

ENT 71840:2004 PG 1 of 2
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Jun 23 10:09 am FEE 12.00 BY KM
RECORDED FOR SIGNATURE TITLE INSURANCE A
ELECTRONICALLY RECORDED

AMENDMENT OF DECLARATION OF
CONDOMINIUM FOR PLUM CREEK CONDIMINIUMS PLAT A
AN EXPANDABLE UTAH CONDOMINIUM PROJECT

THIS AMENDMENT OF DECLARATION OF CONDOMINIUMS (this "Amendment") is made and executed effective as of June 22, 2004 by SUNDANCE HOMES, a Utah limited liability company ("Declarant").

RECITALS:

A. Declarant as the owner of the property located in the Eagle Mountain, Utah County, Utah, executed as "Declarant" and recorded that certain Declaration of Condominiums for Plum Creek Condominiums Plat A dated October 14, 2003 and recorded December 31, 2003 as Entry No. 202442:2003 in the Utah County Recorder's Office (the "Declaration").

B. Article XIII, Section 13.2 of the Declaration provides that Declarant reserved the right to amend the Declaration within six months from the recording date "if required by the Federal National Mortgage Association, Governmental Nation Mortgage Association or by some other governmental agency or lending institution, provided that such amendment does not materially affect the rights of the Unit Owners or Mortgagees."

C. The Housing and Urban Development ("HUD") Legal Policy regarding Home Mortgage Insurance for Condominium Units provides that no additional property may be added to the existing condominium without the prior written consent of HUD, Federal National Mortgage Association ("FNMA") and the Veterans Administration ("VA") if they hold, insure or guarantee any mortgage on and existing condominium at the time such property is to be added.

D. This Amendment is being executed and recorded to add the provisions required by the above HUD Policy because the Project is an expandable condominium that allows additional land to be added to the existing condominiums pursuant to the provisions of the Declaration.

E. This Amendment will not materially affect the rights of the existing Unit Owners or Mortgagees.

NOW THEREFORE, Declarant hereby amends the Declaration to include the following new Sections 12.7 and 12.8 that read as follows:

12.7. Consent of HUD, FNMA and VA. If at the time all or any portion of the Additional Land is added to the Project, HUD, FNMA or VA holds, insures or guarantees any Mortgage on any existing Unit, the Additional Land can not be added to the Project without the prior written consent of each of HUD, FNMA and VA to the extent that they hold, insure or guarantee any Mortgage on an existing Unit in the Project.

12.8 Completion of Improvements. Prior to adding any portion or all of the Additional Land to the Project, Declarant shall substantially complete all improvements to such portion of the Additional Land being added to the Project.

Except as specifically modified by this Amendment, all terms of the Declaration shall remain unchanged and shall remain in full force and effect, and Declarant hereby reaffirms all of the terms of the Declaration as amended by this Amendment.

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

SUNDANCE HOMES, LLC

By: Grant R. Gifford
Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 22nd day of June, 2004, by Grant R. Gifford, as Manager of Sundance Homes, LLC.

My commission expires:

6-20-2006

Melanie Watkins
Notary Public
Residing at: 10777 N. 4800 W. Highland UT
84003

2004237

