

AFTER RECORDING PLEASE RETURN TO:
Clyde Hopeful, L.L.C.
730 North 1500 West
Orem, UT 84057

ENT 75022:2015 PG 1 of 8
Jeffery Smith
Utah County Recorder
2015 Aug 18 11:00 AM FEE 85.00 BY SS
RECORDED FOR United West Title
ELECTRONICALLY RECORDED

CORRECTED
FIRST AMENDMENT TO

DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)
Of
VILLA D'ESTE RESIDENTIAL CONDOMINIUMS
(An Expandable Condominium Project)
Orem, Utah

THIS CORRECTED FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM (the "First Amendment to Declaration") is made this 17th day of August, 2015, by CLYDE HOPEFUL, L.L.C. ("Declarant") pursuant of the provisions of Title 57, Chapter 8 of the *Utah code*, as amended, known as the Condominium Ownership Act (the "Act").

RECITALS:

- A. All defined terms as used in this First 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 13230:2015 on February 23, 2015 pages 1 through 33, 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 13229-2015 Map #14512 on February 23, 2015.
- 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 First Supplemental Record of Survey Map and this First Amendment of Declaration to be prepared for simultaneous recordation in the Public Records in order to convert certain Convertible Space in the Project into additional Units as reflected on the FIRST Supplemental Record of Survey Map.
- D. The real property to which this FIRST Amendment to Declaration and the First Supplemental Record of Survey map are applicable is located in Orem, Utah County, Utah and is described as follows:

See Boundary Description

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

1. The Declaration is hereby amended in the following particulars as a results of, and pursuant to, the conversion of a portion of the Expandable Condominium:

A. Section 2.02 of the Declaration is amended in its entirety to read as follows:

2.02 Addition of Project Condominium Units and Ownership Interest. The project is hereby divided into 60 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 **Exhibit C**, 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 First 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 Expandable Space as described on the First Supplemental Record of Survey Map and the attached **Amended Exhibit B**.

This First 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.

This corrects First Amendment to Declaration of Condominium of Villa D'Este Residential Condominiums dated July 14, 2015 and recorded July 15, 2015 as Entry Nol. 62859:2015.

Dated this 17th day of August, 2015.

DECLARANT:



Clyde Hopeful, L.L.C., Owner

State of Utah)
 : SS
County Utah)

The foregoing instrument was acknowledged before me this 17th day August, 2015, by Bruce R. Dickerson for Clyde Hopeful, L.L.C., in the capacity indicated.



Notary Public

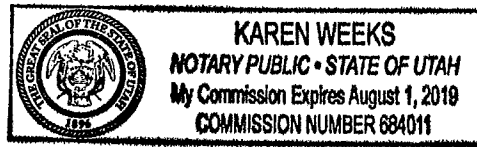


EXHIBIT A

Commencing at a point being located North 00°39'38" West along the Section line 1032.40 feet and West 2172.62 feet from the East quarter corner of Section 9, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North partially along Lot 1, Plat "D", Northgate Village Subdivision 213.63 feet; thence North 90°00'00" East 50.55 feet; South 00°00'00" East 51.35 feet; thence North 90°00'00" East 153.46 feet; thence North 00°00'00" East 278.42 feet; thence North 90°00'00" East 133.17 feet more or less to the Westerly boundary of Phase 5, Sorrento Park Condominiums as shown on record in the office of the Utah County Recorder, Utah County, Utah; thence along said Sorrento Park Condominiums as follows: South 00°00'00" East 20.19 feet, South 90°00'00" West 17.31 feet, South 00°00'00" East 112.56 feet, North 90°00'00" East 12.25 feet, South 00°00'08" West 209.08 feet more or less to 950 North Street; thence South 67°42'10" West along 950 North Street 143.80 feet; thence along the arc of a 605.00 foot radius curve to the right 204.92 feet (chord bears South 77°27'12" West 203.94 feet) more or less to the point of beginning.

Area = 78,129 sq.ft. or 1.79 Acres

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

Amended Exhibit "B"

Boundary Description

Commencing at a point being located North 00°39'38" West along the Section line 1194.69 feet and West 1966.74 feet from the East quarter corner of Section 9, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence West along Phase 1, Villa D'este Condominiums as follows: North 90°00'00" West 153.46 feet; North 00°00'00" West 51.35 feet, North 90°00'00" West 50.55 feet; thence North 00°00'00" East 216.00 feet; thence North 90°00'00" East 68.51 feet; thence South 00°00'00" East 85.45 feet; thence North 90°00'00" East 67.51 feet; thence North 00°00'00" East 56.35 feet; thence North 90°00'00" East 67.35 feet; thence South 00°09'13" East 238.25 feet more or less to the point of beginning.

Area = 44,123 sq.ft. or 1.01 Acres

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

Exhibit "C"

**DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)
Of
VILLA D'ESTE RESIDENTIAL CONDOMINIUMS
(An Expandable Condominium Project)
Orem, Utah**

<u>Unit No.</u>		<u>Interest in Common Area (Percentage)</u>	<u>Votes</u>
Bld. 1			
1		1.67	1
2		1.67	1
3		1.66	1
4		1.67	1
5		1.67	1
6		1.66	1
7		1.67	1
8		1.67	1
9		1.66	1
10		1.67	1
11		1.67	1
12		1.66	1
13		1.67	1
14		1.67	1
15		1.66	1
16		1.67	1
17		1.67	1
18		1.66	1
19		1.67	1
20		1.67	1

Bld. 2			
21		1.66	1
22		1.67	1
23		1.67	1
24		1.66	1
25		1.67	1
26		1.67	1
27		1.66	1
28		1.67	1
29		1.67	1
30		1.66	1
31		1.67	1
32		1.67	1
33		1.66	1
34		1.67	1
35		1.67	1
36		1.66	1
37		1.67	1
38		1.67	1
39		1.66	1
40		1.67	1
Bld. 3			
41		1.67	1
42		1.66	1
43		1.67	1
44		1.67	1
45		1.66	1
46		1.67	1
47		1.67	1
48		1.66	1
49		1.67	1
50		1.67	1

51		1.66	1
52		1.67	1
53		1.67	1
54		1.66	1
55		1.67	1
56		1.67	1
57		1.66	1
58		1.67	1
59		1.67	1
60		1.66	1
Totals		100	60

(1) Percentages may be adjusted by one one-thousandth of a percentage point in order to provide for a total of one hundred percent (100%).