

SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF CANYON PLACE CONDOMINIUMS  
(Phase Three)

(An Amendment to Declaration of Canyon Place Condominiums Phase One, recorded \_\_\_\_\_ )

This Declaration is made and executed in Weber County, Utah this 7th day of February, 1998 by MARK and TAMI FERNANDES, dba MTK Development, hereinafter referred to as Declarant pursuant to the provisions of the Utah Condominium Ownership Act.

W I T N E S S E T H

WHEREAS, Declarants are the owner of the real property in Weber County, State of Utah described as Canyon Place Condominiums Phase Three, which Phase Three is a portion of the property heretofore included as a part of an expandable condominium heretofore filed and known as Canyon Place Condominiums Phase One which has heretofore been filed with the County Recorder's Office, Weber County, Utah which is located in the Northeast Quarter of Section 21, Township 6 North, Range 1 West, SLB&M. Which Phase I was recorded in the records of Weber County on April 7, 1998, at Book \_\_\_\_\_, Page \_\_\_\_\_.

WHEREAS, the Declarants have heretofore in the filing of Canyon Place Condominiums Phase One declared that the Condominium is an expandable Condominium and,

WHEREAS, the Declarants have deemed it desirable to expand the condominium and to impose a general plan for the improvement and development of all the property described therein and the adoption and establishment of Covenants, Conditions, and Restrictions upon said real property that each and every unit and portion thereof together with the use, occupancy and enjoyment thereof shall be for the purpose of enhancing and protecting the value, desirability and attractiveness of said tract and,

WHEREAS, Declarants will convey title to Units 13 through 20 of the attached record of Survey Map, Canyon Place Condominiums, Phase Three, which condominium shall be subject to those protective covenants, conditions and restrictions as set forth in the original Declaration of Covenants, Conditions and Restrictions heretofore filed with the Weber County Recorder's Office, Weber County, Utah and

E: 1534186 BK 1919 PG 2123  
DOUG CROFTS, WEBER COUNTY RECORDER  
07-APR-98 259 PM FEE \$39.00 DEP MB  
REC FOR: MARK.FERNANDES

WHEREAS, the following real property was included within the real property for possible expansion by Canyon Place Condominium Declaration as originally filed with the Weber County Recorder's Office and that said real property is to be subject to the general plan of improvement for the benefit of all of said condominiums and owners thereof. Said units 13 through 20 are described on the attached Appendix A which also include an amended description of Phase I and the legal description of Phase II.

WHEREAS, the expansion of the Canyon Place Condominiums Project is expanded as provided in Sections 57-8-13.6, Utah Condominium Ownership Act, 1953 as amended and enacted by the laws of the State of Utah, 1975, Chapter 173, Section 8. Such expansion shall be deemed to have occurred at the time of the recordation of the record of Survey Map as originally filed with the Weber County Recorder's Office and that by this filing the undivided interest in the common areas and facilities shall be reallocated in accordance with Subsection 57-8-13.10 (2) Utah Code Annotated.

NOW THEREFORE, Declarants do hereby publicly declare that all the property described in this Supplemental Declaration is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and approved subject to the covenants, conditions, restrictions, uses, limitations and obligations, all of which were declared and set forth in the original Declaration of Covenant, Conditions and Restrictions of the Canyon Place Condominium and that the Condominium is expanded to include Units 13 through 20 and that all covenants, conditions, restrictions and easements are hereby declared to be for the benefit of the whole tract and all other property described in Phase One, Phase Two, and Phase Three and the owners thereof, their successors and assigns. The covenants, conditions, restrictions and easements shall run with the said real property and shall be binding on all parties having or acquiring any right, title or interest in the described real property or any part thereof, and shall inure to the benefit of each owner thereof, as a servitude in favor of each and every parcel thereof as the dominant tenant or tenements. The covenants as wherein mentioned shall be as binding on all units of the Canyon Place Condominium as on all other units of the Canyon Place Condominium included herein. Said Canyon Place Condominium, Phase

Three shall have all right and/or access including right of ways as enjoyed by Phases One and Two.

IN WITNESS WHEREOF, Declarant have executed this instrument this 7<sup>th</sup> day of February, 1998.

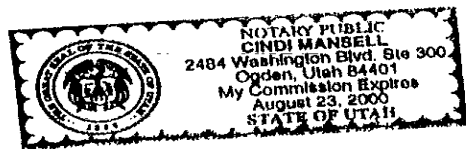
Mark Fernandes  
MARK FERNANDES

Tami Fernandes  
TAMI FERNANDES

STATE OF UTAH )  
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COUNTY OF WEBER)

MARK FERNANDES, TAMI FERNANDES, personally appeared before me this 7<sup>th</sup> day of February, 1998 as the signers of the above and foregoing instrument, who duly acknowledged to me that they executed the same.

Cindi Mansell  
Notary Public



APPENDIX A

AMENDED PHASE ONE:

13-210-0001 TO 0004

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS) AND S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS) FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION:

AND RUNNING THENCE S.0°44'07"W. 107.98 FEET, THENCE N.76°58'00"E. 147.31 FEET, THENCE S.30°15'35"E. 39.39 FEET, THENCE N.76°58'00"E. 86.41 FEET, THE WEST LINE OF MONROE BLVD., THENCE N.13°02'00"W. 24.38 FEET ALONG SAID MONROE BLVD. THENCE S.77°41'27"W. 14.24 FEET, THENCE S.79°07'36"W. 65.70 FEET TO POINT ON A CURVE, THENCE ALONG THE ARC OF 15 FOOT RADIUS CURVE TO THE RIGHT 23.00 FEET (LONG CHORD BEARS N.56°57'12"W. 20.81 FEET), THENCE N.13°02'00"W. 93.38 FEET, S.89°38'31"W. 123.49 FEET, S.0°44'07"W. 20.51 FEET TO THE POINT OF BEGINNING CONTAINING 17,707 SQ. FT./ 0.41 ACRE, MORE OR LESS.

PHASE TWO:

13-211-0001 TO 0008

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS), S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS) AND S.0°44'07"W. 107.98 FEET FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE N.76°58'00"E. 147.31 FEET, THENCE S.30°15'35"E. 39.39 FEET, THENCE N.76°58'00"E. 10.41 FEET, THENCE S.13°02'00"E. 15.66 FEET, THENCE N.77°42'02"E. 18.00 FEET, THENCE S.13°02'00"E. 76.6 FEET, THENCE N.77°42'02"E. 22.60 FEET, THENCE S.13°02'00"E. 45.00 FEET, THENCE S.77°42'02"W. 17.00 FEET TO A POINT OF CURVE, THENCE 4.71 FEET ALONG THE ARC OF A 3.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S.32°42'03"W. 4.24 FEET), THENCE S.13°02'00"E. 1.59 FEET TO A POINT OF CURVE, THENCE 4.66 FEET ALONG THE ARC OF A 5.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S.39°45'03"E. 4.50 FEET), THENCE 25.32 FEET ALONG THE ARC OF A 49.42 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS S.51°47'23"E. 23.04 FEET), THENCE S.79°45'57"W. 164.62 FEET MORE OR LESS TO THE WESTERLY BANK OF MILL CREEK, THENCE FOUR COURSES ALONG SAID BANK AS FOLLOWS: N.35°56'42"W. 19.28 FEET, N.34°34'18"W. 50.74 FEET, N.62°57'37"W. 26.59 FEET AND S.83°42'58"W. 24.09 FEET, THENCE N.0°44'07"E. 172.03 FEET TO THE POINT OF BEGINNING. CONTAINING 0.83 ACRES, MORE OR LESS, (36,050 Sq. Ft.).

PHASE THREE:

13-214-0001 TO 0008

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS) AND S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS) FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE S.13°02'00"E. 93.38 FEET TO A POINT ON A CURVE, THENCE ALONG THE ARC OF A 5.00 FOOT RADIUS CURVE TO THE LEFT 23.00 FEET (LONG CHORD BEARS N.56°57'12"E. 20.81 FEET), THENCE N.79°07'36"E. 65.70 FEET, THENCE N.77°41'27"E. 14.24 FEET TO THE WEST LINE OF MONROE BLVD., THENCE N.13°02'00"W. 24.38 FEET ALONG SAID MONROE BLVD. (CONTAINING 9.29 SQ. FT.) AND ALSO BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS), S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS), S.0°44'07"W. 107.98 FEET, THENCE N.76°58'00"E. 147.31 FEET, THENCE S.30°15'35"E. 39.39 FEET AND THENCE S.13°02'00"E. 15.66 FEET, THENCE N.77°42'02"E. 18.00 FEET, THENCE S.13°02'00"E. 76.6 FEET, THENCE N.77°42'02"E. 22.60 FEET, THENCE S.13°02'00"E. 45.00 FEET, THENCE S.77°42'02"W. 17.00 FEET TO A POINT OF CURVE, THENCE 4.71 FEET ALONG THE ARC OF A 3.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S.32°42'03"W. 4.24 FEET), THENCE S.13°02'00"E. 1.59 FEET TO A POINT OF CURVE, THENCE 4.66 FEET ALONG THE ARC OF A 5.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S.39°45'03"E. 4.50 FEET), THENCE 25.32 FEET ALONG THE ARC OF A 49.42 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS S.51°47'23"E. 23.04 FEET), THENCE N.79°45'57"W. 164.62 FEET MORE OR LESS TO THE WEST LINE OF MILL CREEK, THENCE S.83°42'58"W. 24.09 FEET, THENCE N.62°57'37"W. 26.59 FEET, THENCE N.34°34'18"W. 50.74 FEET, THENCE N.35°56'42"W. 19.28 FEET TO THE POINT OF BEGINNING. (CONTAINING 8,590 SQ. FT.) CONTAINING TOTAL 0.41 ACRES, MORE OR LESS, 17,871 SQ. FT.

APPENDIX B

13-005-0083  
PT. 13-005-0056  
13-210-0001 TO 0004  
13-211-0001 TO 0008  
13-214-0001 TO 0008

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS) AND S.89°15'53"E. 980.10 FEET (EAST 14.85 FEET) FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION; AND RUNNING THENCE S.00°44'07"W. 220.01 FEET (SOUTH 228.9 FEET), MORE OR LESS TO THE SOUTH BANK OF MILL CREEK, THENCE EIGHT COURSES ALONG SAID SOUTH BANK AS FOLLOWS: N.83°42'57"E. 24.09 FEET, S.62°57'37"E. 26.59 FEET, S.34°34'17"E. 50.74 FEET, S.35°36'43"E. 56.78 FEET, S.52°59'50"E. 15.57 FEET, S.54°00'51"E. 43.76 FEET, S.38°45'49"E. 90.10 FEET AND S.30°24'29"E. 25.91 FEET MORE OR LESS TO THE NORTH SIDE OF CANYON ROAD, THENCE S.88°47'00"E. (EAST) 91.72 FEET ALONG SAID ROAD, THENCE N.85°13'01"E. 7.68 FEET ALONG SAID ROAD TO A 520.104 FOOT RADIUS CURVE TO THE LEFT, THENCE 50.77 FEET ALONG THE ARC OF SAID CURVE BEING ON THE WEST SIDE OF MONROE BLVD. (LONG CHORD BEARS N.10°14'13"W. 50.75 FEET), THENCE N.13°02'00"W. 415.68 FEET (412.19 FEET) ALONG SAID MONROE BLVD. TO A POINT WHICH BEARS S.89°15'53"E. (EAST) OF THE POINT OF BEGINNING, THENCE N.89°15'53"W. 228.19 FEET (WEST 222.04 FEET) TO THE POINT OF BEGINNING.

CONTAINING 2.2 ACRES, MORE OR LESS.

APPENDIX C  
CANYON PLACE CONDOMINIUMS

<u>Building No.</u>	<u>Unit Number</u>	<u>Percent Ownership in Common Area %</u>
1	1	5%
1	2	5%
1	3	5%
1	4	5%
2	5	5%
2	6	5%
2	7	5%
2	8	5%
3	9	5%
3	10	5%
3	11	5%
3	12	5%
4	13	5%
4	14	5%
4	15	5%
4	16	5%
5	17	5%
5	18	5%
5	19	5%
5	20	5%