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JEFFERY SMITH
UTAH COUNTY RECORDER
2012 Mar 29 11:15 am FEE 40.00 BY SS
RECORDED FOR SARATOGA SPRINGS CITY

THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST
CONDOMINIUMS, 241
An Expandable Utah Condominium Project

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST CONDOMINIUMS, an expandable Utah condominium project (this "Third Amendment"), is made effective as of the 20 day of ~~March~~, by Solitude Construction LLC, a Utah limited liability company ("Declarant"). ~~2012~~

March

RECITALS:

A. On or around May 13, 2005, Hillcrest Saratoga Condominiums, LLC, as the original declarant, made and executed that certain Declaration of Covenants, Conditions and Restrictions of the Hillcrest Condominiums, an Expandable Utah Condominium Project (the "Declaration") thereby creating Hillcrest Condominiums, an expandable Utah Condominium Project (the "Project"), which Declaration was recorded in the office of the Utah County Recorder on May 13, 2005, as Entry No. 51908:2005.

B. A related condominium plat entitled Phase 1 Hillcrest Condominiums (the "Plat") was recorded concurrently with the Declaration in the office of the Utah County Recorder, as Entry No. 2005-51907, Map No. 11082, Book 41, Page 601.

C. The Declaration and Plat submitted to the provisions of the Utah Condominium Ownership Act (the "Act"), Utah Code Annotated, Section 57-8-1, et seq., certain real property described in Recital A of the Declaration and in the Plat.

D. The original declarant, as provided in Section 16 of the Declaration and pursuant to Section 57-8-13.6 of the Act, reserved the sole and exclusive right to expand the Project from time to time by adding thereto all or any portion of that certain real property (the "Additional Land") described in Section 16.7 of the Declaration.

E. The undersigned Declarant is the successor-in-interest to the original declarant with respect to that portion of the Additional Land described on Exhibit A attached hereto and incorporated herein by reference (the "Phase 2 Property").

F. The undersigned Declarant desires to add to the Project the Phase 2 Property as set forth herein.

AGREEMENT:

NOW, THEREFORE, the Declaration is hereby amended a third time as follows, with such amendment to become effective upon the recording of this Third Amendment and the Plat of

the Phase 2 Property (the "Phase 2 Plat"), a copy of which is attached hereto as Exhibit B and incorporated herein by reference:

1. Units and Boundaries. The Project as hereby expanded shall consist of eighty four (84) total condominium units located in seven (7) buildings. Each Unit in the Phase 2 Property is given an identifying number and the single Building constructed on the Phase 2 Property is depicted on the Phase 2 Plat as Building G. The Project as expanded by this Third Amendment shall continue to be known as Hillcrest Condominiums, an Expandable Utah Condominium Project.

2. Reallocation of Undivided Interests in Common Areas. Attached as Exhibit A to the Declaration is a Table of Units, Undivided Ownership Interests, and Votes (the "Table of Units & Ownership Interests"). Pursuant to the provisions of Section 57-8-13.10 of the Act, the undivided ownership interests in the Common Areas and Facilities of the Project and the votes in the Association appurtenant to each Unit in the Project are hereby reallocated between the Units in accordance with the attached Amended Exhibit A to the Declaration of Covenants, Conditions and Restrictions of the Hillcrest Condominiums, an Expandable Utah Condominium Project, Table Of Units, Undivided Ownership Interests, And Votes (the "Amended Table of Units & Ownership Interests"), which is attached hereto as Exhibit C and incorporated herein by reference. The Amended Table of Units, Undivided Ownership Interests, and Votes hereby amends, restates and replaces in its entirety each and every prior Table of Units & Undivided Ownership Interests.

3. Construction. From and after the date hereof, all references in the Declaration and the Plat, as amended and supplemented, shall be deemed to and shall refer to the Declaration and the Plat, as amended hereby and by the Phase 2 Plat. Except as modified by this Third Amendment, each of the words used in this Third Amendment shall have the meaning given to each such term in the Declaration and Declarant hereby ratifies and confirms all of the terms and provisions of the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment on the date and year first above written.

DECLARANT:

SOLITUDE CONSTRUCTION LLC, a Utah limited liability company



Printed Name: N. PAUL GIFFORD

Title: Manager

STATE OF UTAH)
) ss.
County of Utah)

March
~~2012~~ 2012

The foregoing instrument was acknowledged before me this 28 day of ~~May, 2012~~, by Paul Sifford as an authorized officer of Solitude Construction LLC.

Karima Stott

Notary Public



EXHIBIT A
PHASE 2 PROPERTY LEGAL DESCRIPTION ENT 25212:2012 PG 4 of 10

That certain real property located in Utah County, Utah, legally described as follows.

Commencing at a point which is West 1186.80 feet and South 2787.59 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence along a 328.00 foot radius curve to the left 192.02 feet (chord bears: South 47°17'32" East 189.29 feet); thence South 02°34'08" West 54.96 feet; thence along a 124.00 foot radius curve to the right 96.37 feet (chord bears: South 24°50'00" West 93.96 feet); thence South 47°05'57" West 36.96 feet; thence South 78°57'04" West 14.12 feet; thence North 11°02'55" West 134.00 feet; thence South 78°57'05" West 66.00 feet; thence North 11°02'55" West 110.00 feet; thence South 78°57'04" West 71.36 feet; thence along a non-tangent 136.00 foot radius curve to the right 98.87 feet (chord bears: North 48°46'47" West 96.71 feet); thence North 69°36'26" East 56.11 feet to the point of beginning. Parcel Contains: .74 acres more or less. Subdivision contains: 12 units.

EXHIBIT B
PHASE 2 PLAT H

[see attached]

EXHIBIT C
AMENDED TABLE OF UNITS & OWNERSHIP INTERESTS

[see attached]

EXHIBIT C TO FOURTH AMENDMENT TO DECLARATION- HILLCREST CONDOMINIUMS

Amended Table of Units & Ownership Interests

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EXHIBIT C- Amended

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(Units, Undivided Ownership Interests, and Votes)

<u>UNIT NO.</u>	<u>SIZE</u> (Square Feet)*	<u>UNDIVIDED OWNERSHIP INTERESTS</u> (Percentage)	<u>VOTES</u>	
<u>Bldg</u>	<u>Unit Number</u>	<u>Unit Square Footage</u>	<u>% Undivided Ownership of Common Area</u>	<u>Number of Votes</u>
A	1	1,261	1.042%	1
A	2	1,261	1.042%	1
A	3	1,261	1.042%	1
A	4	1,261	1.042%	1
A	5	1,261	1.042%	1
A	6	1,261	1.042%	1
A	7	1,261	1.042%	1
A	8	1,261	1.042%	1
A	9	1,261	1.042%	1
A	10	1,261	1.042%	1
A	11	1,261	1.042%	1
A	12	1,261	1.042%	1
B	1	1,261	1.042%	1
B	2	1,261	1.042%	1
B	3	1,261	1.042%	1
B	4	1,261	1.042%	1
B	5	1,261	1.042%	1
B	6	1,261	1.042%	1
B	7	1,261	1.042%	1
B	8	1,261	1.042%	1
B	9	1,261	1.042%	1
B	10	1,261	1.042%	1
B	11	1,261	1.042%	1
B	12	1,261	1.042%	1
C	1	1,261	1.042%	1
C	2	1,261	1.042%	1
C	3	1,261	1.042%	1
C	4	1,261	1.042%	1
C	5	1,261	1.042%	1
C	6	1,261	1.042%	1
C	7	1,261	1.042%	1
C	8	1,261	1.042%	1
C	9	1,261	1.042%	1
C	10	1,261	1.042%	1
C	11	1,261	1.042%	1
C	12	1,261	1.042%	1
D	1	1,261	1.042%	1
D	2	1,261	1.042%	1

D	3	1,261	1.042%	1
D	4	1,261	1.042%	1
D	5	1,261	1.042%	1
D	6	1,261	1.042%	1
D	7	1,261	1.042%	1
D	8	1,261	1.042%	1
D	9	1,261	1.042%	1
D	10	1,261	1.042%	1
D	11	1,261	1.042%	1
D	12	1,261	1.042%	1
E	1	1,261	1.042%	1
E	2	1,261	1.042%	1
E	3	1,261	1.042%	1
E	4	1,261	1.042%	1
E	5	1,261	1.042%	1
E	6	1,261	1.042%	1
E	7	1,261	1.042%	1
E	8	1,261	1.042%	1
E	9	1,261	1.042%	1
E	10	1,261	1.042%	1
E	11	1,261	1.042%	1
E	12	1,261	1.042%	1
F	1	1,261	1.042%	1
F	2	1,261	1.042%	1
F	3	1,261	1.042%	1
F	4	1,261	1.042%	1
F	5	1,261	1.042%	1
F	6	1,261	1.042%	1
F	7	1,261	1.042%	1
F	8	1,261	1.042%	1
F	9	1,261	1.042%	1
F	10	1,261	1.042%	1
F	11	1,261	1.042%	1
F	12	1,261	1.042%	1
G	1	1,261	1.042%	1
G	2	1,261	1.042%	1
G	3	1,261	1.042%	1
G	4	1,261	1.042%	1
G	5	1,261	1.042%	1
G	6	1,261	1.042%	1
G	7	1,261	1.042%	1
G	8	1,261	1.042%	1
G	9	1,261	1.042%	1
G	10	1,261	1.042%	1
G	11	1,261	1.042%	1
G	12	1,261	1.042%	1
H	1	1,261	1.042%	1
H	2	1,261	1.042%	1
H	3	1,261	1.042%	1
H	4	1,261	1.042%	1

H	5	1,261	1.042%	1
H	6	1,261	1.042%	1
H	7	1,261	1.042%	1
H	8	1,261	1.042%	1
H	9	1,261	1.042%	1
H	10	1,261	1.042%	1
H	11	1,261	1.042%	1
H	12	1,261	1.042%	1
Total		121,056	100.000%	96

*Size has been determined on the basis of the approximate number of square feet of floor space within each respective Unit, as shown on the Map and rounded off. Such number is not a representation or warranty of Declarant as to the actual size of a Unit.