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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SUPERIOR TITLE
BY: ZJM, DEPUTY - WI 6 P.

AFTER RECORDING PLEASE RETURN TO:

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FIRST SUPPLEMENTAL
DECLARATION OF CONDOMINIUM
THE VILLAGES AT WOLF HOLLOW
An Expandable Condominium Project

Salt Lake County, Utah

This First Supplemental Declaration of Condominium ("First Supplemental Declaration") is made as of this 13 day of SEPT., 2001, by Aurora Development, L.C., a Utah limited liability company ("Declarant") pursuant to the following:

RECITALS:

- A. Declarant is the developer of The Villages At Wolf Hollow, an expandable condominium project in Salt Lake County, Utah (the "Project").
- B. On or about September 4, 2001, Declarant caused to be recorded as Entry 7993018, Book 8496, Page 6418 in the Public Records, that certain **Declaration of Condominium (Including Association Bylaws), The Villages At Wolf Hollow** (the "Declaration"), relating to the Project.
- C. Pursuant to the provisions of ARTICLE II of the Declaration, Declarant is permitted to annex into the Project additional real property ("Additional Land") as set forth and described in the Declaration (including any Exhibit thereto) for purposes of development into additional Condominium Units and Common Areas consistent with the existing Phase I of the Project and with the Declaration.
- D. Declarant desires to annex a portion of the Additional Land into the Project for development as Phase II of the Project.

Therefore, Declarant hereby declares as follows:

- All defined terms as used throughout the entirety of this First Supplemental Declaration shall have the same meanings as those set forth and defined in the Declaration.
- The following described real property situated in Salt Lake County, Utah, attached hereto as **Exhibit A** and incorporated herein by reference, is hereby submitted to the provisions of the Utah Condominium Ownership Act and the Declaration and is hereby annexed into the Project to be held, transferred, sold, conveyed and occupied as a part thereof:

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TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcel of real property.

RESERVING UNTO DECLARANT, however such easements and rights of ingress and egress over, across, through, and under the above-described Tract and any improvements (excluding Buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration): (i) to construct and complete the Buildings and Units and all of the other improvements described in the Declaration or in the Record of Survey Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete on the Additional Land or any portion thereof such improvements as Declarant shall determine to build in its sole discretion; and (iii) to improve portions of such property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all the Owners as Declarant may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, such real property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire 10 years after the date on which this Supplemental Declaration is recorded in the Public Records.

ALL OF THE FOREGOING IS SUBJECT TO all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described real property or any portion thereof, including, without limitation, any mortgage (and nothing in this paragraph shall be deemed to modify or amend such mortgage); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on or revealed by the Record of Survey Map or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the said real property at such time as construction of all Project improvements is complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities; **AND TO EACH OF THE COVENANTS, EASEMENTS, CONDITIONS, AND RESTRICTIONS CONTAINED IN THE DECLARATION.**

3. The Declaration is hereby amended in the following particulars as a result of and pursuant to the annexation set forth above:

(a) Section 2.02 is amended in its entirety to read as follows:

2.02 Division into Condominium Units, Minimum and Maximum Ownership Interests. The Project is hereby divided into 32 Condominium Units as set forth on the Map, each such Condominium Unit consisting of a Unit and an appurtenant undivided, but equal, interest in and to the Common Areas and Facilities. Such Units comprise the minimum number of Units in the Project and give each Owner a maximum 1/32nd (or approximately 3.125%) undivided interest in the Common Areas and Facilities. If all of the Additional Land is added into the Project pursuant Sections 2.03 and 2.04, the maximum number of Units in the Project will be 96 and each Unit Owner will have a

1/96th (or approximately 1.0416%) undivided interest in the Common Areas and Facilities.

(b) Section 3.02 of the Declaration is amended in its entirety to read as follows:


3.02 **Description of Buildings, Parking and Storage Units.** There will be two Buildings, each containing 16 Units, four on each of four floors. A central Common Area hallway on each floor (with a stairway at one end and an elevator and a stairway wrapping around it at the other end of such hallway) provides access to each of the four Units on each floor. Each Unit has one level with three bedrooms and two bathrooms, a kitchen, living and dining area, and a patio or deck at the outside corner. The construction is stucco and brick over wood frame with asphalt shingle roof. Each Unit is basically of the same size and configuration. Each Unit in the Project has an appurtenant Limited Common Area storage closet in the central Common Area hallway and Limited Common Area parking stalls assigned to it as reflected on the Map or as provided for in this Declaration.

4. Except as amended by the provisions of this First Supplemental Declaration, the Declaration shall remain unchanged and, together with this First Supplemental Declaration, shall constitute the Declaration of Condominium for the Project as expanded by the Additional Land described herein.

5. This First Supplemental Declaration shall be recorded in the Public Records concurrently with the Map entitled **The Villages At Wolf Hollow Phase II, Salt Lake County, Utah**, executed and acknowledged by Declarant, consisting of one sheet prepared by Gary W. Weir, a registered Utah land surveyor holding Certificate No. 333098, and shall be effective from the date of such recording.

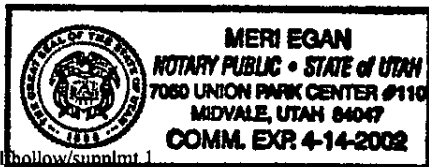
Declarant has executed this instrument as of the day and year first above set forth.

Aurora Development, L.C.

By: 
Mike Miller, Member/Manager

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The within instrument was acknowledged before me this 13 day of ~~September~~ 2001, by **Mike Miller** in the capacity indicated.




NOTARY PUBLIC

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EXHIBIT A

**DECLARATION OF CONDOMINIUM
(Including Association Bylaws)**

**THE VILLAGES AT WOLF HOLLOW
An Expandable Condominium Project**

Salt Lake County, Utah

A PARCEL OF LAND IN THE EAST ½ OF SECTION 8, TOWNSHIP 2 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 INTERSECTION OF SPRING LANE (5150 SOUTH) AND 1300 EAST STREET; THENCE N.00°07'00"E. ALONG THE CENTERLINE OF 1300 EAST STREET, A DISTANCE OF 180.28 FEET AND WEST A DISTANCE OF 309.36 FEET TO THE REAL POINT OF BEGINNING, SAID POINT OF BEGINNING IS ALSO EAST A DISTANCE OF 1965.65 FEET AND NORTH A DISTANCE OF 171.05 FEET FROM THE CENTER OF SAID SECTION 8;

THENCE SOUTH A DISTANCE OF 17.90 FEET; THENCE S.39°10'36"E. A DISTANCE OF 178.51 FEET; THENCE S.66°01'20"E. A DISTANCE OF 49.82 FEET; THENCE S.39°10'36"E. A DISTANCE OF 28.55 FEET; THENCE S.50°49'24"W. A DISTANCE OF 26.04 FEET TO A POINT OF CURVATURE OF A NON-TANGENT 10.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY A DISTANCE OF 7.70 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 44°06'15", SUBTENDED BY A CHORD THAT BEARS S.28°48'04"W. A DISTANCE OF 7.51 FEET; THENCE S.50°51'12"W. A DISTANCE OF 100.92 FEET TO THE EAST RIGHT-OF-WAY OF THE VAN WINKLE EXPRESSWAY; THENCE N.39°03'40"W. ALONG SAID VAN WINKLE EXPRESSWAY A DISTANCE OF 313.10 FEET; THENCE N.50°49'24"E. A DISTANCE OF 27.37 FEET; THENCE NORTH A DISTANCE OF 25.00 FEET; THENCE EAST A DISTANCE OF 101.83 FEET TO THE REAL POINT OF BEGINNING, CONTAINING 0.82 ACRES OF LAND.

BASIS OF BEARING IS N.00°07'00"E. ALONG THE CENTERLINE OF 1300 EAST STREET, AS PER THE SALT LAKE COUNTY AREA REFERENCE PLAT.

EXHIBIT B

**DECLARATION OF CONDOMINIUM
(Including Association Bylaws)**

**THE VILLAGES AT WOLF HOLLOW
An Expandable Condominium Project**

Salt Lake County, Utah

THIS DESCRIPTION OF THE ADDITIONAL LAND IS SET FORTH AND ATTACHED IN THIS EXHIBIT A TO THE DECLARATION SOLELY FOR PURPOSES OF IDENTIFICATION. THE DECLARATION IS NOT INTENDED AS AND SHOULD NOT BE DEEMED TO CONSTITUTE ANY LIEN, ENCUMBRANCE, RESTRICTION, OR LIMITATION UPON ANY PORTION OF THE EXPANSION LAND UNLESS AND UNTIL SUCH PORTION IS ADDED TO THE PROJECT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

Real property located in Salt Lake County, State of Utah, described as follows:

A parcel of land in the East ½ of Section 8, Township 2 South, Range 1 East, Salt Lake Base & Meridian, Salt Lake County, Utah, more particularly described as follows:

Commencing at a brass cap monument marking the intersection of Spring Lane (5150 South) and 1300 East Street; thence N 00°07'00" E along the centerline of 1300 East Street, a distance of 180.28 feet; thence West a distance of 309.36 feet to the real point of beginning, said point of beginning is also East a distance of 1965.65 feet and North a distance of 171.05 feet from the center of said Section 8;

Thence South a distance of 17.90 feet; thence S 39°10'36" E a distance of 178.51 feet; thence S 66°01'20" E a distance of 49.82 feet; thence N 07°04'25" E a distance of 142.70 feet to a point of curvature of a 53.50-foot radius curve to the right; thence northeasterly a distance of 42.72 feet along the arc of said curve, having a central angle of 45°44'58", subtended by a chord that bears N 29°56'54" E a distance of 41.59 feet to a point of compound curvature of a 30.00-foot radius curve to the right; thence northeasterly a distance of 27.32 feet along the arc of said curve, having a central angle of 52°10'37", subtended by a chord that bears N 78°54'42" E a distance of 26.39 feet; thence S 75°00'00" E a distance of 10.33 feet to a point of curvature of a 30.00-foot radius curve to the left; thence southeasterly a distance of 7.85 feet along the arc of said curve, having a central angle of 15°00'00" subtended by a chord that bears S 82°30'00" E a distance of 7.83 feet; thence East a distance of 6.05 feet to a point of curvature of a 27.50-foot radius curve to the right; thence southeasterly a distance of 27.30 feet along the arc of said curve, having a central angle of 56°52'29", subtended by a chord that bears S 61°33'45" E a distance of 26.19 feet; thence South 00°07'00" West a distance of 282.41 feet; thence S 00°07'00" W a distance of 45.86 feet to a point of curvature of a 295.00-foot radius curve to the right; thence southwesterly a distance of 37.48 feet along the arc of said curve, having a central angle of 07°16'47", subtended by a chord that bears S 03°45'24" W a distance of 37.46 feet; thence S 07°23'47" W a distance of 72.44 feet to a point of

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curvature of a 55.00-foot radius curve to the left; thence southwesterly a distance of 6.99 feet along the arc of said curve, having a central angle of $07^{\circ}16'47''$, subtended by a chord that bears $S\ 03^{\circ}45'24''\ W$ a distance of 6.98 feet; thence $S\ 00^{\circ}07'00''\ W$ a distance of 27.85 feet to a point of curvature of a 20.00-foot radius curve to the right; thence southwesterly a distance of 15.06 feet along the arc of said curve, having a central angle of $43^{\circ}08'04''$, subtended by a chord that bears $S\ 21^{\circ}41'02''\ W$ a distance of 14.70 feet; thence $S\ 70^{\circ}33'30''\ W$ a distance of 4.82 feet to the easterly right of way of the Van Winkle Expressway, thence $N\ 39^{\circ}03'40''\ W$ along said easterly right of way, a distance of 950.14 feet; thence East a distance of 227.17 feet; thence $S\ 00^{\circ}07'00''\ W$ a distance of 157.22 feet; thence East a distance of 135.47 feet; thence South a distance of 73.00 feet to a point of curvature of a 10.00-foot radius curve to the right; thence southwesterly a distance of 15.71 feet along the arc of said curve, having a central angle of $90^{\circ}00'00''$, subtended by a chord that bears $S\ 45^{\circ}00'00''\ W$ a distance of 14.14 feet to the real point of beginning. Containing 3.06 acres of land.