

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

7721504
09/19/2000 02:00 PM 43.00
Book - 8388 Pg. 5273-5281
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 9 P.

7731539

~~7721504~~

[Parcel Nos. 21-30-102-014 thru 031, and 21-30-103-001]

AMENDMENT NO. TWO
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.

-POOR COPY.
CO. 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 19th day of September, 2000, as Entry No. 7721503, in Book 8388, at Pages 518-522 et seq., of the records of the Salt Lake County Recorder.

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 2 ("Phase 2 Property"), and declares its intention that the Phase 2 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 thirty (30) with two-hundred and fifty-two (252) Units being reserved in the expandable area.

~~8388 PG 5273~~
8388 PG 1177

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

1. Phase 2 Expansion: Declarant hereby submits the Phase 2 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 2 Property and said Property shall be known as the Brittany Condominiums, Phase 2, 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 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 2 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 1/30th. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/30th as shown in the Table attached hereto as Exhibit C.

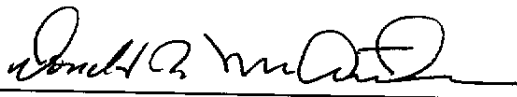
4. Additional Land: With the annexation of the Phase 2 Property, the remaining land available for expansion, being more particularly described at Exhibit D, consists of the original expandable land less the Phase 2 Property.

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

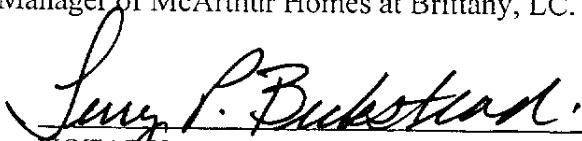
38839261178

FOUR COPY
CO. RECORDER

~~38839261178~~

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

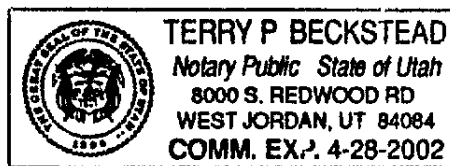
On the 18 day of SEPTEMBER, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, LC, and that said instrument was acknowledged on behalf of said McArthur Homes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



CO. RECORDER

88392PG1179
88388PG5275

EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 2

PROPERTY DESCRIPTION:

Beginning at a point on the proposed Easterly Right-of-Way Line of 4800 West Street, said point being N00°08'229"W, along the Section Line, 1879.532 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 Line, 215.721 feet; thence N88°04'00"E, 115.951 feet, thence Northwesterly 37.402 feet along the arc of a 369.00 foot radius curve to the right, (chord bears N03°02'43"W, 37.386 feet); thence N00°08'29"W, 32.715 feet; thence N89°51'31"E, 134.205 feet; thence S00°08'29"E, 104.861 feet, thence S05°40'46"E, 87.240 feet; thence S01°04'49"E, 72.195 feet; thence N89°33'28"W, 131.537 feet; thence Southwesterly 28.456 feet along the arc of a 1500.00 foot radius curve to the right, (chord bears S00°59'08"W, 28.455 feet); thence N89°25'04"W, 125.728 feet to the point of beginning.

Contains 1.41 Acres or 61,521 Square Feet

POOR COPY
CO. RECORDER

BK 8388 PG 5276
BK 8392 PG 1180

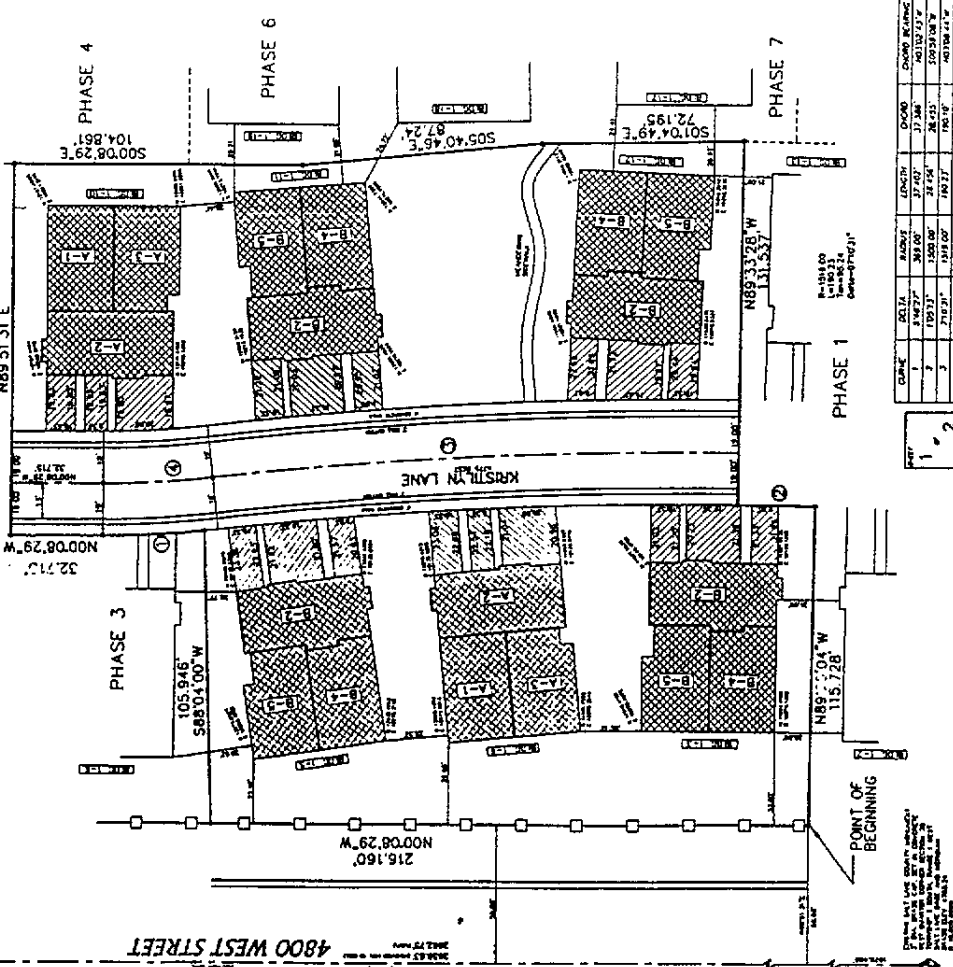
EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 2 MAP

~~BK8388PG5277~~

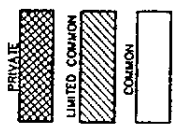
BK8392PG1181

BRITANNY CONDOMINIUMS PHASE 2



LEGEND

- Phase 1-5: CONDOMINIUM UNITS
- Phase 1-5: COMMON AREAS
- Phase 1-5: PRIVATE AREAS
- Phase 1-5: LIMITED COMMON AREAS
- Phase 1-5: COMMON AREAS



GRADE	DELTA	AREA	LENGTH	PERCENT	AREA	PERCENT
1	1.00	100.00	100.00	100.00	100.00	100.00
2	1.00	100.00	100.00	100.00	100.00	100.00
3	1.00	100.00	100.00	100.00	100.00	100.00
4	1.00	100.00	100.00	100.00	100.00	100.00
5	1.00	100.00	100.00	100.00	100.00	100.00

APPROVAL AS TO FORM
WEST JORDAN CITY ENGINEER
I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE CITY ENGINEER'S OFFICE.

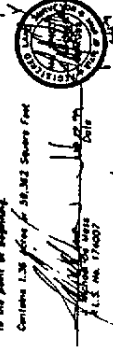
EWP ENGINEERING, INC.
CIVIL & ENVIRONMENTAL - TRANSPORTATION & WATER SERVICES
1000 South 200 West, Suite 200, Salt Lake City, UT 84115
801-961-9999

PLANNING COMMISSION
APPROVED: [Signature]
DATE: [Date]

SURVEYOR'S CERTIFICATE
I, J. Michael De Wess, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 17488 issued by the State of Utah. I further certify that the above described land is the property of the owners of the land and is not subject to any other claims or encumbrances. I have made a Survey of the land and the same is hereunto made and described below, hereunto to be known as:

BRITANNY CONDOMINIUMS - PHASE 2
BOUNDARY SUBSCRIPTION

Beginning at a point on the proposed Eastern Right-of-Way of the 4800 West Street, and point being N00°08'29\"/>



OWNER'S DEDICATION
Know all men by these presents that I, the undersigned owner of the above described tract of land, hereunto to be known as:

BRITANNY CONDOMINIUMS - PHASE 2

do hereby dedicate and consent to reversion all land shown on the attached plat to the Utah State Condominium Ownership Act.

CORPORATE ACKNOWLEDGMENT
On the 22nd day of June A.D. 19 97

D. R. McArthur personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, in said State of Utah, who being duly sworn, did say to me that he is the President of McArthur Homes at Britanny, a Utah Corporation, and that the foregoing is the true and correct copy of the Board of Directors, and said person acknowledged to me that said Corporation executed the same.

My Commission expires: 22nd day of June, 2000
Reading Room, Salt Lake County

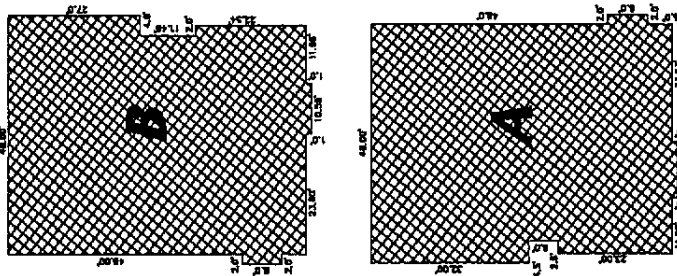
BRITANNY CONDOMINIUMS - PHASE 2
PART OF THE SUBDIVISION PLAT OF BRITANNY CONDOMINIUMS - PHASE 2

RECORDED
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDS AND PLATS AT THE REQUEST OF: [Name]
DATE: [Date]

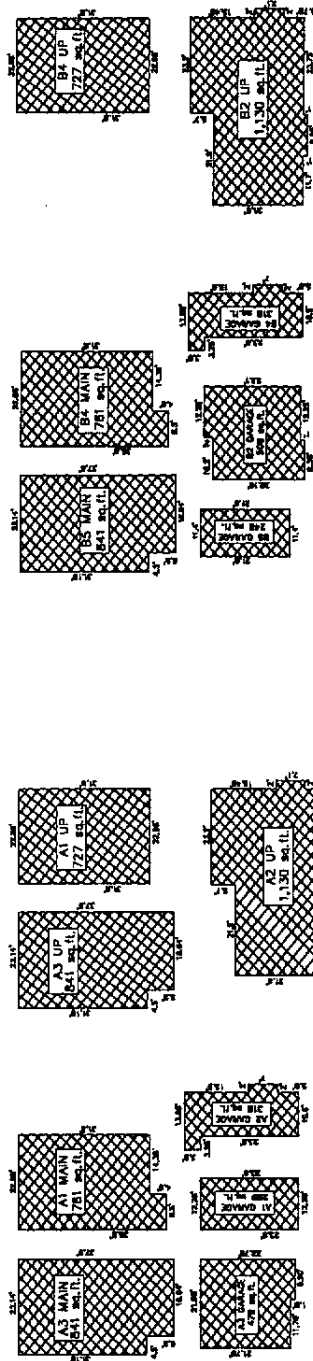
FORM COPY
CO. INCORPORATED

BR8392PG1182
BR8388PG5278

BRITTANY CONDOMINIUMS PHASE 2



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



BUILDING A
(NOT TO SCALE)

BUILDING B
(NOT TO SCALE)



BUILDING 1-10

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A-1	4671.00	4680.14	7098 SOUTH KRISTELYN LAKE
A-2	4671.00	4680.14	7101 SOUTH KRISTELYN LAKE
A-3	4671.00	4680.14	7103 SOUTH KRISTELYN LAKE

BUILDING 1-11

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4672.20	4681.34	7108 SOUTH KRISTELYN LAKE
B-4	4672.20	4681.34	7113 SOUTH KRISTELYN LAKE
B-2	4672.20	4681.34	7111 SOUTH KRISTELYN LAKE

BUILDING 1-12

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4674.00	4683.14	7117 SOUTH KRISTELYN LAKE
B-3	4674.00	4683.14	7121 SOUTH KRISTELYN LAKE
B-2	4674.00	4683.14	7119 SOUTH KRISTELYN LAKE

BUILDING 1-3

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4676.50	4684.44	7122 SOUTH KRISTELYN LAKE
B-4	4676.50	4684.44	7126 SOUTH KRISTELYN LAKE
B-2	4676.50	4684.44	7124 SOUTH KRISTELYN LAKE

BUILDING 1-4

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A-1	4674.10	4683.34	7112 SOUTH KRISTELYN LAKE
A-2	4674.10	4683.34	7116 SOUTH KRISTELYN LAKE
A-3	4674.10	4683.34	7118 SOUTH KRISTELYN LAKE

BUILDING 1-5

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-2	4672.90	4682.04	7104 SOUTH KRISTELYN LAKE
B-4	4672.90	4682.04	7108 SOUTH KRISTELYN LAKE
B-5	4672.90	4682.04	7102 SOUTH KRISTELYN LAKE

PROJECT NO.	174007	DATE OF PLAN	12-20-07
CLIENT	BRITTANY CONDOMINIUMS	DATE OF SET	12-20-07
SCALE	AS SHOWN	DATE OF ISSUE	12-20-07
DESIGNED BY	W. J. WILSON	DATE OF REVIEW	12-20-07
CHECKED BY	W. J. WILSON	DATE OF REVIEW	12-20-07
DATE	12-20-07	PROJECT NO.	174007

EWP ENGINEERING, INC.
 CIVIL & MECHANICAL ENGINEERING & SURVEYING
 3800 BROADWAY ROAD, SUITE 200, L.L.C. 1708
 847-81-1000

PG 1183
BK 8392 PG 1183

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" 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" HERETO.

POOR COPY
CO. RECORDER

9K8392PG1185

~~9K8388PG5281~~

AMENDMENT NO. TWO
TO AMENDED AND RESTATED DECLARATON
AND DECLARATION OF ANNEXATION FOR
BRITTANY CONDOMINIUMS

THIS AMENDMENT is hereby re-executed this 3rd day of October, 2000.

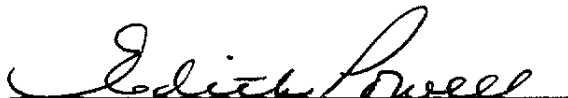
McARTHUR HOMES AT BRITTANY, LC
A Utah Limited Liability Company

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

By: 
Donald R. McArthur, Board Chairman

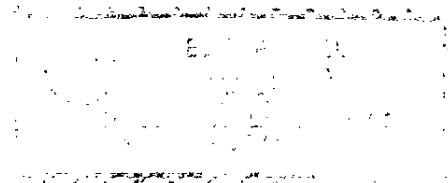
STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

On the 3rd day of October, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say the he is the Board Chairman 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 Board Chairman and executed the same on behalf of McArthur Homes, Inc., the Manager of McArthur Homes at Brittany, LC.


NOTARY PUBLIC

My Commission expires:

3-7-01



NOTARY SEAL NOT LEGIBLE
- CO RECORDER -

8K8392PG1186

10/03/2000 02:43 PM

1187

7731539
10/03/2000 02:43 PM 47.00
Book - 8392 Pg - 1177-1187
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UTAH 84095
BY: ARG, DEPUTY - WI 11 P.

BK8392PG1187