AMENDMENT NO. FOUR TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND DECLARATION OF ANNEXATION OF BRITTANY CONDOMINIUMS

THIS AMENDMENT TO THE DECLARATION of Covenants Conditions and
Restrictions of Brittany Condominiums is made pursuant to the Utah Condominium Act Utah
Code Ann. §57-8-13.6, and executed this 33 day of June, 1999, AND AMENDS THE
DECLARATION OF CONDOMINIUM FOR BRITTANY CONDOMINIUMS, an expandable
condominium Project, recorded 1141, 812, 1999, as Entry No. 74-07313, in Book
, at Pages et. seq., of the records of the Salt Lake County Recorder,
including all previous amendments thereto.

ANNEXATION

This is a Declaration of Annexation prepared pursuant to Article III of the previously identified Declaration of Covenants Conditions and Restrictions of Brittany Condominiums which created an expandable residential condominium Project consisting of 12 Units, which was subsequently amended by AMENDMENT NO. ONE recorded the St. 1999, as Entry No. 7407315, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, AMENDMENT NO. TWO recorded that St. 1999, as Entry No. 7407317, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, and AMENDMENT NO. THREE recorded that St. 1999, as Entry No. 7407319, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder to include an additional 30 Units for a total of 42 Units with additional property available for the expansion of a maximum number of 240 additional Units for a total number of 282 Units.

Declarant hereby annexes the Property described in Exhibit A attached hereto as a part hereof, and declares its intention that the Property shall be subject to the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above, and any amendments thereto.

Declarant hereby adds to the existing Project the twelve (12) Units of the expansion Property described in Exhibit B, Phase 5, pursuant to the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above and Amendments thereof.

Any required approvals have been given.

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

1. <u>Phase 5 Expansion</u>: Declarant hereby submits the real Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act ("Phase 5 Property"). Declarant is the sole owner of the Phase 5 Property and said Property shall

be known as the Brittany Condominiums, Phase 5, and shall be subject to the provisions of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above and Amendments thereof.

- 2. <u>Improvements</u>: The improvements to be built on the Phase 5 Property shall be architecturally compatible with the existing Units and shall be of similar quality. However, the Declarant makes no assurances that any Units constructed on any additional properties annexed hereto by the Declarant will be substantially identical to the Units depicted in the previous Phases. The maximum number of Units to be contained within the Phase 5 Property improvements shall be twelve (12) for a total number of 54 Units with 228 Units remaining in the expandable area.
- 3. <u>Allocated Interests</u>: As specified in Article III of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums, the undivided interest of each Unit Owner to all Common Area following the expansion created herein is 1/54th. Likewise, pursuant to paragraph 3 of Article IV of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums the par value of each ownership interest shall be 1/54th as shown in the table attached hereto as Exhibit C.
- 4. <u>Additional Land</u>: With the annexation of the Phase 5 Property, the remaining land available for expansion, being more particularly described at Exhibit D, consists of the original expandable land less the Phase 2 Property, the Phase 3 Property, the Phase 4 Property, and the Phase 5 Property.

This Amendment to Declaration of Brittany Condominiums, shall take effect upon recording in the office of the County Recorder of Salt Lake County, Utah by McCARTHUR HOMES AT BRITTANY, LC.

IN WITNESS WHEREOF, the undersigned being the Declarant, has caused this instrument to be executed and its seal be affixed hereto on the day and year first above written.

McARTHUR HOMES AT BRITTANY

By: McARTHUR HOMES, INC. a Utah Corporation, it's Manager

Donald R. McARTHUR, President

STATE OF UTAH

SS.

COUNTY OF SALT LAKE }

BK8292P67313

On the _____ day of June, 1999, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, L.C., and that said instrument was acknowledged on behalf of said McArthur Homes at Brittany, L.C., by authority, and said Donald R. McArthur duly acknowledged to me that he as such President of said corporation and executed the same on behalf of McArthur Homes, Inc. as manger of McArthur Homes at Brittany.

	NOTARY PUBLIC MICHAEL S. KIRBY 6985 Union Park Cntr. #185 Midvale, Utah 84047 My Commission Expires ssion Expire 990 STATE OF UTAH
- Contraction	STATE OF UTAH

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NOTAR V PUBLIC	0	
Residing at		

EXHIBIT A

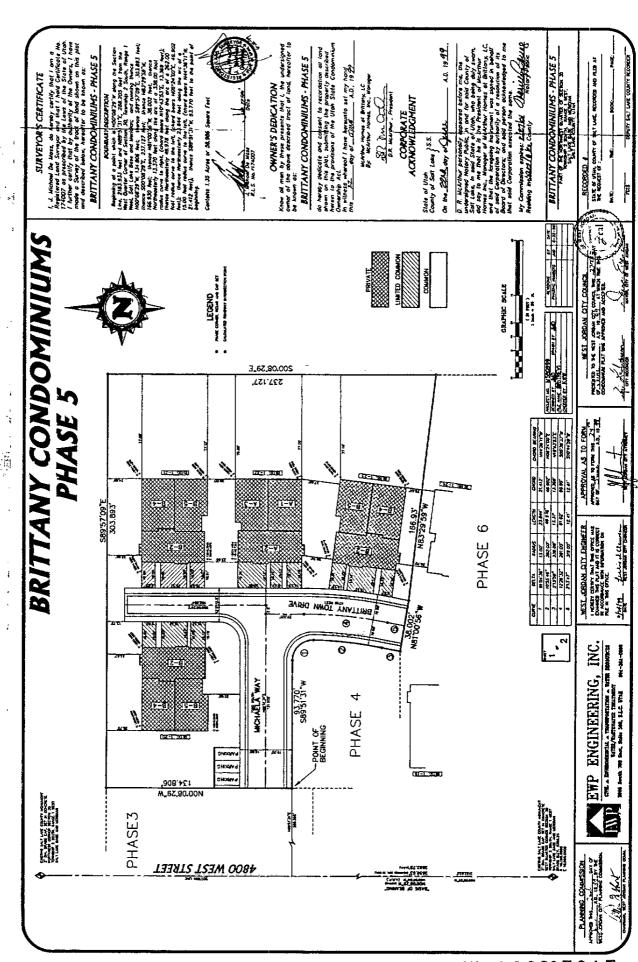
REAL PROPERTY DESCRIPTION OF BRITTANY CONDOMINIUMS PHASE 5

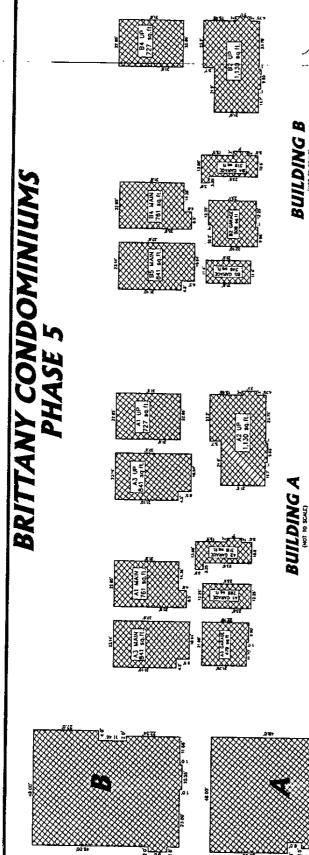
PROPERTY DESCRIPTION:

Beginning at a point which is North 00°08'29" West along the Section Line, 2183.933 feet and North 89°51'31" East, 288.205 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence North 00°08'29" West, 134.806 feet; thence South 89°57'09" East, 303.893 feet; thence South 00°08'29" East, 237.127 feet; thence North 83°29'59" West, 166.930 feet; thence North 81°00'56" West, 38.002 feet; thence Northeasterly 13.370 feet along the arc of a 338.00 foot radius curve to right, (chord bears North 10°43'53" East, 13.369 feet); thence Northeasterly 49.978 feet along the arc of a 262.00 foot radius curve to the left, (chord bears North 06°24'00" East, 49.902 feet); thence Northwesterly 23.844 feet along the arc of a 15.00 foot radius curve to the left, (chord bears North 44°36'11" West, 21.412 feet); thence South 89°51'31" West, 93.770 feet to the point of beginning.

Contains 1.35 Acres or 58,986 Square Feet

EXHIBIT B BRITTANY CONDOMINIUMS PHASE 5 MAP





BUILDING B





1-22
BUILDING
<u>~</u>

BUILDANG 1-20

GROUND LEVEL DIMENSIONS

MAN FLOOR ELEVATION UPPER FLOOR ELEVATION 4467 00 4678.14

BUILDING 1-21

HURN FLOOR ELEVATION UPPER FLOOR ELEVATION 4666 70

	ADDMESS	7067 SOUTH BRITTANY TOWN DRIVE AT	7087 SOUTH BATTTANY TOWN DRIVE, 47	2067 SOUTH BRITANT TOWN DRIVE AT	
	UPPER PLOOR ELEVATION	4675.84	4675 84	4675.84	
	MARI FLUCK ELEVATION	4668.70		4668.70	
444		Ţ	7	7	

BUILDING 1-23

SAMOR	2007 STITLE BOTTLESS VALLE SEELS	2007 Charles Court Louis Court .	2007 SOUTH METTERS TOWN COMM. P.
UPPER A COR ELEMNON		19 9/97	79'59
MAIN FLOOR ELEVATION	4667.50	05 2991	
345	4	ī	8-2



EWP ENGINEERING, INC.

8K8292P67318

EXHIBIT C OWNERSHIP INTEREST TABLE

	UNIT PAR VALUE PERCENT OF UNDIVIDED INTEREST		UNIT PAR VALUE PERCENT OF UNDIVIDED INTEREST
<u>UNIT</u>	IN COMMON AREA	UNIT	IN COMMON AREA
Phase 1		Bldg. 1-10	
		Unit A-1	1/54th or 1.8519%
Bldg, 1-1	: . · · · · · · · · · · · · · · · · · ·	Unit A-2	1/54th or 1.8519%
Unit B-2	1/54th or 1.8519%	Unit A-3	1/54th or 1.8519%
Unit B-4	1/54th or 1.8519%		
Unit B-5	1/54th or 1.8519%	Bldg. 1-11	
		Unit B-2	1/54th or 1.8519%
Bldg. 1-2		Unit B-4	1/54th or 1.8519%
Unit B-2	1/54th or 1.8519%	Unit B-5	1/54th or 1.8519%
Unit B-4	1/54th or 1.8519%		2.0 020 0200 1270
Unit B-5	1/54th or 1.8519%	Bldg, 1-12	
		Unit B-2	1/54th or 1.8519%
Bldg. 1-13		Unit B-4	1/54th or 1.8519%
Unit B-2	1/54th or 1.8519%	Unit B-5	1/54th or 1.8519%
Unit B-4	1/54th or 1.8519%		
Unit B-5	1/54th or 1.8519%	Phase 3	
Bldg. 1-14		D14- 1.6	
Unit A-1	1/54th or 1.8519%	Bldg, 1-6	1/5/41 1.05100/
Unit A-1	1/54th or 1.8519%	Unit B-2	1/54th or 1.8519%
Unit A-2	1/54th or 1.8519%	Unit B-4	1/54th or 1.8519%
		Unit B-5	1/54th or 1.8519%
Phase 2		<u>Bldg. 1-7</u>	4154
Dlda 1 2		Unit A-1	1/54th or 1.8519%
Bldg. 1-3 Unit B-2	1/5/4/a a 1 95100/	Unit A-2	1/54th or 1.8519%
Unit B-2 Unit B-4	1/54th or 1.8519%	Unit A-3	1/54th or 1.8519%
Unit B-5	1/54th or 1.8519%	DII 10	
Onit B-3	1/54th or 1.8519%	Bldg. 1-8	1184.7
DId~ 1.4		Unit B-2	1/54th or 1.8519%
Bldg. 1-4 Unit A-1	1/5/44 1.05100/	_Unit B-4	1/54th or 1.8519%
	1/54th or 1.8519%	Unit B-5	1/54th or 1.8519%
Unit A-2	1/54th or 1.8519%	D	
Unit A-3	1/54th or 1.8519%	Bldg. 1-9	
D11 1 5		Unit B-2	1/54th or 1.8519%
Bldg, 1-5	1/64/1 1 06100/	Unit B-4	1/54th or 1.8519%
Unit B-2	1/54th or 1.8519%	Unit B-5	1/54th or 1.8519%
Unit B-4	1/54th or 1.8519%		
Unit B-5	1/54th or 1.8519%	Phase 4	
		No Additional	Units

EXHIBIT D

BRITTANY CONDOMINIUMS - EXPANDABLE AREA

PROPERTY DESCRIPTION:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N.00°08'29"W. 2,319.69 FEET ALONG THE WEST LINE OF SAID SECTION 30; THENCE S.89°57'09"E. 592.10 FEET; THENCE S.00°08'29"E. 2,319.65 FEET TO A POINT ON THE QUARTER-SECTION LINE; THENCE NORTH 89°57'23"W. 592.10 FEET ALONG SAID QUARTER-SECTION LINE TO THE POINT OF BEGINNING.

LESS THE PROPERTY INCLUDED IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT ONE AND PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND PHASE 5 AS STATED IN EXHIBIT "A" HERETO

CONTAINS 29.35 ACRES LESS 1.08 ACRES IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND LESS 1.36. ACRES IN PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT ONE AND LESS 0.99 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND LESS 0.19 ACRES IN PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND LESS 1.35 ACRES IN PHASE 5 AS STATED IN EXHIBIT "A" HERETO.

07/08/99 12:39 PM 39-00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MERRILL TITLE
REC BY:Z JOHANSON , DEPUTY - WI