

43/5

RETURNED

MAR 22 2000

AFTER RECORDING, RETURN TO:

R. Gibb Marsh  
Sentry Financial Corporation  
201 South Main Street, #1400  
Salt Lake City, Utah 84111-2215

E 1581807 B 2628 P 267  
SHERYL L. WHITE, DAVIS CNTY RECORDER  
2000 MAR 22 12:24 PM FEE 43.00 DEF DJW  
REC'D FOR SDC WOODS CROSS LLC

06-186-0001 thru 0025  
Units 101, 102, 201, 202 Bldg 1  
Units 101, 102, 201, 202 Bldg 2  
Units 101, 102, 201, 202 Bldg 3  
Units 101, 102, 201, 202 Bldg 4  
Units 101, 102, 201, 202 Bldg 5  
Units 101, 102, 201, 202 Bldg 6  
Common Area

AMENDMENT NO. 2

TO

DECLARATION OF CONDOMINIUM

FOR

LEXINGTON COMMONS AT SOUTH DAVIS  
[A Utah Expandable Condominium Project]

TO  
DECLARATION OF CONDOMINIUM  
FOR

LEXINGTON COMMONS AT SOUTH DAVIS  
[A Utah Expandable Condominium Project]

THIS AMENDMENT NO. 2 TO DECLARATION (the "Amendment No. 2") is made and executed this 14 day of March, 2000, by SDC WOODS CROSS, LLC, a Utah limited liability company ("Declarant"), pursuant to the provisions of the Utah Condominium Ownership Act.

Recitals:

- A. The Declaration of Condominium for Lexington Commons at South Davis, dated June 11, 1997 ("Declaration"), was filed with the Davis County Recorder, Davis County, State of Utah on June 19, 1997, as document number E 1329949 in Book 2143 at Pages 1212 through 1267, pursuant to which Declarant created an expandable Condominium Project known as the Lexington Commons At South Davis, which is located in the City of Woods Cross, Davis County, Utah.
- B. Amendment No. 1 to Declaration of Condominium for Lexington Commons at South Davis (Amendment No. 1) was filed with the Davis County Recorder, Davis County, State of Utah on September 30, 1998, as document number E 1444102 in Book 2364 at Page 550.
- C. Declarant is the original Declarant under the Declaration and is the "Owner" of all of the "Units" created by the Declaration, and is executing this Amendment No. 2 as the Declarant and as the Owner of all of the Units. Unless otherwise provided in this Amendment No. 2, all of the capitalized terms used in this Amendment No. 2 shall have the meanings set forth in, or otherwise referred to in, the Declaration. The purpose of this Amendment No. 2 is to revise and amend Exhibits A and D to the Declaration and Exhibit A to Amendment No. 1 as provided herein.

NOW, THEREFORE, the Declaration and Amendment No. 1 are hereby revised and amended as follows:

1. Exhibit A of the Declaration is hereby amended in full to read as follows:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY OF 500 WEST STREET WHICH POINT IS ALSO SOUTH 89°57'28" WEST 192.10 FEET AND NORTH 0°03'30" EAST 148.27 FEET AND NORTH 0°01'19" EAST 459.42 FEET FROM THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE DUE WEST 265.99 FEET TO THE EAST LINE OF WESTWOOD SUBDIVISION PLAT A; THENCE NORTH 0°03'30" EAST 38.90 FEET; THENCE NORTH 0°51'30" EAST 440.21 FEET ALONG SAID EAST LINE; THENCE SOUTH 89°58'24" EAST 259.54 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF 500 WEST STREET; THENCE SOUTH 0°01'19" WEST 478.93 FEET TO THE POINT OF BEGINNING, CONTAINING 2.892 ACRES.

2. Exhibit D of the Declaration is hereby amended in full to read as follows:

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Beginning at a point which is at the Southeast corner of Westwood Subdivision Plat B, said point being South  $89^{\circ}57'28''$  West along the section line 191.70 feet and North  $0^{\circ}03'30''$  East 148.27 feet from the Southeast corner of Section 25, Township 2 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah and running thence along the boundary of said subdivision the following courses and distances Westerly along the arc of an 80.00-foot radius curve to the left for a distance of 34.37 feet (central angle =  $24^{\circ}37'03''$ , chord bearing and distance = South  $77^{\circ}44'59''$  West 34.11 feet) to a point of reverse curvature to a 30.00-foot radius curve to the right; thence Westerly along said curve for a distance of 12.89 feet (central angle =  $24^{\circ}36'59''$ , chord bearing and distance = South  $77^{\circ}44'57''$  West 12.79 feet); thence North  $89^{\circ}56'34''$  West 129.18 feet; thence North  $0^{\circ}03'30''$  East 135.00 feet; thence North  $89^{\circ}56'34''$  West 91.28 feet to the East line of Westwood Plat A; thence along said line North  $0^{\circ}03'30''$  East 334.15 feet; thence due East 265.99 feet to the West line of 500 West Street; thence South  $0^{\circ}01'19''$  West 459.42 feet to the point of beginning, containing 2.578 acres.

3. Exhibit A of Amendment No. 1 is hereby amended in full to read as follows:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY OF 500 WEST STREET WHICH POINT IS ALSO SOUTH  $89^{\circ}57'28''$  WEST 192.10 FEET AND NORTH  $0^{\circ}03'30''$  EAST 148.27 FEET AND NORTH  $0^{\circ}01'19''$  EAST 459.42 FEET FROM THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE DUE WEST 265.99 FEET TO THE EAST LINE OF WESTWOOD SUBDIVISION PLAT A; THENCE NORTH  $0^{\circ}03'30''$  EAST 38.90 FEET; THENCE NORTH  $0^{\circ}51'30''$  EAST 440.21 FEET ALONG SAID EAST LINE; THENCE SOUTH  $89^{\circ}58'24''$  EAST 259.54 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF 500 WEST STREET; THENCE SOUTH  $0^{\circ}01'19''$  WEST 478.93 FEET TO THE POINT OF BEGINNING, CONTAINING 2.892 ACRES.

4. Except as specifically revised and amended in this Amendment No. 2, the Declaration and Amendment No.1, including the exhibits thereto not modified herein, shall remain in full force and effect in accordance with the terms thereof.

IN WITNESS WHEREOF, Declarant has caused this Amendment No. 2 to be executed as of the day and year first set forth above

SDC WOODS CROSS, LLC  
By: Sentry Development Corporation, a Utah Corporation and the Manager of SDC Woods Cross, LLC

By: *R. Gibb Marsh*  
Name: R. Gibb Marsh  
Title: Vice President

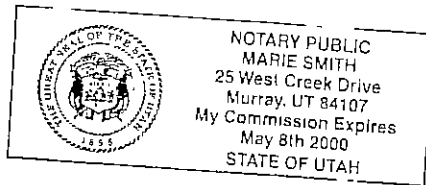
STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of March, 2000, by R.Gibb Marsh, a Vice President of Sentry Development Corporation, a Utah corporation and the Manager of SDC Woods Cross, LLC, a Utah limited liability company.

*Marie Smith*

Notary Public

My commission expires:  
Residing at:



Town & Country Life Insurance Company, a Utah corporation, is the owner and holder of a mortgage or trust deed on the property which is subject to the Declaration and hereby consents to the making of the foregoing Amendment No. 2.

TOWN & COUNTRY LIFE INSURANCE  
COMPANY

By: *Steven R. Hymas*  
Name: Steven R. Hymas  
Title: Treasurer

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

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of March, 2000, by Steven R. Hymas the Treasurer of Town & Country Life Insurance Company.

*Sharon Linde*  
Notary Public

My commission expires: 12/30/2002  
Residing at: Bountiful, UT

