

AFTER RECORDING PLEASE RETURN TO:

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NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
SUPERIOR TITLE
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FIRST SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM
(Including Bylaws)
OF
MADISON COURT CONDOMINIUMS
Midvale, Utah

THIS FIRST SUPPLEMENT TO DECLARATION OF CONDOMINIUM is made as of this 24 day of MAY, 2000, by Michael Miller, dba Readyhouse ("Declarant"), pursuant to the following:

RECITALS:

- A. Declarant is the developer of **Madison Court Condominiums**, an expandable condominium project in Midvale, Utah (the "Project").
- B. On or about April 10, 2000, Declarant caused to be recorded as Entry 7614116, Book 8354, Page 1735, in the office of the Recorder of Salt Lake County, Utah, that certain **Declaration of Condominium (Including Bylaws) of Madison Court Condominiums** (the "Declaration"), relating to the Project.
- C. Pursuant to Sections 2.3 and 2.4 of the Declaration, Declarant is permitted to annex into the Project additional real property ("Additional Land") as set forth and described in the Declaration (including any Exhibit thereto) for purposes of development into additional Condominium Units and Common Areas consistent with the existing Phase 1 of the Project and with the Declaration.
- D. Declarant desires to annex a portion of the Additional Land into the Project for development as Phase 2 of the Project.

NOW, THEREFORE, Declarant hereby declares as follows:

- 1. All defined terms as used in this First Supplement to Declaration shall have the same meanings as those set forth and defined in the Declaration.

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2. The following described real property situated in the City of Midvale, Salt Lake County, is hereby submitted to the provisions of the Utah Condominium Ownership Act and the Declaration and, pursuant thereto, is hereby annexed into the Project to be held, transferred, sold, conveyed and occupied as a part thereof:

A parcel of land lying within the Southeast quarter of Section 25 Township 2 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, more particularly described as follows: Commencing at a brass cap monument marking said Southeast corner of Section 25; thence North 00°00'05" East along the Section line, a distance of 2194.71 feet; thence West a distance of 175.60 feet to The Real Point Of Beginning; thence North 89°31'43" West a distance of 136.01 feet; thence North 00°00'40" West a distance of 13.18 feet; thence North 88°49'33" West a distance of 28.25 feet; thence North 01°10'27" East a distance of 139.90 feet; thence East a distance of 162.40 feet to a found 1/2" iron pin LS#163486; thence South 00°01'33" West a distance of 60.35 feet to a found 1/2" iron pin LS#163486; thence South 00°36'02" West a distance of 94.40 feet to The Real Point Of Beginning, containing 0.57 acres of land.

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcel of real property.

RESERVING UNTO DECLARANT, however such easements and rights of ingress and egress over, across, through, and under the above-described property and any improvements (other than Buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant: (i) to construct and complete each of the Buildings and all of the other improvements described in this Declaration or in the Survey Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection therewith; and (ii) to improve portions of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all the Owners as Declarant may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, the above-described 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 shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire seven years after the date on which this Declaration is filed for record in the office of the County Recorder of Salt Lake County, Utah.

ALL OF THE FOREGOING IS SUBJECT TO all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described property or any portion thereof, including, any Mortgage (and nothing in this paragraph shall be deemed to modify or amend such Mortgage); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on or revealed by the Survey Map or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the above-described property at such time as construction of all Project improvements is complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities; **AND TO EACH OF THE COVENANTS, EASEMENTS, CONDITIONS, AND RESTRICTIONS CONTAINED IN THE DECLARATION.**

3. The Declaration is hereby amended in the following particulars as a result of and pursuant to the annexation set forth above:

(a) Section 2.02 is amended in its entirety to read as follows:

2.02 Division into Condominium Units, Minimum and Maximum Ownership Interests. The Project is hereby divided into 24 Condominium Units as set forth on the Maps, each such Condominium Unit consisting of a Unit and an appurtenant **undivided but equal interest** in and to the Common Areas and Facilities. Such Units comprise the maximum number of Units in the Project and give each Owner a maximum 1/24th (or approximately 4.166%) undivided interest in the Common Areas and Facilities. There will be no further Units added to the Project.

(b) Section 3.02 of the Declaration is amended in its entirety to read as follows:

3.02 Description of Buildings and Units. There are two Buildings, each containing 12 Units, four on each of three floors. Each Unit has one level with three bedrooms and two bathrooms, a kitchen, living and dining area. The construction consists of stucco over wood frame, and asphalt shingle roof. Each Unit is basically of the same size and configuration.

4. Except as amended by the provisions of this First Supplement to Declaration, the Declaration shall remain unchanged and, together with this First Supplement to Declaration, shall constitute the Declaration of Condominium for the Project as expanded by the addition of the Additional Land described herein.

5. This First Supplement to Declaration shall be recorded in the office of the Recorder of Salt Lake County concurrently with the Map entitled **Madison Court Condominiums, Phase 2, Midvale City, Salt Lake County, Utah**, executed and acknowledged by Declarant, consisting of one (1) sheet prepared by Gary W. Weir, a duly registered Utah Land Surveyor holding Certificate No. 333098, and shall be effective from the date of such recording.

IN WITNESS WHEREOF, Declarant has executed this instrument as of the day and year first above set forth.

MICHAEL C. MILLER, DBA

READYHOUSE




By: _____

Michael C. Miller, Sole Proprietor

STATE OF UTAH)
: ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 24 day of may, 2000, by Michael C. Miller in the capacity indicated.


NOTARY PUBLIC



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