

WHEN RECORDED, RETURN TO:

Patrick H. Holmes
HOLMES HOMES, INC.
45 West 10000 South, Ste 206
Sandy, Utah 84070

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
COMISKEY PARK GARDEN HOME CONDOMINIUMS

(An Expandable Condominium Project)**

THIS AMENDMENT TO DECLARATION OF CONDOMINIUM OF COMISKEY PARK GARDEN HOME CONDOMINIUMS, an expandable condominium project ("Amendment"), is made effective as of the date of the recording hereof in the Tooele County Recorder's Office by HOLMES HOMES, INC. ("Declarant") pursuant to Article 15 of the Declaration.

RECITALS:

A. On August 13, 2004, Declarant filed a Declaration of Condominium of Comiskey Park Garden Homes Condominiums, an expandable condominium project (the "Declaration"), as Entry No. 227596, in Book 963, beginning at page 790 in the official records of the Tooele County Recorder, State of Utah, with the Record of Survey Map (the "Plat").

B. The Plat created an expandable residential condominium project (the "Condominium Project"), consisting, initially, of nine (9) units ("Phase One"), and additional land that may be used to expand the Condominium Project with up to 39 additional units ("Additional Land").

C. The Additional Land described in the Declaration has been used to create a total of forty-eight (48) units in a total of three phases, as described in: (1) Amendment No. One for Expansion of Comiskey Park Garden Home Condominiums (an Expandable Condominium Project), recorded May 17, 2005 as Entry No. 240568 in the official records of Tooele County, Utah; and (2) Amendment No. Two for Expansion of Comiskey Park Garden Home Condominiums (an Expandable Condominium Project), also recorded May 17, 2005 as Entry No. 240570 in the official records of Tooele County, Utah.

D. Supplemental Plats for Phases Two and Three have been recorded by Declarant in the official records of the Tooele County Recorder, State of Utah.

E. Declarant has discovered that the name of the Condominium Project (as defined in the Declaration) differs from the name of the Condominium Project as shown on the above-described amendments for expansion and on the Plat and the Supplemental Plats in that the word "Home" in the name of the Condominium Project, as stated in the Declaration, is made plural, but is in the singular in all of such amendments and plats.

F. Declarant, pursuant to Section 15.2 of the Declaration desires to correct the technical error contained in the name of the Condominium Project as described in the Declaration by recording this Amendment.

NOW THEREFORE, in pursuance of the foregoing, Declarant declares and certifies as follows:

1. Name of Condominium Project. Section 2.2 of the Declaration is hereby deleted in its entirety from the Declaration and replaced by the following:

2.2 Name and Location. The Condominium Project shall be named and known as COMISKEY PARK GARDEN HOME CONDOMINIUMS. The Condominium Project is located in Tooele County, Utah, and the legal description of the real estate included in the Condominium Project is the Parcel set forth on Exhibit "A." The name of the Association is COMISKEY PARK GARDEN HOME CONDOMINIUMS ASSOCIATION.

2. Effect of Amendment. Whenever in the Declaration or in any of the exhibits thereto a reference to the name of the Condominium Project is made, the name shall be deemed to conform with the name given in the revised Section 2.2 as stated in paragraph 1 of this Amendment.

3. Purpose of Amendment. This Amendment is recorded to correct a technical error in the name of the Condominium Project as stated in the Declaration and to make the name consistent with the name of the Condominium Project as shown on the Plat and the subsequent amendments and supplemental plats recorded to expand the Condominium Project.

4. Recitals. The Recitals to this Amendment are an integral part of this Amendment and are incorporated into the body of this Amendment.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on this 23rd day of May, 2006.

DECLARANT:

HOLMES HOMES, INC., a Utah corporation

By: [Signature]
Title: president

STATE OF UTAH)
 : SS.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 23rd day of ~~April~~ May 2006, by Patrick Holmes, who is the President of HOLMES HOMES, INC., a Utah corporation.



Melanie O. Maxfield
NOTARY PUBLIC
Residing at Salt Lake County, Utah

My Commission Expires:

EXHIBIT "A"

LEGAL DESCRIPTION
COMISKEY PARK GARDEN HOME CONDOMINIUMS

Comiskey Park Garden Home Condominiums Phase 1 Boundary Description (now known as units 1 thru 9) 15-14-1 thru 9

Beginning at a point which lies North 89°42'14" East 587.78 feet along the North line of the Northeast Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base & Meridian, and South 00°17'46" East 1604.74 feet from the North Quarter Corner of said Section 16; and traversing thence

North 78°11'57" East 87.72 feet to a point on a non-tangent curve to the left, having a radius of 690.00 feet and a central angle of 11°59'22"; thence along the arc of said curve a distance of 144.38 feet, said arc subtended by a chord bearing South 17°47'44" East, a distance of 144.12 feet; thence North 66°12'35" East 30.00 feet to a point on a non-tangent curve to the right, having a radius of 660.00 feet and a central angle of 05°33'13"; thence along the arc of said curve a distance of 63.97 feet, said arc subtended by a chord bearing North 21°00'48" West, a distance of 63.95 feet, to a point of compound curvature to the right, having a radius of 20.00 feet and a central angle of 87°00'08"; thence along the arc of said curve a distance of 30.37 feet, said arc subtended by a chord bearing North 25°15'53" East, a distance of 27.53 feet, to a point of reverse curvature to the left, having a radius of 322.00 feet and a central angle of 12°40'34"; thence along the arc of said curve a distance of 71.24 feet, said arc subtended by a chord bearing North 62°25'39" East, a distance of 71.09 feet, to a point of compound curvature to the left, having a radius of 1195.00 feet and a central angle of 05°19'27"; thence along the arc of said curve a distance of 111.05 feet, said arc subtended by a chord bearing North 53°25'38" East, a distance of 111.01 feet, to a point of reverse curvature to the right, having a radius of 15.00 feet and a central angle of 88°07'58"; thence along the arc of said curve a distance of 23.07 feet, said arc subtended by a chord bearing South 84°49'09" East, a distance of 20.87 feet; thence South 40°45'26" East 62.02 feet to a point on a curve to the right, having a radius of 15.00 feet and a central angle of 91°27'08"; thence along the arc of said curve a distance of 23.94 feet, said arc subtended by a chord bearing South 04°58'08" West, a distance of 21.48 feet, to a point of compound curvature to the right, having a radius of 1287.00 feet and a central angle of 15°04'23"; thence along the arc of said curve a distance of 338.58 feet, said arc subtended by a chord bearing South 58°13'54" West, a distance of 337.60 feet, to a point of compound curvature to the right,

having a radius of 14.50 feet and a central angle of $92^{\circ}00'14''$; thence along the arc of said curve a distance of 23.28 feet, said arc subtended by a chord bearing North $68^{\circ}13'48''$ West, a distance of 20.86 feet; thence North $22^{\circ}13'41''$ West 8.86 feet to a point on a curve to the right, having a radius of 920.00 feet and a central angle of $10^{\circ}09'19''$; thence along the arc of said curve a distance of 163.06 feet, said arc subtended by a chord bearing North $17^{\circ}09'02''$ West, a distance of 162.85 feet to the point of beginning.

Containing 37,803 sf or 0.87 acres, more or less.

Comiskey Park Garden Home Condominiums Phase 2 (now known as units 10 thru 20) 15-47 10 thru 20

Beginning at a point which lies North $89^{\circ}42'14''$ East 568.76 feet along the North line of the Northeast Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base & Meridian, and South $00^{\circ}17'46''$ East 1136.53 feet from the North Quarter Corner of said Section 16; and traversing thence

North $89^{\circ}46'22''$ East 19.00 feet; thence
 South $00^{\circ}13'38''$ East 30.00 feet; thence
 North $89^{\circ}46'22''$ East 52.50 feet to a point on a curve to the right, having a radius of 20.00 feet and a central angle of $90^{\circ}00'00''$; thence along the arc of said curve a distance of 31.42 feet, said arc subtended by a chord bearing South $45^{\circ}13'38''$ East, a distance of 28.28 feet; thence South $00^{\circ}13'38''$ East 262.15 feet to a point on a curve to the left, having a radius of 690.00 feet and a central angle of $11^{\circ}34'26''$; thence along the arc of said curve a distance of 139.38 feet, said arc subtended by a chord bearing South $06^{\circ}00'50''$ East, a distance of 139.14 feet; thence South $78^{\circ}11'57''$ West 87.72 feet to a point on a non-tangent curve to the right, having a radius of 920.00 feet and a central angle of $11^{\circ}50'44''$; thence along the arc of said curve a distance of 190.21 feet, said arc subtended by a chord bearing North $06^{\circ}09'00''$ West, a distance of 189.87 feet; thence North $00^{\circ}13'38''$ West 279.33 feet to the point of beginning.

Containing 39,485 sf or 0.91 acres, more or less.

Comiskey Park Garden Home Condominiums Phase 3a (now known as units 21 thru 43)

Beginning at a point which lies North $89^{\circ}42'14''$ East 583.37 feet along the North line of the Northeast Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base & Meridian, and South $00^{\circ}17'46''$ East 1045.08 feet from the North Quarter Corner of said

Section 16; and traversing thence

North 89°46'22" East 248.41 feet to a point on a curve to the left, having a radius of 130.00 feet and a central angle of 44°46'22"; thence along the arc of said curve a distance of 101.59 feet, said arc subtended by a chord bearing North 67°23'11" East, a distance of 99.02 feet; thence North 45°00'00" East 8.13 feet to a point on a curve to the right, having a radius of 14.50 feet and a central angle of 90°00'00"; thence along the arc of said curve a distance of 22.78 feet, said arc subtended by a chord bearing South 90°00'00" East, a distance of 20.51 feet; thence South 45°00'00" East 14.34 feet to a point on a curve to the left, having a radius of 129.95 feet and a central angle of 45°13'38"; thence along the arc of said curve a distance of 102.58 feet, said arc subtended by a chord bearing South 67°36'49" East, a distance of 99.94 feet; thence North 89°46'22" East 248.91 feet to a point on a curve to the right, having a radius of 30.00 feet and a central angle of 20°00'12"; thence along the arc of said curve a distance of 10.47 feet, said arc subtended by a chord bearing South 80°13'32" East, a distance of 10.42 feet; thence South 70°13'26" East 12.39 feet to a point on a curve to the right, having a radius of 14.50 feet and a central angle of 91°37'49"; thence along the arc of said curve a distance of 23.19 feet, said arc subtended by a chord bearing South 24°24'32" East, a distance of 20.80 feet, to a point of compound curvature to the right, having a radius of 1287.00 feet and a central angle of 13°35'55"; thence along the arc of said curve a distance of 305.46 feet, said arc subtended by a chord bearing South 28°12'20" West, a distance of 304.74 feet, to a point of compound curvature to the right, having a radius of 15.00 feet and a central angle of 91°21'05"; thence along the arc of said curve a distance of 23.92 feet, said arc subtended by a chord bearing South 80°40'50" West, a distance of 21.46 feet; thence North 53°38'37" West 62.02 feet to a point on a curve to the right, having a radius of 15.00 feet and a central angle of 88°34'46"; thence thence along the arc of said curve a distance of 23.1900 feet, said arc subtended by a chord bearing North 09°21'14" West, a distance of 20.95 feet, to a point of reverse curvature to the left, having a radius of 1195.00 feet and a central angle of 04°29'49"; thence along the arc of said curve a distance of 93.79 feet, said arc subtended by a chord bearing North 32°41'14" East, a distance of 93.77 feet, to a point of compound curvature to the left, having a radius of 115.00 feet and a central angle of 15°41'24"; thence along the arc of said curve a distance of 31.49 feet, said arc subtended by a chord bearing North 22°31'48" East, a distance of 31.39 feet, to a point of reverse curvature to the right, having a radius of 20.00 feet and a central angle of 75°05'17"; thence along the arc of said curve a distance of 26.21 feet, said arc subtended by a chord bearing North 52°13'44" East, a distance of 24.37 feet; thence North 89°46'22" East 25.00 feet to a point on a curve to the right,

having a radius of 135.00 feet and a central angle of $21^{\circ}48'19''$; thence along the arc of said curve a distance of 51.38 feet, said arc subtended by a chord bearing South $79^{\circ}19'29''$ East, a distance of 51.07 feet; thence North $21^{\circ}34'41''$ East 30.00 feet to a point on a non-tangent curve to the left, having a radius of 165.00 feet and a central angle of $21^{\circ}48'19''$; thence along the arc of said curve a distance of 62.79 feet, said arc subtended by a chord bearing North $79^{\circ}19'29''$ West, a distance of 62.42 feet; thence South $89^{\circ}46'22''$ West 650.44 feet; thence North $00^{\circ}13'38''$ West 76.97 feet to a point on a curve to the right, having a radius of 14.50 feet and a central angle of $90^{\circ}00'00''$; thence along the arc of said curve a distance of 22.78 feet, said arc subtended by a chord bearing North $44^{\circ}46'22''$ East, a distance of 20.51 feet, to the point of beginning.

Containing 88,724 sf or 2.04 acres, more or less.

Comiskey Park Garden Home Condominiums Phase 3b (now known as units 44 thru 48) 15-48 21 thru 48

Beginning at a point which lies North $89^{\circ}42'14''$ East 1097.04 feet along the North line of the Northeast Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base & Meridian, and South $00^{\circ}17'46''$ East 1334.38 feet from the North Quarter Corner of said Section 16; and traversing thence

South $53^{\circ}38'37''$ East 62.02 feet to a point on a curve to the right, having a radius of 15.00 feet and a central angle of $91^{\circ}21'05''$; thence along the arc of said curve a distance of 23.92 feet, said arc subtended by a chord bearing South $07^{\circ}58'04''$ East, a distance of 21.46 feet, to a point of compound curvature to the right, having a radius of 1287.00 feet and a central angle of $09^{\circ}22'59''$; thence along the arc of said curve a distance of 210.76 feet, said arc subtended by a chord bearing South $42^{\circ}23'42''$ West, a distance of 210.53 feet, to a point of compound curvature to the right, having a radius of 15.00 feet and a central angle of $91^{\circ}48'07''$; thence along the arc of said curve a distance of 24.03 feet, said arc subtended by a chord bearing North $87^{\circ}00'30''$ West, a distance of 21.54 feet; thence North $41^{\circ}06'26''$ West 62.04 feet to a point on a curve to the right, having a radius of 15.00 feet and a central angle of $88^{\circ}06'20''$; thence along the arc of said curve a distance of 23.07 feet, said arc subtended by a chord bearing North $02^{\circ}56'44''$ East, a distance of 20.86 feet, to a point of reverse curvature to the left, having a radius of 1195.00 feet and a central angle of $09^{\circ}13'16''$; thence along the arc of said curve a distance of 192.32 feet, said arc subtended by a chord bearing North $42^{\circ}23'16''$ East, a distance of 192.12 feet, to a point of reverse curvature to the right, having a radius of 15.00 feet and a central angle of $88^{\circ}34'45''$; thence

along the arc of said curve a distance of 23.19 feet, said arc subtended by a chord bearing North $82^{\circ}04'00''$ East, a distance of 20.95 feet to the point of beginning.

Containing 21,109 sf or 0.48 acres, more or less.