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10/9/2012 8:46:00 AM \$59.00
Book - 10064 Pg - 1382-1388
Gary W. Ott
Recorder, Salt Lake County, UT
MT OLYMPUS TITLE
BY: eCASH, DEPUTY - EF 7 P.

When Recorded Return To:

John D. Morris
Quinn A. Sperry
MCKAY, BURTON & THURMAN
170 South Main Street, Suite 800
Salt Lake City, Utah 84101

**AMENDMENT TO
DECLARATION FOR
ROOFTOPS AT 78 HUNDRED**

This Amendment is made and executed this 8th day of OCTOBER, 2012, by Solstice Homes, LLC ("the Declarant").

Recitals

A. The DECLARATION FOR ROOFTOPS AT 78 HUNDRED was recorded on September 2, 2011 in the Salt Lake County Recorder's office as Entry No. 11238221, Book 9947, beginning at Page 7647 (the "Declaration").

B. The initial Plat for the Project has also been recorded in Salt Lake County Recorder's office.¹

C. Exhibit A of the Declaration identifies certain real property located within the Project, which real property is hereinafter referred to as Phase 1 Property of the Project.

D. Pursuant to Article 2, Section 2.6 and Article 22, Section 22.8 of the Declaration, the Declarant may add land to the Project at any time and for any reason.

E. The Declarant desires to add additional property to the Project. This additional property is identified on Exhibit A attached hereto under the heading "Phase 2" and is hereinafter referred to as the Phase 2 Property of the Project.

F. Declarant intends to expand the Project by constructing Units on the Phase 2 Property.

G. Declarant now intends that the Phase 2 Property shall become subject to the Declaration.

NOW, THEREFORE, pursuant to the foregoing Recitals which are incorporated herein by reference, the Declarant hereby makes and executes this AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED (the "Amendment"), which shall be effective as of its recording date.

¹ Unless otherwise set forth herein, defined terms used in this Amendment shall have the same meaning as that set forth in the Declaration.

1. Addition of Phase 2 Property. Declarant hereby declares that the Phase 2 Property shall be added to the Project and become subject to the Declaration upon recordation of this Amendment and the plat for the Phase 2 Property. The plat for the Phase 2 Property shall be included within the definition of the term "Plat" as used in the Declaration.

2. Total Number of Units Revised. As shown on the plat for the Phase 2 Property, 24 additional Units will be constructed in the Project on the Phase 2 Property. Upon Recordation of the plat for the Phase 2 Property and this Amendment, the total number of Units in the Project will be 38. Article 2, Section 2.2 of the Declaration is deleted in its entirety and replaced with the following:

2.2 Nature of the Project. The Project is a townhome style community containing 38 Units in 5 separate buildings. It includes roadways, parking areas, and open space. The Project is not a cooperative.

3. Allocated Interests Revised. With the expansion of the Project, the revised Allocated Interests applicable to each Unit within the Project is expressed as the percentage set forth in the document attached hereto identified as Exhibit C.

4. Amendment's Exhibits Replace Declaration's Exhibits.² The exhibits attached hereto and identified as Exhibit A and Exhibit C shall replace the Exhibits A and C attached to the Declaration. Exhibit A sets for the legal description for the Phase 1 and Phase 2 Property. Exhibit C sets for the revised Allocated Interests for the Units.

5. Conflicts. All remaining provisions of the Declaration and any prior amendments not specifically amended in this Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration or any prior amendments, the provisions of this document shall in all respects govern and control.

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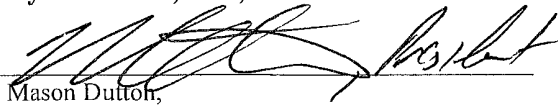
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² As this Amendment does not contain an Exhibit B, the Exhibit B to the Declaration shall remain in effect.

EXECUTED this 8th day of October, 2012.

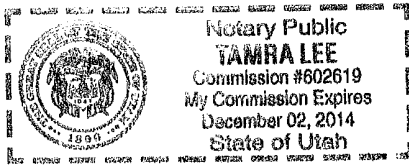
SOLSTICE HOMES, LLC

By: Tore 43, Inc., Member

By: 
Mason Dutton,
President

STATE OF UTAH)
)SS:
COUNTY OF Salt Lake)

On the 8th day of October, 2012, personally appeared before me, Mason Dutton, President of Tore 43, Inc., as Member of SOLSTICE HOMES, LLC., who by me, duly sworn, did this execute this as the signer of the foregoing AMENDMENT TO DECLARATION FOR ROOFTOPS AT 78 HUNDRED TOWNHOMES on behalf of Solstice Homes, LLC, who duly acknowledged to me that he executed the same.




Notary Public

PHASE 2 PROPERTY LANDOWNER'S CONSENT:

Uncle Navarro, LLC, the owner of the real property identified herein as the Phase 2 Property, hereby consents to the addition of the Phase 2 Property to the Project and subjecting the Phase 2 Property to the provision, conditions, covenants, restrictions, and all other terms of the Declaration.

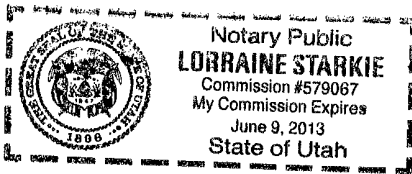
EXECUTED this 8 day of OCTOBER, 2012.

UNCLE NAVARRO, LLC

By: *Dan Burton*
Its: MEMBER

STATE OF UTAH)
)SS:
COUNTY OF Salt Lake

On the 8 day of October, 2012, personally appeared before me Dan Burton, the signer of the foregoing on behalf of Uncle Navarro, LLC, who duly acknowledged to me that he executed the same.



Lorraine Starkie
Notary Public

EXHIBIT A

Phase 1.

Beginning at a point on the Northerly Right-Of-Way Line of 7800 South Street, said point also being North 00°08'36" East 267.97 feet along the Section Line and West 2,348.26 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running

thence Southwesterly 160.11 feet along the arc of a 2,936.90 foot radius curve to the left (center bears South 1204'36" East and the chord bears South 7621'42" West 160.09 feet with a central angle of 0307'25") along the Northerly Right-Of-Way Line of said 7800 South Street;

thence South 7448'00" West 39.12 feet along the Northerly Right-Of-Way Line of said 7800 South Street;

thence North 1443'56" West 144.11 feet;

thence South 7504'55" East 25.37 feet;

thence Southeasterly 30.27 feet along the arc of a 58.50 foot radius curve to the left (center bears North 1455'05" East and the chord bears South 8954'25" East 29.94 feet with a central angle of 2939'00");

thence North 7516'05" East 178.58 feet to the Westerly Right-Of-Way Line of Euro Drive;

thence Southeasterly 33.51 feet along the arc of a 633.00 foot radius curve to the left (center bears North 8251'28" East and the chord bears South 0839'32" East 33.51 feet with a central angle of 0302'00") along the Westerly Right-Of-Way Line of said Euro Drive;

thence South 1010'32" East 75.16 feet along the Westerly Right-Of-Way Line of said Euro Drive;

thence Southwesterly 30.75 feet along the arc of 20.00 foot radius curve to the right (center bears South 7949'28" West and the chord bears South 3352'27" West 27.81 feet with a central angle of 8805'56") along the Westerly Right-Of-Way Line of said Euro Drive to the point of beginning.

Contains 28,163 Square Feet or 0.646 Acres.

Phase 2.

Beginning at a point on the Northerly Right-of-Way Line of 7800 South Street, said point also being North 00°08'36" East 219.96 feet along the Section Line and West 2,541.47 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running

thence South 74°48'00" West 337.90 feet along the Northerly Right-of-Way of said 7800 South Street to the Southeast Corner of Parcel A of the Junction at Midvale-West Residential Plat;

thence North 05°03'12" West 59.29 feet along the Easterly Boundary Line of said Parcel A;

thence North 05°45'16" West 99.00 feet along the Easterly Boundary Line of said Parcel A;

thence North 10°26'27" East 49.58 feet along the Easterly Boundary Line of said Parcel A;

thence South 75°04'55" East 90.35 feet;

thence North 14°55'05" East 15.81 feet;

thence North 75°16'05" East 74.17 feet;

thence South 75°04'55" East 39.04 feet;

thence North 14°55'05" East 17.00 feet;

thence Northeasterly 43.20 feet along the arc of a 27.50 foot radius curve to the right (center bears South 75°04'55" East and the chord bears North 59°55'05" East 38.89 feet with a central angle of 90°00'00");

thence South 75°04'55" East 58.72 feet to the Westerly Boundary Line of the Rooftops at 78 Hundred Townhomes Phase 1;

thence South 14°43'56" East 144.11 feet along the Westerly Boundary Line of said Rooftops at 78 Hundred Townhomes Phase 1 to the point of beginning.

Contains 54,818 Square Feet or 1.258 Acres.

EXHIBIT C

Allocated Interests

<u>Unit No.</u>	<u>Square Footage</u>	<u>Allocated Interest</u>
101	738	1.4277%
102	1328	2.5691%
103	1328	2.5691%
104	1328	2.5691%
105	738	1.4277%
106	1626	3.1456%
107	1328	2.5691%
108	1328	2.5691%
109	1490	2.8825%
110	1490	2.8825%
111	1328	2.5691%
112	1328	2.5691%
113	1626	3.1456%
114	1626	3.1456%
301	849	1.6424%
302	1624	3.1417%
303	1329	2.5710%
304	1329	2.5710%
305	1538	2.9753%
306	1538	2.9753%
307	1329	2.5710%
308	1329	2.5710%
309	1624	3.1417%
310	1624	3.1417%
401	849	1.6424%
402	1624	3.1417%
403	1329	2.5710%
404	1329	2.5710%
405	1538	2.9753%
406	1538	2.9753%
407	1329	2.5710%
408	1329	2.5710%
409	1624	3.1417%
410	1624	3.1417%
501	1329	2.5710%
502	1329	2.5710%
503	1329	2.5710%
504	849	1.6424%
Total =	51,692	100%