

WHEN RECORDED RETURN TO:

CHAMBÉRY  
Wayne H. Corbridge  
758 South 400 East  
Suite 203  
Orem, Utah 84058

ENT 45373 BK 5053 PG 824  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
1999 Apr 20 1:35 PM FEE 48.00 BY SS  
RECORDED FOR CHAMBÉRY

CORRECTED  
(To Add the Clubhouse)  
SECOND SUPPLEMENT TO THE  
DECLARATION OF CONDOMINIUM  
FOR  
CHAMBÉRY  
a Utah Condominium Project

This SUPPLEMENT to the DECLARATION OF CONDOMINIUM for CHAMBÉRY, a Utah Condominium Project, is made and executed this 15th day of April, 1999, by CHAMBÉRY, L.C., a Utah limited liability company, of 758 South 400 East, Suite 203, Orem, Utah 84058 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Original Declaration was recorded in the office of the County Recorder of Utah County, Utah on the 19th day of February, 1999, as Entry No. 20260 in Book 4981 at Pages 777 through 848 of the Official Records of the County Recorder of Utah County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the First Supplemental Declaration was recorded in the office of the County Recorder of Utah County, Utah on the 8 day of March, 1999, as Entry No. 28025 in Book No. 5004 at Page No. 51 of the Official Records of the County Recorder of Utah County, Utah (the "First Supplement").

Whereas, the Corrected First Supplemental Declaration was recorded in the office of the County Recorder of Utah County, Utah on the 20 day of April, 1999, as Entry No. 45372 in Book No. 5053 at Page No. 819 of the Official Records of the County Recorder of Utah County, Utah.

Whereas, the related Plat Map(s) for Phase II of the Project has also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the Second Supplemental Declaration was recorded in the office of the County Recorder of Utah County, Utah on the 8 day of March, 1999, as Entry No. 28027 in Book No. 5004 at Page No. 56 of the Official Records of the County Recorder of Utah County, Utah (the "Second Supplement").

Whereas, the related Plat Map(s) for Phase III of the Project has also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the undersigned desires to correct a clerical error in the Second Supplemental Declaration.

Whereas, under Article III, Section 44 of the Amended & Restated Declaration, Declarant reserved an option until the seven (7) years from the date following the SECOND conveyance of a Unit in Phase I to a Unit purchaser to expand the Project in accordance with the Act.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit "A-2" attached hereto and incorporated herein by this reference (the "Phase III Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of the Office of Veterans Affairs, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Phase III Property a residential condominium development.

Whereas, Declarant now intends that the Phase III Property shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this SECOND SUPPLEMENT to the DECLARATION OF CONDOMINIUM FOR CHAMBÉRY, a Utah Condominium Project.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. Second Supplemental Declaration shall mean and refer to this SECOND SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR CHAMBÉRY, a Utah Condominium Project.

B. Second Supplemental Phase III Map shall mean and refer to the Supplemental Plat Map of Phase III of the Project, prepared and certified to by Gary W. Wier, a duly registered Utah Land Surveyor holding Certificate No. 333098, and filed for record in the Office of the County Recorder of Utah County, Utah concurrently with the filing of this Second Supplemental Declaration.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property described in Exhibit A-2 is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of this Supplemental Declaration:

3. Annexation. Declarant hereby declares that the Phase III Property shall be annexed to and become subject to the Declaration, which upon recordation of this Second Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase III Map, a Clubhouse, Building

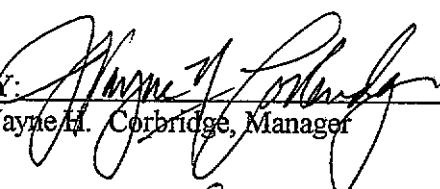
and twelve (12) additional Units are or will be constructed and/or created in the Project on the Phase III Property. The additional Clubhouse, Building and Units are located within a portion of the Additional Land. Upon the recordation of the Phase III Map and this Second Supplemental Declaration, the total number of Units in the Project will be thirty (30). The additional Building and Units are substantially similar in construction, design and quality to the Building and Units in the prior Phases.

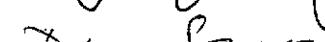
5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocated the undivided percentages of ownership interest in the Common Areas and Facilities (the "Percentage Interests"). Revised Exhibit "C" to the Declaration is deleted in its entirety and "Second Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof. The Percentage Interests set forth in Second Revised Exhibit "C" have been computed on the basis of Par Value.

6. Effective Date. The effective date of this Second Supplemental Declaration and the Phase III Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Utah County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year SECOND above written.

CHAMBÉRY, L.C.  
a Utah limited liability company

BY:   
TITLE: Wayne H. Corbridge, Manager

BY:   
TITLE: David Schiess, Manager

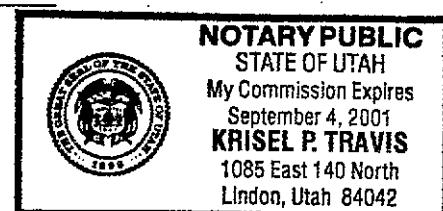
STATE OF UTAH

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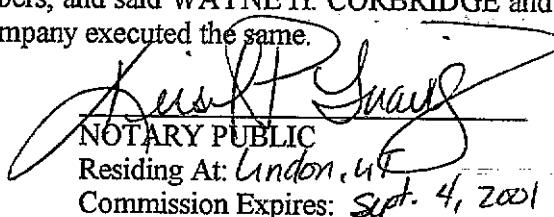
SS:

COUNTY OF UTAH

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On the 16 day of April, 1999, personally appeared before me WAYNE H. CORBRIDGE and DAVID SCHIESS, who by me being duly sworn, did say that they are the Managers of CHAMBÉRY, 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, and said WAYNE H. CORBRIDGE and DAVID SCHIESS, duly acknowledged to me that said company executed the same.

  
NOTARY PUBLIC  
Residing At: Lindon, UT  
Commission Expires: Sept. 4, 2001

## Exhibit "A-2"

CHAMBERY PHASE III  
LEGAL DESCRIPTION

The land described in the foregoing document is located in Utah County, Utah and is described more particularly as follows:

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS EAST A DISTANCE OF 61.02 FEET AND SOUTH A DISTANCE OF 1029.27 FEET FROM THE NORTH QUARTER CORNER OF SECTION 28; T. 6 S., R. 2 E., S.L.B.&M.; THENCE S. 88°53'00" E. A DISTANCE OF 293.70 FEET; THENCE S. 01°37'31" W. A DISTANCE OF 266.23 FEET; THENCE N. 88°24'00" W. A DISTANCE OF 86.72 FEET; THENCE N. 35°24'51" E. A DISTANCE OF 23.44 FEET; THENCE NORTHWESTERLY 11.17 FEET ALONG THE ARC OF A 95.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 6°44'07", SUBTENDED BY A CHORD THAT BEARS N. 57°26'57" W. A DISTANCE OF 11.16 FEET; THENCE N. 54°04'53" W. A DISTANCE OF 73.40 FEET TO THE POINT OF TANGENCY OF A 90.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY A DISTANCE OF 44.29 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVATURE OF 164.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY A DISTANCE OF 95.88 FEET ALONG THE ARC OF SAID CURVE, SAID CURVE HAVING A CENTRAL ANGLE OF 33°29'53", SUBTENDED BY A CHORD THAT BEARS N. 65°31'41" W., A DISTANCE OF 94.52 FEET; THENCE N. 48°46'45" W. A DISTANCE OF 5.14 FEET; THENCE S. 41°13'15" W. A DISTANCE OF 6.00 FEET; THENCE NORTHWESTERLY 19.72 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 75°18'29", SUBTENDED BY A CHORD THAT BEARS N. 88°25'59" W. A DISTANCE OF 18.33 TO A POINT OF REVERSE CURVATURE OF A 123.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 3.91 FEET ALONG THE ARC OF SAID CURVE, SAID CURVE HAVING A CENTRAL ANGLE OF 1°49'10", SUBTENDED BY A CHORD THAT BEARS S. 56°49'22" W. A DISTANCE 3.91; THENCE N. 57°43'57" W. A DISTANCE OF 167.26 FEET; THENCE SOUTHWESTERLY 28.94 FEET ALONG THE ARC OF A 18.50-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 89°36'57", SUBTENDED BY A CHORD THAT BEARS S. 12°55'28" W. A DISTANCE OF 26.08 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE S. 58°07'00" W. A DISTANCE OF 12.00 FEET; THENCE N. 31°53'00" W. A DISTANCE OF 87.00 FEET; THENCE N. 58°07'00" E. A DISTANCE OF 12.00 FEET; THENCE SOUTHEASTERLY 29.18 FEET ALONG THE ARC OF A 18.50-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 90°23'03" SUBTENDED BY A CHORD THAT BEARS S. 77°04'32" E. A DISTANCE OF 26.25 FEET; THENCE N. 57°43'57" E. A DISTANCE OF 169.28 FEET; THENCE NORTHWESTERLY 76.47 FEET ALONG THE ARC OF A 77.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 56°54'13" SUBTENDED BY A CHORD THAT BEARS N. 29°16'51" E. A DISTANCE OF 73.37 FEET; THENCE N. 00°49'44" E. A DISTANCE OF 40.27 FEET TO THE POINT OF BEGINNING, CONTAINING 1.67 ACRES, MORE OR LESS.

**SECOND REVISED EXHIBIT "C"**  
**PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST**

| <u>Phase</u>  | <u>Bldg</u> | <u>Unit No.</u> | <u>Percentage Interest</u> | <u>Par Value</u> |
|---------------|-------------|-----------------|----------------------------|------------------|
| I             | P           | 1               | 3.33%                      | 100              |
| I             | P           | 2               | 3.33%                      | 100              |
| I             | P           | 3               | 3.33%                      | 100              |
| I             | P           | 4               | 3.33%                      | 100              |
| I             | P           | 5               | 3.33%                      | 100              |
| I             | P           | 6               | 3.33%                      | 100              |
| II            | B           | 1               | 3.33%                      | 100              |
| II            | B           | 2               | 3.33%                      | 100              |
| II            | B           | 3               | 3.33%                      | 100              |
| II            | B           | 4               | 3.33%                      | 100              |
| II            | B           | 5               | 3.33%                      | 100              |
| II            | B           | 6               | 3.33%                      | 100              |
| II            | B           | 7               | 3.33%                      | 100              |
| II            | B           | 8               | 3.33%                      | 100              |
| II            | B           | 9               | 3.33%                      | 100              |
| II            | B           | 10              | 3.33%                      | 100              |
| II            | B           | 11              | 3.33%                      | 100              |
| II            | B           | 12              | 3.33%                      | 100              |
| III           | A           | 1               | 3.33%                      | 100              |
| III           | A           | 2               | 3.33%                      | 100              |
| III           | A           | 3               | 3.33%                      | 100              |
| III           | A           | 4               | 3.33%                      | 100              |
| III           | A           | 5               | 3.33%                      | 100              |
| III           | A           | 6               | 3.33%                      | 100              |
| III           | A           | 7               | 3.33%                      | 100              |
| III           | A           | 8               | 3.33%                      | 100              |
| III           | A           | 9               | 3.33%                      | 100              |
| III           | A           | 10              | 3.33%                      | 100              |
| III           | A           | 11              | 3.33%                      | 100              |
| III           | A           | 12              | 3.33%                      | 100              |
| <b>TOTAL:</b> |             | <b>3</b>        | <b>30</b>                  | <b>100.00%</b>   |
|               |             |                 |                            | <b>3000</b>      |