

AMENDMENT TO THE DECLARATION OF CONDOMINIUM

OF

"GREEN VALLEY" CONDOMINIUMS

PHASE I, Phase I Amended

ENT 4192 BK 3346 PG 831
NINA B REID UTAH CO RECORDER BY MB
1994 JAN 14 12:46 PM FEE 57.00
RECORDED FOR SECURITY TITLE AND ABSTRACT

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF GREEN VALLEY CONDOMINIUMS (hereinafter "the Amendment to the Declaration"), is made by JOYNER CONSTRUCTION, INC. (hereinafter collectively "the Declarant").

RECITAL

WHEREAS, on the 3rd day of March 1993, that certain instrument captioned "Declaration of Condominium of Green Valley Condominiums" (therein and herein "The Declaration"), consisting of 40 pages, including Exhibits "A", "B", and "C", thereto attached, was filed for record by the Declarant in the office of the County Recorder of Utah County, Utah, in Book 3097, page 282 as Entry No. 12594, Green Valley Condominiums, hereinafter recited reference is hereby made for all purposes; and

WHEREAS, that certain instrument captioned "Record of Survey Map of Green Valley Condominiums, " prepared by Allen Consulting Surveyors and certified by Don Allen, Utah registered land surveyor, professional engineer, was filed of record simultaneously with the Declaration by the Declarant in said Office of the County Recorder as Entry No. 4191, assigned Map Filings No. 5326; and

WHEREAS, the Declaration (in Article IV) expressly reserved to the Declarant the right to expand the Green Valley Condominiums, Condominium Project ("the Project"), which right included the method of expansion, the right to adjust percentages of Common Areas and other provisions relative thereto as all therein set forth; and

WHEREAS, the Declarant now proposes to expand the project pursuant to the provisions of said Article IV of the Declaration to encompass the tracts of land hereinafter described,

NOW, THEREFORE, the Declarant hereby certifies and declares as follows:

SUPPLEMENTARY DECLARATION

1. Expansion of Definitions. The definitions used in the Declaration (wherever the context so admits as applied to the Amendment to the Declaration) shall be so expanded to encompass and refer to the project as hereby expanded.

2. Submission of Additional Tracts to Condominium Project. the Declarant hereby submits the following described tracts of land in the County of Utah (hereinafter sometimes referred to as "Phase II"), to-wit:

GREEN VALLEY PHASE II

See Exhibit "A"

including all buildings and other improvements constructed thereon, together with all appurtenances thereto, and subject to all the covenants, conditions, and restrictions as hereinafter provided, to the Provisions of the Utah Condominium Ownership Act, so that such additional Buildings, Improvements and Appurtenances and the initial Condominium Project created by the Declaration shall in every respect be treated as integral parts of a single condominium ownership Project.

3. Name. The phase II lands, buildings, improvements and appurtenances hereby submitted to the provisions of the Act shall be known as Green Valley Condominium, Phase II.

4. Development Plans. This Phase, constituting expanded area of the Project will include the five (7) buildings containing a total of eleven (15) units, as shown on the supplemental record of survey map (the supplemental map), prepared and certified by Don Allen, engineer, which is filed simultaneously herewith.

5. Proportionate Ownership in Common Areas. The Phase II unit owners' proportionate ownership in the common areas of the Project as expanded, shall be set forth in Exhibit "B", hereto attached and made a part hereof. The expanded project will be managed, treated and governed in all respects as one condominium project without regard to phases, it being intended that references to phases in the Declaration and herein being made are for convenience only. The provisions of Article IV of the Declaration reserving to Declarant the right to adjust percentages of common areas of the original condominium shall likewise apply to the Phase II area.

6. Amendment of Ownership of Unit Owners of Phase II in the Common Areas. Pursuant to the provisions of Article IV of the Declaration reserving to Declarant the right to adjust the percentages of the Unit Owners; ownership in the common area upon the project being expanded, the Declarant hereby declares and certifies that from and after the recordation hereof in the Office of the County Recorder of Utah County, Utah, the proportionate ownership of unit owners of Phase I in the common areas of the Project, as expanded, shall be as set forth in the part of said Exhibit "B", captioned "Phase II--Amended Percentages of Ownership in the Common Areas."

7. Area of Land Covering the Project After Expansion. The Project as expanded here by encompasses the following described tracts of land in Utah County, Utah, to-wit:

GREEN VALLEY CONDOMINIUMS PHASE I

See Exhibit "C"

Being the perimeter description of Phase I, Green Valley Condominiums, Orem, Utah.

GREEN VALLEY CONDOMINIUMS PHASE II

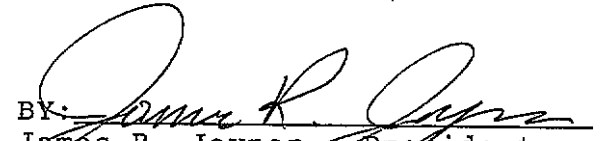
See Exhibit "A"

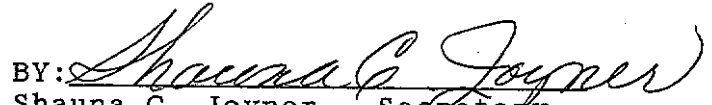
Being the perimeter description of Phase II, Green Valley Condominiums, Orem, Utah.

8. Incorporation by Reference of this Declaration. All and singular the provisions of the Declaration of Condominium of Green Valley Condominiums, together with the Bylaws, wherever the context so admits as applied to Phase I area, are hereby adopted herein by reference and made a part hereof as if the same were fully set forth herein.

IN WITNESS WHEREOF, the Declarant has duly executed this instrument on the ___ day of June, 1993.

JOYNER CONSTRUCTION, INC.

BY: 
James R. Joyner - President

BY: 
Shauna C. Joyner - Secretary

SEAL:



On the ___ day June, 1993, personally appeared before me JAMES R. JOYNER, President of Joyner Construction, Inc., Declarant, the signer of the foregoing instrument who acknowledged to me that he executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at: _____

EXHIBIT " A "

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PHASE II

Beginning South $0^{\circ}08'49''$ East 135.30 feet along the section line and WEST 443.03 feet from the northeast corner of Section 33, Township 5 South, Range 2 East, Salt Lake Base Meridian; thence South $0^{\circ}01'43''$ East 444.61 feet; thence South $89^{\circ}58'17''$ West 255.00 feet; thence North $0^{\circ}01'43''$ West 607.61 feet; thence North $86^{\circ}26'50''$ East 148.64 feet; thence South $22^{\circ}28'40''$ East 28.96 feet; thence South $32^{\circ}54'13''$ East 173.23 feet; thence North $85^{\circ}25'53''$ East 1.55 feet to the point of beginning.

Containing 3.371 acres.

EXHIBIT "B"

"Phase II--Amended Percentages of Ownership in the Common Areas."

AMENDMENT TO DECLARATION OF
COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS
OF THE
GREEN VALLEY CONDOMINIUMS

Unit Number	Appurtenant Par Value	Percent of Undivided Interest In Common Areas	AS of Phase 2
1	1.0		2.94
2	1.0		2.94
3	1.0		2.94
4	1.0		2.94
5	1.0		2.94
6	1.0		2.94
7	1.0		2.94
8	1.0		2.94
9	1.0		2.94
10	1.0		2.94
11	1.0		2.94
12	1.0		2.94
13	1.0		2.94
14	1.0		2.94
15	1.0		2.94
16	1.0		2.94
17	1.0		2.94
18	1.0		2.94
19	1.0		2.94
20	1.0		2.94
21	1.0		2.94
22	1.0		2.94
35	1.0		2.94
36	1.0		2.94
37	1.0		2.94
38	1.0		2.94
39	1.0		2.94
40	1.0		2.94
41	1.0		2.94
42	1.0		2.94
43	1.0		2.94
44	1.0		2.94
45	1.0		2.94
46	1.0		2.94

EXHIBIT " G "

PHASE I

ENT 4192 BK 3346 PG 838

Beginning North $0^{\circ}19'56''$ West 27.57 feet along the section line and WEST ~~697.61~~⁶⁰⁰ feet from the northeast corner of Section 33, Township 5 South, Range 2 East, Salt Lake Base Meridian; thence South $0^{\circ}01'43''$ East 607.61 feet; thence South $89^{\circ}58'17''$ West 443.15 feet; thence North $22^{\circ}44'31''$ West 189.71 feet along the easterly line of Locust Avenue; thence North $89^{\circ}58'17''$ East 236.40 feet; thence North $0^{\circ}01'43''$ West 227.13 feet; thence South $85^{\circ}25'53''$ West 88.44 feet; thence North $3^{\circ}33'10''$ West 189.45 feet; thence North $86^{\circ}26'50''$ East 380.53 feet to the point of beginning.

Containing 5.061 acres.