

257779

Recorded at
Request of Southern Utah Title Co.
Date JAN 29 1985 Time 1 pm
Fee 22.00 Book 327 Page 738-742
By CORA J. HULET, IRON COUNTY RECORDER
Ret'd Indx'd Abst'd Proof

SUPPLEMENTAL DECLARATION

Timberbrook Village, Ltd., a Utah Limited Partnership, Declarant under that certain Declaration of Condominium for Timberbrook Village Condominiums, Phase I, dated December 30, 1983, recorded February 3, 1984, as Entry No. 249876 Book 313, Pages 267-313 of Official Iron County Records, and the Management Committee of Timberbrook Village Condominium Owners Association, hereby exercises their authority pursuant to paragraph 27 and other provisions of said Declaration, to Amend said Declaration with respect to clarification of the Declaration regarding certain provisions of the Utah Condominium Act (Utah Code Annotated Title 57 Chapter 8), and to make certain other permissible amendments as follows:

1. The person to receive service of process is hereby amended to be: Barry Church, Box 1787, Cedar City, Utah, 84720.

2. The undivided ownership interest in the Common Areas is clarified to 1/45 (as set forth at Exhibit D to the Declaration), and each unit owner is entitled to one vote for each unit owned, with a total of 45 votes. (Subject to change upon addition of expandable areas as provided in the Declaration.)

3. To clarify the intent of the Declaration with respect to the requirement of Utah Code Annotated
BOOK 327 PAGE 738

§57-8-10(4)(i): None of the property which may be added to the project pursuant to paragraph 36 shall be used for any purpose not related to use of the property for residential purposes and purposes related thereto (such as parking, common landscape areas, driveways, recreational amenities and the like).

4. To clarify the intent of the Declaration with respect to the requirements of Utah Code Annotated §57-8-10(4)(m), no assurances are made as to the type, size, or maximum number of limited common areas which may be added to any expandable property by the Declarant or its assigns.

5. In accordance with the Utah Code Annotated §57-8-27, each unit within the project, and its undivided interest in the common areas and facilities, are deemed to be a parcel and are subject to separable assessment and taxation. Accordingly neither the building(s) nor any of the other common area and facilities are deemed to be a parcel.

The legal description of the property affected by this Supplemental Declaration is as set forth at Exhibit A hereto, which

BOOK 327 PAGE 739
#257779

STATE OF UTAH)
 : SS
COUNTY OF IRON)

On the 28th day of January, 1985, personally appeared before me Barry C. Church, who being by me duly sworn, did say the he is the Chairman of the Management Committee of Timberbrook Village Condominium Owners Association, and that the within and foregoing instrument was signed on behalf of said Association and said person acknowledged to me that said Association executed the same as Chairman of the Management Committee of Timberbrook Village Condominium Owners Association, for and on its behalf.


Bevelly House
Notary Public

My Commission Expires:

10-15-86

Residing In:

Cedar City, Utah

BOOK 327 PAGE 741
#257779

EXHIBIT "A"

THE REAL property affected by this supplemental Declaration, is located in Iron County, State of Utah, and is described as follows:

Building A, Units 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314 and 315, according to the Record of Survey Map for TIMBERBROOK VILLAGE CONDOMINIUM, Phase I, an expandable Condominium Project, as the same appears on the Record of Survey Map, on file in the Office of the Iron County Recorder, as Entry No. 249875.

TOGETHER WITH an appropriate undivided ownership interest in and to the Common Areas and Facilities, as set forth on said Record of Survey Map and the Declaration of Condominium, recorded February 3, 1984, as Entry Numbers 249875 and 249876.

EXCEPTING all coal, oil, gas and other minerals in and under said land, as reserved by the State of Utah.

* * * *

BOOK 327 PAGE 742
#25779