Recorded 28-JUL-2022 Filing No. 103798
At 02:00 PM Bk X12 Pg 1119 Fee \$92.00
Krystal G Butterfield Rich County Recorder
By PATRICIA WINTERER

WHEN RECORDED, RETURN TO:

Nicole C. Evans, Esq. Ballard Spahr LLP 201 S. Main Street, Suite 800 Salt Lake City, UT 84111

SECOND SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
OF
LAKE RESIDENCES AT BEAR LAKE

An Expandable Utah Condominium Project

PHASES 7A and 7B

This Second Supplement to Declaration of Condominium of Lake Residences at Bear Lake, an Expandable Utah Condominium Project Phases 7A and 7B ("Second Supplement") is executed pursuant to the provisions of the Declaration of Condominium of Lake Residences at Bear Lake, an Expandable Utah Condominium Project, as described in Recital C hereof, and the provisions of the Utah Condominium Ownership Act, Title 57, Chapter 8, Utah Code Annotated, as amended (the "Act"), by Water's Edge Properties, LLC, a Utah limited liability company ("Declarant").

RECITALS

- A. Declarant holds both legal and equitable title to that certain real property located in Rich County, Utah, described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"), upon which Declarant has created a condominium project, known as Lake Residences at Bear Lake Condominium (the "Project").
- B. Declarant executed that certain Declaration of Condominium of Lake Residences at Bear Lake, an Expandable Utah Condominium Project (the "Declaration") dated November 9, 2021, and recorded in the office of the Rich County Recorder on November 18, 2021, as Filing No. 101882 (the "Condominium Declaration"), and that certain First Supplement to Declaration of Condominium of Lake Residences at Bear Lake, an Expandable Utah Condominium Project Phase 8B, dated [January 31], 2022 and recorded in the office of the Rich County Recorder on [July 28], 2022 as Entry No. [103795] (the "First Supplement", and collectively with the Condominium Declaration, the "Declaration").
- C. On November 18, 2021, in connection with the recording of the Condominium Declaration, Declarant also recorded that certain Lake Residences at Bear Lake Phase 8A Condominium Plat, as Filing No. 101881 in the Rich County Recorder's Office (the "Initial Condominium Plat"). In connection with the recording of the First Supplement, Declarant also recorded that certain Lake Residences at Bear Lake Phase 8B Condominium Plat, as Entry No.

[_____] in the Rich County Recorder's Office (the "First Supplemental Condominium Plat", and collectively with the Initial Condominium Plat, the "Condominium Plat").

- D. Pursuant to Article 8 of the Declaration, Declarant reserved the right to expand the Project without the prior consent of any Owners, Mortgagees, Management Committee or any other person having any right or interest in all or any portion of the Project. Declarant now desires to exercise its right to expand the Project by adding to the Project the Additional Land described on Exhibit "C" attached hereto and incorporated herein by this reference (the "Additional Land").
- E. In connection with Declarant's exercise of its right to expand described above, sixteen (16) Units will be added to the Project, together with additional Common Areas and Facilities, and Limited Common Areas and Facilities, as identified in two supplemental condominium plats entitled "Lake Residences at Bear Lake Phase 7A" condominium plat and "Lake Residences at Bear Lake Phase 7B" condominium plat (together referred to herein as the "Second Supplemental Condominium Plats"). The Second Supplemental Condominium Plats will be recorded with the Rich County Recorder's Office in connection with the recording of this Second Supplement. Declarant will be the Owner of the Units shown on the Second Supplemental Condominium Plats, including the appurtenant ownership interest in the Common Areas and Facilities, created by exercise of the Option to Expand.

NOW, THEREFORE, Declarant hereby unilaterally exercises its right to expand the Additional Land, and unilaterally amends the Declaration as follows:

- 1. <u>Defined Terms and Status of Recitals</u>. Capitalized terms used and not otherwise defined in this Second Supplement shall have the meaning or meanings given to them in the Declaration. The Recitals set forth above shall constitute a portion of the terms of this Second Supplement.
- 2. Exercise of Option to Expand. Declarant hereby exercises the Option to Expand as set forth in Article 8 of the Declaration. The Additional Land, as more particularly described in Exhibit "C" attached hereto, is hereby added to and made a part of the Project, with Units, Common Areas and Facilities, and Limited Common Areas and Facilities as more particularly set forth in the Second Supplemental Condominium Plat. Declarant declares that from and after recordation of this Second Supplement and the Second Supplemental Condominium Plats, the Additional Land shall be subject to, and governed by, the provisions of the Declaration and any amendments or supplements thereto. A copy of the Second Supplemental Condominium Plats are attached hereto as Exhibit "D".
- 3. <u>Reallocation of Undivided Interests and Replacement of Exhibit "B"</u>. Pursuant to Section 8.5 of the Declaration, the undivided interests in the Common Areas and Facilities are hereby reallocated on the same basis as described in the Declaration. Exhibit "B" to the Declaration, setting forth the Schedule of Units, Square Footage, Votes and Undivided Interests in the Common Areas is hereby amended and restated in its entirety by Exhibit "B" attached to this Second Supplement and incorporated herein by this reference.
- 4. <u>Declaration Remains in Effect</u>. The Second Supplement and the Second Supplemental Condominium Plats shall be considered supplemental to the Declaration and the Condominium Plat. Except as expressly amended by the foregoing, the Declaration and the

Condominium Plat shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated or amended by the recording of this Second Supplement and the Second Supplemental Condominium Plats.

5. <u>Authority</u>. Declarant hereby certifies that Declarant may execute this Second Supplement without the consent or signature of any Owners pursuant to the Act and Article 8 of the Declaration.

IN WITNESS WHEREOF, this Second Sup	oplement is hereby executed this 3\ day of
C	DECLARANT:
	WATER'S EDGE PROPERTIES, LLC a Utal limited liability company By: Name: Citlus Stylan Its: Manager
STATE OF UTAL) COUNTY OF UTAL)	, , , , , , , , , , , , , , , , , , ,
The foregoing instrument was acknown 2022, by CHOS Str. Edge Properties. LLC, a Utah limited liability company	the Marore of Water's
	NOTARY PUBLIC
	Residing at: Draper, UT
My Commission Expires: 12 23 2025	ASHLEY MIKELLE BARTOW Notary Public - State of Utah Comm. No. 722133 My Commission Expires on Dec 23, 2025

EXHIBIT "A"

PROJECT LEGAL DESCRIPTION

LAKE RESIDENCES AT BEAR LAKE PHASE 8 A BOUNDARY LEGAL DESCRIPTION

COMMENCING AT THE RICH COUNTY MONUMENT REPRESENTING THE WEST ONE QUARTER CORNER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN, THENCE NORTH 00°31'22" EAST 708.97 FEET AND EAST 2225.28 FEET TO THE TRUE POINT OF BEGINNING, (BASIS OF BEARINGS BEING NORTH 00°31'22" EAST BETWEEN THE RICH COUNTY MONUMENTS REPRESENTING THE WEST ONE QUARTER CORNERS OF SECTION 21 AND 16, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN):

THENCE N00°57'12"E 11.50 FEET; THENCE N89°02'48"W 14.96 FEET; THENCE N00°57'12"E 33.50 FEET; THENCE S89°02'48" 14.96 FEET; THENCE N00°57'12"E 12.50 FEET; THENCE S89°02'48"E 20.33 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE S89°02'48"E 46.00 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 9.33 FEET; THENCE S00°57'12"W 30.17 FEET; THENCE S89°02'48E 9.33 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 46.00 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE N89°02'48"W 20.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.092 ACRES, OR 4003 SQUARE FEET

LAKE RESIDENCES AT BEAR LAKE PHASE 8 B
BOUNDARY LEGAL DESCRIPTION

COMMENCING AT THE RICH COUNTY MONUMENT REPRESENTING THE WEST ONE QUARTER CORNER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 00°31'22" EAST 766.46 FEET AND EAST 2225.71 FEET TO THE TRUE POINT OF BEGINNING, (BASIS OF BEARINGS BEING NORTH 00°31'22" EAST BETWEEN THE RICH COUNTY MONUMENTS REPRESENTING THE WEST ONE QUARTER CORNERS OF SECTION 21 AND 16, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN):

THENCE N00°57'12"E 11.50 FEET; THENCE N89°02'48"W 14.96 FEET; THENCE N00°57'12"E 33.50 FEET; THENCE S89°02'48" 14.96 FEET; THENCE N00°57'12"E 12.50 FEET; THENCE S89°02'48"E 20.33 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE S89°02'48"E 46.00 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 9.33 FEET; THENCE S00°57'12"W 30.17 FEET; THENCE S89°02'48E 9.33 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 46.00 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE N89°02'48"W 20.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.092 ACRES, OR 4003 SQUARE FEET

EXHIBIT "B"

SCHEDULE OF UNITS, SQUARE FOOTAGE, PAR VALUE POINTS, VOTES AND UNDIVIDED INTERESTS IN COMMON AREAS

Schedule of Units, Square Footage, Votes and Undivided Interests

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	Undivided Interest Per Unit ²	No. of Votes Per Unit ³
101E	1635	2.8%	8
102E	1635	2.8%	8
201E	1635	2.8%	8
202 E	1635	2.8%	8
301E	1635	2.8%	8
302E	1635	2.8%	8
401E	1635	2.8%	8
402E	1635	2.8%	8
101D	1635	2.8%	8
102D	1635	2.8%	8
201D	1635	2.8%	8
202D	1635	2.8%	8
301D	1635	2.8%	8
302D	1635	2.8%	8
401D	1635	2.8%	8
402D	1635	2.8%	8
101C	1635	2.8%	8
102C	1635	2.8%	8
201C	1635	2.8%	8
202C	1635	2.8%	8
301C	1635	2.8%	8
302C	1635	2.8%	8
401C	1635	2.8%	8
402C	1635	2.8%	8
101B	1635	2.8%	8
102B	1635	2.8%	8
201B	1635	2.8%	8
202B	1635	2.8%	8
301B	1635	2.8%	8
302B	1635	2.8%	8
401B	1635	2.8%	8

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	Undivided Interest Per Unit ²	No. of Votes Per Unit ³
402B	1635	2.8%	8
Convertible Space (Building E – Phase 8A)	1241	2.1%	6
Convertible Space (Building D – Phase 8B)	1241	2.1%	6
Convertible Space (Building C – Phase 7A)	1241	2.1%	6
Convertible Space (Building B – Phase 7B)	1241	2.1%	6
Totals:	57,284	98%	280

Once the Units are completed, Declarant has the unilateral right, but not the obligation to amend this Exhibit B to reflect the actual Square Footage of the Units, as constructed.

May total slightly more or less than 100% or 100 due to rounding.

Whole numbers shown reflect the correct rounded votes per Unit.

EXHIBIT "C"

LEGAL DESCRIPTION OF ADDITIONAL LAND ADDED TO THE PROJECT

Phase 7A:

LAKE RESIDENCES AT BEAR LAKE PHASE 7A BOUNDARY LEGAL DESCRIPTION

COMMENCING AT THE RICH COUNTY MONUMENT REPRESENTING THE WEST ONE-QUARTER CORNER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN, THENCE NORTH 00°31'22" EAST 823.95' FEET AND EAST 2226.14 FEET TO THE TRUE POINT OF BEGINNING, (BASIS OF BEARINGS BEING NORTH 00°31'22" EAST BETWEEN THE RICH COUNTY MONUMENTS REPRESENTING THE WEST ONE-QUARTER CORNER OF SECTION 21 AND THE WEST ONE-QUARTER CORNER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN):

THENCE N00°57'12"E 11.50 FEET; THENCE N89°02'48"W 14.96 FEET; THENCE N00°57'12"E 33.50 FEET; THENCE S89°02'48"E 14.96 FEET; THENCE N00°57'12"E 12.50 FEET; THENCE S89°02'48"E 20.33 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE S89°02'48"E 46.00 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 9.33 FEET; THENCE S00°57'12"W 30.17 FEET; THENCE S89°02'48"E 9.33 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 46.00 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE N89°02'48"W 20.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.092 ACRES, OR 4,003 SQUARE FEET

Phase 7B:

LAKE RESIDENCES AT BEAR LAKE PHASE 7B BOUNDARY LEGAL DESCRIPTION

COMMENCING AT THE RICH COUNTY MONUMENT REPRESENTING THE WEST ONE-QUARTER CORNER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN, THENCE NORTH 00°31'22" EAST 881.45' FEET AND EAST 2226.57 FEET TO THE TRUE POINT OF BEGINNING, (BASIS OF BEARINGS BEING NORTH 00°31'22" EAST BETWEEN THE RICH COUNTY MONUMENTS REPRESENTING THE WEST ONE-QUARTER CORNER OF SECTION 21 AND THE WEST ONE-QUARTER CORNER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN):

THENCE N00°57'12"E 11.50 FEET; THENCE N89°02'48"W 14.96 FEET; THENCE N00°57'12"E 33.50 FEET; THENCE S89°02'48"E 14.96 FEET; THENCE N00°57'12"E 12.50 FEET; THENCE S89°02'48"E 20.33 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE S89°02'48"E 46.00 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 9.33 FEET; THENCE S00°57'12"W 30.17 FEET; THENCE S89°02'48"E 9.33 FEET; THENCE S00°57'12"W 13.33 FEET; THENCE N89°02'48"W 46.00 FEET; THENCE S00°57'12"W 0.33 FEET; THENCE N89°02'48"W 20.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.092 ACRES, OR 4,003 SQUARE FEET

EXHIBIT "D"

COPY OF SECOND SUPPLEMENTAL CONDOMINIUM PLATS

(Attached)

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