

AMENDMENT NO. ONE FOR EXPANSION OF THE FIELDS AT DRAPER CONDOMINIUMS

(An Expandable Condominium Project)

THIS AMENDMENT NO. ONE ("Amendment") to the Amended and Restated Declaration of Condominium of The Fields at Draper Condominiums, an expandable condominium project (the "Declaration"), is made effective as of the date of the recording hereof in the Salt Lake County Recorder's Office by HOLMES & ASSOCIATES, L.C. ("Declarant") pursuant to Section 57-8-13.6 of the Utah Condominium Ownership Act and Article 16 of the Declaration.

RECITALS:

A. On September _____, 1998, Declarant filed the Declaration, as Entry No. _____, in Book _____, beginning at page _____ in the official records of the Salt Lake County Recorder, State of Utah, with the Record of Survey Map (the "Plat").

B. The Declaration created an expandable residential condominium project (the "Condominium Project"), consisting of thirty-four (34) units, Unit Nos. 1001 through 1034 ("Phase One"), and additional land that may be used to expand the Condominium Project with up to 158 additional units ("Additional Land").

C. Declarant is the owner of fee simple title to all of the Additional Land and now desires to add twenty-nine (29) units, Unit Nos. 1035 through 1063 ("Phase Two"), to the existing Condominium Project pursuant to the terms of the Declaration.

D. The supplemental Plat for Phase Two will be recorded concurrently with this Amendment by Declarant in the official records of the Salt Lake County Recorder, State of Utah.

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

1. Phase Two Expansion. Declarant hereby submits to the provisions of the Utah Condominium Ownership Act, Utah Code Ann. § 57-8-1 *et seq.* (the "Act"), the real property situated in Draper City, Salt Lake County, Utah, as more particularly described on Exhibit "A," attached to and incorporated in this Amendment by reference (the "Phase Two Property"). As of the date of this Amendment, Declarant is the sole owner of the Phase Two Property. The Phase Two Property hereby submitted to the Act shall be known as The Fields at Draper Condominiums, Phase Two, and shall be subject to the terms and conditions of the Declaration.

2. Improvements. The improvements to be built on the Phase Two Property shall consist of several multi-unit buildings with a maximum and minimum of twenty-nine (29) units, Unit Nos. 1035 through 1063. All improvements constructed on the Phase Two Property shall be consistent in terms of quality of construction and shall be compatible in terms of principal materials used and architectural style with the structures in Phase One. Further, the Units created in Phase Two shall be substantially identical to the Units in Phase One. Each Unit will be provided with a one car garage, which will be attached to the Unit and shall be designated as Limited Common Area appurtenant to such Unit.

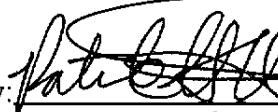
3. Undivided and Allocated Interests. As specified in Article 16 of the Declaration, with the expansion of the Condominium Project to include Phase Two, each Unit Owner in the Condominium Project shall have a maximum 1/63rd (or 1.5873%) undivided interest in the Common Area, 1/63rd (or 1.5873%) allocated interest in the common expenses of the Condominium Project, and a 1/63rd (or 1.5873%) vote for all matters of the Condominium Project's homeowners association.

4. Additional Land. With the annexation of Phase Two into the Condominium Project, the new Additional Land shall consist of the original Additional Land less the Phase Two Property, as more particularly described on Exhibit "B," attached to and incorporated in this Amendment by reference.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on this 22 day of September, 1998.

DECLARANT:

HOLMES & ASSOCIATES, L.C., a Utah limited liability company

By: 
Title: member

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

The foregoing instrument was acknowledged before me this 22 day of September, 1998,
by Patrick H. Holmes, who is the President, CEO, member of
HOLMES & ASSOCIATES, L.C., a Utah limited liability company.



NOTARY PUBLIC
Residing at Salt Lake County, Utah
2450 N 550 W Salt Lake City UT 84143

NO NOTARY SEAL
CO. RECORDER

My Commission Expires:

8-22-99

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EXHIBIT "A"

**LEGAL DESCRIPTION
PHASE TWO
THE FIELDS AT DRAPER CONDOMINIUMS**

The following described real property, located in Salt Lake County, Utah, is the parcel representing Phase Two of the Condominium Project:

Beginning at a point which is on the West side of the right-of-way of Honeyfield Drive said point also being North 89° 51' 21" West 888.19 feet and South 619.74 feet from the North quarter corner of Section 7, Township 4 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 81° 50' 39" West 325.98 feet; thence South 68° 10' 14" West 90.52 feet; thence South 52° 32' 59" West 408.32 feet; thence North 00° 30' 21" East 189.01 feet; North 79° 59' 18" East 45.98 feet to a point of curvature; thence Northeasterly along the arc of a 95.00 foot radius curve to the left through a central angle of 57° 57' 54" a distance of 96.11 feet to a point on the South right-of-way line of Daiseyfield Drive recorded in The Fields at Draper Phase 2C Condominiums Plat and along said right-of-way the following seven courses; thence Southeasterly along the arc of a 54.00 foot radius curve to the left through the central angle 106° 36' 03" (center bears South 89° 29' 39" East) a distance of 100.47 feet; thence Northeasterly along the arc of a 30.00 foot radius curve to the right through a central angle of 49° 59' 41" a distance of 26.18 feet to a point of tangency; thence North 66° 04' 12" East 104.48 feet to a point of curvature; thence Northeasterly along the arc of a 416.00 foot radius curve to the right through a central angle of 16° 06' 16" a distance of 116.93 feet to a point of tangency; thence North 82° 10' 28" East 158.85 feet to a point of curvature; thence Northeasterly along the arc of a 239.00 foot radius curve to the left through a central angle of 18° 24' 39" a distance of 76.80 feet to a point of curvature; thence Northeasterly along the arc of a 18.00 foot radius curve to the right through a central angle of 85° 00' 42" a distance of 26.71 feet to a point of tangency on the West right-of-way line of Honeyfield Drive; thence along said right-of-way South 31° 13' 29" East 139.82 feet to the point of beginning.

BK 8101538

EXHIBIT "B"

**LEGAL DESCRIPTION
ADDITIONAL LAND AFTER ADDITION OF PHASE TWO
THE FIELDS AT DRAPER CONDOMINIUMS**

The following described real property, located in Salt Lake County, is the new Additional Land after the addition of Phase Two:

NORTH PARCEL

Beginning at a point which is on the North side of the right-of-way of South Fork Drive said point also being North 89°51'21" West 1292.01 feet and North 103.11 feet from the North quarter corner of Section 7, Township 4 South, Range 1 East, Salt Lake Base and Meridian, and running thence Northwesterly along the arc of a 536.00 foot radius curve to the left through a central angle of 34°34'39" (center bears South 21°57'40" West) a distance of 323.47 feet; thence North 00°30'21" East 38.19 feet to the South bank of the East Jordan Canal and a point on a curve; thence along said South bank the following seven (7) courses; thence Northeasterly along the arc of a 107.50 foot radius curve to the left through a central angle of 46°31'33" (center bears North 29°23'52" West) a distance of 87.30 feet to a point of tangency North 14°04'35" East 26.94 feet; thence North 08°24'54" East 94.55 feet; thence North 32°02'07" East 28.27 feet to a point of curvature; thence Northeasterly along the arc of a 115.73 foot radius curve to the right through a central angle of 36°11'42" a distance of 73.11 feet; thence North 70°00'10" East 98.83 feet to a point of curvature; thence running Northeasterly along the arc of a 85.01 foot radius curve to the left through a central angle of 38°24'00" a distance of 56.98 feet; thence North 31°36'10" East 74.24 feet; thence South 453.74 feet to the point of beginning.

Less and excepting the public streets as described and on record.

SOUTH PARCEL

Beginning at a point which is on the South side of the right-of-way of South Fork Drive said point also being North 89°51'21" West 938.22 feet and South 191.70 feet from the North quarter corner of Section 7, Township 4 South, Range 1 East, Salt Lake Base and Meridian, and running thence Southeasterly along the arc of a 18.00 foot radius curve to the right through a central angle of 90°00'00" (center bears South 31°55'10" West) a distance of 28.27 feet to a point on the West right-of-way line of Honeyfield Drive; thence South 31°55'10" West 50.61 feet along said West right-of-way line to a point of curvature; thence Southeasterly along the arc of a 230.00 foot radius curve to the left through a central angle of 63°08'39" a distance

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of 253.48' to a point of tangency; thence South 31°13'29" East 37.13 feet to a point on a curve; thence Northwesterly along the arc of a 18.00 foot radius curve to the left through a central angle of 85°00'42" (center bears South 58°46'31" West) a distance of 26.71 feet to a point of curvature; thence Southwesterly along the arc of a 239.00 foot radius curve to the right through a central angle of 18°24'39" a distance of 76.80 feet to a point of tangency; thence South 82°10'28" West 158.85 feet to a point of curvature; thence Southwesterly along the arc of a 416.00 foot radius curve to the left through a central angle of 16°06'16" a distance of 116.93 feet to a point of tangency; thence South 66°04'12" West 104.48 feet to a point of curvature; thence Southwesterly along the arc of a 30.00 foot radius curve to the left through a central angle of 49°59'41" a distance of 26.18 feet to a point of reverse curvature; thence Southwesterly along the arc of a 54.00 foot radius curve to the right through a central angle of 106°36'03" a distance of 100.47 feet to a point on a curve; thence Southwesterly along the arc of a 95.00 radius curve to the right through a central angle of 57°57'54" (center bears North 67°58'37" West) a distance of 96.11 feet to a point of tangency; thence South 79°59'18" West 45.99 feet; thence North 00°30'21" East 814.79 feet to a point on a curve, said point also being on the South right-of-way line of South Fork Drive; thence running Northeasterly along the arc of a 464.00 foot radius curve on the South side of said right-of-way to the right through a central angle of 46°37'04" (center bears South 14°41'53" East) a distance of 377.53 feet to a point of tangency; thence South 58°04'50" East 363.95 feet to the point of beginning.

Less and excepting the public streets as described and on record.

7095025
09/23/98 09:03 AM 85.00
NANCY WORKMAN
RECODER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
12441 S 900 E
DRAPER, UT 84020
REC BY: A GARAY ,DEPUTY - WI

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