

When Recorded, Return to:

Foxboro Coventry, L.L.C.  
Attn: Nathan W. Pugsley  
39 East Eagleridge Drive, Suite 100  
North Salt Lake, UT 84054

E 1994270 B 3560 P 917  
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER  
2004 JUN 14 3:49 PM FEE 36.00 DEP MT  
REC'D FOR US TITLE OF UTAH

**DECLARATION OF EXPANSION # 4**

FOXBORO COVENTRY TOWNS

REFERENCE IS MADE to that certain Declaration of Condominium for Foxboro Coventry Towns, recorded on November 6, 2003, as Instrument No. 1930423 in Book 3412, Page 760, recorded in the Official Records, Davis County Recorder, Davis County, Utah (the "Declaration").

Pursuant to Article III, Paragraph 44, Declarant reserved the right to further expand the Project to include additional Units to be subject to the Declaration, and to further such complementary additions and modifications of the covenants, conditions, and restrictions contained in the Declaration as may be necessary to hereby further expansions to the real property currently covered by the Declaration, that real property described on Exhibit A-1 to this Declaration of Expansion and depicted on Exhibit A-2 to this Declaration of Expansion (the "Expansion Property").

Upon the recordation of this Declaration of Expansion and pursuant to the terms of the Declaration, all the terms and conditions of the Declaration shall automatically apply to the Expansion Property in the same manner as if the Expansion Property originally had been covered in the Declaration and constituted a portion of the original Project. Upon said recordation, the rights, privileges, duties and liabilities of the parties to the Declaration with regard to the Expansion Property shall be the same as with regard to the original Project, and the rights,

obligations, privileges, duties and liabilities of the Owners and occupants of Units within the Expansion Property shall be the same as those of the Owners and occupants of Units within the Original Property.

Pursuant to the Declaration, Declarant reserved the power to appoint to Unit Owners, from time to time, the percentages in the Common Areas. A revised schedule of undivided interests in the Common Areas created by this Declaration of Expansion, is shown on Exhibit B to this Declaration of Expansion (“Revised Schedule of Undivided Interest”).

The Identifying Number of each Unit in the Expansion Property is the unit number as shown on the Plat.

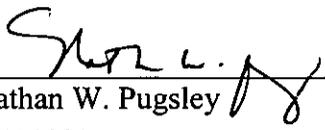
Capitalized terms herein not otherwise defined shall have the meanings set forth in the Declaration.

*[Remainder of page intentionally left blank. Signatures to follow.]*

IN WITNESS WHEREOF, Declarant has executed this Declaration of Expansion, as of  
this 10<sup>th</sup> day of June, 2004.

DECLARANT:

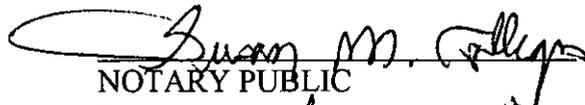
**FOXBORO COVENTRY, L.L.C.**  
a Utah limited liability company

  
\_\_\_\_\_  
Nathan W. Pugsley  
Manager

STATE OF UTAH

County of Davis

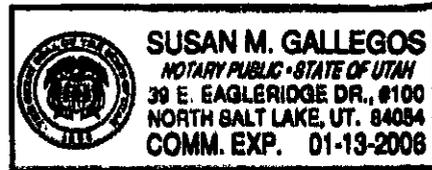
On the 10 day of June, 2004, personally appeared before me Nathan W. Pugsley who being by me duly sworn did say that he is the Manager of FOXBORO COVENTRY, L.L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members or its Articles of Organization, and said Nathan W. Pugsley, duly acknowledged to me that the said Company executed the same.



NOTARY PUBLIC

Residing at: Syracuse, UT

My commission expires: 01/13/06



**EXHIBIT A-1**

Legal Description of Expansion Property

The Expansion Property is as follows:

**Units 119-A, 119-B, and 119-C in Building 119, Units 120-A, 120-B, and 120-C in Building 120, and Units 121-A, 121-B, and 121-C in Building 121,** contained within **Coventry at Foxboro Phase 5**, an expandable Utah Condominium project, as the same is identified in the Condominium Plat recorded in the official records of Davis County, Utah, Recorder's Office, as Instrument No. 1940128, Book 3434, Page 5, on December 11, 2003.

01-312-0001, 01-312-0002, 01-312-0003 - Bldg. 119  
01-312-0004, 01-312-0005, 01-312-0006 - Bldg. 120  
01-312-0007, 01-312-0008, 01-312-0009 - Bldg. 121

**EXHIBIT A-2**  
Map of Expansion Property

3620-1

COVENTRY AT FOXBORO PHASE 5

A PART OF THE NORTHWEST QUARTER OF SECTION 3 TOWNSHIP 1 NORTH RANGE 1 WEST SALT LAKE BASE AND MERIDIAN CITY OF NORTH SALT LAKE DAVIS COUNTY UTAH

3620-1

SUPERVISOR'S CERTIFICATE

I, Mark H. ... certify that the plat prepared for the proposed expansion of the Coventry at Foxboro Phase 5 ...

BOUNDARY DESCRIPTION

A parcel of land located in the Northwest Quarter of Section 3 Township 1 North Range 1 West Salt Lake Base and Meridian Davis County Utah described as follows: BEGINNING at a point South 95°31'41" West 874.76 feet along the north line of Section 3 Township 1 North Range 1 West Salt Lake Base and Meridian to the northeast corner of Lot D ...

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all by these presents that as the undersigned owners of the described tract of land hereafter be known as:

COVENTRY AT FOXBORO PHASE 5

do hereby consent to record the plat prepared for the proposed expansion of the Coventry at Foxboro Phase 5 ...

5-24-03

Matthew W. Ruppel, President, Foxboro Homes Corporation, Manager of Foxboro Development Utah LLC

ACKNOWLEDGMENT

State of Utah ) ss County of Davis )

On this 24th day of May, 2003, personally appeared before me Matthew W. Ruppel, who being by me duly sworn, did depose and say that he is the President of Foxboro Homes Corporation, a limited liability company, and that the foregoing instrument was signed on behalf of said company, and that he is well acquainted with the parties thereto and that they are duly qualified to execute the same.

Notary Public for the State of Utah



Matthew W. Ruppel

My Commission Expires 01/15/04



DATE OF RECORDING: 5/24/03

FILED IN: 3620-1

NOTES

- 1) Boundary corners will be located and marked on the ground with a 2" x 4" stake with a plastic cap labeled "BIRCHDALE 210"
2) The coordinates and elevations shown herein are based on the datum of the Davis County Survey. Elevation bearings, distances and coordinates are shown in brackets ( ) in other dimensions and readable values are measured.
3) All common areas, including those lying under buildings or other structures are designated as public easements for all public utilities.
4) Approval of this development plat by North Salt Lake City does not constitute any representation as to the adequacy of subsurface soil conditions for the location or depth of ground-water tables.
5) The fenced area and located directly behind each lot, the deck located on the second floor of each unit designated with an A and the driveway, are not Limited Common Areas intended for the exclusive use of the owner of such unit.
6) Except as otherwise specifically designated all signs are Common Areas and are to be located on the exterior of the building.
7) All private dimensions and elevations are measured by unobstructed ground surface measurements to the center of the building.

E 1994270 B 3560 P 923



Recommended for Approval

Recommended for Approval

Recommended for Approval

Plat Prepared For: Parloia Development Utah LLC

Not Prepared By: P.B. Bingham Engineering

P.B. Bingham Engineering logo and contact information: 100 West 1st Street, Suite 100, North Salt Lake, Utah 84054

City Council Approval

Davis County Recorder

Filed for 1940/28

Filed for 02/28/03

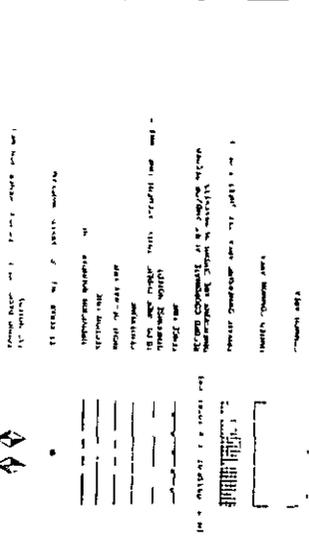
Matthew W. Ruppel

SEP 2003

RECORDER'S MEMO - LEGIBILITY OF TYPING OR PRINTING UNSATISFACTORY IN THE DOCUMENT WHEN RECEIVED

5-5295

LEGEND



LINE	BEARING	DISTANCE
1	N 72° 00' 48" E	10.33
2	N 85° 29' 34" W	10.10

Curve	Length	Radius	Chord	Chord Br.	Angle
C1	35.01	1857.00'	27.79'	N 85° 10' 10" E	27.79'

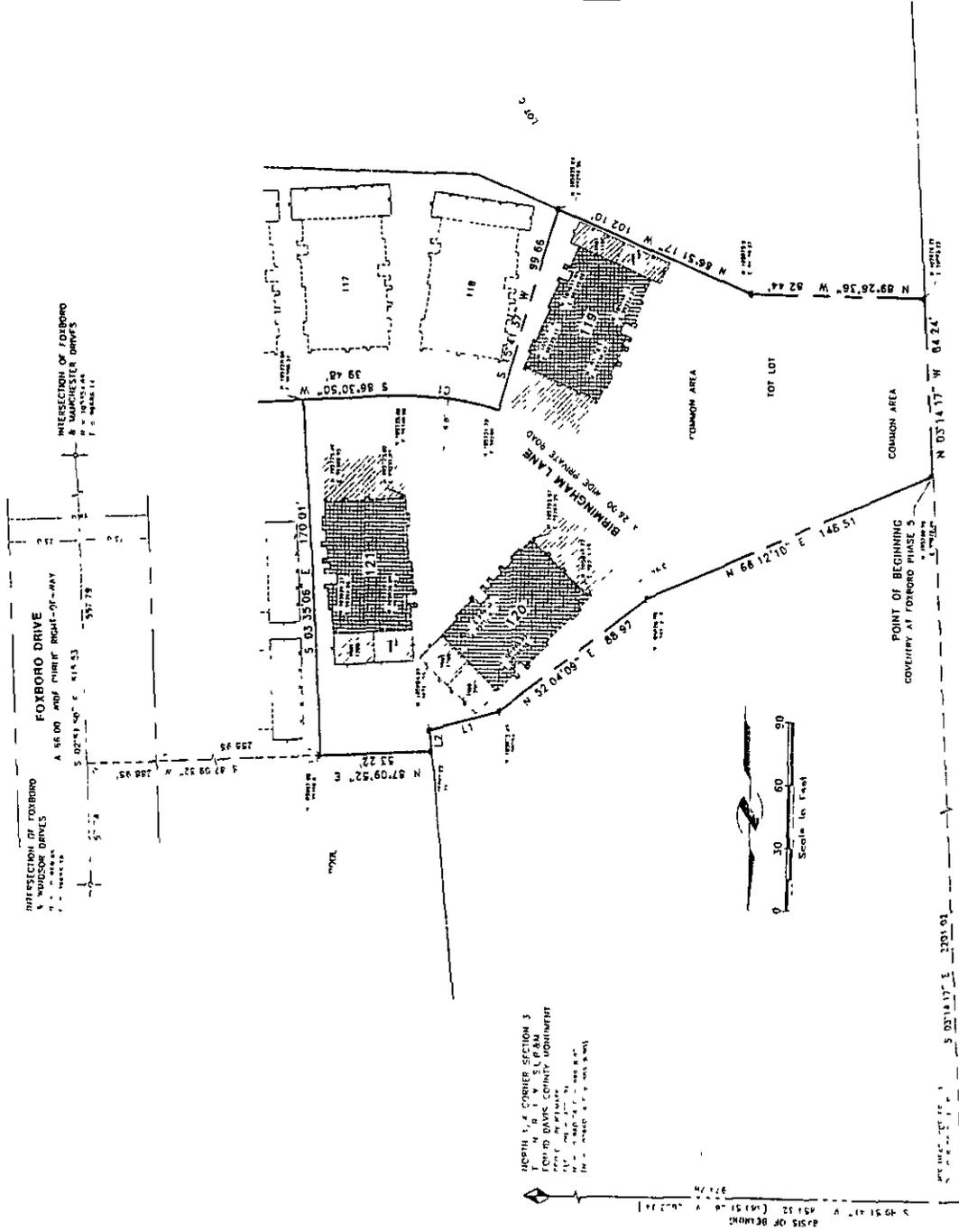
Devis County Recorder  
 Date: 1940/123  
 Filed: DECEMBER 23 1940  
 Book: 5434  
 Page: 5  
 Richard Morgan



COVENTRY AT FOXBORO PHASE 5  
 A PART OF THE INDUSTRIAL DISTRICT OF SECTION 3  
 TOWNSHIP 1 NORTH PHASE 1 WEST SURVEY T. 1 N.  
 R. 10 W. COUNTY OF DEWES, NORTH CAROLINA

Devis County, N.C. 27834

1994270 B 3560 P 924



- UNIT ADDRESSES & MAIN LEVEL ELEVATIONS
- 118-A 282 BIRMINGHAM LAKE 4221.2
  - 118-B 284 BIRMINGHAM LAKE 4221.2
  - 118-C 286 BIRMINGHAM LAKE 4221.2
  - 120-A 277 BIRMINGHAM LAKE 4221.1
  - 120-B 279 BIRMINGHAM LAKE 4221.1
  - 120-C 281 BIRMINGHAM LAKE 4221.1
  - 121-A 303 BIRMINGHAM LAKE 4221.4
  - 121-B 305 BIRMINGHAM LAKE 4221.4
  - 121-C 307 BIRMINGHAM LAKE 4221.4

**BIRMINGHAM ENGINEERING**  
 1000 W. 10th St., Raleigh, N.C. 27601  
 Phone: 336-771-1111  
 Fax: 336-771-1112  
 www.birmingham-engineering.com



**EXHIBIT "B"**

## Revised Schedule of Undivided Interest

<b>UNIT</b>	<b>UNIT PERCENTAGE</b>
111-A	2.56%
111-B	2.56%
111-C	2.56%
112-A	2.56%
112-B	2.56%
112-C	2.56%
113-A	2.56%
113-B	2.56%
113-C	2.56%
114-A	2.56%
114-B	2.56%
114-C	2.56%
115-A	2.56%
115-B	2.56%
115-C	2.56%
116-A	2.56%
116-B	2.56%
116-C	2.56%
117-A	2.56%
117-B	2.56%
117-C	2.56%
118-A	2.56%
118-B	2.56%
118-C	2.56%
119-A	2.56%
119-B	2.56%
119-C	2.56%
120-A	2.56%
120-B	2.56%
120-C	2.56%
121-A	2.56%
121-B	2.56%
121-C	2.56%
122-A	2.56%
122-B	2.56%
122-C	2.56%
123-A	2.56%
123-B	2.56%
123-C	2.56%
<b>TOTAL</b>	<b>100.00%</b>