TENTH SUPPLEMENT TO

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11/18/2004 12:17 PM \$87-00
Book - 9062 Pg - 2513-2522
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CENTEX HOMES

DECLARATION OF CONDOMINIUM 235 E SEGO LILY DR STE 200 FOR SANDY UT 84070

THE VILLAS AT MONARCH MEADOWS, ZJM, DEPUTY - WI 10 P. an Expandable Utah Condominium Project

THIS TENTH SUPPLEMENT TO DECLARATION OF CONDOMINIUM FOR THE VILLAS AT MONARCH MEADOWS, an Expandable Utah Condominium Project (the "Supplement") is made and executed as of November [7, 2004, by Centex Homes, a Nevada general partnership ("Declarant"), pursuant to the provisions of the Utah Condominium Ownership Act contained in Title 57, Chapter 8 of the Utah Code, as it may be amended from time to time (the "Act").

- A. Centex Homes, a Nevada general partnership, is the "Declarant" under that certain Declaration of Condominium for The Villas At Monarch Meadows, an Expandable Utah Condominium Project (the "Project"), recorded May 25, 2004 as Entry No. 9071595 in Book 8992, beginning at Page 2228 in the Official Records of the Office of the Salt Lake County Recorder (the "Declaration").
- B. The Declaration has been amended by nine Supplements to Declaration of Condominium for The Villas At Monarch Meadows (the "Supplements"). Under the Supplements, the Declarant added a portion of the Additional Land (as that term is defined in the Declaration) to the Project and increased the number of Units in the Project.
- C. Under Section 7.1 of the Declaration, Declarant reserved an "Option to Expand" (as that term is defined in the Declaration) the Project with all or a portion of the Additional Land.
- D. Under Section 7.1.10 of the Declaration, Declarant is not "required to obtain the consent of any Owners or of any other person or entity having any right or interest in all or any portion of the Project prior or subsequent to adding all or portions of the Additional Land."
- E. Under Section 7.1.6 of the Declaration, in order to add a portion of the Additional Land, Declarant is required to record (i) a Supplement to the Declaration reflecting Declarant's exercise of the Option to Expand, identifying the portion of the Additional Land, and adjusting the Undivided Interests for each Unit, and (ii) a Supplemental Plat.
- F. Under Section 7.1.11 of the Declaration, prior to including a Phase (as defined in the Declaration) of Additional Land, Declarant must substantially complete construction of the Buildings and improvements contemplated by the site plan for such Phase of Additional Land.
 - G. Declarant is the sole record owner of the Additional Land.
- H. Declarant desires now to exercise its Option to Expand to add a portion of the Additional Land to the Project, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Phase 11 Additional Land").

I. Declarant desires to adjust the voting interests and Undivided Interests of the Owners in the Common Areas and Facilities to reflect the addition of the Phase 11 Additional Land.

NOW, THEREFORE, Declarant hereby declares and provides as follows:

- 1. <u>Declaration Incorporated by Reference</u>. The Declaration in its entirety is hereby incorporated by reference and made a part of this Supplement as though fully set forth herein.
- 2. <u>Definitions</u>. Unless the context clearly requires otherwise, all the terms which are defined in the Declaration shall carry the same meaning when used in this Supplement.
- 3. Addition of Portion of Additional Land. Declarant hereby adds to the Project the Phase 11 Additional Land. In that connection, the Supplemental Plat, attached hereto as Exhibit B and incorporated herein by reference and recorded concurrently with this Supplement, reflects that the Phase 11 Additional Land contains one (1) free standing two-story residential Building, which contains four (4) Units.
- 4. Adjustment of Voting and Ownership Interests in Common Areas and Facilities. Pursuant to Section 7.1.7 of the Declaration, Exhibit A to the Declaration, subtitled "The Villas At Monarch Meadows Schedule of Units, Square Footage, Votes, and Undivided Interests in Common Areas and Facilities" is hereby deleted in its entirety and replaced with the "Tenth Amended Exhibit A The Villas At Monarch Meadows Schedule of Units, Square Footage, Votes, and Undivided Interests in Common Areas and Facilities," which is attached hereto as Exhibit C and incorporated herein by reference (the "Amended Schedule"). The Undivided Interest assigned to each Unit under the Declaration is hereby revised and amended as set forth in the Amended Schedule. In addition, the voting interests for the Units are hereby revised and amended as set forth in the Amended Schedule.
- 5. <u>Effective Date</u>. This Supplement shall be effective upon recording in the Office of the Salt Lake County Recorder. Except as herein expressly provided, the Declaration shall remain in all other respects unmodified and in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the Declarant has executed this Supplement as of the date first above written.

Centex Homes,

a Nevada general partnership

By: Centex Real Estate Corporation,

a Nevada copporation

Its: Managing General Partner

By: ______ Peter DelMissier

Its: Salt Lake Division President

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

On the 17th day of November, 2004, personally appeared before me Peter DelMissier, who being by me duly sworn did say that he is the President of the Salt Lake Division of Centex Real Estate Corporation, a Nevada corporation, Managing General Partner of Centex Homes, a Nevada general partnership, and that he executed the foregoing Tenth Supplement to Declaration on behalf of said General Partnership, being duly authorized and empowered to do so by the Bylaws of said General Partnership and said Corporation for the uses and purposes stated therein.

NOTARY PUBLIC

Salt Jake

My Commission Expires:

4/17/06

Residing at:

ANGELA WOOD

NOTARY PUBLIC • STATE OF UTAH
5304 BEN DAVIS PARK
MURRAY, UT. 84123
COMM. EXP. 04-17-2006

EXHIBIT A

To Tenth Supplement to Declaration of Condominium For The Villas at Monarch Meadows

Legal Description of Phase 11 Additional Land

BEGINNING AT A POINT NORTH 89°53'23" WEST ALONG THE SECTION LINE 935.76 FEET AND SOUTH 00°06'37" 736.34 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 25°12'41" WEST 78.45 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG THE ARC OF 11.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 89°15'52", A DISTANCE OF 17.14 FEET; THENCE NORTH 65°31'28" WEST OF 30.67 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG THE ARC OF 516.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°21'47", A DISTANCE OF 84.40 FEET; THENCE NORTH 20°52'23" EAST 98.09 FEET; THENCE SOUTH 64°47'19" EAST 132.88 FEET TO THE POINT OF BEGINNING.

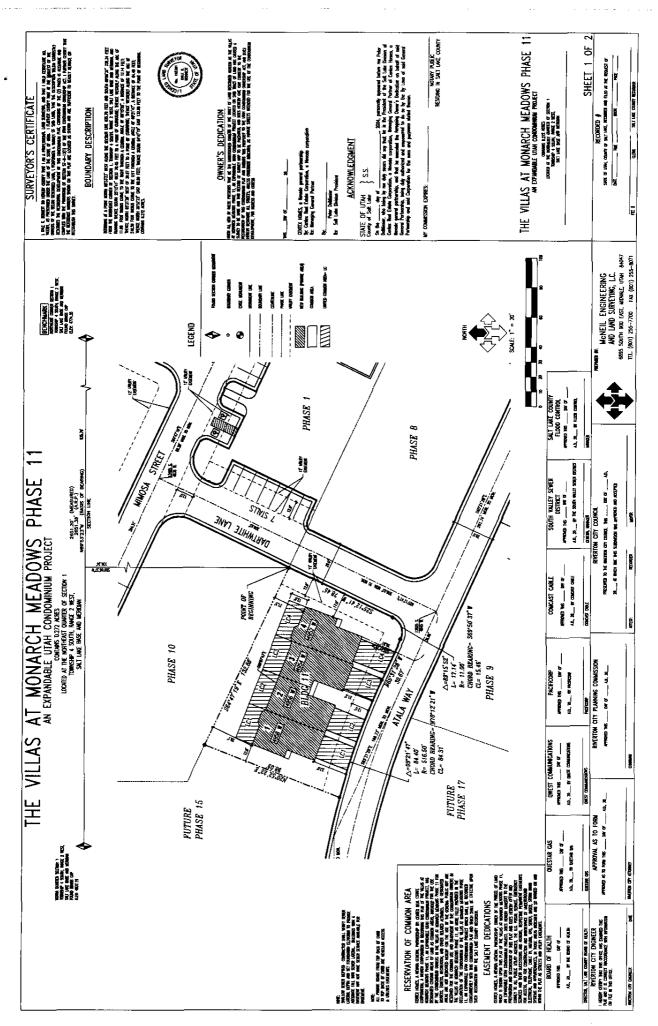
CONTAINS 0.272 ACRES

EXHIBIT B

To
Tenth Supplement to Declaration of Condominium
For
The Villas at Monarch Meadows

Supplemental Plat

[Attached]



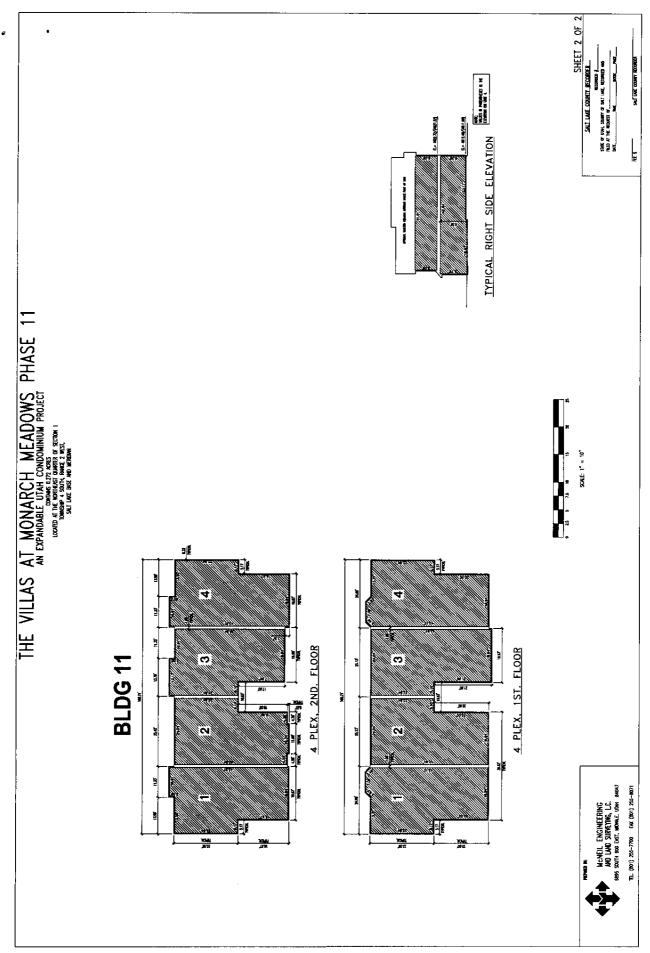


EXHIBIT C To Tenth Supplement to Declaration of Condominium For The Villas at Monarch Meadows

Amended Schedule to Declaration

[Attached]

TENTH AMENDED

EXHIBIT A

The Villas At Monarch Meadows Schedule of Units, Square Footage, Votes and Undivided Interests in Common Areas and Facilities

Unit Identifying	Approx. Sq. Footage of Unit	No. of Votes Per	Undivided Interest Per
Number		Unit	Unit
Building 1:			
1	1,873		1.667%
2	1,825	11	1.667%
3	1,844	1	1.667%
4	1,873	1	1.667%
Building 2:			
1	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,873	1	1.667%
Building 3:			
1	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,870	1	1.667%
5	1,825	1	1.667%
6	1,873	1	1.667%
	-		
Building 4:	1.072	4	1.66704
1	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,870	1	1.667%
5	1,825	1	1.667%
6	1,873	1	1.667%
Building 5:			, , , , , , , , , , , , , , , , , , , ,
Building 5:	1,873	1	1.667%
2	1,825	1	1.667%
3		·	1.667%
4	1,844	1	1.667%
5	1,870	1	1.667%
6	1,825		
<u> </u>	1,873	1	1.667%

Unit Identifying Number	Approx. Sq. Footage of Unit	No. of Votes Per Unit	Undivided Interest Per Unit
Building 6:			-
1	1,873	1	1.667%
	1,825	1	1.667%
3	1,844	1	1.667%
4	1,870	1	1.667%
5	1,825	1	1.667%
6	1,873	1	1.667%
Building 7:			
. 1	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,870	1	1.667%
5	1,825	1	1.667%
6	1,873	1	1.667%
Building 8:		_	
<u> </u>	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,870	1	1.667%
5	1,825	1	1.667%
6	1,873	1	1.667%
Building 9:	1.073	4	1.66704
1	1,873	1	1.667%
2	1,825	<u>l</u>	1.667%
3	1,844	1	1.667%
5	1,870	<u> </u>	1.667% 1.667%
6	1,825 1,873	<u> </u>	1.667%
Building 10:	1,0/3	1	1.00770
Bunding IV:	1,873	1	1.667%
2	1,825	<u> </u>	1.667%
3	1,823	<u> </u>	1.667%
4	1,870	1	1.667%
5	1,825	<u> </u>	1.667%
6	1,823	1	1.667%
Building 11:	1,073	<u>.</u>	1.007/0
1	1,873	1	1.667%
2	1,825	1	1.667%
3	1,844	1	1.667%
4	1,873	1	1.667%