

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

8021819
10/05/2001 08:47 AM 97.00
Book - 8508 Pg - 3746-3754
GARY W. DTT
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
12441 S 900 E
DRAPER UT 84020
BY: ZJM, DEPUTY - WI 9 P.

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

This AMENDED THIRD SUPPLEMENT to the DECLARATION OF CONDOMINIUM for DRAPER LANDING, an expandable Utah condominium project, is made and executed by GATES OF COUNTRYSIDE, L.C., a Utah limited liability company, and THE JACKSON COMPANY, a California General Partnership, of 758 South 400 East, Orem, Utah 84097 (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 1st day of December, 2000, as Entry No. 7772387 in Book 8405 at Page 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 Supplement to the Declaration was recorded on the 1st day of December, 2000, as Entry No. 7772389 in Book 8405 at Page 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 Supplement to the Declaration was recorded on the 1st day of December, 2000, as Entry No. 7772391 in Book 8405 at Page 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 Supplement to the Declaration was recorded on the 1st day of December 2000, as Entry No. 7772393 in Book 8405 at Page 3998 of the Official Records of the County Recorder of Salt Lake County, Utah.

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.

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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-5" attached hereto and incorporated herein by this reference (the "Original Phase V Property").

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 Amended Exhibit "A-5" attached hereto and incorporated herein by this reference (the "Phase V Property").

Whereas, Declarant desires to change the legal and boundary description for Phase V of the Project.

Whereas, Declarant desires to substitute the Phase V Property for the Original Phase V 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 V Property a residential condominium development.

Whereas, Declarant now intends that the Phase V Property shall become subject to the Declaration, in lieu of the Original Phase V Property.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this AMENDED THIRD 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. Third Supplemental Declaration shall mean and refer to this AMENDED THIRD SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DRAPER LANDING.

B. Third Supplemental or Phase V Map shall mean and refer to the Amended Supplemental Plat Map of Phase V of the Project, prepared and certified to by Kenneth E. Barney, a duly registered Utah Land Surveyor holding Certificate No. 172762, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Third Supplemental Declaration.

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

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2. Legal Description. The real property described in Amended Exhibit A-5 is hereby submitted to the provisions of the Act, in lieu of the real property described in Exhibit A-5, and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as supplemented.

3. Annexation. Declarant hereby declares that the Phase V Property, in lieu of the Original Phase V Property, shall be annexed to and become subject to the Declaration, which upon recordation of this Third Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Amended Exhibit A-5 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase V Map, a Building and six (6) additional Units are or will be constructed and/or created in the Project on the Phase V Property. The additional Building and Units are located within a portion of the Additional Land. Upon the recordation of the Phase V Map and this Third Supplemental Declaration, the total number of Units in the Project for Phases I, III, IV, and V will be twenty (20). The additional Building and Units are substantially similar in construction, design and quality to the Building and Units in the prior Phases.

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"). Second Revised Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Third Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

6. Effective Date. The effective date of this Third Supplemental Declaration and the Phase V 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.

EXECUTED the 18 day of July, 2001

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

By: 

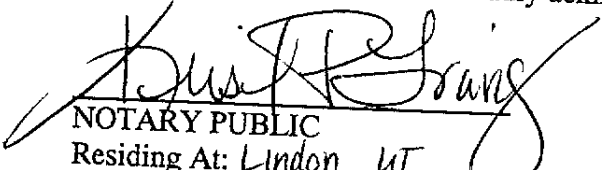
Name: WAYNE H. CORBRIDGE

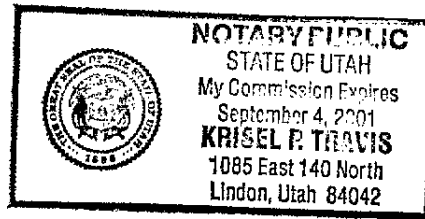
Title: Manager

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STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 18 day of July, 2001, 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, and said WAYNE H. CORBRIDGE duly acknowledged to me that said Company executed the same.


NOTARY PUBLIC
Residing At: Lindon UT
Commission Expires: Sept. 4, 2001



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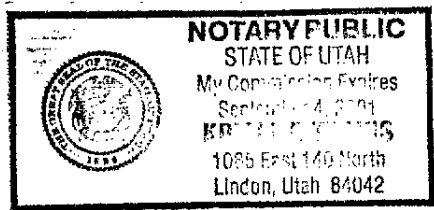
THE JACKSON COMPANY
a California General Partnership

By: *E. William Jackson*
Name: E. William Jackson
Title: General Partner

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 26 day of July, 2001, personally appeared before me E. WILLIAM JACKSON, who by me being duly sworn, did say that he is the General Partner of THE JACKSON COMPANY, a California General Partnership, and that the within and foregoing instrument was signed in behalf of said Partnership by authority of the General Partnership Agreement, and said E. WILLIAM JACKSON duly acknowledged to me that said Partnership executed the same.

Kurt H. Gray
NOTARY PUBLIC
Residing At: London, UT
Commission Expires: Sept. 4, 2001



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Amended Exhibit "A-5"

**DRAPER LANDING PHASE V PROPERTY
LEGAL DESCRIPTION**

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

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 1154.52 FEET AND NORTH A DISTANCE OF 3039.34 FEET TO THE REAL POINT OF BEGINNING;

THENCE N00°00'31"W A DISTANCE OF 90.50 FEET; THENCE N85°55'27"E A DISTANCE OF 11.20 FEET; THENCE N42°36'58"E A DISTANCE OF 26.10 FEET; THENCE NORTH A DISTANCE OF 7.00 FEET; THENCE N89°59'29"E A DISTANCE OF 164.22 FEET; THENCE S12°18'54"W A DISTANCE OF 103.19 FEET; THENCE N85°28'22"W A DISTANCE OF 56.93 FEET; THENCE S02°54'14"W A DISTANCE OF 21.22 FEET; THENCE S89°59'29"W A DISTANCE OF 113.21 FEET TO THE REAL POINT OF BEGINNING, CONTAINING 0.448 ACRES

28-30-177-038 thru 043 & 93

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**AMENDED THIRD 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	1.388%
1	A	2	1.388%
1	A	3	1.388%
1	A	4	1.388%
2	F	1	1.388%
2	F	2	1.388%
2	F	3	1.388%
2	F	4	1.388%
2	F	5	1.388%
2	F	6	1.388%
3	N	1	1.388%
3	N	2	1.388%
3	N	3	1.388%
3	N	4	1.388%
3	N	5	1.388%
3	N	6	1.388%
4	M	1	1.388%
4	M	2	1.388%
4	M	3	1.388%
4	M	4	1.388%
5	B	1	1.388%
5	B	2	1.388%
5	B	3	1.388%
5	B	4	1.388%
5	B	5	1.388%
5	B	6	1.388%
6	C	1	1.388%
6	C	2	1.388%
6	C	3	1.388%
6	C	4	1.388%

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<u>Phase</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
7	L	1	
7	L	2	1.388%
7	L	3	1.388%
7	L	4	1.388%
8	K	1	
8	K	2	1.388%
8	K	3	1.388%
8	K	4	1.388%
8	K	5	1.388%
8	K	6	1.388%
9	D	1	
9	D	2	1.388%
9	D	3	1.388%
9	D	4	1.388%
9	I	1	
9	I	2	1.388%
9	I	3	1.388%
9	I	4	1.388%
10	J	1	
10	J	2	1.388%
10	J	3	1.388%
10	J	4	1.388%
10	J	5	1.388%
10	J	6	1.388%
11	H	1	
11	H	2	1.388%
11	H	3	1.388%
11	H	4	1.388%
11	H	5	1.388%
11	H	6	1.388%

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<u>Phase</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
12	G	1	1.388%
12	G	2	1.388%
12	G	3	1.388%
12	G	4	1.388%
12	G	5	1.388%
12	G	6	1.388%
13	E	1	1.388%
13	E	2	1.388%
13	E	3	1.388%
13	E	4	1.388%
13	E	5	1.388%
13	E	6	1.388%
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TOTAL:	13	72	100.0%

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