

WHEN RECORDED, RETURN TO:
The Law Office of Kirk A. Cullimore
644 East Union Square
Sandy, UT 84070

ENT 46410: 2011 PG 1 of 3
Jeffery Smith
Utah County Recorder
2011 Jun 27 11:09 AM FEE 48.00 BY EO
RECORDED FOR Kirk A. Cullimore & Associates
ELECTRONICALLY RECORDED

**SUPPLEMENTAL DECLARATION OF CONDOMINIUM FOR SUMMER VILLAGE, AN
EXPANDABLE UTAH CONDOMINIUM PROJECT
(Phase 3)**

THIS SUPPLEMENTAL DECLARATION is made the date below by S & L Landscaping and Excavation, Inc., a Utah corporation, in its capacity as Declarant of Summer Village Condominiums.

RECITALS

A. S & L Landscaping and Excavation, Inc., is Declarant under the Declaration, as amended and supplemented, recorded December 28, 2004, as Entry No. 144974: 2004 in the Utah County Recorder's office ("Declaration");

B. Under Declaration Article III, Section 46, Declarant has the right to add Units to the Project;

C. Declarant conveyed title to the Units in Phase 3 subject to the Declaration, recorded the plat to subject the Units to the Declaration, but failed to record a supplemental declaration. Declarant desires to cure the oversight by recording this Supplemental Declaration.

D. Declarant desires to annex property into the Project. The annexed land shall be known as Phase 3 ("Project") as described in Exhibit "A" and the plat recorded July 13, 2006, as Entry No. 88228-2006 in the Utah County Recorder's Office.

NOW THEREFORE, Declarant hereby declares as follows:

1. All defined terms as used in this Supplemental Declaration shall have the same meaning as those set forth and defined in the Declaration, unless a definition is given to the term in this Supplemental Declaration.

2. The real property described in Exhibit "A" and situated in Saratoga Springs, Utah County, Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed in to the Project and is to be held, transferred, sold, conveyed, and occupied as a part of the Project, subject to the following:

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through, and under the said property and any improvements (including buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant (in a manner which is reasonable and not inconsistent with the provisions of the Declaration): (i) to construct and complete the Project, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete on the Additional Property, or any portion thereof, such improvements as Declarant shall determine to build in its sole discretion (and whether or not the Additional Property or any portion thereof has been or hereafter will be added to the Project); (iii) to amend the existing Project as to the number of lots, lot sizes, and units to be built upon the land, as permitted by the laws of the State of Utah and Utah County and the zoning requirements of Saratoga Springs City; and (iv) to improve portions of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners as Declarant may reasonably determine to be appropriate. If, pursuant to all foregoing reservations, the said property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line

EXHIBIT "A"
LEGAL DESCRIPTION

Units 42 through 76 and Common Area in Summer Village Condos Phase 3 as shown on the official map thereof on file with the Utah County Recorder.

Parcel Nos.: 66:155:0041 and all others within Phase 3 Summer Village Condos.