300	7.30	4,300
201	3,400	5.78	3,400
202	2,313	3.92	2,313
205	4,289	7.28	4,289
206	916	1.55	916
207	1,581	2.68	1,581
208	3,066	5.21	3,066
3rd Floor			
Convertible Space	4,123	7.00	4,123
301	2,580	4.38	2,580

302	2,530	4.33	2,530
303	4,136	7.01	4,136
307	2,755	4.68	2,755
308	2,803	4.75	2,803
Totals:	58,934	100.00%	58,934

- (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%).

Boundary Description

Commencing at a point located North $00^{\circ}39'38''$ West along the Section line **146.54** 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 $89^{\circ}25'50''$ 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 $44^{\circ}56'43''$ East 28.31 feet) thence; South $00^{\circ}06'34''$ 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 $00^{\circ}39'38''$ West along the Section line from the East quarter corner of the Northeast corner of said Section 9