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Book - 9627 Pg - 4655-4662
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES
9962 S REDWOOD ROAD
SOUTH JORDAN UT 84095
BY: BRP, DEPUTY - WI 8 P.

WHEN RECORDED, RETURN TO:

McArthur Homes
9962 South Redwood Road
South Jordan, UT 84095

**FIRST AMENDMENT
TO
FOURTH DECLARATION OF ANNEXATION
FOR AMBERLEY CONDOMINIUMS
(PHASE 5)**

THIS FIRST AMENDMENT TO THE FOURTH DECLARATION OF ANNEXATION is made this ___ day of _____ 2008 by McArthur Homes at Legacy Ranch Towns, LC, a Utah limited liability company ("Declarant").

RECITALS

A. Declarant is the owner and developer of Amberley Condominiums, an expandable condominium project in West Jordan City, Salt Lake County, Utah (the "Development");

B. On August 7th, 2007, Declarant recorded the Declaration of Covenants, Conditions and Restrictions for Amberley Condominiums as Entry No. 10186372 in the Salt Lake County Recorder's Office (the "Declaration");

C. On February 25, 2008, Declarant recorded the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Amberley Condominiums as Entry No. 10355795, Book 95573, Pages 7824-7895.

D. On August 7, 2007, Declarant recorded the Fourth Declaration of Annexation for Amberley Condominiums (Phase 5) as Entry No. 10186380, Book 9500, Pages 8122-8127.

E. Pursuant to Article III, Section 3.1 of the Declaration, Declarant is permitted to expand the Development by the annexation into the Development of additional real property that is part of the Additional Property as set forth and described in the Declaration for purposes of development of additional Units and Common Areas, if any, consistent with the existing Phase 1 of the Development and with the Declaration;

F. Pursuant to Article III of the Declaration, Declarant hereby amends the Fourth Declaration of Annexation for Amberley Condominiums.

NOW THEREFORE, Declarant hereby adds the following sections to the Fourth Declaration of Annexation as follows:

6. Declarant hereby revises the existing Project to replace Buildings 121 and 123 with handicap accessible buildings as described in the revised building layouts in Exhibit B, Phase 5 (Amended), Buildings 121 and 123.

7. Phase 5 Amended Plat: Declarant hereby submits the real Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act ("Amended Phase 5"). Declarant is the sole owner of the Phase 5 Property and said Property shall be known as the Amberley Condominiums Amended Phase 5, and shall be subject to the provisions of the Amended and Restated Declaration of Covenants Conditions and Restrictions of the Amberley Condominiums referred to above and Amendments thereof.

8. Improvements: The improvements to be built as Buildings 121 and 123 of the Phase 5 Property shall be architecturally compatible with the existing Units and shall be of similar quality.

This Amendment to the Fourth Declaration of Annexation for Amberley Condominiums (Phase 5), shall take effect upon recording in the office of the Country Recorder of Salt Lake County, Utah by MCARTHUR HOMES AT LEGACY RANCH TOWNS, LC.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first set forth above.

DECLARANT

MCARTHUR HOMES AT
LEGACY RANCH TOWNS, LC

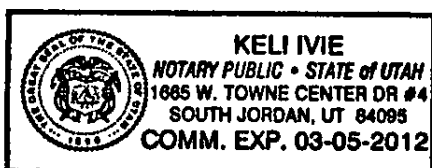
By: McArthur Homes, Inc., its Manager

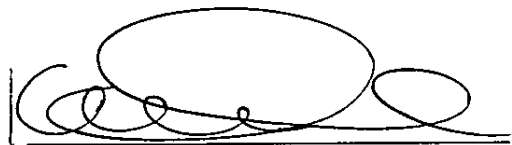


By: Dave McArthur
Its: Co-President

STATE OF UTAH)
)ss:
County of Salt Lake)

The foregoing Declaration of Annexation was acknowledged before me on this 16 day of July, 2008 by Dave McArthur, Co-President of McArthur Homes, Inc.





Notary Public for Utah

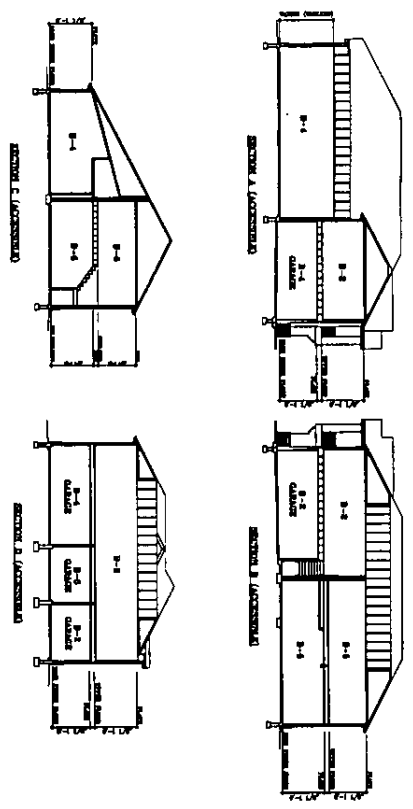
EXHIBIT A

AMENDED PHASE 5 LEGAL DESCRIPTION

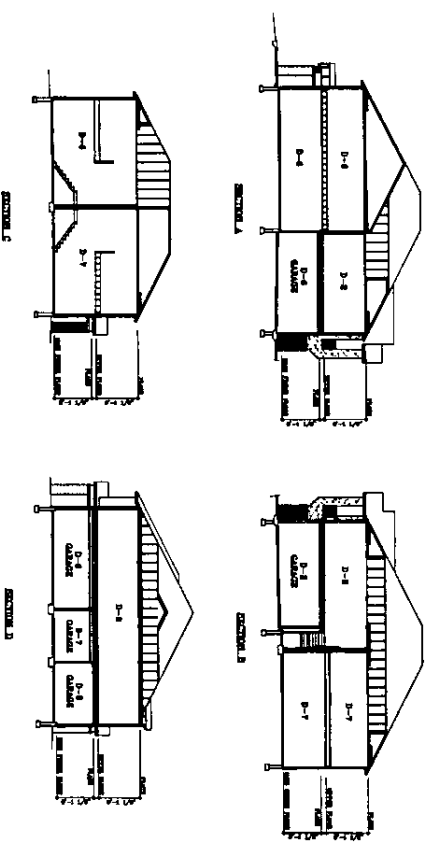
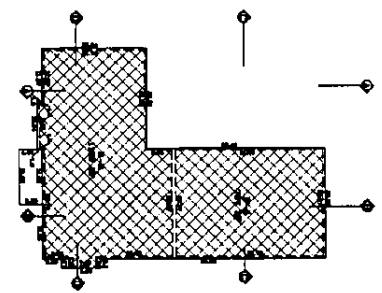
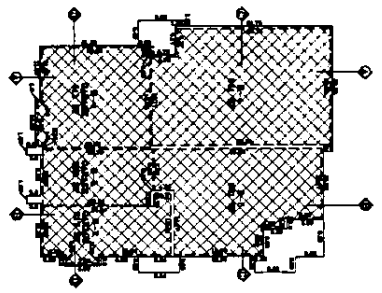
Beginning at a point located S0°08'29"E along the section line 418.68 feet and East 592.10 feet from the Northwest corner of section 30, T2S, R1W, S.L.B. & M.; thence N89°51'46"E 105.87 feet; thence S0°08'29"E 37.86 feet; thence N89°51'46"E 34.00 feet; thence S0°08'29"E 168.34 feet; thence S89°43'18"W 139.87 feet; thence N0°08'29"W 206.54 feet to the point of beginning.

AMBERLEY CONDOMINIUMS - PHASE 5 (AMENDED)

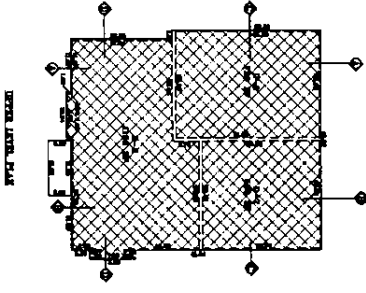
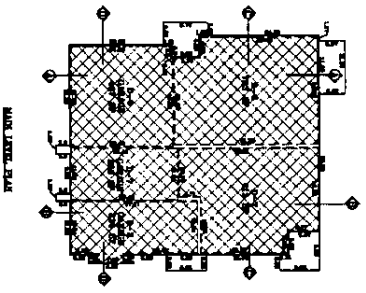
LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP
 2 SOUTH, RANGE 1 WEST, SALT LAKE BASIN & MERIDIAN, WEST
 JORDAN, SALT LAKE COUNTY, UTAH



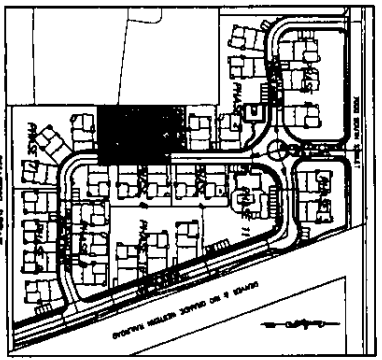
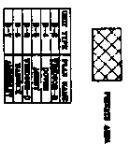
BUILDING "B"



BUILDING "D"



NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE	REMARKS
1	UNIT 101	1,200	10.0	
2	UNIT 102	1,200	10.0	
3	UNIT 103	1,200	10.0	
4	UNIT 104	1,200	10.0	
5	UNIT 105	1,200	10.0	
6	UNIT 106	1,200	10.0	
7	UNIT 107	1,200	10.0	
8	UNIT 108	1,200	10.0	
9	UNIT 109	1,200	10.0	
10	UNIT 110	1,200	10.0	
11	UNIT 111	1,200	10.0	
12	UNIT 112	1,200	10.0	
13	UNIT 113	1,200	10.0	
14	UNIT 114	1,200	10.0	
15	UNIT 115	1,200	10.0	
16	UNIT 116	1,200	10.0	
17	UNIT 117	1,200	10.0	
18	UNIT 118	1,200	10.0	
19	UNIT 119	1,200	10.0	
20	UNIT 120	1,200	10.0	
21	UNIT 121	1,200	10.0	
22	UNIT 122	1,200	10.0	
23	UNIT 123	1,200	10.0	
24	UNIT 124	1,200	10.0	
25	UNIT 125	1,200	10.0	
26	UNIT 126	1,200	10.0	
27	UNIT 127	1,200	10.0	
28	UNIT 128	1,200	10.0	
29	UNIT 129	1,200	10.0	
30	UNIT 130	1,200	10.0	
31	UNIT 131	1,200	10.0	
32	UNIT 132	1,200	10.0	
33	UNIT 133	1,200	10.0	
34	UNIT 134	1,200	10.0	
35	UNIT 135	1,200	10.0	
36	UNIT 136	1,200	10.0	
37	UNIT 137	1,200	10.0	
38	UNIT 138	1,200	10.0	
39	UNIT 139	1,200	10.0	
40	UNIT 140	1,200	10.0	
41	UNIT 141	1,200	10.0	
42	UNIT 142	1,200	10.0	
43	UNIT 143	1,200	10.0	
44	UNIT 144	1,200	10.0	
45	UNIT 145	1,200	10.0	
46	UNIT 146	1,200	10.0	
47	UNIT 147	1,200	10.0	
48	UNIT 148	1,200	10.0	
49	UNIT 149	1,200	10.0	
50	UNIT 150	1,200	10.0	



EBI
 ENGINEERING & ARCHITECTURE
 1444 SOUTH 1000 WEST
 SUITE 100, SALT LAKE CITY, UT 84119
 TEL: (801) 487-1234

Exhibit C

<u>Bldg/Unit #</u>	<u>Square Feet</u>	<u>Percentage Interest in the Common Areas</u>
114-D-6	1432	1.26%
114-D-2	1156	1.02%
114-D-7	1208	1.07%
115-B-5	1416	1.25%
115-B-2	1139	1.01%
115-B-4	1139	1.01%
116-D-6	1432	1.26%
116-D-2	1156	1.02%
116-D-7	1208	1.07%
118-D-7	1208	1.07%
118-D-2	1156	1.02%
118-D-6	1432	1.26%
117-D-6	1432	1.26%
117-D-2	1156	1.02%
117-D-7	1208	1.07%
119-B-4	1139	1.01%
119-B-2	1139	1.01%
119-B-5	1416	1.25%
112-D-6	1432	1.26%
112-D-2	1156	1.02%
112-D-7	1208	1.07%
113-D-7	1208	1.07%
113-D-2	1156	1.02%
113-D-6	1432	1.26%
101-D-7	1208	1.07%
120-D-7	1208	1.07%
101-D-2	1156	1.02%
101-D-6	1432	1.26%

120-D-2	1156	1.02%
120-D-6	1432	1.26%
102-D-7	1208	1.07%
102-D-2	1156	1.02%
102-D-6	1432	1.26%

121-B-5	1416	1.25%
121-B-2	1139	1.01%
121-B-4	1139	1.01%
122-D-6	1432	1.26%
122-D-2	1156	1.02%
122-D-7	1208	1.07%
123-B-4	1139	1.01%
123-B-2	1139	1.01%
123-B-5	1416	1.25%

103-D-7	1208	1.07%
103-D-2	1156	1.02%
103-D-6	1432	1.26%
104-D-7	1208	1.07%
104-D-2	1156	1.02%
104-D-6	1432	1.26%
105-D-6	1432	1.26%
105-D-2	1156	1.02%
105-D-7	1208	1.07%

124-B-4	1139	1.01%
124-B-2	1139	1.01%
124-B-5	1416	1.25%
126-D-7	1208	1.07%
126-D-2	1156	1.02%
126-D-6	1432	1.26%
125-D-6	1432	1.26%
125-D-7	1208	1.07%
125-D-2	1156	1.02%

108-D-7	1208	1.07%
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108-D-2	1156	1.02%
108-D-6	1432	1.26%
107-B-2	1139	1.01%
107-B-4	1139	1.01%
107-B-5	1416	1.25%
106-D-6	1432	1.26%
106-D-2	1156	1.02%
106-D-7	1208	1.07%

130-D-6	1432	1.26%
130-D-2	1156	1.02%
130-D-7	1208	1.07%
129-D-6	1432	1.26%
129-D-2	1156	1.02%
129-D-7	1208	1.07%
128-D-7	1208	1.07%
128-D-2	1156	1.02%
128-D-6	1432	1.26%
127-D-7	1208	1.07%
127-D-2	1156	1.02%
127-D-6	1432	1.26%

111-D-6	1432	1.26%
111-D-2	1156	1.02%
111-D-7	1208	1.07%
110-D-6	1432	1.26%
110-D-2	1156	1.02%
110-D-7	1208	1.07%
109-D-7	1208	1.07%
109-D-2	1156	1.02%
109-D-6	1432	1.26%

	<u>113,268</u>	<u>100%</u>
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