

ENT 95823:2008 PG 1 of 6
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2008 Aug 28 9:32 am FEE 36.00 BY SS
RECORDED FOR OREM CITY CORPORATION

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF MILANO VILLAGE CONDOMINIUMS**
A Utah Condominium Project

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF MILANO VILLAGE CONDOMINIUMS, a Utah Condominium Project (this "Third Amendment"), is made and executed this 14 day of August, 2008, by Gunsmoke Properties LLC, a Utah limited liability company ("Declarant").

RECITALS:

A. A certain Declaration of Condominium of Milano Village Condominiums, a Utah Condominium Project was recorded in the office of the County Recorder of Utah County, State of Utah, on August 28, 2008, as Entry No. 95817:08, and has previously been amended (hereafter collectively the "Declaration").

B. A certain Condominium Plat known as Phase 1 Second Amended Milano Village Condominiums including a vacation of Phase 1 Amended Milano Village Condominiums and the vacation of Phases 2 through 6 of Milano Village Condominiums was executed and recorded in the office of the County Recorder of Utah County, State of Utah concurrently with the Declaration and has previously been amended (hereafter collectively referred to as the "Plat") relative to the Milano Village Condominiums (the "Project").

C. Declarant, as provided in Article 16 of the Declaration and pursuant to Section 57-8-13.6 of the Act, has reserved the sole and exclusive right to expand the Project from time to time by adding thereto all or any portion of the Additional Land to the Project.

D. Declarant desires to add to the Project the portion of the Additional Land described in Exhibit A, attached hereto and incorporated herein by reference (the "Phase 4 Property").

AGREEMENT:

NOW, THEREFORE, the Declaration is hereby amended as follows, with such amendment to become effective upon the recording of this Fourth Amendment and the Phase 4 Second Amended Milano Village Condominiums (the "Phase 4 Plat"), a copy of which is being recorded in the office of the County Recorder of Utah County, Utah on or about the date hereof:

1. Units and Boundaries. The Project is hereby expanded to include the Phase 4 Property and which Phase 4 Property shall consist of sixteen (16) total condominium units located in one (1) building. Each Unit in the Phase 4 Property is given an identifying number and the Building constructed on the Phase 4 Property is depicted on the Phase 4 Plat. The Project as expanded by this Third Amendment shall be known as Milano Village Condominiums, a Utah Condominium Project.

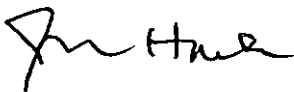
2. Reallocation of Undivided Interests in Common Areas. Attached as Exhibit B to the Declaration is a Table of Units, Undivided Ownership Interests, and Votes (the "Table of Units & Ownership Interests"). Pursuant to the provisions of Section 57-8-13.10 of the Act, the undivided ownership interests in the Common Areas and Facilities of the Project and the votes in the Association appurtenant to each Unit in the Project are hereby reallocated between the Units in accordance with the attached Amended Exhibit B To The Declaration Of Condominium Of Milano Village Condominiums, A Utah Condominium Project, Table Of Units, Undivided Ownership Interests, and Votes (the "Amended Table of Units & Ownership Interests"), which is attached hereto as Exhibit C and incorporated herein by reference. The Amended Table of Units, Undivided Ownership Interests, and Votes hereby amends, restates and replaces in its entirety each and every prior Table of Units & Undivided Ownership Interests.

3. Construction. From and after the date hereof, all references in the Declaration and the Plat, as previously amended and supplemented, shall be deemed to and shall refer to the Declaration and the Plat, as amended hereby and by the Phase 4 Plat. Except as modified by this Third Amendment, each of the words used in this Third Amendment shall have the meaning given to each such term in the Declaration and Declarant hereby ratifies and confirms all of the terms and provisions of the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment on the date and year first above written.

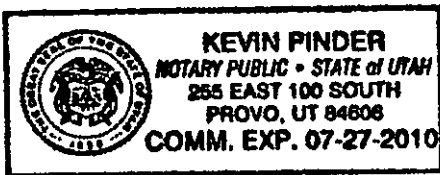
DECLARANT:

GunsMoke Properties LLC
A Utah limited liability company

By: 
Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

On the 14 day of AUGUST, 2008, personally appeared before me Scott W. Hansen, the manager of GunsMoke Properties LLC, a Utah limited liability company, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.




NOTARY PUBLIC

EXHIBIT A

PHASE 4 PROPERTY LEGAL DESCRIPTION

That certain real property located in Utah County, Utah and more particularly described as follows:

N Township 6

Commencing at a point located North 00°39'38" West along the Section line 1374.77 feet and west 1017.29 feet from the East quarter corner of Section 9, South, Range 2 East, Salt Lake Base and Meridian; thence South 45°00'00" West along Phase 3, Milano Village Condominiums 104.75 feet; thence North 45°00'00" West partially along Phase 3, Milano Village Condominiums 15.34 feet; thence South 45°00'00" West 62.00 feet; thence North 45°00'00" West 54.43 feet; thence North 36°24'23" East 70.80 feet; thence North 37°04'13" West 43.28 feet; thence North 02°47'09" East 22.88 feet; thence North 44°30'19" East 73.83 feet; thence South 45°00'00" East 139.21 feet to the point of beginning.

Area: 17,621 sq. ft. 0.40 acres

EXHIBIT B

(Amended Table of Units, Undivided Ownership Interests, and Votes)

<u>UNIT NO.</u>	<u>PAR OR STATED VALUE</u>	<u>UNDIVIDED OWNERSHIP INTERESTS</u> (Percentage)	<u>VOTES</u>
101	\$185,000	1.5625%	1
102	\$185,000	1.5625%	1
103	\$185,000	1.5625%	1
104	\$185,000	1.5625%	1
105	\$185,000	1.5625%	1
106	\$185,000	1.5625%	1
107	\$185,000	1.5625%	1
108	\$185,000	1.5625%	1
109	\$185,000	1.5625%	1
110	\$185,000	1.5625%	1
111	\$185,000	1.5625%	1
112	\$185,000	1.5625%	1
113	\$185,000	1.5625%	1
114	\$185,000	1.5625%	1
115	\$185,000	1.5625%	1
116	\$185,000	1.5625%	1
201	\$185,000	1.5625%	1
202	\$185,000	1.5625%	1
203	\$185,000	1.5625%	1
204	\$185,000	1.5625%	1
205	\$185,000	1.5625%	1

<u>UNIT NO.</u>	<u>PAR OR STATED VALUE</u>	<u>UNDIVIDED OWNERSHIP INTERESTS</u> (Percentage)	<u>VOTES</u>
206	\$185,000	1.5625%	1
207	\$185,000	1.5625%	1
208	\$185,000	1.5625%	1
209	\$185,000	1.5625%	1
210	\$185,000	1.5625%	1
211	\$185,000	1.5625%	1
212	\$185,000	1.5625%	1
213	\$185,000	1.5625%	1
214	\$185,000	1.5625%	1
215	\$185,000	1.5625%	1
216	\$185,000	1.5625%	1
301	\$185,000	1.5625%	1
302	\$185,000	1.5625%	1
303	\$185,000	1.5625%	1
304	\$185,000	1.5625%	1
305	\$185,000	1.5625%	1
306	\$185,000	1.5625%	1
307	\$185,000	1.5625%	1
308	\$185,000	1.5625%	1
309	\$185,000	1.5625%	1
310	\$185,000	1.5625%	1
311	\$185,000	1.5625%	1
312	\$185,000	1.5625%	1
313	\$185,000	1.5625%	1

<u>UNIT NO.</u>	<u>PAR OR STATED VALUE</u>	<u>UNDIVIDED OWNERSHIP INTERESTS</u> (Percentage)	<u>VOTES</u>
314	\$185,000	1.5625%	1
315	\$185,000	1.5625%	1
316	\$185,000	1.5625%	<u>1</u>
401	\$185,000	1.5625%	1
402	\$185,000	1.5625%	1
403	\$185,000	1.5625%	1
404	\$185,000	1.5625%	1
405	\$185,000	1.5625%	1
406	\$185,000	1.5625%	1
407	\$185,000	1.5625%	1
408	\$185,000	1.5625%	1
409	\$185,000	1.5625%	1
410	\$185,000	1.5625%	1
411	\$185,000	1.5625%	1
412	\$185,000	1.5625%	1
413	\$185,000	1.5625%	1
414	\$185,000	1.5625%	1
415	\$185,000	1.5625%	1
416	\$185,000	1.5625%	<u>1</u>
	\$11,840,000	100.00%	64

*Par or State Value has been determined as provided in the Declaration.