

7010848

WHEN RECORDED RETURN TO:  
COUNTRY WOODS, L.C.  
Wayne H. Corbridge  
758 South 400 East  
Suite 203  
Orem, Utah 84058

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06/29/98 1:36 PM 117.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
CITY OF DRAPER  
PO BOX 1020  
DRAPER, UT 84020  
REC BY: R JORDAN DEPUTY - WI

EIGHTH SUPPLEMENT TO THE  
DECLARATION OF CONDOMINIUM  
FOR  
SOUTH WILLOW CREEK, A Condominium Project

This EIGHTH SUPPLEMENT to the DECLARATION OF CONDOMINIUM FOR SOUTH WILLOW CREEK is made and executed this 19th day of June, 1998, by SOUTH WILLOW, L.C., a Utah Limited Partnership 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 Salt Lake County, Utah on the 25th day of August, 1997 as Entry No. 6722899, in Book 7741, at Pages 2091-2155 of the Official Records;

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

Whereas, the First Supplement was recorded on August 25, 1997 as Entry No. 6722900, in Book 7741, at Page 2156 of the official records of the County Recorder of Salt Lake County, Utah.

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

Whereas, the First Supplement to the Declaration was re-recorded in the office of the County Recorder of Salt Lake County, Utah on the 9th day of October, 1997 as Entry No. 6760214, in Book 7778, at Page 1777 of the Official Records;

Whereas, the Second Supplement was recorded on August 25, 1997 as Entry No. 6722901, in Book 7741, at Page 2161 in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the related Plat Map for Phase III of the Project

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has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Second Supplement to the Declaration was re-recorded in the office of the County Recorder of Salt Lake County, Utah on the 9th day of October, 1997 as Entry No. 6760215, in Book 7778, at Page 1782 of the Official Records;

Whereas, the Third Supplement to the Declaration was recorded in the office of the County Recorder of Salt Lake County, Utah on the 25th day of August, 1997 as Entry No. 6722902, in Book 7741, at Page 2167;

Whereas, the Third Supplement was re-recorded in the office of the County Recorder of Salt Lake County, Utah on the 9th day of October, 1997, as Entry No. 6760216, in Book 7778, at Page 1789.

Whereas, the related Plat Map for Phase IV of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Fourth Supplement was recorded in the office of the County Recorder of Salt Lake County, Utah on the 29 day of June, 1998, as Entry No. 7010840, in Book \_\_\_\_\_, at Page \_\_\_\_\_.

Whereas, the related Plat Map for Phase V of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Fifth Supplement was recorded in the office of the County Recorder of Salt Lake County, Utah on the 29 day of June, 1998, as Entry No. 7010842, in Book \_\_\_\_\_, at Page \_\_\_\_\_.

Whereas, the related Plat Map for Phase VI of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Sixth Supplement was recorded in the office of the County Recorder of Salt Lake County, Utah on the 29 day of June, 1998, as Entry No. 7010844, in Book \_\_\_\_\_, at Page \_\_\_\_\_.

Whereas, the related Plat Map for Phase VII of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Seventh Supplement was recorded in the office

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of the County Recorder of Salt Lake County, Utah on the 29 day of June, 1998, as Entry No. 7010846, in Book \_\_\_\_\_, at Page \_\_\_\_\_.

Whereas, the related Plat Map for Phase VIII of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 44 of the Declaration, Declarant reserved an option until the seven (7) years from the date following the first 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 Salt Lake County, Utah and described with particularity on Exhibit "A-8" attached hereto and incorporated herein by this reference (the "Phase XIII Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, pursuant to Sections 11, 29 and 44 of Article III of the Declaration and subject to the approval of the Office of Veterans Affairs, to unilaterally amend the Declaration and 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 XIII Property a residential condominium development.

Whereas, Declarant now intends that the Phase XIII Property shall become subject to the Declaration and the Act.

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

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

A. Eighth Supplemental Declaration shall mean and refer to this Eighth Supplement to the DECLARATION OF CONDOMINIUM FOR SOUTH WILLOW CREEK, a Condominium Project.

B. Eighth Supplemental Phase XIII Map shall mean and refer to the Eighth Supplemental Plat Map of Phase XIII of the Project, prepared and certified to by Matthew B. Judd, a duly registered Utah Land Surveyor holding Certificate No. 6913 and filed for record in the Office of the County Recorder of Salt

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Lake County, Utah concurrently with the filing of this Fifth 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-8 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 Eighth Supplemental Declaration.

3. Annexation. Declarant hereby declares that the Phase XIII Property shall be annexed to and become subject to the Declaration, which upon recordation of this Eighth Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-8 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase XIII Map, nine (9) additional Units are created in the Project on the Phase XIII Property. Said additional Units are contained in one 4-plex and another 5-plex, which are located within a portion of the Additional Land. Upon the recordation of the Phase XIII Map and this Eighth Supplemental Declaration, the total number of Units in the Project will be **ninety (90)**. The said additional Units are substantially similar in construction, design and quality to the Units in the prior Phases.

5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocate the Percentage Interest. Seventh Revised Exhibit "C" to the Declaration is deleted in its entirety and "Eighth Revised Exhibit 'C'" attached hereto is substituted in lieu thereof and incorporated herein by this reference. The Percentage Interests set forth in Eighth Revised Exhibit "C" have been computed on the basis of par value.

6. Additional Land. The real property located in Salt Lake County, Utah, described with particularity on Exhibit "B-1" attached hereto and incorporated herein by this reference, consisting of approximately nine (9) acres, is hereby added as Additional Land, as that term was described in the original Declaration, to wit: Additional real property subject to Declarant's unilateral right of annexation.

7. Pets. Article III, Section 6(f)(15) is deleted in its entirety and the following language is substituted in lieu

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thereof:

(15) Pets. A Resident may keep in his Unit either one (1) domestic pet if the pet goes outside the Unit to urinate or defecate or, in the alternative, up to two (2) domestic pets if both pets are kept within the Unit and do not urinate or defecate in the Common Area; provided, however, the resident must abide by any pet rules and regulations adopted by the Management Committee from time to time. Owners and Residents shall immediately clean up the feces after their pets have defecated in the Common Area. Pets in the Common Area shall be kept on a leash or in a cage and under the control of their owners, or his designee, at all times. Pets shall not be tethered in the Common Area. No pets, animals, livestock or poultry of any kind shall be bred in, on or about the project. Pets which, after notice and a hearing, are deemed by the Management Committee, in its sole discretion, to be dangerous pets or pets which constitute a nuisance (e.g., pets which bother, disturb or annoy other Residents or unreasonably interfere with their quiet and peaceful enjoyment of their Unit, pets in the Common Area and not on a leash, pets tethered in the Common Area, pets defecating in the Common Area whose owners do not immediately clean up after, pets who are guilty of unreasonable barking, whining or scratching, etc.) shall be permanently removed from the Project upon delivery of a written request from the Management Committee.

8. Effective Date. The effective date of this Eighth Supplemental Declaration and the Phase XIII Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

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

SOUTH WILLOW, L.C.

*South Willow, LC*

BY: *Wayne H. Corbridge, Manager*  
TITLE: Wayne H. Corbridge, Manager

STATE OF UTAH )  
 ) SS:  
COUNTY OF UTAH )

On the 19 day of June, 1998, personally appeared before me WAYNE H. CORBRIDGE, who by me being duly sworn, did say that he is the Manager of SOUTH WILLOW, L.C., a Utah Limited Liability Company, and that the within and foregoing instrument was signed in

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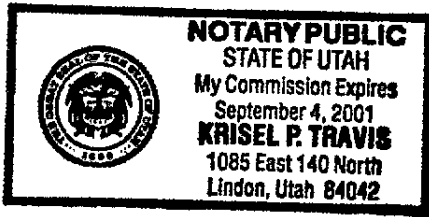
behalf of said Company by authority of a resolution of its Members or its Articles of Organization, and said WAYNE H. CORBRIDGE duly acknowledged to me that said Company executed the same.



NOTARY PUBLIC

Residing At: 1085 E. 140N. Lindon UT

Commission Expires: Sept. 4, 2001



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Exhibit "A-8"  
SOUTH WILLOW CREEK PHASE XIII  
BOUNDARY DESCRIPTION

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

Commencing North 89d 48'40" West along the section line 894.00 feet and North 3480.15 feet from the South Quarter Corner of Section 30, Township 3 South, Range 1 East, Salt Lake Base & Meridian; thence as follows: North 75.94 feet, thence North 03d 15' 49" East 64.10 feet; thence North 96.22 feet, thence along the arc of a 621.84 foot radius curve for a distance of 18.75 feet ( chord bearing North 81 d 19' 11" East 18.75 feet); thence North 09d 32'40" West 11.67 feet; thence North 69d 53' 22" East 40.84 feet; thence South 75d 30' 52" East 7.95 feet; thence South 33d 09' 52" East 67.55 feet; thence South 59.27 feet; thence East 5.42 feet; thence South 48.80 feet; thence East 2.60 feet; thence along the arc of a 10 foot radius curve for a distance of 15.71 feet ( chord bearing South 45d 00' 00" East 14.14 feet); thence South 87.92 feet; thence West 121.27 feet to the point of beginning.

Contains .62 Acres

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EXHIBIT "B-1"  
ADDITIONAL LAND

The real property identified in the foregoing Eighth Supplement as "Additional Land" is located in Salt Lake County, Utah and is described more particularly as follows:

Beginning at a point which is North 89°48'40" West along the section line 1326.05 feet and North 2656.10 feet from the South 1/4 corner of Section 30, Township 3 South, Range 1 East, Salt Lake Base and Meridian; thence North 00°01'40" West 597.14 feet; thence North 89°59'29" East 662.99 feet; thence South 00°11'11" East 597.15 feet; thence South 89°59'29" West 664.65 feet to the point of beginning.

Area = 9.10 Acres

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EIGHTH REVISED EXHIBIT "C"  
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

<u>Phase/Bldg No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>	<u>Par Value</u>
I	A	1 1/90 (1.11%)	100
I	A	2 1/90 (1.11%)	100
I	A	3 1/90 (1.11%)	100
I	A	4 1/90 (1.11%)	100
I	B	5 1/90 (1.11%)	100
I	B	6 1/90 (1.11%)	100
I	B	7 1/90 (1.11%)	100
I	B	8 1/90 (1.11%)	100
I	B	9 1/90 (1.11%)	100
I	B	10 1/90 (1.11%)	100
I	C	119 1/90 (1.11%)	100
I	C	120 1/90 (1.11%)	100
I	C	121 1/90 (1.11%)	100
I	C	122 1/90 (1.11%)	100
I	D	123 1/90 (1.11%)	100
I	D	124 1/90 (1.11%)	100
I	D	125 1/90 (1.11%)	100
I	D	126 1/90 (1.11%)	100
II	E	11 1/90 (1.11%)	100
II	E	12 1/90 (1.11%)	100
II	E	13 1/90 (1.11%)	100
II	E	14 1/90 (1.11%)	100
II	E	15 1/90 (1.11%)	100
II	E	16 1/90 (1.11%)	100
II	F	69 1/90 (1.11%)	100
II	F	70 1/90 (1.11%)	100
II	F	71 1/90 (1.11%)	100
II	F	72 1/90 (1.11%)	100
III	G	103 1/90 (1.11%)	100
III	G	104 1/90 (1.11%)	100
III	G	105 1/90 (1.11%)	100
III	G	106 1/90 (1.11%)	100

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<u>Phase/Bldg No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>	<u>Par Value</u>	
III	H	99	1/90 (1.11%)	100
III	H	100	1/90 (1.11%)	100
III	H	101	1/90 (1.11%)	100
III	H	102	1/90 (1.11%)	100
IV	I	115	1/90 (1.11%)	100
IV	I	116	1/90 (1.11%)	100
IV	I	117	1/90 (1.11%)	100
IV	I	118	1/90 (1.11%)	100
IV	J	73	1/90 (1.11%)	100
IV	J	74	1/90 (1.11%)	100
IV	J	74	1/90 (1.11%)	100
IV	J	76	1/90 (1.11%)	100
V	K	17	1/90 (1.11%)	100
V	K	18	1/90 (1.11%)	100
V	K	19	1/90 (1.11%)	100
V	K	20	1/90 (1.11%)	100
V	K	21	1/90 (1.11%)	100
V	K	22	1/90 (1.11%)	100
V	L	64	1/90 (1.11%)	100
V	L	65	1/90 (1.11%)	100
V	L	66	1/90 (1.11%)	100
V	L	67	1/90 (1.11%)	100
V	L	68	1/90 (1.11%)	100
VI	M	96	1/90 (1.11%)	100
VI	M	97	1/90 (1.11%)	100
VI	M	98	1/90 (1.11%)	100
VI	N	92	1/90 (1.11%)	100
VI	N	93	1/90 (1.11%)	100
VI	N	94	1/90 (1.11%)	100
VI	N	95	1/90 (1.11%)	100
VII	O	23	1/90 (1.11%)	100
VII	O	24	1/90 (1.11%)	100
VII	O	25	1/90 (1.11%)	100
VII	O	26	1/90 (1.11%)	100
VII	O	27	1/90 (1.11%)	100
VII	O	28	1/90 (1.11%)	100
VII	P	29	1/90 (1.11%)	100
VII	P	30	1/90 (1.11%)	100

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<u>Phase/Bldg No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>	<u>Par Value</u>
VII P	31	1/90 (1.11%)	100
VII P	32	1/90 (1.11%)	100
VII P	33	1/90 (1.11%)	100
VII Q	111	1/90 (1.11%)	100
VII Q	112	1/90 (1.11%)	100
VII Q	113	1/90 (1.11%)	100
VII Q	114	1/90 (1.11%)	100
VII T	77	1/90 (1.11%)	100
VII T	78	1/90 (1.11%)	100
VII T	79	1/90 (1.11%)	100
VII T	80	1/90 (1.11%)	100
XIII R	107	1/90 (1.11%)	100
XIII R	108	1/90 (1.11%)	100
XIII R	109	1/90 (1.11%)	100
XIII R	110	1/90 (1.11%)	100
XIII S	81	1/90 (1.11%)	100
XIII S	82	1/90 (1.11%)	100
XIII S	83	1/90 (1.11%)	100
XIII S	84	1/90 (1.11%)	100
XIII S	85	1/90 (1.11%)	100

TOTAL:

100%

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