

AMENDMENT TO THE DECLARATION OF CONDOMINIUM

OF ENT 13028 BK 2684 PG 807
NINA B REID UTAH CO RECORDER BY MB
1990 APR 26 3:31 PM FEE 32.50
MILESTONE CONDOMINIUMS RECORDED FOR SECURITY TITLE AND ABSTRACT

PHASES I, 2, III, IV, V, VI VII and IX

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF MILESTONE CONDOMINIUMS (hereinafter "the Amendment to the Declaration"), is made by JAMES R. JOYNER (hereinafter "the Declarant").

RECITAL

WHEREAS, on the 11th day of April, 1988, that certain instrument captioned "Declaration of Condominium of Milestone Condominiums" (therein and herein "The Declaration"), consisting of 43 pages, including Exhibits "A", "B", and "C", thereto attached, was filed for record by the Declarant in the office of the County Recorder of Utah County, Utah, in Book 2502, page 193, as Entry No. 9953, Milestone Condominiums, hereinafter recited reference is hereby made for all purposes; and

WHEREAS, that certain instrument captioned "Record of Survey Map of Milestone Condominiums," prepared by Dudley & Associates and certified by Roger Dudley, Utah registered land surveyor, professional engineer, was filed of record simultaneously with the Declaration by the Declarant in said Office of the County Recorder as Entry No. 13027, assigned Map Filings No. 3942; and

WHEREAS, the Declaration (in Article IV) expressly reserved to the Declarant the right to expand the Milestone Condominiums, Condominium Project ("the Project"), which right included the method of expansion, the right to adjust percentages of Common Areas and other provisions relative thereto as all therein set forth; and

WHEREAS, the Declarant now proposes to expand the project pursuant to the provisions of said Article IV of the Declaration to encompass the tracts of land hereinafter described,

NOW, THEREFORE, the Declarant hereby certifies and declares as follows:

SUPPLEMENTARY DECLARATION

1. Expansion of Definitions. The definitions used in the Declaration (wherever the context so admits as applied to the Amendment to the Declaration) shall be so expanded to encompass and refer to the project as hereby expanded.

2. Submission of Additional Tracts to Condominium Project. The Declarant hereby submits the following described tract of land

in the County of Utah (hereinafter sometimes referred to as "Phase VIII"), to-wit:

ENT13028 BK 2684 PG 808

PHASE VIII

Commencing at a point located South 89 Degrees 27'18" East along the section line 1643.44 Feet and South 1598.71 Feet from the Northwest Corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; Thence North 89 Degrees 49'00" East 25.34' Along Phase VI Milestone Condominiums, thence South 30 Degrees 27'00" East 133.61' thence North 89 Degrees 49'00" East 161.66' thence South 0 Degrees 11'00" East 135.29' thence South 89 Degrees 55'00" West 254.35' Along Vermont Subdivision thence North 0 Degrees 11'00" West 250.24' Along Phase VII Milestone Condominiums to the point of beginning.

Area = 0.945 Acre

Including all buildings and other improvements constructed thereon, together with all appurtenances thereto, and subject to all the covenants, conditions, and restrictions as hereinafter provided, to the Provisions of the Utah Condominium Ownership Act, so that such additional Buildings, Improvements and Appurtenances and the initial Condominium Project created by the Declaration shall in every respect be treated as integral parts of a single condominium ownership Project.

3. Name. The Phases VIII lands, buildings, improvements and appurtenances hereby submitted to the provisions of the Act shall be known as Milestone Condominium, Phase VIII.

4. Development Plans. Phase VIII, constituting expanded area of the Project will include one (1) building containing a total of 5 units, as shown on the supplemental record of survey map (the supplemental map), prepared and certified by Roger Dudley, engineer, which is filed simultaneously herewith.

5. Proportionate Ownership in Common Areas. The Phase VIII unit owners' proportionate ownership in the common areas of the Project as expanded, shall be set forth in Exhibit "A", hereto attached and made a part hereof. The expanded project will be managed, treated and governed in all respects as one condominium project without regard to phases, it being intended that references to phases in the Declaration and herein being made are for convenience only. The provisions of Article IV of the Declaration reserving to Declarant the right to adjust percentages of common areas of the original condominium shall likewise apply to the Phase VIII.

6. Amendment of Ownership of Unit Owners of Phases I, 2, III, IV, V, VI VII and IX in the Common Areas. Pursuant to the provisions of Article IV of the Declaration reserving to Declarant

the right to adjust the percentages of the Unit Owners' ownership in the common area upon the project being expanded, the Declarant hereby declares and certifies that from and after the recordation hereof in the Office of the County Recorder of Utah County, Utah, the proportionate ownership of unit owners of Phases I, 2, III, IV, V, VI VII and IX in the common areas of the Project, as expanded, shall be as set forth in the part of said Exhibit "A", captioned "Phase VIII -- Amended Percentages of Ownership in the Common Areas".

7. Area of Land Covering the Project After Expansion. The Project as expanded hereby encompasses the following described tracts of land in Utah County, Utah, to-wit:

Commencing at a point located South 89 27'18" East along the section line 1485.05 feet and South 1357.30 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 89 49'00" East along 200 North Street 203.00 feet; thence South 30 27'00" East 127.36 feet thence South 89 49'00" West 267.19 feet; thence North 00 11'00" West 110.00 feet to the point of beginning.

Area = 0.594 acre.

Being the perimeter description of Phase I, Milestone, Condominiums, Orem, Utah.

Commencing at a point located South 89 27'18" East along the section line 1323.75 feet and South 1359.35 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 89 49'00" East along the South boundary of 200 North Street 161.29 feet; thence South 0 11'00" East 110.00 feet; thence South 3 37'08" East 96.63 feet; thence South 85 29'00" West 105.00 feet; thence North 86 04'56" West 46.50 feet; thence North 4 31'00" West 211.66 feet to the point of beginning.

Area = 0.750 acre.

Being the perimeter description of Phase 2, Milestone, Condominiums, Orem, Utah.

Commencing at a point located South 89 27'18" East along the section line 1213.43 feet and South 1360.76 feet from the Northwest corner Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North

89 49'00" East along the South boundary of 200 North Street 110.32 feet; thence South 4 31'00" East 211.66 feet; thence South 85 29'00" West 110.00 feet; thence North 4 31'00" West 220.00 feet to the point of beginning.

Area = 0.545 acre.

Being the perimeter description of Phase III, Milestone, Condominiums, Orem, Utah.

Commencing at a point located South 89 deg. 27'18" East along the Section line 1230.76 feet and South 1579.91 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 85 deg. 29'00" East 110.00 feet; thence South 86 deg. 04'56" East 46.50 feet; thence South 4 deg. 31'00" East 74.68 feet; thence along the arc of an 820.78 foot radius curve to the right 77.98 feet (chord bears South 01 deg. 47'42" East 77.95 feet); thence South 00 deg. 55'36" West 126.48 feet; thence South 89 deg. 55'00" West 46.01 feet; thence North 00 deg. 55'36" East 127.29 feet; thence South 85 deg. 29'00" West 106.51 feet; thence North 04 deg. 31'00" West 155.00 feet to the point of beginning.

Area = 0.686 acre.

Being the perimeter description of Phase IV, Milestone, Condominiums, Orem, Utah.

Commencing at a point located South 89`27'18" East along the section line 1386.82 feet and South 1572.94 feet from the Northwest corner of Section 4, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 85`29'00" East along Phase II Milestone Condominiums 105.00 feet; thence South 17`55'08" East 38.81 feet; thence South 00`11'00" East 250.00 feet; thence South 89`55'00" West along Vermont Subdivision 111.14 feet; thence North 00`55'36" East along the East boundary of 200 East Street 126.48 feet; thence along the arc of a 820.78 foot radius curve to the left 77.98 feet (chord bears North 1`47'42" West 77.95 feet); thence North 4`31'00" West along the East boundary of 200 East Street 74.68 feet to the point of beginning.

Area = 0.716 acre.

And including that property described as:

Commencing at a point located South 89`27'18" East along the section line 1242.97 feet and South 1734.31 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 85`29'00" East 106.51 feet along Phase IV Milestone Condominiums; thence South 00`55'36" West 127.29 feet

along the West boundary of 200 East Street; thence South 89°55'00" West 102.86 feet along Vermont Subdivision; thence North 00°05'00" West 105.00 feet; thence North 4°31'00" West 14.08 feet to the point of beginning.
Area = 0.294 acre.

Being the perimeter description of Phase V, Milestone, Condominiums, Orem, Utah.

Commencing at a point located South 89°27'18" East along the section line 1485.40 feet and South 1467.30 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°49'00" East along Phase I Milestone Condominiums 267.19 feet; thence North 30°27'00" West along Phase I Milestone Condominiums 127.36 feet; thence North 89°49'00" East 10.57 feet; thence South 30°20'16" East along Plat "B" Vermont Subdivision 167.68 feet; thence South 59°33'00" West 53.80 feet; thence South 34°09'15" West 86.37 feet; thence South 89°49'00" West 185.00 feet; thence North 17°55'08" West 38.81 feet along Phase V Milestone Condominiums; thence North 3°37'10" West 96.63 feet along Phase II Milestone Condominiums to the point of beginning.
Area = 0.783 acre.

Being the perimeter description of Phase VI Milestone Condominiums, Orem, Utah.

Commencing at a point located South 89°27'18" East along the Section Line 1503.55 feet and South 1600.49 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, SLB&M; thence North 89°49'00" East 140.00 along Phase VI Milestone Condominiums, thence South 0°11'00" East 250.24 feet, thence South 89°55'00" West 140 feet along Vermont subdivision, thence North 0°11'00" West 250.00 feet along Phase V Milestone Condominiums to the point of beginning. Area = 0.804 Acre.

Being the perimeter description of Phase VII Milestone Condominiums, Orem, Utah.

Commencing at a point located South 89 Degrees 27'18" East along the section line 1643.44 Feet and South 1598.71 Feet from the Northwest Corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; Thence North 89 Degrees 49'00" East 25.34' Along Phase VI Milestone Condominiums, thence South 30 Degrees 27'00" East 133.61' thence North 89 Degrees 49'00" East 161.66' thence South 0 Degrees 11'00" East 135.29' thence South 89 Degrees 55'00" West 254.35' Along Vermont Subdivision thence North 0 Degrees 11'00" West

250.24' Along Phase VII Milestone Condominiums to the point of beginning.

Area = 0.945 Acre

ENT13028 BK 2684 PG 812

Being the perimeter description of Phase VIII Milestone Condominiums, Orem, Utah.

Commencing at a point located South 89 27'18" East along the Section Line 1668.79 feet and South 1598.39 feet from the Northwest corner of Section 14, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 89 49'00" East 19.66 feet along Phase VI Milestone Condominiums; North 34 09'15" East 86.37 feet along Phase VI Milestone Condominiums; North 59 33'00" East 53.80 feet along Phase VI Milestone Condominiums; South 30 20'16" East 150.93 feet along Plat "B" Vermont Subdivision; South 36 28'59" East 47.83 feet along Plat "B" Vermont Subdivision; South 89 52'15" East 10.03 feet along Plat "B" Vermont Subdivision; South 00 11'00" East 44.72 feet; South 89 49'00" West 161.66 feet; North 30 27'00" West 133.61 feet to the point of beginning. Area = 0.656 Acre.

Being the perimeter description of Phase IX Milestone Condominiums, Orem, Utah.

8. Incorporation by Reference of this Declaration. All and singular the provisions of the Declaration of Condominium of Milestone Condominiums, together with the Bylaws and Amendments to the Declaration or Bylaws, wherever the context so admits as applied to Phases I, 2, III, IV, V, VI, VII and IX area, are hereby adopted herein by reference and made a part hereof as if the same were fully set forth herein.

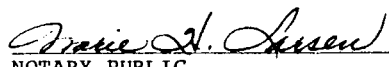
IN WITNESS WHEREOF, the Declarant has duly executed this instrument on the 26th day of April, 1990.

April 26, 1990

Date


JAMES JOYNER -- Declarant

On the 26th day of April, 1990, personally appeared before me JAMES JOYNER, Declarant, the signer of the foregoing instrument who acknowledged to me that he executed the same.


NOTARY PUBLIC

Commission expires: May 29, 1990

Residing at: Provo, Utah



M. JAMES BRADY (3703)
BRADFORD & BRADY
Attorney for Plaintiff
60 East 100 South, suite 100
P.O. Box 432
Provo, UT 84603-0432
Telephone: (801) 374-6272

ENT13028 BK 2684 PG 813

CERTIFICATE OF COUNSEL

The Declaration of Condominium, the Record of Survey Map, and the other supporting documents comply in all respects with the Utah Condominium Ownership Act, as well as all applicable federal, state, and local laws and ordinances, and when the Amended Declaration of Condominiums and Survey Map have been recorded in the Office of the Utah County Recorder, the proposed project will be a validly existing and lawful condominium project in all respects.

DATED this 24th day of April, 1990.

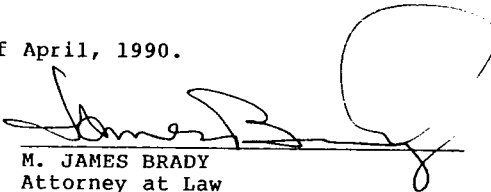

M. JAMES BRADY
Attorney at Law

EXHIBIT "A"

TO AMENDMENT TO THE DECLARATION OF
COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS
OF THE

MILESTONE CONDOMINIUMS

PHASES I, II, III, IV, V, VI, VII, VIII, and IX

Unit Number	Appurtenant Par Value	Percent of Undivided Interest In Common Areas Phases I through IX
1	1.0	2.63
2	1.0	2.63
3	1.0	2.63
4	1.0	2.63
5	1.0	2.63
6	1.0	2.63
7	1.0	2.63
8	1.0	2.63
9	1.0	2.63
10	1.0	2.63
11	1.0	2.63
12	1.0	2.63
13	1.0	2.63
14	1.0	2.63
15	1.0	2.63
16	1.0	2.63
17	1.0	2.63
18	1.0	2.63
19	1.0	2.63
20	1.0	2.63
21	1.0	2.63
22	1.0	2.63
23	1.0	2.63
24	1.0	2.63
25	1.0	2.63
26	1.0	2.63
27	1.0	2.63
28	1.0	2.63
29	1.0	2.63
30	1.0	2.63
31	1.0	2.63
32	1.0	2.63
33	1.0	2.63
34	1.0	2.63
35	1.0	2.63
36	1.0	2.63
37	1.0	2.63
38	1.0	2.63