

8/14/06

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04/29/2003 02:42 PM 72.00  
Book - 8787 Pg - 2082-2089  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
WEST VALLEY CITY  
3600 CONSTITUTION BLVD  
WVC UT 84119-3720  
BY: RDJ, DEPUTY - WI 8 P.

When recorded, return to:

Larry Lindstrom  
Hunter Villas, LLC  
1923 North 300 East  
Lehi, Utah 84095

8631179

**SECOND AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATION OF EASEMENTS  
FOR  
HUNTER VILLAS, AN EXPANDABLE CONDOMINIUM PROJECT  
(Phase II)**

THIS SECOND AMENDMENT to Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas, an Expandable Condominium Project (Phase II) ("Second Amendment") is executed pursuant to the provisions of the Utah Condominium Ownership Act, Utah Code Annotated, §§ 57-8-1- through 57-8-37, as amended (the "Act"), and the provisions of the Declaration described in Recital "A" below by Leisure Villas, Inc., a Utah corporation ("Successor Declarant"), as successor in interest to Hunter Villas, LLC, a Utah limited liability company ("Original Declarant").

**RECITALS:**

A. On January 17, 2002, Original Declarant recorded with the Recorder of Salt Lake County, Utah, a Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas, an Expandable Condominium Project (Phase I) as Entry No. 8124678 at Book 8555, Page 7304, ("Declaration") covering the initial real property and improvements situated in Salt Lake County, Utah, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference ("Project"). On January 17, 2002, in connection with the recording of the Declaration, Original Declarant also recorded a Record of Survey Map entitled Hunter Villas Condominiums Record of Survey Map, as Entry No. 8124677 at Book 2002P, Page 21 in the Salt Lake County Recorder's Office ("Map").

B. On April 9, 2002, Original Declarant recorded with the Recorder of Salt Lake County, Utah, a First Amendment to Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Hunter Villas, an Expandable Condominium Project (Phase I) as Entry No. 8199003 at Book 8585, Page 6492 ("First Amendment").

C. Original Declarant recorded that certain Assignment of Declarant's Rights prior to the recordation of this Second Amendment wherein it transferred, assigned and conveyed to Successor Declarant all of its Declarant's rights as described in the Declaration.

D. Pursuant to Section 6.2 of the Declaration, Original Declarant reserved the right to expand the Project without the prior consent of any Unit Owners. Successor Declarant now desires to exercise its right to expand the Project by adding to the Project the Additional Land described on Exhibit "B" attached hereto and incorporated herein by this reference ("Additional Land").

E. In connection with Successor Declarant's exercise of its right to expand the Project, 48 Units will be added to the Project, together with additional Common Areas and Facilities and Limited Common Areas and Facilities, as identified in a supplemental record of survey map ("Supplemental Map"). The Supplemental Map will be recorded with the Salt Lake County Recorder's Office in connection with the recording of this Second Amendment.

NOW, THEREFORE, Successor Declarant hereby unilaterally exercises its right to expand the Project to include the Additional Land and unilaterally amends the Declaration as follows:

1. Defined Terms and Status of Recitals. Capitalized terms used and not otherwise defined in this Second Amendment shall have the meaning or meanings given to them in the Declaration. The Recitals set forth above shall constitute a portion of the terms of this Second Amendment.

2. Exercise of Option to Expand. Successor Declarant hereby exercises its option to expand the Project pursuant to Section 6.2 of the Declaration, and adds to the Project the real property described in Exhibit "B" together with the improvements located thereon or to be located thereon, to become part of the Project as Units, Common Areas and Facilities and Limited Common Areas and Facilities as more particularly set forth in the Supplemental Map recorded simultaneously herewith. Successor Declarant declares that from and after the date set forth below, the Additional Land is now subject to, and governed by, the provisions of the Declaration and any amendments or supplements thereto.

3. Reservation of Declarant Rights. Pursuant to the Act and the Declaration, all Declarant rights concerning the Project reserved to the Original Declarant in the Declaration are hereby incorporated and reserved to Successor Declarant with respect to the Additional Land hereby added to the Project. The exercise of Declarant rights concerning such Additional Land shall be governed by the same terms, provisions and limitations set forth in the Declaration regarding the exercise of Declarant rights.

4. Reallocation of Undivided Interests and Replacement of Exhibit C. Pursuant to Section 6.2.12 of the Declaration, the undivided interests in the Common Areas and Facilities are hereby reallocated on the same basis as described in the Declaration. Exhibit "C" to the Declaration, setting forth the Schedule of Units, Votes and Undivided Interests in the Common Areas and Facilities, is hereby amended and restated in its entirety by Exhibit "C" attached to this Second Amendment and incorporated herein by this reference. Ownership interests in the Common Areas and Facilities and votes of all Units shall be as set forth in Exhibit "C".

5. Declaration Remains in Effect. The First Amendment and this Second Amendment and the Supplemental Map shall be considered supplemental to the Declaration and

to the Map. Except as expressly amended by the foregoing, the Declaration and the Map shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated by the recording of this Second Amendment and the Supplemental Map.

6. Authority. Successor Declarant hereby certifies that Successor Declarant may execute this Second Amendment without the consent or signature of any other party or Unit Owner as provided in Section 6.2 of the Declaration.

IN WITNESS WHEREOF, this Second Amendment is hereby executed this 19<sup>th</sup> day of February, 2003.

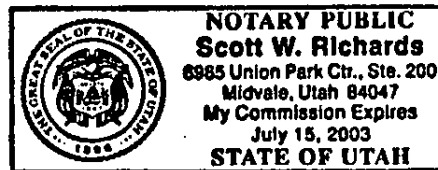
LEISURE VILLAS, INC.,  
a Utah corporation

By: [Signature]  
Larry Lindstrom  
Its: President

STATE OF UTAH )  
:SS.  
COUNTY OF SALT LAKE )

This instrument was acknowledged before me on February 19, 2003, by Larry Lindstrom, as the President of Leisure Villas, Inc., a Utah corporation.

[Signature]  
NOTARY PUBLIC



**EXHIBIT "A"**

**HUNTER VILLAS LEGAL DESCRIPTION (PHASE I)**

Beginning at a point that is N. 89°58'01"E. 134.886 feet along the section line and North 679.863 feet from the South Quarter Corner of Section 27, Township I South, Range 2 West, Salt Lake Base and Meridian; thence running N. 63°56'29"W. 232.005 feet; thence N. 45°17'00"W. 414.729 feet; thence N. 44°43'00"E. 167.064 feet; thence N. 45°18'41"W. 153.262 feet; thence N. 44°43'00"E. 30.000' feet; thence N. 45°17'00"W. 37.850 feet to a point on a 284.775 foot radius curve to the right; thence Northwesterly 95.370 along the arc of said curve through a central angle of 19°11'17", chord bears N. 35°42'18"W. 94.925 feet; thence N. 80°28'34"E. 207.368 feet; thence N. 85°24'29"E. 18.033 feet to a point on a 1515.000 foot radius curve to the right; thence Northerly 270.073 feet along the arc of said curve through a central angle of 10°12'50", chord bears N. 00°53'35"E. 269.714 feet; thence N. 06°00'00"E. 28.408 feet to a point on a 45.000 foot radius curve to the left; thence Northwesterly 70.074 feet along the arc of said curve through a central angle of 89°13'16", chord bears N. 38°36'38"W. 63.206 feet; thence N. 83°13'16"W. 132.880 feet to a point on a 215.000 foot radius curve to the right; thence Westerly 30.676 feet along the arc of said curve through a central angle of 08°10'30", chord bears N.79°08'01"W. 30.650 feet; thence N.75°02'46"W. 8.402 feet to a point on a 10.000 foot radius curve to the left; thence Southwesterly 15.708 feet along the arc of said curve through a central angle of 90°00'00", chord bears S. 59°57'14"W. 14.142 feet; thence N.75°02'46"W. 30.000 feet; thence N.14°57'14"E. 44.155 feet to a point on a 985.000 foot radius curve to the left; thence Northerly 244.730 feet along the arc of said curve through a central angle of 14°14'08", chord bears N.07°50'10"E. 244.101 feet to a point of curvature with a 20.000 foot radius; thence Northwesterly 31.333 feet along the arc of said curve through a central angle of 89°45'49" chord bears N.44°09'49"W. 28.226 feet; thence S.89°02'43"E. 56.830 feet; thence S.00°57'17"W. 62.675 feet to a point on a 281.500 foot radius curve to the right; thence Southerly 52.123 feet along the arc of said curve through a central angle of 10°36'32", chord bears S.06°15'33"W. 52.048 feet; thence S.87°53'17"E. 80.702 feet; thence S.83°07'33"E. 242.688 feet; thence N.87°46'11"E. 95.444 feet; thence S.05°21'09"E. 68.435 feet; thence S.04°53'41"W. 67.000 feet; thence S.14°58'48"W. 63.789 feet; thence S.16°42'25"W. 83.873 feet; thence S.10°15'02"W. 80.121 feet; thence S.03°56'30"W. 80.121 feet; thence S.02°22'03"E. 80.121 feet; thence S.08°40'35"E. 80.121 feet; thence S.14°59'07"E. 80.121 feet; thence S.21°11'24"E. 79.329 feet; thence S.23°22'52"E. 74.448 feet; thence S.19°08'04"E. 68.664 feet; thence S.08°43'14"E. 68.633 feet; thence S.01°42'35"W. 68.358 feet; thence S.11°05'49"W. 67.825 feet; thence S.24°10'39"W. 71.088 feet to a point on a 100.000 foot radius curve to the left; thence Southeasterly 17.114 feet along the arc of said curve through a central angle of 09°48'20", chord bears S.62°40'46"E. 17.093 feet; thence S.67°34'56"E. 97.632 feet; thence S.22°25'04"W. 40.000 feet to a point on a 15.000 foot radius curve to the right; thence Southeasterly 24.489 feet along the arc of said curve through a central angle of 93°32'32", chord bears S.20°48'40"E. 21.859 feet to a point of curvature with a 581.500 foot radius curve; thence Southwesterly 73.868 feet along the arc of said curve through a central angle of 07°16'42", chord bears S.29°35'57"W. 73.819 feet to the point of beginning.

**Exhibit "B"**

**ADDITIONAL LAND LEGAL DESCRIPTION (PHASE II)**

Beginning at a point that is 368.239 feet West and 1,073.663 feet North from the South Quarter Corner of Section 27, Township 1 South, Range 2 West, Salt Lake Base and Meridian, basis of bearing being N.89°58'01"E. from the South Quarter Corner of Section 27 to the Southeast Corner of Section 27; thence running N.45°17'00"W. 335.858 feet; thence N.19°24'12"W. 74.256 feet; thence N.08°18'10"W. 80.607 feet; thence N.02°39'53"W. 200.271 feet to a point on a 239.500 foot radius curve to the right; thence Northerly 74.056 feet along the arc of said curve, through a central angle of 17°42'59" , chord bears N.06°11'37"E. 73.761 feet; thence N.15°03'06"E. 218.184 feet to the point on a 564.100 foot radius curve to the left; thence Northerly 158.620 feet along the arc of said curve, through a central angle of 16°06'40" chord bears N.06°59'46"E. 158.098 feet; thence N.01°03'34"W. 38.571 feet to a point on a 784.889 foot radius curve to the left; thence Easterly 27.611 feet along the arc of said curve, through a central angle of 02°00'56" chord bears N.89°56'54"E. 27.611 feet; thence S.89°02'43"E. 124.753 feet to a point on a 20.000 foot curve to the right; thence Southeasterly 31.333 feet along the arc of said curve, through a central angle of 89°45'49" chord bears S.44°09'49"E. 28.226 feet to a point of curvature with a 985.000 radius curve; thence Southerly 244.730 feet along the arc of said curve, through a central angle of 14°14'08" chord bears S.07°50'10"W. 244.101 feet; thence S.14°57'14"W. 44.155 feet; thence S.75°02'46"E. 30.000 feet to a point on a 10.000 radius curve to the right; thence Northeasterly 15.708 feet along the arc of said curve, through a central angle of 90°00'00" chord bears N.59°57'14"E. 14.142 feet; thence S.75°02'46"E. 8.402 feet to a point on a 215.000 foot radius curve to the left; thence Easterly 30.676 feet along the arc of said curve, through a central angle of 08°10'30" chord bears S.79°08'01"E. 30.650 feet; thence S.83°13'16"E. 132.880 feet to a point on a 45.000 foot radius curve to the right; thence Southeasterly 70.074 feet along the arc of said curve, through a central angle of 89°13'16" chord bears S.38°36'38"E. 63.206 feet; thence S.06°00'00"W. 28.408 feet to a point on a 1515.00 foot radius curve to the left; thence Southerly 270.073 feet along the arc of said curve, through central angle of 10°12'50" chord bears S.00°53'35"W. 269.714 feet; thence S.85°24'29"W. 18.033 feet; thence S.80°28'34"W. 207.368 feet to a point on a 284.775 foot radius curve to the left; thence Southeasterly 95.370 feet along the arc of said curve, through a central angle of 19°11'17" chord bears S.35°42'18"E. 94.925 feet; thence S.45°17'00"E. 37.850 feet; thence S.44°43'00"W. 30.000 feet; thence S.45°18'41"E. 153.262 feet; thence S.44°43'00"W. 167.064 feet to the point of beginning.

14-27-328-001

## EXHIBIT "C"

### (UNIT LIST AND PERCENT OF UNDIVIDED INTEREST)

ADDRESS	BUILDING	UNIT LETTER	MODEL	PAR VALUE	PERCENTAGE OF UNDIVIDED INTEREST
3344 SOUTH ABBEY GLEN WAY	1	A	VILLA	1	0.9191 %
3344 SOUTH ABBEY GLEN WAY	1	B	VILLA	1	0.9191 %
3344 SOUTH ABBEY GLEN WAY	1	C	VILLA	1	0.9191 %
3344 SOUTH ABBEY GLEN WAY	1	D	VILLA	1	0.9191 %
3328 SOUTH ABBEY GLEN WAY	2	A	ABBNEY	1.2	1.1029 %
3328 SOUTH ABBEY GLEN WAY	2	B	CANTERBURY	1.2	1.1029 %
3328 SOUTH ABBEY GLEN WAY	2	C	ABBNEY	1.2	1.1029 %
3328 SOUTH ABBEY GLEN WAY	2	D	CANTERBURY	1.2	1.1029 %
3347 SOUTH ABBEY GLEN WAY	3	A	CANTERBURY	1.2	1.1029 %
3347 SOUTH ABBEY GLEN WAY	3	B	ABBNEY	1.2	1.1029 %
3347 SOUTH ABBEY GLEN WAY	3	C	CANTERBURY	1.2	1.1029 %
3347 SOUTH ABBEY GLEN WAY	3	D	ABBNEY	1.2	1.1029 %
3331 SOUTH ABBEY GLEN WAY	4	A	CANTERBURY	1.2	1.1029 %
3331 SOUTH ABBEY GLEN WAY	4	B	ABBNEY	1.2	1.1029 %
3331 SOUTH ABBEY GLEN WAY	4	C	CANTERBURY	1.2	1.1029 %
3331 SOUTH ABBEY GLEN WAY	4	D	ABBNEY	1.2	1.1029 %
3313 SOUTH ABBEY GLEN WAY	5	A	CANTERBURY	1.2	1.1029 %
3313 SOUTH ABBEY GLEN WAY	5	B	ABBNEY	1.2	1.1029 %
3313 SOUTH ABBEY GLEN WAY	5	C	CANTERBURY	1.2	1.1029 %
3313 SOUTH ABBEY GLEN WAY	5	D	ABBNEY	1.2	1.1029 %
3291 SOUTH ABBEY GLEN WAY	6	A	CANTERBURY	1.2	1.1029 %
3291 SOUTH ABBEY GLEN WAY	6	B	ABBNEY	1.2	1.1029 %
3291 SOUTH ABBEY GLEN WAY	6	C	CANTERBURY	1.2	1.1029 %
3291 SOUTH ABBEY GLEN WAY	6	D	ABBNEY	1.2	1.1029 %
3271 SOUTH ABBEY GLEN WAY	7	A	VILLA	1	0.9191 %
3271 SOUTH ABBEY GLEN WAY	7	B	VILLA	1	0.9191 %
3271 SOUTH ABBEY GLEN WAY	7	C	VILLA	1	0.9191 %
3271 SOUTH ABBEY GLEN WAY	7	D	VILLA	1	0.9191 %
3253 SOUTH ABBEY GLEN WAY	8	A	CANTERBURY	1.2	1.1029 %
3253 SOUTH ABBEY GLEN WAY	8	B	ABBNEY	1.2	1.1029 %
3253 SOUTH ABBEY GLEN WAY	8	C	CANTERBURY	1.2	1.1029 %
3253 SOUTH ABBEY GLEN WAY	8	D	ABBNEY	1.2	1.1029 %

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3231	SOUTH ABBEY GLEN WAY	9	A	CANTERBURY	1.2	1.1029	%
3231	SOUTH ABBEY GLEN WAY	9	B	ABBEY	1.2	1.1029	%
3231	SOUTH ABBEY GLEN WAY	9	C	CANTERBURY	1.2	1.1029	%
3231	SOUTH ABBEY GLEN WAY	9	D	ABBEY	1.2	1.1029	%
3211	SOUTH ABBEY GLEN WAY	10	A	CANTERBURY	1.2	1.1029	%
3211	SOUTH ABBEY GLEN WAY	10	B	ABBEY	1.2	1.1029	%
3211	SOUTH ABBEY GLEN WAY	10	C	CANTERBURY	1.2	1.1029	%
3211	SOUTH ABBEY GLEN WAY	10	D	ABBEY	1.2	1.1029	%
6832	WEST ABBEY GLEN WAY	11	A	CANTERBURY	1.2	1.1029	%
6832	WEST ABBEY GLEN WAY	11	B	ABBEY	1.2	1.1029	%
6832	WEST ABBEY GLEN WAY	11	C	CANTERBURY	1.2	1.1029	%
6832	WEST ABBEY GLEN WAY	11	D	ABBEY	1.2	1.1029	%
6846	WEST ABBEY GLEN WAY	12	A	VILLA	1	0.9191	%
6846	WEST ABBEY GLEN WAY	12	B	VILLA	1	0.9191	%
6846	WEST ABBEY GLEN WAY	12	C	VILLA	1	0.9191	%
6846	WEST ABBEY GLEN WAY	12	D	VILLA	1	0.9191	%
3198	SOUTH HUNTER VILLA LANE	13	A	ABBEY	1.2	1.1029	%
3198	SOUTH HUNTER VILLA LANE	13	B	CANTERBURY	1.2	1.1029	%
3198	SOUTH HUNTER VILLA LANE	13	C	ABBEY	1.2	1.1029	%
3198	SOUTH HUNTER VILLA LANE	13	D	CANTERBURY	1.2	1.1029	%
3218	SOUTH HUNTER VILLA LANE	14	A	VILLA	1	0.9191	%
3218	SOUTH HUNTER VILLA LANE	14	B	VILLA	1	0.9191	%
3218	SOUTH HUNTER VILLA LANE	14	C	VILLA	1	0.9191	%
3218	SOUTH HUNTER VILLA LANE	14	D	VILLA	1	0.9191	%
3238	SOUTH HUNTER VILLA LANE	15	A	ABBEY	1.2	1.1029	%
3238	SOUTH HUNTER VILLA LANE	15	B	CANTERBURY	1.2	1.1029	%
3238	SOUTH HUNTER VILLA LANE	15	C	ABBEY	1.2	1.1029	%
3238	SOUTH HUNTER VILLA LANE	15	D	CANTERBURY	1.2	1.1029	%
3256	SOUTH HUNTER VILLA LANE	16	A	ABBEY	1.2	1.1029	%
3256	SOUTH HUNTER VILLA LANE	16	B	CANTERBURY	1.2	1.1029	%
3256	SOUTH HUNTER VILLA LANE	16	C	ABBEY	1.2	1.1029	%
3256	SOUTH HUNTER VILLA LANE	16	D	CANTERBURY	1.2	1.1029	%
3274	SOUTH HUNTER VILLA LANE	17	A	VILLA	1	0.9191	%
3274	SOUTH HUNTER VILLA LANE	17	B	VILLA	1	0.9191	%
3274	SOUTH HUNTER VILLA LANE	17	C	VILLA	1	0.9191	%
3274	SOUTH HUNTER VILLA LANE	17	D	VILLA	1	0.9191	%
3284	SOUTH HUNTER VILLA LANE	18	A	ABBEY	1.2	1.1029	%
3284	SOUTH HUNTER VILLA LANE	18	B	CANTERBURY	1.2	1.1029	%
3284	SOUTH HUNTER VILLA LANE	18	C	ABBEY	1.2	1.1029	%
3284	SOUTH HUNTER VILLA LANE	18	D	CANTERBURY	1.2	1.1029	%
3304	SOUTH HUNTER VILLA LANE	19	A	VILLA	1	0.9191	%
3304	SOUTH HUNTER VILLA LANE	19	B	VILLA	1	0.9191	%
3304	SOUTH HUNTER VILLA LANE	19	C	VILLA	1	0.9191	%
3304	SOUTH HUNTER VILLA LANE	19	D	VILLA	1	0.9191	%

3314	SOUTH HUNTER VILLA LANE	20	A	ABBEY	1.2	1.1029	%
3314	SOUTH HUNTER VILLA LANE	20	B	CANTERBURY	1.2	1.1029	%
3314	SOUTH HUNTER VILLA LANE	20	C	ABBEY	1.2	1.1029	%
3314	SOUTH HUNTER VILLA LANE	20	D	CANTERBURY	1.2	1.1029	%
3261	SOUTH HUNTER VILLA LANE	21	A	CANTERBURY	1.2	1.1029	%
3261	SOUTH HUNTER VILLA LANE	21	B	ABBEY	1.2	1.1029	%
3261	SOUTH HUNTER VILLA LANE	21	C	CANTERBURY	1.2	1.1029	%
3261	SOUTH HUNTER VILLA LANE	21	D	ABBEY	1.2	1.1029	%
6853	WEST ABBEY GLEN WAY	22	A	ABBEY	1.2	1.1029	%
6853	WEST ABBEY GLEN WAY	22	B	CANTERBURY	1.2	1.1029	%
6853	WEST ABBEY GLEN WAY	22	C	ABBEY	1.2	1.1029	%
6853	WEST ABBEY GLEN WAY	22	D	CANTERBURY	1.2	1.1029	%
6839	WEST ABBEY GLEN WAY	23	A	VILLA	1	0.9191	%
6839	WEST ABBEY GLEN WAY	23	B	VILLA	1	0.9191	%
6839	WEST ABBEY GLEN WAY	23	C	VILLA	1	0.9191	%
6839	WEST ABBEY GLEN WAY	23	D	VILLA	1	0.9191	%
3258	SOUTH HUNTER VILLA LANE	24	A	VILLA	1	0.9191	%
3258	SOUTH HUNTER VILLA LANE	24	B	VILLA	1	0.9191	%
3258	SOUTH HUNTER VILLA LANE	24	C	VILLA	1	0.9191	%
3258	SOUTH HUNTER VILLA LANE	24	D	VILLA	1	0.9191	%
<b>TOTAL</b>						<b>100.0000</b>	<b>%</b>