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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
HEARTHSTONE AT FOUNDERS PARK
BY: EPM, DEPUTY - MI 10 P.

WHEN RECORDED RETURN TO:
James R. Blakesley
Attorney at Law
1305 N. Commerce Drive, Suite 230
Saratoga Springs, Utah 84045
(801) 766-1968

**NINTH SUPPLEMENT
TO
DECLARATION OF CONDOMINIUM OF CARRIAGE HOME CONDOMINIUMS IN
SALT LAKE COUNTY, UTAH**

**ADDING ADDITIONAL LAND TO THE
CARRIAGE HOME CONDOMINIUM PROJECT**

THIS NINTH SUPPLEMENT TO DECLARATION OF CONDOMINIUM OF CARRIAGE HOME CONDOMINIUMS IN SALT LAKE COUNTY, UTAH adding Additional Land to the Carriage Home Condominium Project (this "Ninth Supplement") is made and entered into this 12th day of January, 2007 by KENNECOTT LAND COMPANY, a Delaware corporation, ("Declarant"), and is consented to by HEARTHSTONE AT FOUNDERS PARK, L.C., a Utah limited liability company ("Hearthstone").

RECITALS

- A. Pursuant to the Declaration of Condominium of Carriage Home Condominiums in Salt Lake County, Utah, recorded on November 21, 2005, as Entry No. 9559763, in Book 9220, beginning at Page 274 (as amended from time to time, the "Declaration"), Declarant has previously established the Carriage Home Condominium project as an expandable condominium project (the "Project") submitting the real property shown on the record of survey map entitled "Carriage Home Condominiums Amending Parcels C, D, E, F & G of Kennecott Daybreak Phase II Subdivision" recorded on November 21, 2005, as Entry No. 9559762, in Book 2005P, beginning at Page 379 to the Declaration under the Utah Condominium Ownership Act.
- B. Pursuant to Article 16 of the Declaration, Declarant has the right to add all or a portion of the "Additional Land" (as defined in the Declaration) to the Project with the consent of the owner of the Additional Land to be added to the Project.
- C. Hearthstone is the owner of the real property described with particularity on Exhibit 3B-9, inclusive, attached hereto and incorporated herein by this reference (the "Parcel"). The Parcel is part of the Additional Land.

- D. Declarant and Hearthside desire to submit the Parcel, together with all buildings and improvements now or hereafter constructed on the Parcel, and all easements and rights appurtenant thereto (collectively, the "Property"), to the Declaration and add the Property to the Project as set forth herein.
- E. Hearthside is recording concurrently herewith a Ninth Supplemental condominium plat or record of survey map entitled "KENNECOTT DAYBREAK CONDOMINIUM MAP 3B-9 AMENDING PARCEL B LESS AND EXCEPTED FROM KENNECOTT DAYBREAK PLAT 3A" or "3B-9 Ninth Supplement to Carriage Home Condominiums Plat" (the "Ninth Supplemental Plat") with respect to the Property.
- F. Hearthside plans to construct the Common Area and Units (as defined in the Declaration) shown on the 3B-9 Ninth Supplemental Plat in accordance with the 3B-9 Ninth Supplemental Plat.
- G. Pursuant to Section 16.13 of the Declaration, Declarant desires to designate Hearthside as a "Different Builder" under the Declaration.

NOW THEREFORE, Declarant hereby declares as follows:

1. Definitions. Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Declaration.
2. Submission to Declaration. Pursuant to Article 16 of the Declaration, Declarant hereby adds the Property to the Project and submits and subjects the Property to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. Hearthside hereby consents to the submission of the Property to the Declaration. From and after the recordation of this Ninth Supplement, the Property shall be held, transferred, sold, conveyed and occupied subject to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration.
3. Builder Designation. Declarant hereby designates Hearthside as a "Different Builder" under the Declaration.
4. Quality of Construction. All improvements constructed on any portion of the Parcel will be consistent with the existing improvements in the Project in terms of quality of construction.
5. Number of Buildings and Units. There are currently 160 Units in the Founders Park portion of the Carriage Home Condominiums. As shown on the Ninth Supplemental Map, Common Area and Facilities, 1 Building and 12 Units are or will be added to the Project on the Parcel. The additional Buildings and Units are located within a portion of the Additional Land. Upon the recordation of the Maps for the additional Phases and this Ninth Supplement to the Declaration, the total number of Units in the Project will be 172.

6. Allocation of Common Expenses. The common profits of the Property shall be distributed among, the common expenses shall be charged to, and the voting rights shall be available to, the Unit Owners equally and uniformly according to their respective percentage or fractional undivided interests in the Common Areas and Facilities.

7. Percentage of Ownership Interest. The percentages of ownership interest of the Units added to the Project are set forth in Exhibit "C," attached hereto and incorporated herein by this reference.

8. Full Force and Effect. The Declaration, as amended hereby, shall remain in full force and effect.

9. Incorporation by Reference. The Recitals and Exhibit to this Ninth Supplement are hereby incorporated into this Ninth Supplement by this reference.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Declaration, and Hearthside has consent to the same, to be effective as of the day and year first above written.

Declarant:

KENNECOTT LAND COMPANY,
A Delaware corporation

By: M Bruce Snyder
Name:
Title: Vice President

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

On the 16 day of January, 2007, personally appeared before me, a Notary Public, M. Bruce Snyder, the Vice President of KENNECOTT LAND COMPANY, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of KENNECOTT LAND COMPANY.



WITNESS my hand and official Seal.

Natalie K. Alberico
Notary Public in and for said state
My commission expires:

[SEAL]

CONSENTED TO BY:

Hearthside:

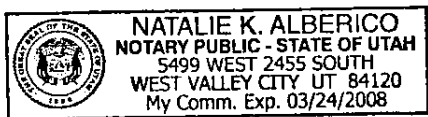
HEARTHSIDE AT FOUNDERS PARK, L.C.
A Utah limited liability company

By: *Wayne H. Corbridge*
Name: Wayne H. Corbridge
Title: Manager

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

On the 16 day of January, 2007, personally appeared before me, a Notary Public, Wayne H. Corbridge, the Manager of HEARTHSIDE AT FOUNDERS PARK, L.C., personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of HEARTHSIDE AT FOUNDERS PARK, L.C.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said state
My commission expires:

[SEAL]

EXHIBIT 3B-9
(Legal Description Phase 3B-9)

BOUNDARY DESCRIPTION:

Commencing at the Southeast Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of Bearing North 89°58'42" West - 2677.868 feet between the Southeast Corner and the South Quarter Corner of said Section 24) and running North 89°58'42" West along the south line of said Section 24 for 1770.734 feet; thence North 00°01'18" East perpendicular to said section line for 210.919 feet to the POINT OF BEGINNING; thence North 90°00'00" west for 192.071 feet; thence North 29°31'41" West for 57.559 feet; thence North 00°00'00" West for 40.076 feet; thence North 90°00'00" East for 71.035 feet; thence North 00°00'00" West for 39.161 feet; thence South 90°00'00" East for 149.403 feet; thence South 00°00'00" west for 129.320 feet to the POINT OF BEGINNING.

Containing 25,015 square feet or 0.5743 acres

**EXHIBIT "C" (NINTH SUPPLEMENT)
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST**

Phase	Building No.	Unit No.	Percentage of Ownership Interest
Existing	1	A	0.5813%
Existing	1	B	0.5813%
Existing	1	C	0.5813%
Existing	2	D	0.5813%
Existing	2	D	0.5813%
Existing	3	A	0.5813%
Existing	3	B	0.5813%
Existing	3	C	0.5813%
Existing	4	A	0.5813%
Existing	4	B	0.5813%
Existing	4	C	0.5813%
Existing	5	D	0.5813%
Existing	5	D	0.5813%
Existing	6	A	0.5813%
Existing	6	B	0.5813%
Existing	6	C	0.5813%
Existing	7	A	0.5813%
Existing	7	B	0.5813%
Existing	7	C	0.5813%
Existing	8	D	0.5813%
Existing	8	D	0.5813%
Existing	9	A	0.5813%
Existing	9	B	0.5813%
Existing	9	C	0.5813%
Existing	10	A	0.5813%
Existing	10	B	0.5813%
Existing	10	C	0.5813%
Existing	11	D	0.5813%
Existing	11	D	0.5813%

Existing	12	A	0.5813%
Existing	12	B	0.5813%
Existing	12	C	0.5813%
Existing	13	A	0.5813%
Existing	13	B	0.5813%
Existing	13	C	0.5813%
Existing	14	D	0.5813%
Existing	14	D	0.5813%
Existing	15	A	0.5813%
Existing	15	B	0.5813%
Existing	15	C	0.5813%
Existing	16	A	0.5813%
Existing	16	B	0.5813%
Existing	16	C	0.5813%
Existing	17	A	0.5813%
Existing	17	B	0.5813%
Existing	17	C	0.5813%
Existing	18	A	0.5813%
Existing	18	B	0.5813%
Existing	18	C	0.5813%
Existing	19	A	0.5813%
Existing	19	B	0.5813%
Existing	19	C	0.5813%
Existing	20	A	0.5813%
Existing	20	B	0.5813%
Existing	20	C	0.5813%
Existing	21	A	0.5813%
Existing	21	B	0.5813%
Existing	21	C	0.5813%
Existing	22	A	0.5813%
Existing	22	B	0.5813%
Existing	22	C	0.5813%
Existing	23	A	0.5813%
Existing	23	B	0.5813%
Existing	23	C	0.5813%

3B-1	B	1	0.5813%
3B-1	B	2	0.5813%
3B-1	B	3	0.5813%
3B-1	B	4	0.5813%
3B-1	B	5	0.5813%
3B-1	B	6	0.5813%
3B-1	B	7	0.5813%
3B-1	B	8	0.5813%
3B-1	B	9	0.5813%
3B-1	B	10	0.5813%
3B-1	B	11	0.5813%
3B-1	B	12	0.5813%
3B-2	A	1	0.5813%
3B-2	A	2	0.5813%
3B-2	A	3	0.5813%
3B-2	A	4	0.5813%
3B-2	A	5	0.5813%
3B-2	A	6	0.5813%
3B-2	A	7	0.5813%
3B-2	A	8	0.5813%
3B-2	A	9	0.5813%
3B-2	A	10	0.5813%
3B-2	A	11	0.5813%
3B-2	A	12	0.5813%
3B-3	C	1	0.5813%
3B-3	C	2	0.5813%
3B-3	C	3	0.5813%
3B-3	C	4	0.5813%
3B-3	C	5	0.5813%
3B-3	C	6	0.5813%
3B-3	C	7	0.5813%
3B-3	C	8	0.5813%
3B-3	C	9	0.5813%
3B-3	C	10	0.5813%
3B-3	C	11	0.5813%
3B-3	C	12	0.5813%

3B-4	D	1	0.5813%
3B-4	D	2	0.5813%
3B-4	D	3	0.5813%
3B-4	D	4	0.5813%
3B-4	D	5	0.5813%
3B-4	D	6	0.5813%
3B-4	D	7	0.5813%
3B-4	D	8	0.5813%
3B-4	D	9	0.5813%
3B-4	D	10	0.5813%
3B-4	D	11	0.5813%
3B-4	D	12	0.5813%
3B-5	E	1	0.5813%
3B-5	E	2	0.5813%
3B-5	E	3	0.5813%
3B-5	E	4	0.5813%
3B-5	E	5	0.5813%
3B-5	E	6	0.5813%
3B-5	E	7	0.5813%
3B-5	E	8	0.5813%
3B-5	E	9	0.5813%
3B-5	E	10	0.5813%
3B-5	E	11	0.5813%
3B-5	E	12	0.5813%
3B-6	F	1	0.5813%
3B-6	F	2	0.5813%
3B-6	F	3	0.5813%
3B-6	F	4	0.5813%
3B-6	F	5	0.5813%
3B-6	F	6	0.5813%
3B-6	F	7	0.5813%
3B-6	F	8	0.5813%
3B-6	F	9	0.5813%
3B-6	F	10	0.5813%
3B-6	F	11	0.5813%
3B-6	F	12	0.5813%

3B-7	G	1	0.5813%
3B-7	G	2	0.5813%
3B-7	G	3	0.5813%
3B-7	G	4	0.5813%
3B-7	G	5	0.5813%
3B-7	G	6	0.5813%
3B-7	G	7	0.5813%
3B-7	G	8	0.5813%
3B-7	G	9	0.5813%
3B-7	G	10	0.5813%
3B-7	G	11	0.5813%
3B-7	G	12	0.5813%

3B-8	H	1	0.5813%
3B-8	H	2	0.5813%
3B-8	H	3	0.5813%
3B-8	H	4	0.5813%
3B-8	H	5	0.5813%
3B-8	H	6	0.5813%
3B-8	H	7	0.5813%
3B-8	H	8	0.5813%
3B-8	H	9	0.5813%
3B-8	H	10	0.5813%
3B-8	H	11	0.5813%
3B-8	H	12	0.5813%

3B-9	I	1	0.5813%
3B-9	I	2	0.5813%
3B-9	I	3	0.5813%
3B-9	I	4	0.5813%
3B-9	I	5	0.5813%
3B-9	I	6	0.5813%
3B-9	I	7	0.5813%
3B-9	I	8	0.5813%
3B-9	I	9	0.5813%
3B-9	I	10	0.5813%
3B-9	I	11	0.5813%
3B-9	I	12	0.5813%

TOTAL: 172