

Return When Recorded to:
McArthur Homes, LC
c/o Don McArthur
9948 South Redwood Road
South Jordan, Utah 84095

7721505
09/19/2000 02:00 PM 37.00
Book - 8388 Pg - 5282-5290
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 9 P.

7721505

[Parcel Nos. 21-30-102-032 thru 043, and 21-30-103-001]

**AMENDMENT NO. THREE
TO AMENDED AND RESTATED DECLARATION
AND DECLARATION OF ANNEXATION FOR
BRITTANY CONDOMINIUMS**

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION of Covenants Conditions and Restrictions for Brittany Condominiums is made pursuant to the Utah Condominium Act, Utah Code Ann. §57-8-13.6, and executed this 18 day of SEPTEMBER, 2000, AND AMENDS THE AMENDED AND RESTATED DECLARATION FOR BRITTANY CONDOMINIUMS ("Declaration"), an expandable condominium Project, recorded June 5, 2000, as Entry No. 7653288, in Book 8366, at Pages 1625 through 1677, of the records of the Salt Lake County Recorder.

AMENDMENT

This is a Declaration of Annexation prepared pursuant to Article III of the Declaration which created an expandable residential condominium Project consisting of twelve (12) Units and additional property available for the expansion of a maximum number of two-hundred and seventy (270) additional Units for a total number of two-hundred and eighty-two (282) Units. The Declaration has subsequently been amended by AMENDMENT NO. ONE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; and AMENDMENT NO. TWO, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; to include an additional eighteen (18) Units for a total of thirty (30) Units with additional property available for the expansion of a maximum number of two-hundred and fifty-two (252) additional Units for a total number of two-hundred and eighty-two (282) Units.

From the Property identified in the Declaration at Exhibit E, Declarant hereby annexes the parcels of Property described in Exhibit A attached hereto as a part hereof and known as Phase 3 ("Phase 3 Property"), and declares its intention that the Phase 3 Property shall be subject to the Declaration, and any amendments thereto.

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Declarant hereby adds to the existing Project a total of twelve (12) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be forty-two (42) with two-hundred and forty (240) Units being reserved in the expandable area.

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

1. Phase 3 Expansion: Declarant hereby submits the Phase 3 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 3 Property and said Property shall be known as the Brittany Condominiums, Phase 3, and shall be subject to the provisions of the Declaration and Amendments thereto. The maximum number of Units to be contained within the Phase 2 Property improvements shall be twelve (12), the proposed configuration of which is described in the Plat Map attached hereto at Exhibit B.

2. Improvements: The improvements to be built on the Phase 3 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 without variance with the Units depicted in the plat.

3. Allocated Interests: As specified in Article III of the Declaration, the undivided interest of each Unit Owner to all Common Area following the expansion created herein is 1/42nd. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/42nd as shown in the Table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 3 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 and the Phase 3 Property.

Any required approvals have been given. This Amendment to Declaration for Brittany Condominiums, shall take effect upon recording in the office of the County Recorder of Salt Lake County, Utah by McARTHUR 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, LC
a Utah Limited Liability Company

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

By: 
Donald R. McARTHUR, President

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STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

On the 18 day of SEPTEMBER, 2000, 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, LC, and that said instrument was acknowledged on behalf of said McArthur Homes at Brittany, LC, by authority, and said Donald R. McArthur duly acknowledged to me that he is the President of and executed the same on behalf of McArthur Homes, Inc. the Manager of McArthur Homes at Brittany, LC.


NOTARY PUBLIC

My Commission Expires:

4/28/2002

Residing at: _____

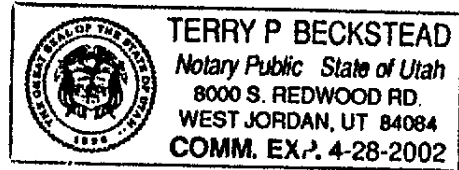


EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 3

PROPERTY DESCRIPTION:

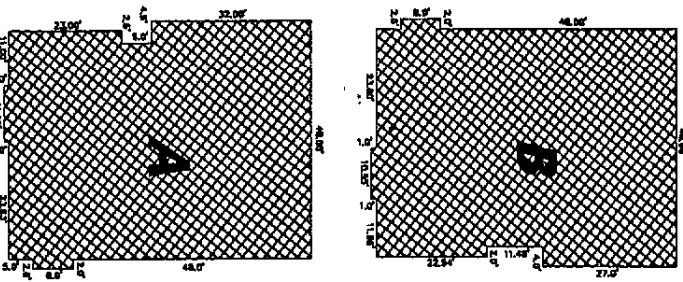
Beginning at a point on the proposed Easterly Right-of-Way Line of 4800 West Street, said point being N00°08'29"W along the Section Line, 2095.254 feet and N89°51'31"E, 40.00 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence N00°08'29"W along said Right-of-Way, 224.304 feet; thence S89°57'09"E, 248.207 feet; thence S00°08'29"E, 149.806 feet; thence S89°51'31"W, 134.205 feet; thence S00°08'29"E, 32.715 feet; thence Southeasterly 37.402 feet along the arc of a 369.00 foot radius curve to the left, (chord bears S03°02'43"E, 37.386 feet); thence S88°04'00"W, 115.951 feet to the point of beginning.

Contains 1.04 Acres or 45,504 Square Feet

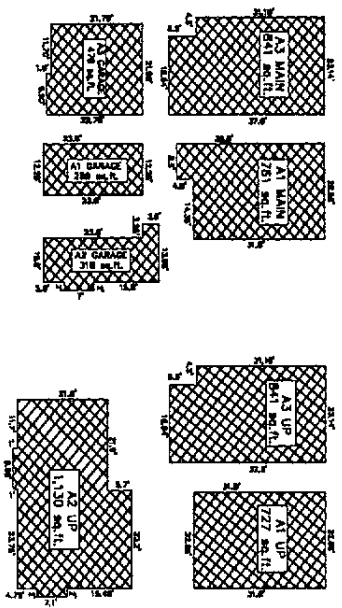
EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 3 MAP

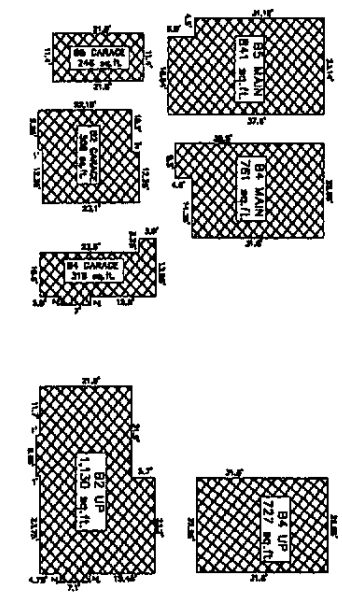
BRITTANY CONDOMINIUMS PHASE 3



**GROUND LEVEL
DIMENSIONS**
(NOT TO SCALE)



BUILDING A
(NOT TO SCALE)



BUILDING B
(NOT TO SCALE)



BUILDING 1-6

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4671.8	4680.74	7096 SOUTH KIRSTELYN LANE
B-4	4671.8	4680.74	7094 SOUTH KIRSTELYN LANE
B-2		4680.74	7094 SOUTH KIRSTELYN LANE

BUILDING 1-7

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A-1	4670.90	4680.04	7092 SOUTH KIRSTELYN LANE
A-2	4670.90	4680.04	7090 SOUTH KIRSTELYN LANE
A-3	4670.90	4680.04	7084 SOUTH KIRSTELYN LANE

BUILDING 1-8

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4670.80	4679.94	7078 SOUTH KIRSTELYN LANE
B-4	4670.80	4679.94	7072 SOUTH KIRSTELYN LANE
B-2		4679.94	7074 SOUTH KIRSTELYN LANE

BUILDING 1-9

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4668.70	4678.84	7077 SOUTH KIRSTELYN LANE
B-4	4668.70	4678.84	7071 SOUTH KIRSTELYN LANE
B-2		4678.84	7073 SOUTH KIRSTELYN LANE

PROJECT NO.	DATE	BY	CHK	DATE
BRITTANY PHASE 3	01/11/2007	MD		
DESIGNED BY	DATE	BY	CHK	DATE
CHECKED BY	DATE	BY	CHK	DATE
CONSENT AT RISK				

EWP ENGINEERING, INC.
 CIVIL & ARCHITECTURAL ENGINEERING & SURVEYING
 5906 South 9th Street, Suite 200, Elk River, MN 55120
 952-881-4888

EXHIBIT C
OWNERSHIP INTEREST TABLE

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
1	1-1	B-2	1/42nd or 2.3810%
1		B-4	1/42nd or 2.3810%
1		B-5	1/42nd or 2.3810%
1	1-2	B-2	1/42nd or 2.3810%
1		B-4	1/42nd or 2.3810%
1		B-5	1/42nd or 2.3810%
1	1-13	B-2	1/42nd or 2.3810%
1		B-4	1/42nd or 2.3810%
1		B-5	1/42nd or 2.3810%
1	1-14	A-1	1/42nd or 2.3810%
1		A-2	1/42nd or 2.3810%
1		A-3	1/42nd or 2.3810%
2	1-3	B-2	1/42nd or 2.3810%
2		B-4	1/42nd or 2.3810%
2		B-5	1/42nd or 2.3810%
2	1-4	A-1	1/42nd or 2.3810%
2		A-2	1/42nd or 2.3810%
2		A-3	1/42nd or 2.3810%
2	1-5	B-2	1/42nd or 2.3810%
2		B-4	1/42nd or 2.3810%
2		B-5	1/42nd or 2.3810%
2	1-10	A-1	1/42nd or 2.3810%
2		A-2	1/42nd or 2.3810%
2		A-3	1/42nd or 2.3810%
2	1-11	B-2	1/42nd or 2.3810%
2		B-4	1/42nd or 2.3810%
2		B-5	1/42nd or 2.3810%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
2	1-12	B-2	1/42nd or 2.3810%
2		B-4	1/42nd or 2.3810%
2		B-5	1/42nd or 2.3810%
3	1-6	B-2	1/42nd or 2.3810%
3		B-4	1/42nd or 2.3810%
3		B-5	1/42nd or 2.3810%
3	1-7	A-1	1/42nd or 2.3810%
3		A-2	1/42nd or 2.3810%
3		A-3	1/42nd or 2.3810%
3	1-8	B-2	1/42nd or 2.3810%
3		B-4	1/42nd or 2.3810%
3		B-5	1/42nd or 2.3810%
3	1-9	B-2	1/42nd or 2.3810%
3		B-4	1/42nd or 2.3810%
3		B-5	1/42nd or 2.3810%

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 TWO AND PHASE 3 AS STATED IN EXHIBIT "A" HERETO.

CONTAINS 29.35 ACRES LESS 1.13 ACRES IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND LESS 1.41. ACRES IN PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND LESS 1.04 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" HERETO.

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