

When Recorded Return To:

Holmes DB Condos, LLC  
126 West Segó Lily Dr., Ste 250  
Sandy, Utah 84070

14323058 B: 11537 P: 7775 Total Pages: 6  
12/10/2024 10:57 AM By: vanguyen Fees: \$170.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: HOLMES DB CONDOS, LLC & VP DAYBREAK OPERATIONS, LLC  
126 WEST SEGO LILY DR STE 250 SANDY, UT 84070



**SUPPLEMENT TO THE DECLARATION OF  
CONDOMINIUM FOR DB CONDOMINIUMS  
(Phase 2A)**

This SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DB CONDOMINIUMS (“**Supplemental Declaration**”) is executed and adopted by Holmes DB Condos, LLC, a Utah limited liability company (“**Declarant**”).

**RECITALS**

- A. This Supplemental Declaration shall modify and supplement the “Declaration of Condominium for DB Condominiums” (“**Declaration**”) recorded with the Salt Lake County Recorder’s Office on March 23, 2021, as Entry No. 13607323.
- B. Holmes DB Condos, LLC is the Declarant as identified and set forth in the Declaration and is the owner of the real property subject to this Supplemental Declaration.
- C. Under the terms of the Declaration, Declarant reserved the right to unilaterally expand the Project by the addition of all or a portion of the Additional Land. Declarant desires to add a portion of the Additional Land as hereinafter provided for.
- D. Unless otherwise defined herein, all capitalized terms shall have the meaning defined in the Declaration.

**ANNEXATION**

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the “**Subject Property**”) is submitted to and properly annexed into the Declaration.
2. Plat The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 2A AMENDING A PORTION OF LOTS C-101 & C-102 OF THE SOUTH STATION PLAT 3 SUBDIVISION** plat, which plat map is recorded with the County.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Unit within the Subject Property shall be a member of the DB Condominium Owners Association ("Association") and shall be entitled to all benefits and voting rights of such membership as set forth in the Declaration. Each Unit Owner is allotted voting rights in proportion to its Undivided Interest.

5. Apportionment of Common Expenses. In accordance with the Declaration, Common Expenses shall be apportioned among Unit Owners according to their Undivided Interest, including the Owners of Units annexed into to the Association through this Supplemental Declaration.

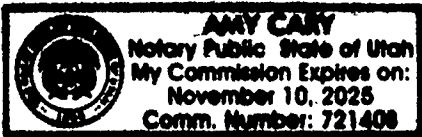
6. Undivided Interests. The Undivided Interests as set forth on Exhibit B of the Declaration and all Supplements to the Declaration recorded prior to the recording of this Supplemental Declaration shall be amended and restated as set forth in the Exhibit B attached hereto.

7. Reservation of Declarant's Rights. All rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration.

8. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County Recorder.

\* \* \* \*

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration this 4<sup>th</sup> day of December, 2024.



**DECLARANT**  
**HOLMES DB CONDOS, LLC**  
a Utah limited liability company  
By its Manager Holmes Holmes, Inc.

By: [Signature]

Name: Eric K. Davenport

Title: Secretary of Holmes Holmes, Inc.

STATE OF UTAH )  
 ) ss.  
COUNTY OF Salt Lake )

On the 4<sup>th</sup> day of December, 2024, personally appeared before me Eric Davenport, Secretary of Holmes Holmes, Inc. who by me being duly sworn, did say that she/he is an authorized representative of Holmes DB Condos, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: [Signature]

4<sup>th</sup> IN WITNESS WHEREOF, Founder has consented to this Supplemental Declaration this day of December, 2024.

**FOUNDER:**

**VP DAYBREAK OPERATIONS LLC,**  
a Delaware limited liability company

By: LHMRE, LLC,  
a Utah limited liability company  
Its: Operating Manager

By: [Signature]  
Name: Mike Kunkel  
Title: Treasurer

**ACKNOWLEDGMENT**

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF SALT LAKE        )

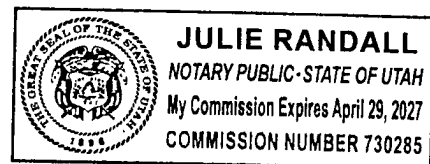
On December 4, 2024, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.

[Signature]  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**EXHIBIT A**  
**SUBJECT PROPERTY/ADDITIONAL LAND**  
**(LEGAL DESCRIPTION)**

**All of SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 2A AMENDING A  
PORTION OF LOTS C-101 & C-102 OF THE SOUTH STATION PLAT 3 SUBDIVISION,**  
according to the official plat on file in the office of the Salt Lake County Recorder.

Including 10 Units and Common Area

More particularly described as:

A portion of Lots C-101 & C-102 of DAYBREAK SOUTH STATION PLAT 3 AMENDING T4 OF THE KENNECOTT DAYBREAK MASTER SUBDIVISION #1; (Vesting Deed Entry # 13298666) according to the Official plat thereof recorded in the Salt Lake County Recorder's Office; more particularly described as follows:

Beginning at a point on the Northerly Right-of-Way Line of Black Twig Drive, said point lies South 89°55'30" East 2437.770 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T35, R2W and the Southeast Corner of Section 19, T35, R1W) and North 3589.950 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 36°32'54" West 69.679 feet; thence South 53°27'06" West 49.998 feet to a point on a 30.000 foot radius tangent curve to the right, (radius bears North 36°32'54" West, Chord: South 71°32'00" West 18.623 feet); thence along the arc of said curve 18.935 feet through a central angle of 36°09'50" to a point of reverse curvature with a 17.253 foot radius tangent curve to the left, (radius bears South 00°23'05" East, Chord: South 71°32'00" West 10.710 feet); thence along the arc of said curve 10.890 feet through a central angle of 36°09'50"; thence South 53°27'06" West 3.240 feet; thence North 36°32'54" West 2.073 feet; thence North 32°37'29" West 16.288 feet; thence North 36°32'54" West 71.646 feet; thence North 40°28'20" West 16.288 feet; thence North 36°32'54" West 11.677 feet; thence North 53°27'06" East 81.122 feet; thence North 36°32'54" West 66.739 feet to the Southerly Right-of-Way Line of Reventon Drive; thence along said Reventon Drive North 53°27'06" East 47.000 feet; thence South 36°32'54" East 127.979 feet; thence North 53°27'06" East 60.896 feet; thence South 36°32'54" East 10.000 feet; thence North 53°27'06" East 4.000 feet; thence South 36°32'54" East 134.626 feet to a point on said Black Twig Drive and a point on a 532.500 foot radius non tangent curve to the left, (radius bears South 25°52'04" East, Chord: South 58°42'21" West 100.712 feet); thence along said Black Twig Drive the following (2) courses: 1) along the arc of said curve 100.863 feet through a central angle of 10°51'09"; 2) South 53°16'46" West 11.607 feet to the point of beginning.

Property contains 0.723 acres, 31489 square feet.

Parcel Numbers Not Yet Assigned

**ALSO TO BE RECORDED AGAINST THE FOLLOWING PROPERTIES:**

**All of SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1A AMENDED  
AMENDING ALL OF SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1A,** according to the official plat filed in the office of the Salt Lake County Recorder on March 31, 2022, as Entry Number 13923506.

Including 10 Units and Common Area

**Parcel Numbers: 26241810130000 through 26241810230000**

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1B AMENDING A PORTION OF LOT C-101 OF THE SOUTH STATION PLAT 3 SUBDIVISION** according to the official plat filed in the office of the Salt Lake County Recorder on April 21, 2021, as Entry Number 13639391.

Including 20 Units and Common Area

**Parcel Numbers: 26241820010000 through 26241820210000**

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1C AMENDED AMENDING ALL OF SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1C** according to the official plat filed in the office of the Salt Lake County Recorder on March 31, 2022, as Entry Number 13923527.

Including 10 Units and Common Area

**Parcel Numbers: 26241830130000 through 26241830230000**

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1D AMENDED AMENDING ALL OF SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1D** according to the official plat filed in the office of the Salt Lake County Recorder on May 17, 2022, as Entry Number 13953341.

Including 20 Units and Common Area

**Parcel Numbers: 26241840220000 through 26241840420000**

**EXHIBIT B  
UNDIVIDED INTEREST IN COMMON AREAS**

Upon the recording of this Supplemental Declaration, the Project will consist of 70 Units.

**Each Unit in the Project shall have an equal Undivided Interest  
equivalent to a 1/70<sup>th</sup> fractional amount.**