

THIRD SUPPLEMENT TO
THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM FOR THE
CENTENNIAL PARK CONDOMINIUMS
(PHASE V (5))

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03/19/2002 01:09 PM 31-00
Book - 8577 Pg - 8015-8018
GARY W. OTI
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
3600 CONSTITUTION BLVD
WVC UT 84119-3720
BY: JAS. DEPUTY - UT 6 F.

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THIS THIRD SUPPLEMENT OF THE CENTENNIAL PARK CONDOMINIUMS is made and executed the ___ day of February, 2002, by Ty Thomas and Mike Lingwall, successors in interest to Retirement Living, Construction and Development Corporation, a Utah corporation, with their principal place of business in Salt Lake City, State of Utah (hereinafter referred to as "Successor Declarant").

RECITALS.:

- A. On or about the 30th day of July, 1999, Retirement Living, Construction and Development Corporation, the original declarant ("Declarant") made and executed that certain "Amended and Restated Declaration of Condominium for the Centennial Park Condominiums" (hereinafter referred to as the "Declaration") with respect to certain property located in Salt Lake County, State of Utah, more particularly described therein and known as the Centennial Park Condominiums (hereinafter referred to as the "Project"), which Declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the 12th day of August, 1999, in Book 8301, beginning at Page 8266, as Entry No. 7440863.
- B. Under the terms of the Declaration, Declarant reserved the right to add certain additional real properties ("Additional Land" or portions thereof) to the provisions of the Declaration and the Project and now desires to do the same in order to further the intent of the Declarant as expressed in the Declaration.
- C. Declarant has previously added certain real property to the provisions of the Declaration and the Project, constituting Phase II of the Project, by that certain "First Supplement to the Amended and Restated Declaration of Condominium for the Centennial Park Condominiums", recorded November 4, 1999, as Entry No. 7505788, in Book 8320, beginning at Page 8955, in the official records of the Salt Lake County Recorder.
- D. Declarant has previously added certain real property to the provisions of the Declaration and the Project, constituting Phase III of the Project, by that certain "Second Supplement to the Amended and Restated Declaration of Condominium for the Centennial Park Condominiums", recorded February 25, 2000, as Entry No. 7582281, in Book 8344, beginning at Page 3918, in the official records of the Salt Lake County Recorder.
- E. Successor Declarant now desires to add the real property described herein as Phase V of the Centennial Park Condominiums to the provisions of the Declaration and the Project, according to the provisions of the Declaration and the provisions hereof.

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NOW, THEREFORE, in consideration of the recitals set forth hereinabove, the Declarant hereby declares and certifies as follows:

1. Submission of Phase V. Declarant hereby submits the following described real properties, its interests therein, to the terms, conditions, restrictions, covenants, and easements to the terms of the Declaration, as amended:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY THIS REFERENCE

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

ALL OF THE FOREGOING IS SUBJECT TO all liens for current and future taxes, assessments and charges imposed or levied by government of quasi-governmental authorities, all Patent reservations and exclusions, any mineral reservations of record and rights incident thereto; all instruments of record which affect the real property or any portion thereof, including, without limitation, any mortgage or deed of trust, all visible easements and rights-of way, encroachments, or discrepancies shown on or revealed by the Map or otherwise existing; an easement for each and every pipeline, cable, wire, utility line, or similar facility which traverses or partially occupies the real property at such time as construction of all Project improvements is complete; and all easements necessary for ingress to, and egress from, maintenance of and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities.

RESERVING UNTO THE DECLARANT, however, such easements and rights of ingress and egress over, across, through and under the real property and any improvements, now or hereafter constructed thereon as may be reasonably necessary for the Declarant or for any assignee of successor of the Declarant (in a manner which is reasonable and not inconsistent with the Declaration): (i) an easement for ingress and egress for the benefit of the Additional Land, however developed or utilized, over the real property described in the Declaration, whether or not the Additional Land, or portion thereof is part of the Project; (ii) to construct and complete each of the Units in any Building and all of the other improvements described in the Declaration or in the Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection herewith; (iii) to improve portions of the real property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners as Declarant or as such assignee or successor may reasonably determine to be appropriate, (iv) to construct and complete each of the Units, Buildings, and other improvements to be constructed upon any Additional Land or portion thereof intended to be included within the Project. If, pursuant to the foregoing reservations, the 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 including the perpetual easement specified in (i) above, the reservations hereby effected shall unless sooner terminated in accordance with their terms, expire seven (7) years after the date on which the Declaration was filed for record in the office of the County Recorder of the Salt Lake County, State of Utah.

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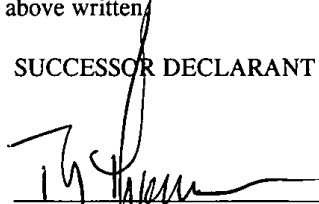
2. Amendment to Exhibit "B". Declarant hereby supplements and amends the Declaration by the filing of Amended Exhibit "B" (Phases I, II, III and V) attached hereto and incorporated herein by reference.
3. Supplemental Map for Phase V. The real properties described in Paragraph 1 and in Exhibit "A" attached hereto, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on a supplemental Map pertaining to the same, which supplemental Map shall be recorded with this supplement.
4. Common Areas Described and Depicted on the Supplemental Map. The Supplemental Map for Phase V being recorded concurrently herewith contains a description and depiction of certain common areas, including but not limited to an office, clubhouse and bowery. Pursuant to Article V of the aforementioned Declaration generally, and particularly Paragraphs 8, 10, 12 and 14 therein, Declarant reserves the right to build and construct said common areas in such form and type, and in such order and at such time as the Declarant in its sole discretion, deems appropriate. Specifically, in Paragraph 14 thereof, the Declarant reserved the right to "create such Common Areas and Facilities in such types, sizes and numbers as the Declarant deems appropriate in its sole discretion. No assurances are made herein by Declarant with respect to the type, sizes or number of such areas, to be created, if any." Therefore, in order to limit the Common Expenses for the individual unit owners in the Project, initially, in lieu of a office and clubhouse, there will be constructed an outdoor park and community center. At such time as it is deemed appropriate by the Declarant, in its sole discretion, a standard office and clubhouse may be constructed on the site indicated on said supplemental map.
5. Representations of The Declarant. Declarant represents as follows:
 - a. The annexed real property is part of the Additional Land as identified in the Declaration.
 - b. By the annexation of the real property described in Paragraph 1, the total number of Units when completed, will equal forty-six (46).

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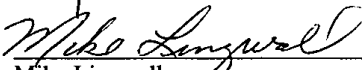
6. Effective Date. This Supplement to the Declaration, and the Supplemental Map relative to this addition, shall take effect upon their being filed for record in the office of the County Recorder of Salt Lake County, State of Utah.

EXECUTED the day and year first above written

SUCCESSOR DECLARANT



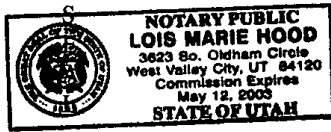
Ty Thomas




Mike Lingwall

State of Utah)
 §
County of Salt Lake)

On this 20th day of February, 2002, before me personally appeared Ty Thomas and Mike Lingwall, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to on this instrument, and acknowledged that they executed the same.



 Notary Public

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EXHIBIT "A"
LEGAL DESCRIPTION OF LAND COMPRISING PHASE V

That certain tract of land located in Salt Lake County, Utah, more particularly described as follows:

Beginning at a point South 00 degrees 08 minutes 45 seconds East, a distance of 775.50 feet along the Monument line and North 89 degrees 51 minutes 15 seconds East, a distance of 1,078.06 feet from the Northwest corner of the Southeast Quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89 degrees 51 minutes 15 seconds East, a distance of 274.93 feet; thence South 00 degrees 08 minutes 45 seconds East, a distance of 155.75 feet; thence West, a distance of 275.33 feet; thence North, a distance of 155.05 feet to the point of Beginning.

Containing 42,755.20 square feet or 0.982 acres.

BK 8577
pg 8018A

EXHIBIT "B"

CENTENNIAL PARK CONDOMINIUMS
PHASES I, II, III and V

OWNERSHIP OF COMMON AREAS AND ASSIGNMENT OF
PARKING SPACES AS LIMITED COMMON AREA

<u>Unit No.</u>	<u>Percentage of Ownership of Common Areas and Facilities</u>	<u>Parking Space No.</u>
5A	2.17%	5A
5B	2.17%	5B
5C	2.17%	5C
5D	2.17%	5D
6A	2.17%	6A
6B	2.17%	6B
6C	2.17%	6C
6D	2.17%	6D
7A	2.17%	7A
7B	2.17%	7B
7C	2.17%	7C
7D	2.17%	7D
8A	2.17%	8A
8B	2.17%	8B
8C	2.17%	8C
8D	2.17%	8D
9A	2.17%	9A
9B	2.17%	9B
9C	2.17%	9C
9D	2.17%	9D
10A	2.17%	10A
10B	2.17%	10B
11A	2.17%	11A
11B	2.17%	11B
11C	2.17%	11C
11D	2.17%	11D
12A	2.17%	12A
12B	2.17%	12B
12C	2.17%	12C
12D	2.17%	12D
13A	2.17%	13A
13B	2.17%	13B
13C	2.17%	13C
13D	2.17%	13D
14A	2.17%	14A
14B	2.17%	14B
14C	2.17%	14C
14D	2.17%	14D
15A	2.17%	15A
15B	2.17%	15B
15C	2.17%	15C
15D	2.17%	15D
16A	2.17%	16A
16B	2.17%	16B
16C	2.17%	16C
16D	2.17%	16D

BK 8577
pg 8018 B