

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.

7731541  
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 19<sup>th</sup> day of September, 2000, as Entry No. 7721503, in Book 8388, at Pages 5268-5272 et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. TWO, recorded the 3<sup>rd</sup> day of October, 2000, as Entry No. 7731539, in Book 8392, at Pages 1177-1187 et seq., of the records of the Salt Lake County Recorder; and AMENDMENT NO. THREE, recorded the 3<sup>rd</sup> day of October, 2000, as Entry No. 7731540, in Book 8392, at Pages 1188-1198 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

BK 8388 PG 5291  
BK 8392 PG 1199

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.

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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        }

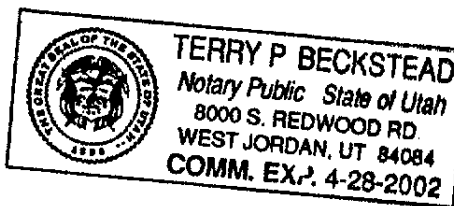
On the 18 day of SEPTEMBER, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, LC, and that said instrument was acknowledged on behalf of said McArthur Homes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



BK8392PG1201  
~~BK8388PG5293~~

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

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EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 4 MAP

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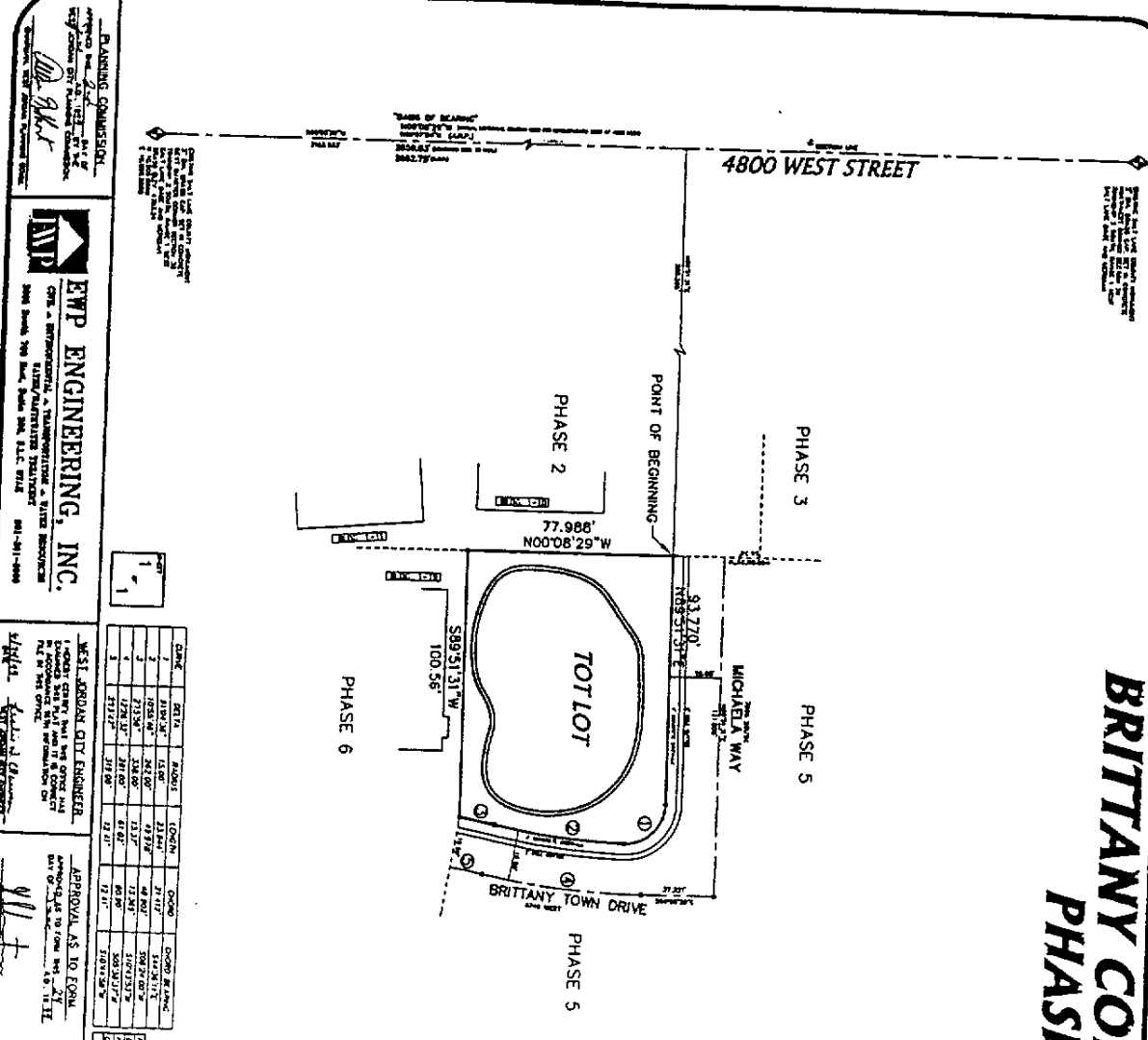
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FORM 889V  
CO. RECORDER

BR 8392 PG 5 296

# BRITTANY CONDOMINIUMS PHASE 4

JK 8392 PG 1 204



**LEGEND**

- Boundaries of the Lot
- Excluded Property

**GRAPHIC SCALE**

1" = 200'

CURVE	DEG.	ARCS	LONG.	CORNER	CORNER	CORNER
1	118.24	15.86	33.84	1	158.72	158.72
2	118.24	15.86	33.84	2	158.72	158.72
3	118.24	15.86	33.84	3	158.72	158.72
4	118.24	15.86	33.84	4	158.72	158.72
5	118.24	15.86	33.84	5	158.72	158.72
6	118.24	15.86	33.84	6	158.72	158.72

**SURVEYOR'S CERTIFICATE**

I, J. Michael DeHaven, do hereby certify that I am a Registered Land Surveyor and that I am duly licensed as such by the State of Utah under the authority of the State Surveyor and that I have carefully examined the above described plat and that the same is correct and that the boundaries thereon are as shown on this plat.

**BRITTANY CONDOMINIUMS - PHASE 4**

**OWNER'S DEDICATION**

Know all men by these presents that I, the undersigned owner of the above described tract of land, heretofore to **BRITTANY CONDOMINIUMS - PHASE 4**

do hereby dedicate and consent to transmission of said tract of land to the public for use as a public thoroughfare in and through the premises and that I have accepted the provisions of the Utah State Condominium Act, Chapter 67, Section 67-2-1, Utah Code, Annotated, 1953.

WITNESSETH my hand and seal this 1st day of April, A.D. 1988.

Michael DeHaven, Surveyor  
J. Michael DeHaven, Surveyor  
D.R. DeHaven, President

**CORPORATE ACKNOWLEDGMENT**

State of Utah  
County of Salt Lake  
On the 22nd day of April, A.D. 1988.

D.R. DeHaven, President of Brittany, LC  
underwritten before me, the undersigned, a Notary Public for the State of Utah, on the day and date above written, and that the proper officers of said Corporation were present at the time and place above written, and that the proper officers of said Corporation acknowledged to me that they had signed the same, and that they were duly authorized to do so, and that the person acknowledged to me was duly authorized to do so, and that the person acknowledged to me was duly authorized to do so, and that the person acknowledged to me was duly authorized to do so.

By Commission Expires *John DeHaven*  
Residing in Salt Lake County

**BRITTANY CONDOMINIUMS - PHASE 4**

RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH, ON APRIL 22, 1988.

BY: [Signature]

PLAT NO. 8392 PG 5 296

PLANNING COMMISSION  
APPROVED FOR PHASE 4, 5, & 6  
BY: [Signature]

**EWP ENGINEERING, INC.**  
CITY & ENGINEERING, PLANNING, SURVEYING & DESIGN  
3000 South 700 East, Suite 204, E.S.C. BLDG.  
801-941-0000

**WEST ADDON, CITY ENGINEER**  
I hereby certify that this plat complies with the provisions of the Utah State Condominium Act, Chapter 67, Section 67-2-1, Utah Code, Annotated, 1953.

**APPROVAL AS TO FORM**  
I hereby certify that this plat complies with the provisions of the Utah State Condominium Act, Chapter 67, Section 67-2-1, Utah Code, Annotated, 1953.

**REGISTERED TO THE STATE OF UTAH**  
J. Michael DeHaven, Surveyor  
No. 1182

RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH, ON APRIL 22, 1988.

BY: [Signature]

PLAT NO. 8392 PG 5 296

**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

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BR8398PG5297

**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

BK8388 PG 5 298  
 BK8392 PG 1 206  
 BK8392



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.

FOR COPY  
CALL NUMBER

BK8392PG1207

~~BK8388PG5299~~

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

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

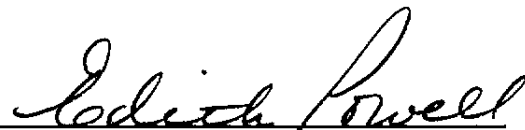
McARTHUR HOMES AT BRITTANY, LC  
A Utah Limited Liability Company

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

By:   
Donald R. McArthur, Board Chairman

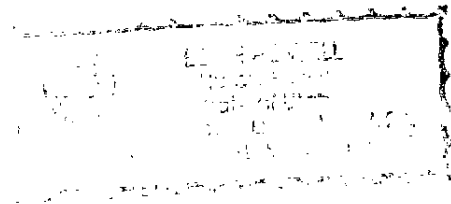
STATE OF UTAH                    }  
  } ss.  
COUNTY OF SALT LAKE        }

On the 3<sup>rd</sup> 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 -

BK 8392 PG 1 208

7731541  
10/03/2000 02:44 PM 30.00  
Back - 8392 Pg - 1199-1209  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
MCARTHUR HOMES LC  
9948 S REDWOOD RD  
SOUTH JORDAN UTAH 84095  
BY: ARG, DEPUTY - WI 11 P.

BK8392PG1209