

Entry No. <u>177938</u>	Book <u>M.183</u>
RECORDED <u>3-31-81</u> at <u>4:36M</u> Page <u>652</u> 7	
REQUEST of <u>WESTERN STATES TITLE</u>	
FEE	WANDA Y. SPRIGGS, SUMMIT CO. RECORDER
\$ <u>16.00</u>	<i>Wanda Y. Spriggs</i>
INDEXED	ABSTRACT

SECOND AMENDED  
 CONDOMINIUM DECLARATION  
 FOR  
 WINDRIFT CONDOMINIUMS  
 A Utah Condominium Project

THIS SECOND AMENDED CONDOMINIUM DECLARATION is made and executed by WINDRIFT II, a Utah partnership ("Declarant"), successor in interest to Windrift, a Utah partnership, pursuant to the provisions of the Utah Condominium Ownership Act, Utah Code Annotated §§ 57-8-1 through 57-8-36 (Repl. Vol. 1974) (Supp. 1977), and the provisions of Article XXXI of the Condominium Declaration for Windrift Condominiums (the "Declaration"), recorded on October 12, 1979, as Entry No. 160192 in the Official Records of Summit County, State of Utah, in Book M 143, beginning at page 331, as amended by the First Amended Condominium Declaration for Windrift Condominiums ("First Amended Declaration"), recorded on August 25, 1980, as Entry No. 169768 in the Official Records of Summit County, State of Utah, in Book M 165, beginning at page 167.

RECITALS

1. Exhibit "C" attached to the First Amended Declaration contained error.
2. Declarant by this Second Amended Condominium Declaration desires to correct this error.

NOW, THEREFORE, for such purposes, Exhibit "C" to the First Amended Declaration is deleted in its entirety and in its place and stead Exhibit "C" attached to this Second Amended Condominium Declaration is inserted.

Except as specifically amended herein, the Declaration as amended is restated in its entirety and incorporated herein by reference as if fully set forth. Declarant asserts the application of the Declaration as heretofore amended by the First Amended Declaration and as here amended to be binding upon the entire property set forth on Exhibit "A" attached hereto.

BOOKM 183 PAGE 652

This Second Amended Condominium Declaration shall take effect upon recording.

IN WITNESS WHEREOF, the undersigned have caused this Second Amended Condominium Declaration to be executed on their behalf this 24<sup>th</sup> day of MARCH, 1981.

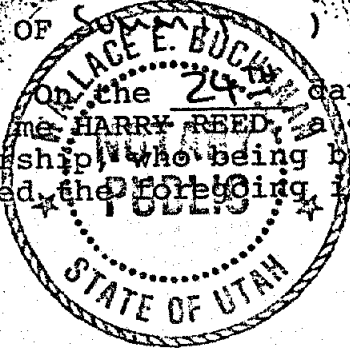
WINDRIFT II, a partnership

By *Harry Reed*  
General Partner

By *Stephen M. Schurf*  
General Partner

STATE OF UTAH )  
COUNTY OF SUMMIT ) ss.

On the 24<sup>th</sup> day of MARCH, 1981, personally appeared before me HARRY REED, a general partner of WINDRIFT II, a Utah partnership, who being by me duly sworn acknowledged to me that he executed the foregoing instrument for and on behalf of said partnership.



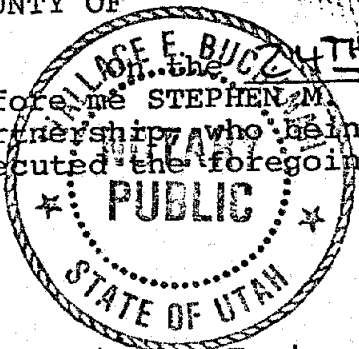
*Wallace E. Buchanan*  
NOTARY PUBLIC  
Residing at: PARK CITY, UT

My Commission Expires:

JULY 13, 1981

STATE OF UTAH )  
COUNTY OF SUMMIT ) ss.

On the 24<sup>th</sup> day of MARCH, 1981, personally appeared before me STEPHEN M. SCHIRF, a general partner of WINDRIFT II, a Utah partnership, who being by me duly sworn acknowledged to me that he executed the foregoing instrument for and on behalf of said partnership.



*Wallace E. Buchanan*  
NOTARY PUBLIC  
Residing at: PARK CITY, UTAH

My Commission Expires:

JULY 13, 1981

BOOK 183 PAGE 653

Property located in Summit County, State of Utah.

Property owned by Windrift II (Phase II property).

Beginning at a point which is South  $0^{\circ}16'20''$  West along the section line, 849.49 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South  $0^{\circ}16'20''$  West 207.085 feet; thence North  $85^{\circ}30'$  West 416.41 feet to a point of a 100.00 foot radius curve to the left, (center bears South  $4^{\circ}30'$  West 100.00 feet); thence Southwesterly along the arc of said curve 44.971 feet to a point of tangency; thence North  $21^{\circ}16'$  West 50.00 feet; thence South  $68^{\circ}44'$  West 50.00 feet; thence North  $21^{\circ}16'$  West 100.77 feet; thence North  $68^{\circ}44'$  East 215.23 feet; thence South  $14^{\circ}12'40''$  East 20.15 feet; thence due East 355.98 feet to the point of beginning.

Together with and subject to a 50 foot easement over the following property; beginning at a point South 99.50 feet and West 1186.06 feet and South  $21^{\circ}16'$  East along the Easterly right-of-way line of State Highway U-224 (U.S. 40 Alt.) 1064.30 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian and said point being on a curve to the left, the radius point of which bears North  $68^{\circ}44'$  East 15.00 feet and running thence Southeasterly along the arc of said curve 23.56 feet to the point of tangency; thence North  $68^{\circ}44'$  East 320.00 feet to a point of a 150.00 foot radius curve to the right, thence Easterly along the arc of said curve 67.46 feet to the point of tangency; thence South  $85^{\circ}30'$  East 412.71 feet to the East line of said Section 8; thence South  $0^{\circ}16'20''$  West along said East line 50.14 feet; thence North  $85^{\circ}30'$  West 416.41 feet to the point of a 100.00 foot radius curve to the left; thence Westerly along the point of said curve 44.97 feet to the point of tangency; thence South  $68^{\circ}44'$  West 320.00 feet to the point of a 15.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 23.56 feet to the point of tangency, said point being

EXHIBIT "A"

BOOKM 183 PAGE 654

on the Easterly right-of-way line of State Highway U-224; thence North 21°16' West along said right-of-way line 80.00 feet to the point of beginning.

Also together with a 20.00 foot wide utility easement the centerline of which is described as follows: beginning at a point South 833.58 feet and West 374.30 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 10°30' East 176.02 feet; thence South 63°30' East 93.24 feet thence South 1°00' East 150.00 feet; thence South 68°00' West 143.63 feet.

Property on which is located Phase I of Windrift

Condominiums.

Beginning at a point which is South 0°16'20" West along the Section Line 1006.44 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 0°16'20" West along said Section Line 214.94 feet thence South 68°44' West (358.70) feet, thence North 1°50' West 143.52 feet; Thence North 31°30' West 49.96 feet; thence North 41°16' West 170.00 feet, thence North 21°16' West 50.00 feet; thence North 68°49' East 30.00 feet to a point on a 150.00 foot radius curve to the right, the radius point of which bears South 21°16' East East 150.00 feet; thence Northeasterly along the arc of said curve 67.46 feet to a point of tangency, thence South 85°30' East 412.71 feet to the point of beginning. Contains 2.743 acres.

Together with and subject to a 50.00 foot easement over the following property: beginning at a point South 99.50 feet and West 1186.06 feet and South 21°16' East along the Easterly right-of-way line of State Highway U-224 (u.S. 40 Alt.) 1064.30 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and said point being on a curve to the left, the radius point of which bears North 68°44' East 15.00 feet and running thence Southeasterly along the arc of said curve 23.56 feet to the point of tangency; thence North 68°44' East 320.00 feet to a point of a 150.00 foot radius curve to the East 412.71 feet to the East line of said Section 8; thence South 0°16'20" West along said East line 50.14 feet;

thence North 85°30' West 416.41 feet to the point of a 100.00 foot radius curve to the left; thence Westerly along the point of said curve 44.97 feet to the point of tangency; thence South 68°44' West 320.00 feet to the point of a 15.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 23.56 feet to the point of tangency, said point being on the Easterly right-of-way line of State Highway U-224; thence North 21°16' West along said right-of-way line 80.00 feet to the point of beginning. Contains 0.927 acres.

Also together with a non-exclusive easement described as follows: beginning at a point South 1034.67 feet and West 482.89 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 41°16' East 170.00 feet; thence South 31°30' East 49.96 feet, thence South 1°50' East 11.79 feet, thence North 44°00' West 238.55 feet, thence North 68°44' East 29.09 feet to the point of beginning. Contains 4703 square feet.

Also together with a 20.00 foot wide utility easement the centerline of which is described as follows: beginning at a point South 833.58 feet and West 374.30 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 10°30' East 176.02 feet; thence South 63°30' East 93.24 feet; thence South 1°00' East 150.00 feet; thence South 68°00' West 143.63 feet.

EXHIBIT "C"

OWNERSHIP OF COMMON AREAS AND ASSIGNMENT OF  
PARKING SPACES AS LIMITED COMMON AREA

Associated with and appurtenant to each Unit in the Project shall be an undivided percentage interest in the Common Areas and Facilities as set forth below.

The parking spaces in the Project, as designated on the Map, are assigned to the Units as Limited Common Area as follows:

	<u>Unit No.</u>	<u>Square Footage Size of Unit</u>	<u>Percentage Ownership in Common Areas and Facilities</u>	<u>Initial Monthly Assessment</u>	<u>Stall No.</u>
<u>BUILDING 1</u>	1	1152	2.48	\$ 95.00	P1
	2	1152	2.48	95.00	P2
	3	1580	3.40	131.00	P3
	4	1580	3.40	131.00	P4
<u>BUILDING 2</u>	5	1152	2.48	95.00	P5
	6	1152	2.48	95.00	P6
	7	1580	3.40	131.00	P7
	8	1580	3.40	131.00	P8
<u>BUILDING 3</u>	9	1152	2.48	95.00	P9
	10	1176	2.53	97.00	P10
	11	1152	2.48	95.00	P11
	12	1176	2.53	97.00	P12
	13	1512	3.25	125.00	P13
	14	1728	3.72	143.00	P14
	15	1512	3.25	125.00	P15
	16	1728	3.72	143.00	P16
<u>BUILDING 4</u>	17	1176	2.53	97.00	P17
	18	1152	2.48	95.00	P18
	19	2160	4.64	178.00	P19
	20	1622	3.48	134.00	P20
	21	1176	2.53	97.00	P21
	22	1152	2.48	95.00	P22
	23	2160	4.64	178.00	P23
	24	1622	3.48	134.00	P24
<u>BUILDING 5</u>	25	1176	2.53	97.00	P25
	26	1152	2.48	95.00	P26
	27	2160	4.64	178.00	P27
	28	1622	3.48	134.00	P28
	29	1176	2.53	97.00	P29
	30	1152	2.48	95.00	P30
	31	2160	4.64	178.00	P31
	32	1622	3.48	134.00	P32