

WHEN RECORDED RETURN TO:
 McArthur Homes at Legacy Ranch Towns, L.C.
 a Utah limited liability company
 David McArthur
 9948 South Redwood Road,
 South Jordan, Utah 84065

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 Book - 9108 Pg - 9108-9115
 GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 MCARTHUR HOMES AT LEGACY RANCH
 DAVID MCARTHUR
 9948 S REDWOOD RD
 SOUTH JORDAN UT 84065
 BY: SEM, DEPUTY - WI 8 P.

**NINTH SUPPLEMENT TO THE
 DECLARATION OF CONDOMINIUM FOR THE TOWNS AT LEGACY RANCH CONDOMINIUM**
 an expandable Utah condominium project

This NINTH SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR THE TOWNS AT LEGACY RANCH CONDOMINIUM, an expandable Utah condominium project, is made and executed by McArthur Homes at Legacy Ranch Towns, L.C., a Utah limited liability company, whose principal address is 9948 South Redwood Road, South Jordan, Utah 84065 (hereinafter referred to as the "Declarant").

RECITALS

Whereas, the original Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on the 3rd day of December, 2003 as Entry No. 8915100 in Book 8919 at Pages 6868-6929 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase 1 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 of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on the 34th day of December, 2003 as Entry No. 8915102 in Book 8919 at Pages 6931-6937 of the Official Records of the County Recorder of Salt Lake County, Utah (the "First Supplement").

Whereas, the related Plat Map(s) for Phase 3 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 of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on the 3rd day of December, 2003 as Entry No. 8915104 in Book 8919 at Pages 6939-6946 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Second Supplement").

Whereas, the related Plat Map(s) for Phase 4 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 of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on 3rd day of December, 2003 as Entry No. 8915106 in Book 8919 at Pages 6948-6954 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Third Supplement").

Whereas, the related Plat Map(s) for Phase 5 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Fourth Supplement to the Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on 3rd day of December, 2003 as Entry No. 8915108 in Book 8919 at Pages 6956-6963 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Fourth Supplement").

Whereas, the related Plat Map(s) for Phase 6 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Fifth Supplement to the Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on ____ day of December, 2004 as Entry No. _____ in Book _____ at Pages _____ of the Official Records of the County Recorder of Salt Lake County, Utah (the "Fifth Supplement").

Whereas, the related Plat Map(s) for Phase 7 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Sixth Supplement to the Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on ____ day of December, 2004 as Entry No. _____ in Book _____ at Pages _____ of the Official Records of the County Recorder of Salt Lake County, Utah (the "Sixth Supplement").

Whereas, the related Plat Map(s) for Phase 8 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Seventh Supplement to the Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on ____ day of December, 2004 as Entry No. _____ in Book _____ at Pages _____ of the Official Records of the County Recorder of Salt Lake County, Utah (the "Seventh Supplement").

Whereas, the related Plat Map(s) for Phase 9 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Eighth Supplement to the Declaration of Condominium for THE TOWNS AT LEGACY RANCH CONDOMINIUM was recorded in the office of the County Recorder of Salt Lake County, Utah on ____ day of December, 2004 as Entry No. _____ in Book _____ at Pages _____ of the Official Records of the County Recorder of Salt Lake County, Utah (the "Eighth Supplement").

Whereas, the related Plat Map(s) for Phase 10 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 45 of the Declaration, Declarant reserved an option, until the seven (7) years from the date following the first conveyance of a Unit in Phase 1 to a Unit purchaser, to expand the Project in accordance with the Act.

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-11" attached hereto and incorporated herein by this reference (the "Phase 11 Property").

Whereas, Declarant desires to expand the Project by creating on the Phase 11 Property a residential condominium development.

Whereas, Declarant now intends that the Phase 11 Property shall become subject to the Declaration.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this NINTH SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR THE TOWNS AT LEGACY RANCH CONDOMINIUM.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. **Ninth Supplement to the Declaration** shall mean and refer to this NINTH SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR THE TOWNS AT LEGACY RANCH CONDOMINIUM.

B. **Ninth Supplemental Map or Phase 11 Map** shall mean and refer to the Supplemental Plat Map for Phase 11 of the Project, prepared and certified to by J. Michael De Mass, a duly registered Utah Land Surveyor holding Certificate No. 174007, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Ninth Supplement to the Declaration.

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

2. **Legal Description.** The real property described in Exhibit A-11 is hereby submitted to the provisions of the Act 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 11 Property shall be annexed to and become subject to the Declaration, which upon recordation of this Ninth Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-11 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the Phase 11 Map, three Buildings and nine (9) additional Units are or will be constructed and/or created in the Project on the Phase 11 Property. The additional Building and Units are located within a portion of the Additional Land. Upon the recordation of the Phase 11 Map and this Ninth Supplement to the Declaration, the total number of Units in the Project will be ninety-nine (99). The additional Building and Units are or will be substantially similar in construction, design, and quality to the Building and Units in the prior Phase.

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

6. **Effective Date.** The effective date of this Ninth Supplement to the Declaration and the Phase 11 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 23 day of March, 2005.
~~December, 2004.~~

DECLARANT:
McARTHUR HOMES AT LEGACY RANCH TOWNS, L.C.,
a Utah limited liability company
By: McARTHUR HOMES, INC.
Its Managing Member


By: DM
Name: David McArthur
Title: Co-President

STATE OF UTAH)

)ss:

COUNTY OF SALT LAKE)

On the 23 day of ~~December~~ MARCH, 2005, personally appeared before me David McArthur, who by me being duly sworn, did say that he is the Co-President of McARTHUR HOMES, INC., who is the Managing Member of McARTHUR HOMES AT LEGACY RANCH TOWNS, 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 David McArthur, duly acknowledged to me that said Company executed the same.


NOTARY PUBLIC
Residing at:

My Commission Expires:

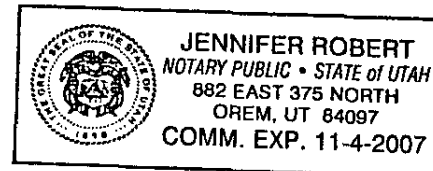


EXHIBIT "A-11"

**THE TOWNS AT LEGACY RANCH CONDOMINIUM
LEGAL DESCRIPTION**

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

PHASE 11

BEGINNING AT A POINT LOCATED S89°13'15"E ALONG THE SECTION LINE 378.07 FEET AND NORTH 1871.43 FEET FROM THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE S52°41'11"W 262.45 FEET; THENCE SOUTH 51.44 FEET; THENCE N37°04'05"W 244.84 FEET; THENCE N52°55'55"E 292.48 FEET; THENCE S37°20'36"E 202.67 FEET TO THE POINT OF BEGINNING. CONTAINS 1.38 ACRES

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	21	A	1.01%
1	21	B	1.01%
1	21	C	1.01%
1	22	A	1.01%
1	22	B	1.01%
1	22	C	1.01%
1	23	A	1.01%
1	23	B	1.01%
1	23	C	1.01%
3	24	A	1.01%
3	24	B	1.01%
3	24	C	1.01%
3	25	A	1.01%
3	25	B	1.01%
3	25	C	1.01%
3	26	A	1.01%
3	26	B	1.01%
3	26	C	1.01%
3	27	A	1.01%
3	27	B	1.01%
3	27	C	1.01%
4	1	A	1.01%
4	1	B	1.01%
4	1	C	1.01%
4	2	A	1.01%
4	2	B	1.01%
4	2	C	1.01%
4	36	A	1.01%
4	36	B	1.01%
4	36	C	1.01%
5	3	A	1.01%
5	3	B	1.01%
5	3	C	1.01%
5	4	A	1.01%
5	4	B	1.01%
5	4	C	1.01%
5	34	A	1.01%
5	34	B	1.01%
5	34	C	1.01%
5	35	A	1.01%
5	35	B	1.01%
5	35	C	1.01%
6	5	A	1.01%
6	5	B	1.01%
6	5	C	1.01%
6	6	A	1.01%

6	6	B	1.01%
6	6	C	1.01%
6	32	A	1.01%
6	32	B	1.01%
6	32	C	1.01%
6	33	A	1.01%
6	33	B	1.01%
6	33	C	1.01%
7	7	A	1.01%
7	7	B	1.01%
7	7	C	1.01%
7	8	A	1.01%
7	8	B	1.01%
7	8	C	1.01%
7	31	A	1.01%
7	31	B	1.01%
7	31	C	1.01%
8	9	A	1.01%
8	9	B	1.01%
8	9	C	1.01%
8	10	A	1.01%
8	10	B	1.01%
8	10	C	1.01%
8	30	A	1.01%
8	30	B	1.01%
8	30	C	1.01%
9	11	A	1.01%
9	11	B	1.01%
9	11	C	1.01%
9	12	A	1.01%
9	12	B	1.01%
9	12	C	1.01%
9	29	A	1.01%
9	29	B	1.01%
9	29	C	1.01%
10	13	A	1.01%
10	13	B	1.01%
10	13	C	1.01%
10	14	A	1.01%
10	14	B	1.01%
10	14	C	1.01%
10	28	A	1.01%
10	28	B	1.01%
10	28	C	1.01%
11	18	A	1.01%
11	18	B	1.01%
11	18	C	1.01%
11	19	A	1.01%
11	19	B	1.01%
11	19	C	1.01%
11	20	A	1.01%

11	20	B	1.01%
11	20	C	1.01%

TOTAL:	100.0%
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