

9163814

When Recorded, Return to:  
Oquirrh Highlands Condominiums, L.L.C.  
Attn: Nathan W. Pugsley  
39 East Eagleridge Drive, Suite 100  
North Salt Lake, UT 84054

9163814  
9/2/2004 3:49:00 PM \$18.00  
Book - 9033 Pg - 7445-7449  
Gary W. Ott  
Recorder, Salt Lake County, UT  
US TITLE OF UTAH  
BY: eCASH, DEPUTY - EF 5 P.

**ACCOMMODATION AMENDMENT OF DECLARATION #1**  
**RECORDING ONLY**  
**U.S. TITLE**                      OQUIRRH HIGHLANDS CONDOMINIUMS

REFERENCE IS MADE to that certain Declaration of Condominium for Oquirrh Highlands Condominiums, recorded on February 9, 2004, as Instrument No. 8973883 in Book 8943, Page 5656, recorded in the Official Records, Salt Lake County Recorder, Salt Lake County, Utah (the "Declaration").

Pursuant to Article 10.1.1, Declarant reserved the right to amend the Declaration and any amendments thereto.

The Declaration of Condominium for Oquirrh Highlands Condominiums is hereby amended by creating new Articles 4.6, 4.7, and 4.8, as follows:

4.6 Easement for Utility Lines and Facilities. There is hereby created for the benefit of each Owner, and the respective tenants, contractors, employees, agents, customers, licensees and invitees of each Owner, a nonexclusive easement under, through and across the Common Area for the installation, operation, maintenance, repair and replacement of water drainage systems or structures, water mains, sewers, water sprinkler system lines, telephones, electrical conduits or systems, gas mains and other public or private utilities. All such systems, structures, mains, sewers, conduits, lines and other utilities shall be installed and maintained below the ground level or surface of such easements except for ground mounted electrical transformers and such other facilities as are required to be above ground by the utility providing such service (including temporary service required during the construction, maintenance, repair, replacement, alteration or expansion of any Building). The installation, operation, maintenance, repair and replacement of such easement facilities shall not unreasonably interfere with the use of the Common Area for the ingress, egress, circulation and parking. Each Owner utilizing the easement herein created shall bear all costs related to the installation, operation, maintenance, repair and replacement of any such facilities constructed or installed to serve such Owner's Unit, shall repair to the original specifications any damage to the Common

Area resulting from such use and shall provide as-built plans for all such facilities to the Owners of all Units upon which such utility lines and facilities are located within thirty (30) days after the date of completion of construction of same.

4.7. Additional Easements. Each Owner shall grant such additional easements as are reasonably required by any public or private utility for the purpose of providing the utility lines and facilities described herein, provided such easements are not otherwise inconsistent with the provisions of this Declaration.

4.8 Easements Deemed Created. All conveyances of Condominiums, whether by the Declarant or otherwise, shall be construed to grant and reserve such reciprocal easements as shall give effect to this Article 4, even though no specific reference to such easements or to this Article IV in any such conveyance.

Upon the recordation of this Amendment of Declaration and pursuant to the terms of the Declaration, all the terms and conditions of the Declaration shall automatically apply to that real property described in Exhibit "A," hereto.

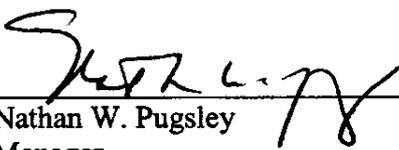
Capitalized terms herein not otherwise defined shall have the meanings set forth in the Declaration.

*[Remainder of page intentionally left blank. Signatures to follow.]*

IN WITNESS WHEREOF, Declarant has executed this Declaration of Expansion, as of  
this 2 day of September, 2004.

DECLARANT:

**OQUIRRH HIGHLANDS CONDOMINIUMS, L.L.C.**  
a Utah limited liability company

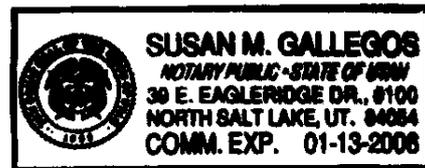
  
\_\_\_\_\_  
Nathan W. Pugsley  
Manager

STATE OF UTAH )

County of Salt Lake )

On the 2nd day of September, 2004, personally appeared before me Nathan W. Pugsley who being by me duly sworn did say that he is the Manager of OQUIRRH HIGHLANDS CONDOMINIUMS, L.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 said Nathan W. Pugsley, duly acknowledged to me that the said Company executed the same.

Susan M. Gallegos  
NOTARY PUBLIC  
Residing at: Syracuse, UT  
My commission expires: 01/13/06



**EXHIBIT A**  
Legal Descriptions of Recorded Plats

Oquirrh Highlands Condominiums Phase 1, Plat "A," Recorded on February 9, 2004 in Book 2004p of Plats, Page 33, in the office of the County Recorder of Salt Lake County, Utah, and more particularly described as follows:

BEGINNING at a point which is N89°41'44"E, 528.57 feet along the Section Line from the Southwest corner of Section 23, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running thence N0°17'58"W, 221.46 feet; thence N89°24'03"E, 204.84 feet; thence S0°00'58"E, 222.52 feet to the Section Line; thence S89°41'44"W, 203.74 feet to the POINT OF BEGINNING. Said parcel contains 45,350.32 square feet or 1.0411 ACRES, more or less.

**TAX I. D. 20-23-300-023-0000**

Oquirrh Highlands Condominiums Phase 1, Plat "B," Recorded on February 27, 2004 in Book 2004p of Plats, Page 46, in the office of the County Recorder of Salt Lake County, Utah, and more particularly described as follows:

BEGINNING at a point which is N89°41'44"E, 394.48 feet along the Section Line from the Southwest corner of Section 23, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running thence North, 145.47 feet; thence S89°42'02"W, 26.53 feet; thence N0°35'13"W, 76.95 feet; thence S89°40'51"W, 31.75 feet; thence North, 103.48 feet; thence East, 66.73 feet; thence N44°58'33"E, 15.49 feet; thence S45°01'27"E, 15.51 feet; thence East, 104.53 feet; thence 47.23 feet along the arc of a 188.50 foot radius curve to the left (chord bears S7°10'02"W, 47.11 feet); thence S0°00'40"E, 56.72 feet; thence N89°24'03"E, 4.68 feet; thence S0°17'58"E, 221.46 feet to the Section Line; thence S89°41'44"W, 134.09 feet along the Section Line to the POINT OF BEGINNING. Said parcel contains 51,261.41 square feet or 1.1768 acres, more or less.

**TAX I. D. 20-23-300-023-0000**