

After recording, return to: Marilyn
at Draper-12441 South 900 East
Draper, Utah 84020

7779098
12/12/2000 03:14 PM 45.00
Book - 8407 Pg - 6375-6380
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
12441 S 900 E
DRAPER UT 84020
BY: ZJM, DEPUTY - WI 6 P.

WHEN RECORDED RETURN TO:
THE GATES OF COUNTRYSIDE, L.C.
Wayne H. Corbridge
758 South 400 East
Suite 203
Orem, Utah 84058

7779098

**FOURTH SUPPLEMENT TO THE
DECLARATION OF CONDOMINIUM FOR DRAPER LANDING**
an expandable Utah condominium project

This FOURTH SUPPLEMENT to the DECLARATION OF CONDOMINIUM for DRAPER LANDING, an expandable Utah condominium project, is made and executed by THE GATES OF COUNTRYSIDE, L.C., a Utah limited liability company, and STEVEN R. KEELING AND BARBARA A. KEELING, AS TRUSTEES OF THE STEVEN R. KEELING AND BARBARA A. KEELING FAMILY TRUST UTD OF SEPTEMBER 19, 1991, of 758 South 400 East, Suite 203, Orem, Utah 84058 (hereinafter jointly referred to as "Declarant").

RECITALS

Whereas, the original Declaration of Condominium for DRAPER LANDING was recorded in the office of the County Recorder of Salt Lake County, Utah on the 1 day of ~~November~~ ^{December}, 2000, as Entry No. 7772387 in Book 8405 at Page(s) 3924 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Supplemental Declaration was recorded on the 1 day of ~~November~~ ^{December}, 2000, as Entry No. 7772389 in Book No. 8405 at Page No. 3984 of the Official Records of the County Recorder of Salt Lake County, Utah.

Whereas, the related Plat Map(s) for Phase III of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Second Supplemental Declaration was recorded on the 1 day of ~~November~~ ^{December}, 2000, as Entry No. 7772391 in Book No. 8405 at Page No. 3991 of the Official Records of the County Recorder of Salt Lake County, Utah.

Whereas, the related Plat Map(s) for Phase IV of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Third Supplemental Declaration was recorded on the 1 day of ~~November~~ ^{December}, 2000, as Entry No. 7772393 in Book No. 8405 at Page No. 3998 of the Official Records of the County Recorder of Salt Lake County, Utah.

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Whereas, the related Plat Map(s) for Phase V of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 43 of the Declaration, Declarant reserved an option, until the seven (7) years from the date following the first conveyance of a Unit in Phase I to a Unit purchaser, to expand the Project in accordance with the Act.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-2" attached hereto and incorporated herein by this reference (the "Phase II Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of the Department of Veterans Affairs, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Phase II Property a residential condominium development.

Whereas, Declarant now intends that the Phase II Property shall become subject to the Declaration.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this FOURTH SUPPLEMENT to the DECLARATION OF CONDOMINIUM FOR DRAPER LANDING.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. Fourth Supplemental Declaration shall mean and refer to this FOURTH SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DRAPER LANDING.

B. FOURTH Supplemental Phase II Map shall mean and refer to the Supplemental Plat Map of Phase II of the Project, prepared and certified to by Gary Wier, a duly registered Utah Land Surveyor holding Certificate No. 333098, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Fourth Supplemental Declaration.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property described in Exhibit A-2 is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject

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to the provisions of the Declaration, as supplemented.

3. Annexation. Declarant hereby declares that the Phase II Property shall be annexed to and become subject to the Declaration, which upon recordation of this Fourth Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to the functions, powers, rights, duties and jurisdiction of the Association.

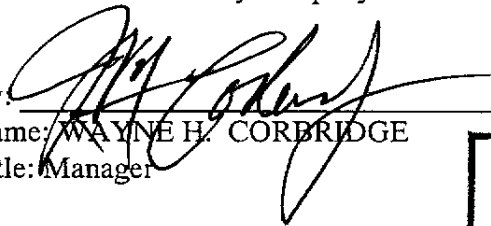
4. Total Number of Units Revised. As shown on the Phase II Map, a Building and six (6) additional Units are or will be constructed and/or created in the Project on the Phase II Property. The additional Building and Units are located within a portion of the Additional Land. Upon the recordation of the Phase II Map and this Fourth Supplemental Declaration, the total number of Units in the Project will be twenty-six (26). The additional Building and Units are substantially similar in construction, design and quality to the Building and Units in the prior Phase.

5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities (the "Percentage Interests"). Third Revised Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Fourth Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

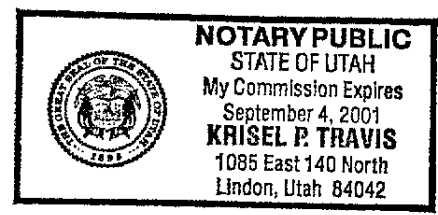
6. Effective Date. The effective date of this Fourth Supplemental Declaration and the Phase II Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the 30 day of November, 2000.

THE GATES OF COUNTRYSIDE, L.C.,
a Utah limited liability company

By: 
Name: WAYNE H. CORBRIDGE
Title: Manager

STATE OF UTAH)
)ss:
COUNTY OF UTAH)



On the 30 day of November, 2000, personally appeared before me WAYNE H. CORBRIDGE, who by me being duly sworn, did say that he is the Manager of THE GATES OF COUNTRYSIDE, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members or its Articles of Organization and Operating Agreement, and said WAYNE H. CORBRIDGE duly

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acknowledged to me that said Company executed the same.

Pete Gianulis
NOTARY PUBLIC
Residing At:
Commission Expires:

STEVEN R. KEELING AND BARBARA A. KEELING FAMILY TRUST UTD OF
SEPTEMBER 19, 1991

By: *Steven R Keeling*
Name: Steven R. Keeling
Title: Trustee

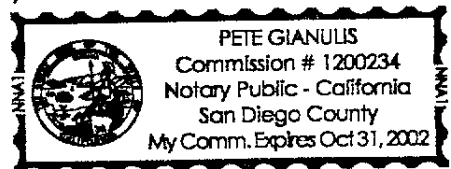
By: *Barbara A Keeling*
Name: Barbara A. Keeling
Title: Trustee

STATE OF CALIFORNIA)
)ss:
COUNTY OF)

On the 7th day of December, 2000, personally appeared before me STEVEN R. KEELING AND BARBARA A. KEELING, AS TRUSTEES OF THE STEVEN R. KEELING AND BARBARA A. KEELING FAMILY TRUST UTD OF SEPTEMBER 19, 1991, who by me being duly sworn, did say that the within and foregoing instrument was signed in behalf of said Trust by authority of a Trust Agreement, and said STEVEN R. KEELING AND BARBARA A. KEELING duly acknowledged to me that said Trust executed the same.

Pete Gianulis

NOTARY PUBLIC
Residing At:
Commission Expires: *10/31/02*



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Exhibit "A-2"

**DRAPER LANDING Phase II
LEGAL DESCRIPTION**

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 EAST, S.L.B.&M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE SOUTH 1/4 CORNER OF SAID SECTION 30; THENCE N89°48'40"W ALONG THE SECTION LINE, A DISTANCE OF 1296.15 FEET AND NORTH A DISTANCE OF 2853.35 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 150 EAST STREET AND THE REAL POINT OF BEGINNING;

THENCE N00°01'40"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 148.49 FEET; THENCE EAST A DISTANCE OF 68.51 FEET; THENCE N00°01'40"W A DISTANCE OF 37.02 FEET; THENCE N89°59'29"E A DISTANCE OF 95.72 FEET; THENCE SOUTH A DISTANCE OF 63.50 FEET; THENCE N89°59'29"E A DISTANCE OF 2.36 FEET TO A TANGENT 677.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.47 FEET HAVING A CENTRAL ANGLE OF 03°20'25" AND A CHORD THAT BEARS N88°19'16"E A DISTANCE OF 39.47 FEET; THENCE N47°04'29"E A DISTANCE OF 7.31 FEET; THENCE S42°55'31"E A DISTANCE OF 28.90 FEET; THENCE S04°45'34"E A DISTANCE OF 27.00 FEET; THENCE S85°14'26"W A DISTANCE OF 6.94 FEET TO A TANGENT 722.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 58.00 FEET HAVING A CENTRAL ANGLE OF 04°36'09" AND A CHORD THAT BEARS S87°32'31"W A DISTANCE OF 57.98 FEET; THENCE S00°00'31"E A DISTANCE OF 77.00 FEET; THENCE S89°59'29"W A DISTANCE OF 168.38 FEET TO THE REAL POINT OF BEGINNING, CONTAINING 0.716 ACRES OF LAND

28-30-177-011

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FOURTH REVISED EXHIBIT "C"
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

<u>Phase</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
1	A	1	3.85%
1	A	2	3.85%
1	A	3	3.85%
1	A	4	3.85%
2	F	1	3.85%
2	F	2	3.85%
2	F	3	3.85%
2	F	4	3.85%
2	F	5	3.85%
2	F	6	3.85%
3	N	1	3.85%
3	N	2	3.85%
3	N	3	3.85%
3	N	4	3.85%
3	N	5	3.85%
3	N	6	3.85%
4	M	1	3.85%
4	M	2	3.85%
4	M	3	3.85%
4	M	4	3.85%
5	B	1	3.85%
5	B	2	3.85%
5	B	3	3.85%
5	B	4	3.85%
5	B	5	3.85%
5	B	6	3.85%
TOTAL:			100.0%

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