

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

7721508  
09/19/2000 02:01 PM 45.00  
Book - 8388 Pg - 5309-5318  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
MCARTHUR HOMES LC  
9948 S REDWOOD RD  
SOUTH JORDAN UT 84095  
BY: RDJ, DEPUTY - WI 10 P.

7721508

[Parcel Nos. 21-30-102-056 thru 073 and 21-30-103-001]

**AMENDMENT NO. SIX  
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; 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; AMENDMENT NO. FOUR, 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. FIVE, 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 forty-two (42) Units for a total of fifty-four (54) Units with additional property available for the

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expansion of a maximum number of two-hundred and twenty-eight (228) 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 6 ("Phase 6 Property"), and declares its intention that the Phase 6 Property shall be subject to the Declaration, and any amendments thereto.

Declarant hereby adds to the existing Project a total of eighteen (18) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be seventy-two (72) with two-hundred and ten (210) Units being reserved in the expandable area.

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

1. Phase 6 Expansion: Declarant hereby submits the Phase 6 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 6 Property and said Property shall be known as the Brittany Condominiums, Phase 6, and shall be subject to the provisions of the Declaration and Amendments thereto. The maximum number of Units to be contained within the Phase 6 Property improvements shall be eighteen (18), 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 6 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 1/72nd. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/72nd as shown in the Table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 6 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, the Phase 5 Property, and the Phase 6 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.

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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    }

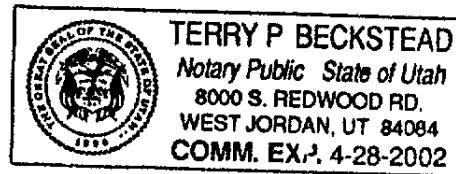
On the 18 day of September, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, LC, and that said instrument was acknowledged on behalf of said McArthur Homes 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 6

PROPERTY DESCRIPTION:

Beginning at a point which is N00°08'29"W along the Section Line, 1885.940 feet and N89°51'31"E, 297.337 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence N01°16'05"E, 19.120 feet; thence N01°04'49"W, 72.195 feet; thence N05°40'46"W, 87.240 feet; thence N00°08'29"W, 41.874 feet; thence N89°51'31"E, 100.56 feet; thence S81°00'56"E, 38.002 feet; thence S83°29'59"E, 166.930 feet; thence S00°08'29"E, 195.700 feet; thence S89°10'53"W, 165.447 feet; thence N88°49'10"W, 129.359 feet to the point of beginning.

Contains 1.46 Acres or 63,475 Square Feet

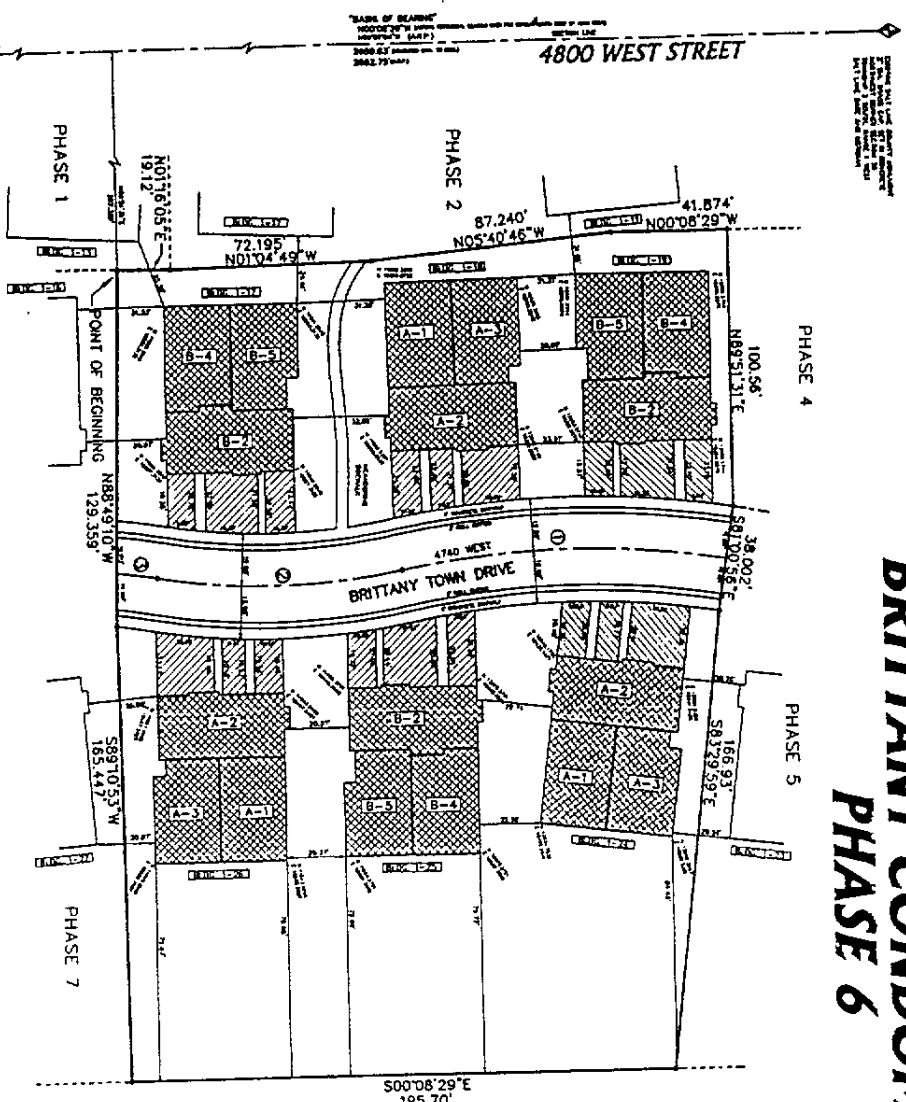
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EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 6 MAP

# BRITTANY CONDOMINIUMS PHASE 6



PLANNING COMMISSION  
APPROVED AND RECOMMENDED FOR THE CITY OF UTAH  
BY THE PLANNING COMMISSION  
ON 11/11/98

**ETP ENGINEERING, INC.**  
CITY & SUBDIVISIONAL - SUBDIVISIONAL & SITE DESIGN  
1170 W. 1000 S. SUITE 100  
SALT LAKE CITY, UT 84143  
PHONE: 973-1111

**WEST JORDAN CITY ENGINEER**  
HAROLD GORDON HAS THE HONOR OF REVIEWING THIS PLAN AND FINDING IT TO BE IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF WEST JORDAN, UTAH.

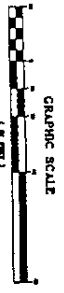
**APPROVAL AS TO FORM**  
BY THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH.

**WEST JORDAN CITY CLERK**  
RECORDED IN THE CITY OF WEST JORDAN, UTAH.

**BRITTANY CONDOMINIUMS - PHASE 6**  
RECORDED IN THE COUNTY OF SALT LAKE, UTAH, ON 11/11/98.



**LEGEND**  
PRIVATE  
UNITED CONDOMINIUM  
CONDOMINIUM



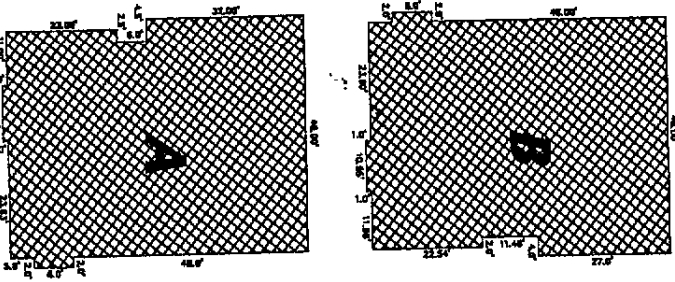
**SURVEYOR'S CERTIFICATE**  
I, J. Michael DeHoff, do hereby certify that I am a Registered Land Surveyor and that I have Certificate No. 12607 as provided by the State of Utah. I further certify that by authority of the State, I did make a Survey of the land hereon in the town or city of West Jordan, Utah, and that the same is in accordance with the laws of the State of Utah.

**OWNER'S DEDICATION**  
Brittany Condominiums - Phase 6  
do hereby dedicate and consent to recognition of land shown on this plan, submitting the property described herein to the provisions of the Utah State Condominium Ownership Act.

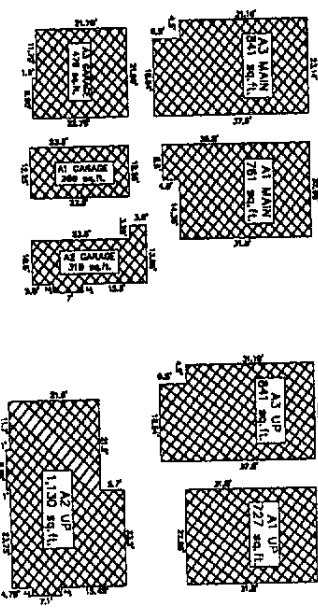
**CORPORATE ACKNOWLEDGMENT**  
I, *[Signature]*, Secretary of the Corporation, do hereby certify that the foregoing instrument was signed in behalf of the Corporation by authority of a resolution adopted by the Board of Directors of the Corporation on the date hereon stated to the best of my knowledge and belief.

**BRITTANY CONDOMINIUMS - PHASE 6**  
RECORDED IN THE COUNTY OF SALT LAKE, UTAH, ON 11/11/98.

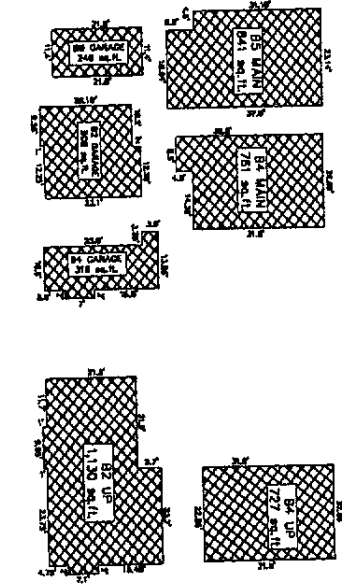
# BRITTANY CONDOMINIUMS PHASE 6



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



**BUILDING A  
(NOT TO SCALE)**



**BUILDING B  
(NOT TO SCALE)**



| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| B-3       | 4870.00              | 4878.14               | 712 SOUTH BRITTANY TOWN DRIVE |
| B-4       | 4870.00              | 4878.14               | 712 SOUTH BRITTANY TOWN DRIVE |
| B-2       |                      | 4878.14               | 718 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-17**

| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| A-1       | 4868.10              | 4876.24               | 718 SOUTH BRITTANY TOWN DRIVE |
| A-2       | 4868.10              | 4876.24               | 718 SOUTH BRITTANY TOWN DRIVE |
| A-3       | 4868.10              | 4876.24               | 718 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-18**

| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| B-5       | 4868.70              | 4877.84               | 710 SOUTH BRITTANY TOWN DRIVE |
| B-4       | 4868.70              | 4877.84               | 710 SOUTH BRITTANY TOWN DRIVE |
| B-2       |                      | 4877.84               | 710 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-19**

| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| A-1       | 4868.30              | 4877.44               | 711 SOUTH BRITTANY TOWN DRIVE |
| A-2       | 4868.30              | 4877.44               | 709 SOUTH BRITTANY TOWN DRIVE |
| A-3       | 4868.30              | 4877.44               | 707 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-24**

| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| B-3       | 4858.30              | 4877.44               | 719 SOUTH BRITTANY TOWN DRIVE |
| B-4       | 4858.30              | 4877.44               | 713 SOUTH BRITTANY TOWN DRIVE |
| B-2       |                      | 4877.44               | 717 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-25**

| UNIT TYPE | MAIN FLOOR ELEVATION | UPPER FLOOR ELEVATION | ADDRESS                       |
|-----------|----------------------|-----------------------|-------------------------------|
| A-1       | 4859.50              | 4878.64               | 713 SOUTH BRITTANY TOWN DRIVE |
| A-2       | 4859.50              | 4878.64               | 717 SOUTH BRITTANY TOWN DRIVE |
| A-3       | 4859.50              | 4878.64               | 719 SOUTH BRITTANY TOWN DRIVE |

**BUILDING 1-26**

|             |          |
|-------------|----------|
| PROJECT NO. | 12500033 |
| DATE        | 08/11/11 |
| BY          | MM       |
| CHECKED BY  | MM       |
| DATE        | 08/11/11 |
| BY          | MM       |
| CHECKED BY  | MM       |
| DATE        | 08/11/11 |
| BY          | MM       |
| CHECKED BY  | MM       |
| DATE        | 08/11/11 |

**EMP ENGINEERING, INC.**  
 CIVIL & ARCHITECTURAL ENGINEERING  
 2040 South Van Ness, Suite 200, San Francisco, CA 94133  
 415-774-8888

**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       | 1/72nd or 1.3889%   |
| 1     |          | B-4       | 1/72nd or 1.3889%   |
| 1     |          | B-5       | 1/72nd or 1.3889%   |
| 1     | 1-2      | B-2       | 1/72nd or 1.3889%   |
| 1     |          | B-4       | 1/72nd or 1.3889%   |
| 1     |          | B-5       | 1/72nd or 1.3889%   |
| 1     | 1-13     | B-2       | 1/72nd or 1.3889%   |
| 1     |          | B-4       | 1/72nd or 1.3889%   |
| 1     |          | B-5       | 1/72nd or 1.3889%   |
| 1     | 1-14     | A-1       | 1/72nd or 1.3889%   |
| 1     |          | A-2       | 1/72nd or 1.3889%   |
| 1     |          | A-3       | 1/72nd or 1.3889%   |
| 2     | 1-3      | B-2       | 1/72nd or 1.3889%   |
| 2     |          | B-4       | 1/72nd or 1.3889%   |
| 2     |          | B-5       | 1/72nd or 1.3889%   |
| 2     | 1-4      | A-1       | 1/72nd or 1.3889%   |
| 2     |          | A-2       | 1/72nd or 1.3889%   |
| 2     |          | A-3       | 1/72nd or 1.3889%   |
| 2     | 1-5      | B-2       | 1/72nd or 1.3889%   |
| 2     |          | B-4       | 1/72nd or 1.3889%   |
| 2     |          | B-5       | 1/72nd or 1.3889%   |
| 2     | 1-10     | A-1       | 1/72nd or 1.3889%   |
| 2     |          | A-2       | 1/72nd or 1.3889%   |
| 2     |          | A-3       | 1/72nd or 1.3889%   |
| 2     | 1-11     | B-2       | 1/72nd or 1.3889%   |
| 2     |          | B-4       | 1/72nd or 1.3889%   |
| 2     |          | B-5       | 1/72nd or 1.3889%   |
|       |          |           | 1/72nd or 1.3889%   |

| Phase | Bldg No. | Unit Type | Unit Par Value Percent of Undivided Interest in Common Area |
|-------|----------|-----------|---|
| 2     | 1-12     | B-2       | 1/72nd or 1.3889%   |
| 2     |          | B-4       | 1/72nd or 1.3889%   |
| 2     |          | B-5       | 1/72nd or 1.3889%   |
| 3     | 1-6      | B-2       | 1/72nd or 1.3889%   |
| 3     |          | B-4       | 1/72nd or 1.3889%   |
| 3     |          | B-5       | 1/72nd or 1.3889%   |
| 3     | 1-7      | A-1       | 1/72nd or 1.3889%   |
| 3     |          | A-2       | 1/72nd or 1.3889%   |
| 3     |          | A-3       | 1/72nd or 1.3889%   |
| 3     | 1-8      | B-2       | 1/72nd or 1.3889%   |
| 3     |          | B-4       | 1/72nd or 1.3889%   |
| 3     |          | B-5       | 1/72nd or 1.3889%   |
| 3     | 1-9      | B-2       | 1/72nd or 1.3889%   |
| 3     |          | B-4       | 1/72nd or 1.3889%   |
| 3     |          | B-5       | 1/72nd or 1.3889%   |
| 4     | Tot Lot  |           | No additional Units   |
| 5     | 1-20     | B-2       | 1/72nd or 1.3889%   |
| 5     |          | B-4       | 1/72nd or 1.3889%   |
| 5     |          | B-5       | 1/102nd or .9804%   |
| 5     | 1-21     | B-2       | 1/72nd or 1.3889%   |
| 5     |          | B-4       | 1/72nd or 1.3889%   |
| 5     |          | B-5       | 1/72nd or 1.3889%   |
| 5     | 1-22     | A-1       | 1/72nd or 1.3889%   |
| 5     |          | A-2       | 1/72nd or 1.3889%   |
| 5     |          | A-3       | 1/72nd or 1.3889%   |
| 5     | 1-23     | B-2       | 1/72nd or 1.3889%   |
| 5     |          | B-4       | 1/72nd or 1.3889%   |
| 5     |          | B-5       | 1/72nd or 1.3889%   |





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" TO AMENDMENT FOUR AND PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND PHASE 6 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" TO AMENDMENT FOUR AND LESS 1.35 ACRES IN PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND LESS 1.46 ACRES IN PHASE 6 AS STATED IN EXHIBIT "A" HERETO.