

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

7721506  
09/19/2000 02:01 PM 26.00  
Book - 8388 Pg - 5291-5299  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
MCARTHUR HOMES LC  
9948 S REDWOOD RD  
SOUTH JORDAN UT 84095  
BY: RDJ, DEPUTY - WI 9 P.

7721506

[Parcel Nos. 21-30-102-001, 089 and 21-30-103-001]

**AMENDMENT NO. FOUR  
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; 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; and AMENDMENT NO. THREE, 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 thirty (30) Units for a total of forty-two (42) Units with additional property available for the expansion of a maximum number of two-hundred and forty (240) 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

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Phase 4 ("Phase 4 Property"), and declares its intention that the Phase 4 Property shall be subject to the Declaration, and any amendments thereto.

Declarant hereby adds to the existing Project a total of zero (0) 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 4 Expansion: Declarant hereby submits the Phase 4 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 4 Property and said Property shall be known as the Brittany Condominiums, Phase 4, and shall be subject to the provisions of the Declaration and Amendments thereto. The improvements to be built on the Phase 4 Property shall consist of a common area Tot-lot. There are no additional Units to be constructed on the Phase 4 Property, thus the maximum number of Units to be contained within the Phase 4 Property improvements shall be zero (0). The proposed configuration of the improvements is described in the Plat Map attached hereto at Exhibit B.

2. Improvements: The improvements to be built on the Phase 4 Property shall consist of a common area Tot-lot.

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 4 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, and the Phase 4 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*  
Donald R. McARTHUR, President

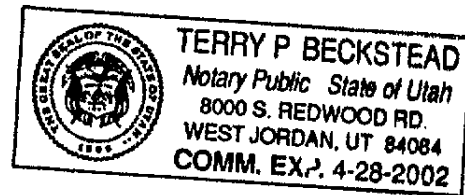
STATE OF UTAH                    }  
  } ss.  
COUNTY OF SALT LAKE        }

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.

*Terry P. Beckstead*  
NOTARY PUBLIC

My Commission Expires:  
4/28/2002

Residing at: \_\_\_\_\_



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EXHIBIT A

REAL PROPERTY DESCRIPTION OF  
BRITTANY CONDOMINIUMS PHASE 4

PROPERTY DESCRIPTION:

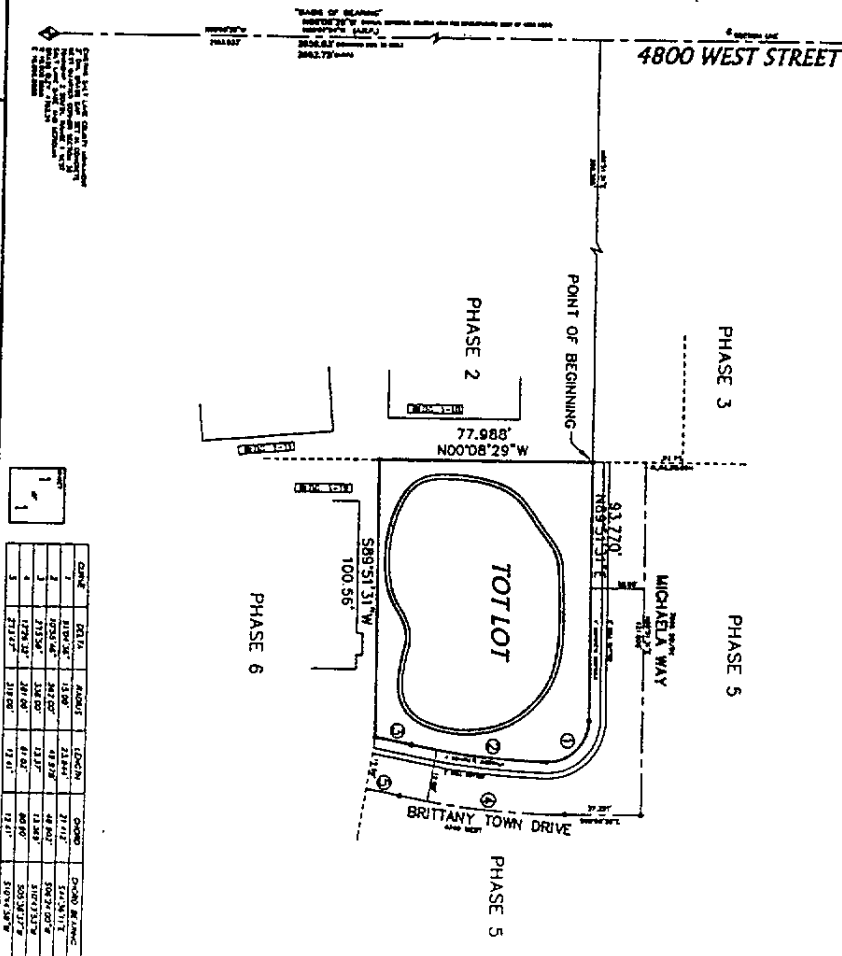
Beginning at a point which is N00°08'29"W along the Section Line, 2183.933 feet and N89°51'31"E, 288.205 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence N00°08'29"W, 77.988 feet; thence N89°51'31"E, 93.770 feet, thence Southeasterly 23.844 feet along the arc of 15.00 foot radius curve to the left, (chord bears S44°36'11"E, 21.412 feet); thence Southwesterly 49.978 feet along the arc of 262.00 foot radius curve to the right, (chord bears S06°24'00"W, 49.902 feet); thence Southwesterly 13.370 feet along the arc of a 338.00 foot radius curve to the left, (chord bears S10°43'53"W, 13.369 feet); thence S89°51'31"W, 100.560 feet to the point of beginning.

Contains 0.19 Acres or 8,241 Square Feet

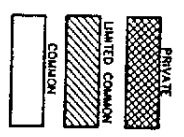
EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 4 MAP

# BRITANNY CONDOMINIUMS PHASE 4



**LEGEND**  
 1. PLANNED UNIT DEVELOPMENT (PUD)  
 2. EXISTING UNIT DEVELOPMENT (EUD)



LINE	BEARING	ADJACENT	COORDINATE	COORDINATE	COORDINATE	COORDINATE
1	N100°08'29"W	77.988'	77.988'	77.988'	77.988'	77.988'
2	S89°51'31"W	100.56'	100.56'	100.56'	100.56'	100.56'
3	S89°51'31"W	100.56'	100.56'	100.56'	100.56'	100.56'
4	N00°08'29"W	77.988'	77.988'	77.988'	77.988'	77.988'

**PLANNING COMMISSION**  
 APPROVED FOR THE CITY OF SALT LAKE COUNTY  
 BY: [Signature]  
 DATE: [Date]

**EMP ENGINEERING, INC.**  
 CIVIL & ENVIRONMENTAL ENGINEERING & DESIGN SERVICES  
 3600 SOUTH 700 WEST, SUITE 100  
 SALT LAKE CITY, UT 84119  
 801-461-0400

**WEST JOHNSON CITY ENGINEER**  
 APPROVED FOR THE CITY OF SALT LAKE COUNTY  
 BY: [Signature]  
 DATE: [Date]

**APPROVAL AS TO FORM**  
 BY: [Signature]  
 DATE: [Date]

**WEST JOHNSON CITY COMMISSION**  
 APPROVED FOR THE CITY OF SALT LAKE COUNTY  
 BY: [Signature]  
 DATE: [Date]



**SURVEYOR'S CERTIFICATE**  
 I, J. L. BISHOP, do hereby certify that I am a Registered Land Surveyor and that the survey shown on this plan was made by me or under my direct supervision and conforms with the laws of the State of Utah and the laws of the County of Salt Lake. I have and personally observed the monuments shown on this plan and the same are in accordance with the laws of the State of Utah and the laws of the County of Salt Lake. This certificate is given in accordance with the laws of the State of Utah and the laws of the County of Salt Lake.  
**BRITANNY CONDOMINIUMS - PHASE 4**  
 J. L. Bishop  
 Surveyor  
 My Comm. No. 12345

**OWNER'S DEDICATION**  
 I, the undersigned, do hereby dedicate and convey to the City of Salt Lake County, Utah, the portion of the land shown on this plan, subject to the provisions of the Utah State Condominium Act, which I have heretofore accepted and agreed to. I have and personally observed the monuments shown on this plan and the same are in accordance with the laws of the State of Utah and the laws of the County of Salt Lake. This dedication is given in accordance with the laws of the State of Utah and the laws of the County of Salt Lake.  
**BRITANNY CONDOMINIUMS - PHASE 4**  
 J. L. Bishop  
 Owner  
 My Comm. No. 12345

**CORPORATE ACKNOWLEDGMENT**  
 I, the undersigned, do hereby acknowledge that I am the President of the Corporation of the City of Salt Lake County, Utah, and that I have authorized the execution of this instrument by the undersigned. I have and personally observed the monuments shown on this plan and the same are in accordance with the laws of the State of Utah and the laws of the County of Salt Lake. This acknowledgment is given in accordance with the laws of the State of Utah and the laws of the County of Salt Lake.  
**BRITANNY CONDOMINIUMS - PHASE 4**  
 J. L. Bishop  
 President  
 My Comm. No. 12345

**RECORDED**  
 BY: [Signature]  
 DATE: [Date]

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%
4	Tot Lot		No Additional Units

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%
4	Tot Lot		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 TWO AND PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND PHASE 4 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" TO AMENDMENT THREE AND LESS 0.19 ACRES IN PHASE 4 AS STATED IN EXHIBIT "A" HERETO.

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