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WHEN RECORDED, PLEASE MAIL TO:

Terry C. Diehl  
Oquirrh Shadows II, LLC  
PO Box 711879  
SLC, UT 84171

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02/01/2001 11:11 AM 65.00  
Book - 8420 Pg - 7116-7123  
**BRADLEY A SNOW**  
CHIEF DEPUTY RECORDER, SL CO, UT  
SOUTH JORDAN  
11175 S REDWOOD RD  
SOUTH JORDAN UT 84095-8265  
BY: SLH, DEPUTY - WI 8 P.

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**AMENDMENT TO DECLARATION**

**FOR**

**OQUIRRH PARK PHASE 2 CONDOMINIUMS  
CONVERTING TRACT - 2, PHASE 2  
CONVERTIBLE LAND AREA 5:41 UNITS**

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**AMENDMENT TO DECLARATION  
FOR  
OQUIRRH PARK PHASE 2 CONDOMINIUM**

THIS AMENDMENT TO DECLARATION is made this 1<sup>st</sup> day of February, 2001, by Oquirrh Shadows II, LLC, a Utah Limited Liability Company (together with its successors and assigns "Declarant").

**RECITALS**

A. Declarant desires to amend its original Declaration of Condominium for Oquirrh Park Phase 2 filled in this matter regarding land located at 10400 South 40<sup>th</sup> West, South Jordan, UT 84095, which land is located in the County of Salt Lake, State of Utah, and is more particularly described on Exhibit A attached hereto and made part hereof.

B. Declarant is amending the original and underlying Declaration of Condominium for Oquirrh Park Phase 2 Condominium recorded 9/30/99 as Document #7478217 in Book 8312 Pages 7991 to 7061 the "Original Declaration."

C. Specifically, Declarant is converting certain land described in the Original Declaration referenced as Tract - 2, Phase 2 Convertible Land Area 5: 41 Units, pursuant to Article XVIII of the underlying Declaration.

**AMENDED DECLARATION**

In consideration of the foregoing, Declarant hereby declares as follows:

1.01 Conversion of Tract - 2 Phase 2 Convertible Land Area 5: 41 Units.

(i). Declarant hereby converts Land Area 5 as more particularly described in the Original Declaration and supplemental map recorded herewith.

(ii). The supplemental map specifically sets forth each of the 41 Units, their location and dimensions, along with any limited common elements pertinent only to the Converted Land Area and Units therein.

(iii). The new or additional General Common Elements to the Converted Land Area consists of a Basketball court, toddler area and barbecue area.

2.01 Common Area.

The prior Common Elements specified in the Original Declaration at Article 3.03 shall continue to be common area for the entire project including the converted units pursuant to this Amended Declaration.

3.01 Description of Condominium Units.

Any deed, lease, mortgage, deed of trust, or other instruments conveying, encumbering, or otherwise affecting the condominium unit shall describe the interest or estates substantially as follows:

[Unit 41], contained within Oquirrh Park Phase 2 Condominiums Tract - 2 Phase 2 Convertible Land Area 5 as the same is identified in the record of Survey Map recorded in Salt Lake County, Utah, on \_\_\_\_\_, 2001 as Entry No. \_\_\_\_ (as said Record of Survey Map shall have heretofore been amended or supplemented) and in the Declaration of Condominium for Oquirrh Park Phase 2 Condominiums, recorded in Salt Lake County, Utah on \_\_\_\_\_, 2001 as Entry No. \_\_\_\_\_, in Book No. \_\_\_\_ At Page \_\_\_\_\_ (as said Declaration may have heretofore been amended or supplemented).

TOGETHER WITH the undivided ownership interest in said Condominium Project's Common Elements that is appurtenant to said Unit as more Particularly described in said Declaration.

4.01 Supplemental Map.

The Supplemental Map is the record of survey map or maps filed herewith, entitled "Oquirrh Park Phase 2 Condominium Tract - 2, Phase 2 Convertible Land Area 5 consisting of 41 Units." The Supplemental Map is executed and acknowledged by Declarant, consisting of one sheet and prepared by Ward Engineering Group, a duly registered land surveyor holding License No. 155100 as such record of Survey Map may be amended or supplemented in accordance with the laws and provisions hereof from time to time.

5.01 No Other Modifications.

But for the changes, additions and modifications set forth in this Amended Declaration, and those set forth on the Supplemental Map, the Original Declaration shall remain unchanged and in full force and effect.

Declarant has caused its name to be signed by the signature of a duly authorized officer as of the day and year first written above.

Oquirrh Shadows II, LLC  
A Utah Limited Liability Company

By: \_\_\_\_\_

Terry C. Diehl

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

On the 31<sup>st</sup> day of January, 2001 personally appeared before me Terry C. Diehl, who being by me duly sworn did say that he is the Managing Partner of Oquirrh Shadows II, LLC and that the foregoing instrument was signed in behalf of said Limited Liability Company by authority of a resolution of its Partners; and he acknowledged to me that said Limited Liability Company executed the same.

Judi Musick  
NOTARY PUBLIC

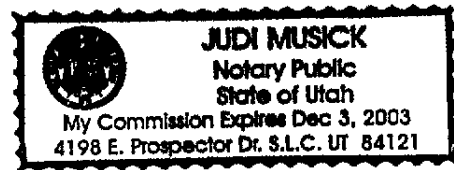


EXHIBIT A

(Attached to and forming a part of the Declaration of Condominium  
for Oquirrh Park Phase 2 Condominiums and Amendments thereto)

Legal Description of Tract 2 Land

A copy of the Legal Description of the Land  
follows this cover sheet.

# Oquirrh Park Phase 2 Condominiums, Tract 2 - Land Area 5

## Final Plat - Record of Survey Map

Located in Section 17, Township 3 South,  
Range 1 West, Salt Lake Base & Meridian

Maxim Homes, Inc., an Arizona Corporation

P.O. Box 1438  
Draper, Utah 84020  
(801) 495-3940

### Boundary Description

#### TRACT 2 - Land Area 5

Beginning at a point which lies South 00°00'01" East 2021.73 feet along the West section line and North 89°59'59" East 40.00 feet from the Northwest corner of Section 17, Township 3 South, Range 1 West, Salt Lake Base & Meridian; and traversing thence  
North 89°59'59" East 96.38 feet to the beginning of a 525.00-foot radius curve to the right; thence  
Southeasterly 828.33 feet along the arc of said curve through a central angle of 90°23'59"; thence  
South 00°23'58" West 93.60 feet; thence  
North 89°36'02" West 620.73 feet to a point on the west right-of-way line of 4000 West Street thence  
North 00°00'01" West 617.93 feet along said right-of-way line to the point of beginning.

contains 326,138 sf or 7.49 acres more or less

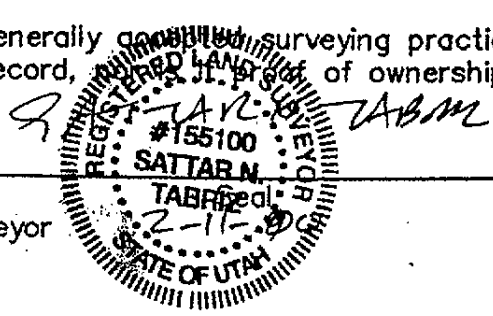
*Parcel #: 27-17-152-001*

#### Surveyor's Certificate

I, Sattar N. Tabriz, do hereby certify that I am a Registered Land Surveyor Licensed to practice in the State of Utah, and that I have made a survey of the parcel of land shown and described on this map. I also certify that by authority of the owners of said parcel, I have divided the property into lots and private streets to be hereafter known as Oquirrh Park Phase 2 Condominiums, Tract 2 - Land Area 5. I also certify to the surveys compliance with Section 57-8-13 of the Utah Condominium Ownership Act.

The survey was performed in accordance with generally accepted surveying practices, it does not purport to show all easements of record, or all interests of ownership.

Date: \_\_\_\_\_  
Sattar N. Tabriz  
Utah Registered Land Surveyor  
License No. 155100



#### Owner's Dedication

The undersigned, Maxim Homes, Inc., an Arizona Corporation and the record owner of Tract-2 appearing hereon, hereby executes this Record of Survey Map of

JK8420PG7121

EXHIBIT B

(Attached to and forming a part of the Declaration of Condominium  
For Oquirrh Park Phase 2 Condominiums and any Amendments thereto)

Legal Description of the Convertible Land  
Being Converted Land Area 5

The Legal Description follows this cover sheet.

# Oquirrh Park Phase 2 Condominiums, Tract 2 - Land Area 5

## Final Plat - Record of Survey Map

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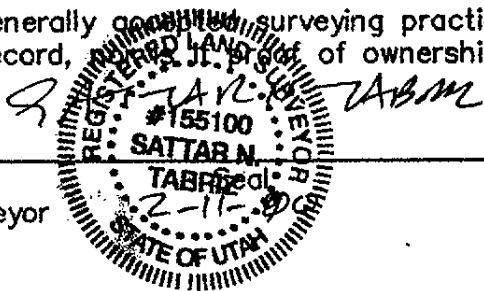
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Date: \_\_\_\_\_ Sattar N. Tabriz  
Utah Registered Land Surveyor  
License No. 155100



#### Owner's Dedication

The undersigned, Maxim Homes, Inc., an Arizona Corporation and the record owner of Tract-2 appearing hereon, hereby executes this Record of Survey Map of

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