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GARRY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
STONE CREEK HOA
PO BOX 827
LEHI UT 84043
BY: ZJM, DEPUTY - WI 4 P.

When recorded return to: STONE CREEK CONDOMINIUMS HOA P.O. Box 827 LEHI, UT 84043

# THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR STONE CREEK CONDOMINIUMS A Utah Condominium Project

This Third Amendment to Declaration of Condominium for Stone Creek Condominiums is executed this 2/ day of \_\_\_\_\_\_\_, 2010, by Association of Unit Owners at the Stone Creek Condominiums ("Association"), a Utah non-profit corporation.

### **RECITALS**

- A. KFP Corporation, as the declarant, previously caused to be recorded the Declaration of Condominium for Stone Creek Condominiums, a Utah Condominium Project, (the "Declaration") recorded April 3, 2001, as Entry No. 7860782, Book 8441, Pages 8470-8528 in the office of the Salt Lake County Recorder, which governs the real property described on Exhibit "A" attached hereto and incorporated herein by reference and Exhibit "C" attached hereto and incorporated herein by reference.
- B. The Declaration was previously amended when a First Amendment to Declaration of Condominium for Stone Creek Condominiums was recorded April 25, 2002, as Entry No. 8215242, Book 8591, Page 718 in the office of the Salt Lake County Recorder, and a Second Amendment to Declaration of Condominium for Stone Creek Condominiums was recorded on May 28, 2004, as Entry No. 9075833, Book 8994, Pages 5390-5402 in the office of the Salt Lake County Recorder.
- C. All references herein to the Declaration shall include the provisions of the Amendments. Unless otherwise stated herein, all other defined terms in the Declaration have the same meaning in this Third Amendment as they do in the Declaration.
- D. Pursuant to paragraph 30 of the Declaration, at a duly called and noticed meeting of the Owners, at which at least sixty-seven (67%) percent of the votes cast of the Owners, on April 144, 2010 approved the below described amendment to the Declaration.

## **THIRD AMENDMENT**

NOW, THEREFORE, it is hereby declared that the Declaration is amended as follows:

- 1. Paragraph 5, "Storage Units excluded from Common Area", contained in the Second Amendment to Declaration of Condominiums dated May 28, 2004 is hereby stricken in its entirety.
- 2. <u>Continuing Effectiveness of the Declaration, as Amended.</u> Except as amended by this Third Amendment, all provisions of the Declaration as previously amended remain in full force and effect.

Entered the day and year first above initiated.

#### ASSOCIATION:

Association of Unit Owners at the Stone Creek Condominiums, a Utah non-profit corporation

, a member of Association of Unit Owners at

STATE OF UTAH

SS

COUNTY OF SALT LAKE

The foregoing was acknowledged before me this 21st day of April 4.

J. V. JEFFS

NOTARY PUBLIC - STATE OF UTAH

8295 COMMERCE DRIVE #200

MURRAY, UT 84107

My Comm. Exp. 08/15/2010

2010, by <u>Tamara King</u>, a member o the Stone Creek Condominiums, a Utah non-profit corporation.

NOTARY PUBLIC

# EXHIBIT "A"

All of the following Units in the Stone Creek Condominiums, Phase I, as described in, and subject to all of the provisions of the Declaration of Condominium for Stone Creek Condominiums recorded April 3, 2001, as Entry No. 7860782, Book 8441, Pages 8470-8528 in the office of the Salt Lake County Recorder:

Units A-1, A-2, A-3, A-4, A-5, A-6, B-1, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3, C-4, C-5, C-6, D-1, D-2, D-3, D-4, D-5, D-6. E-1, E-2, E-3, E-4, E-5, E-6, F-1, F-2, F-3, F-4, F-5, F-6. G-1, G-2, G-3, G-4, G-5, G-6, H-1, H-2, H-3, H-4, I-I, I-2, I-3, I-4, I-5, I-6, J-1, J-2, J-3, J-4, J-5, J-6, K-1, K-2, K-3, K-4, K-5, K-6, L-1, L-2, L-3, L-4, L-5, L-6, M-1, M-2, M-3, M-4, N-1, N-2, N-3, N-4, O-1, O-2, O-3, O-4, O-5, O-6, P-1, P-2, P-3, P-4, P-5, P-6.

Tax Parcel Nos. 20-36-204-001-0000 through 20-36-204-078-0000

And the Common Areas of the Stone Creek Condominiums, Phase 1, which include all of the real property in Salt Lake County, Utah, described on the following page, less and excepting the forgoing condominium Units

## EXHIBIT "C"

The Additional Land in Salt Lake County, Utah submitted to the Declaration of Condominium for Stone Creek Condominiums, a Utah condominium project as Phase 2, described as follows:

Beginning at the North Quarter Corner of section 36, Township 2 South, Range 2 West Salt Lake Base & Meridian, and running;

thence South 89°55'39" East 107.20 feet along the Section line;

thence South 00°07'04" East 125.68 feet to and along the West line of Copper Hills Ward at Stone Creek Subdivision Phase I;

thence South 32°11'10" West 187.29 feet along the West line of said Copper Hills Ward at Stone Creek Subdivision Phase I;

thence Southeasterly 53.14 feet along a arc of a 270.00 foot radius curve to the right (center bears South 32°11'10" West long chord bears South 52°10'34" East 53.05 feet with a central angle of 11°16'33") along the West line of said Copper Hills Ward at Stone Creek Subdivision Phase I;

thence South 46°32'17" East 35.10 feet along the West line of said Copper Hills Ward at Stone Creek Subdivision Phase I;

thence Southerly 23.56 feet along an arc of a 15.00 foot radius curve to the right (center bears South 43°27'43" West long chord bears South 01°32'17" East 21.21 feet with a central angle of 90°00'00") along the West line of said Copper Hills Ward at Stone Creek Subdivision Phase I;

thence South 43°27'43" West 465.68 feet along the West line of said Copper Hills Ward at Stone Creek Subdivision Phase I to and along the West line of Stonecreek Condominiums Phase I;

thence North 46°32'17" West 280.77 feet;

thence Northwesterly 311.57 feet along an arc of a 383.00 foot radius curve to the right (center bears North 43°27'43" East long chord bears North 23°13'58" West 303.05 feet with a central angle of 46°36'38"):

thence North 00°04'21" East 141.31 feet;

thence Northwesterly 39.27 feet along an arc of a 25.00 foot radius curve to the left (center bears North 89°55'39" West long chord bears North 44°55'39" West 35.36 feet with a central angle of 90°00'00");

thence North 00°04'21" East 63.00 feet to the Section line;

thence South 89°55'39" East 592.73 feet along the Section line to the Point of Beginning.

Tax Parcel No. 20-36-204-079