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12/04/2001 10:06 AM 66.00  
Book - 8536 Pg - 561-565  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
HOLMES HOMES  
9345 S 1300 E  
SANDY UT 84094  
BY: ZJM, DEPUTY - WI 5 P.

WHEN RECORDED, RETURN TO:

Patrick H. Holmes  
HOLMES HOMES, INC.  
9345 South 1300 East  
Sandy, Utah 84094

PARCEL I.D. #26-36-200-019  
26-36-230-015

**AMENDMENT NO. THREE  
FOR EXPANSION OF  
ASPEN SPRINGS CONDOMINIUMS**

**(An Expandable Condominium Project)**

THIS AMENDMENT NO. THREE ("Amendment") to the Déclaration of Condominium of Aspen Springs Condominiums, an expandable condominium project (the "Declaration"), is made effective as of the date of the recording hereof in the Salt Lake County Recorder's Office by HOLMES HOMES, INC., a Utah corporation ("Declarant") pursuant to Section 57-8-13.6 of the Utah Condominium Ownership Act and Article 16 of the Declaration.

**RECITALS:**

A. On May 1, 2001, Declarant filed the Declaration, as Entry No. 7884385, in Book 8452, beginning at page 3667 in the official records of the Salt Lake County Recorder, State of Utah, with the Record of Survey Map (the "Plat").

B. The Plat created an expandable residential condominium project (the "Condominium Project"), consisting of thirteen (13) units, Unit Nos. 1 through 13, inclusive ("Phase One"), and additional land that may be used to expand the Condominium Project with up to 147 additional units ("Additional Land").

C. On July 25, 2001, Declarant filed Amendment No. One to the Declaration as Entry No. 7956320, in Book 8482, beginning at page 381 of the official records of the Salt Lake County Recorder, State of Utah, together with an amendment to the Plat.

D. Amendment No. One and the amended Plat expanded the Condominium Project to add Phase Two consisting of thirteen (13) units, thereby bringing the total number of units in the Condominium Project to twenty-six (26).

E. On September 18, 2001, Declarant filed Amendment No. Two to the Declaration as Entry No. 8006090, in Book 8501, beginning at page 3711 of the official records of the Salt Lake County Recorder, State of Utah, together with an amendment to the Plat.

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F. Amendment No. Two and the amended Plat expanded the Condominium Project to add Phase Three consisting of ten (10) units, thereby bringing the total number of units in the Condominium Project to thirty-six (36).

G. Declarant is the owner of fee simple title to all of the remaining Additional Land and now desires to add eleven (11) more units, Unit Nos. 37 through 47, inclusive ("Phase Four"), to the existing Condominium Project pursuant to the terms of the Declaration.

H. The supplemental Plat for Phase Four will be recorded concurrently with this Amendment by Declarant in the official records of the Salt Lake County Recorder, State of Utah.

NOW THEREFORE, in pursuance of the foregoing, Declarant declares and certifies as follows:

1. Phase Four Expansion. Declarant hereby submits to the provisions of the Utah Condominium Ownership Act, Utah Code Ann. § 57-8-1 et seq. (the "Act"), the real property situated in Salt Lake County, Utah, as more particularly described on Exhibit "A," attached to and incorporated in this Amendment by reference (the "Phase Four Property"). As of the date of this Amendment, Declarant is the sole owner of the Phase Four Property. The Phase Four Property hereby submitted to the Act shall be known as Aspen Springs Condominiums, Phase Four, and shall be subject to the terms and conditions of the Declaration.

2. Improvements. The improvements to be built on the Phase Four Property shall consist of several multi-unit buildings with a maximum and minimum of eleven (11) units, Unit Nos. 37 through 47, inclusive. All improvements constructed on the Phase Four Property shall be consistent in terms of quality of construction and shall be compatible in terms of principal materials used and architectural style with the structures in Phases One, Two and Three. Further, the Units created in Phase Four shall be substantially identical to the Units in Phases One, Two and Three. Each Unit will be provided with one or more parking spaces, which shall be designated as Limited Common Area appurtenant to such Unit.

3. Undivided and Allocated Interests. As specified in Article 16 of the Declaration, with the expansion of the Condominium Project to include Phase Four, each Unit Owner in the Condominium Project shall have a maximum 1/47th (or 2.1277%) undivided interest in the Common Area, 1/47th (or 2.1277%) allocated interest in the common expenses of the Condominium Project, and a 1/47th (or 2.1277%) vote for all matters of the Condominium Project's homeowners association.

4. Additional Land. With the annexation of Phase Four into the Condominium Project, the new Additional Land shall consist of the original Additional Land less the Phase Two Property, the Phase Three Property and the Phase Four Property, as more particularly described on Exhibit "B," attached to and incorporated in this Amendment by reference.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on this 20th day of ~~October~~ NOV., 2001.

DECLARANT:

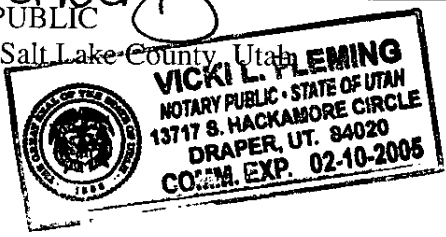
HOLMES HOMES, INC., a Utah corporation

By [Signature]  
Title: president

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

NOV. The foregoing instrument was acknowledged before me this 20th day of ~~October~~, 2001, by Patrick H. Holmes, who is the President of HOLMES HOMES, INC., a Utah corporation.

[Signature]  
NOTARY PUBLIC  
Residing at Salt Lake County, Utah



My Commission Expires:  
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EXHIBIT "A"

LEGAL DESCRIPTION  
PHASE FOUR  
ASPEN SPRINGS CONDOMINIUMS

The following described real property, located in Salt Lake County, Utah, is the parcel representing Phase Four of the Condominium Project:

**Phase 4 - Boundary Description**

Beginning at a point which lies South 00°16'17" West 1040.31 feet along the East section line and North 89°43'43" West 243.00 feet from the Northeast corner of Section 36, Township 3 South, Range 2 West, Salt Lake Base & Meridian; and traversing thence South 00°16'17" West 245.97 feet; thence North 89°43'43" West 35.00 feet; thence South 00°16'17" West 79.89 feet to a point on a curve to the right, having a radius of 4.00 feet and a central angle of 89°49'31", thence along the arc of said curve a distance of 6.27 feet, said arc subtended by a chord bearing South 45°11'03" West, a distance of 5.65 feet; thence North 89°54'12" West 73.20 feet; thence North 00°05'48" East 77.58 feet; thence South 89°43'43" East 6.94 feet; thence North 00°16'17" East 171.84 feet; thence North 89°47'00" West 5.35 feet; thence North 00°16'17" East 80.67 feet; thence South 89°43'43" East 110.84 feet to the point of beginning.

Containing 32,826 sf or 0.75 acres, more or less.

EXHIBIT "B"

LEGAL DESCRIPTION  
ADDITIONAL LAND AFTER ADDITION OF PHASE FOUR  
ASPEN SPRINGS CONDOMINIUMS

The following described real property, located in Salt Lake County, is the new Additional Land after the addition of Phase Four:

**Additional Land Area A - Boundary Description**

Beginning at a point which lies South 00°16'17" West 741.38 feet along the East section line and North 89°43'43" West 164.00 feet from the Northeast corner of Section 36, Township 3 South, Range 2 West, Salt Lake Base & Meridian; and traversing thence South 00°16'17" West 544.91 feet; thence North 89°43'43" West 79.00 feet; thence North 00°16'17" East 245.97 feet; thence North 89°43'43" West 110.84 feet; thence North 89°43'38" West 57.09 feet to a point on a non-tangent curve to the left, having a radius of 54.00 feet and a central angle of 115°13'30", thence Northwesterly along the arc of said curve a distance of 108.60 feet, said arc subtended by a chord bearing North 52°14'18" West, a distance of 91.20 feet; thence North 00°24'57" East 55.96 feet; thence due West 239.50 feet; thence North 87°24'00" West 58.87 feet; thence South 11°51'53" West 50.00 feet; thence North 78°08'07" West 19.00 feet to a point on a curve to the left, having a radius of 5.00 feet and a central angle of 89°58'58", thence Southwesterly along the arc of said curve a distance of 7.85 feet, said arc subtended by a chord bearing South 56°51'59" West, a distance of 7.07 feet; thence South 11°51'53" West 4.10 feet; thence North 78°08'07" West 31.00 feet; thence South 11°51'53" West 0.40 feet to a point on a curve to the left, having a radius of 375.50 feet and a central angle of 03°10'44", thence Southwesterly along the arc of said curve a distance of 20.83 feet, said arc subtended by a chord bearing South 10°16'31" West, a distance of 20.83 feet, to a point on a reverse curve to the right, having a radius of 25.00 feet and a central angle of 50°02'54", thence Southwesterly along the arc of said curve a distance of 21.84 feet, said arc subtended by a chord bearing South 33°44'05" West, a distance of 21.15 feet; thence North 88°24'32" West 63.98 feet to a point on a curve to the right, having a radius of 21.00 feet and a central angle of 50°09'02", thence Northwesterly along the arc of said curve a distance of 18.38 feet, said arc subtended by a chord bearing North 63°19'57" West, a distance of 17.80 feet, to a point on a non-tangent curve to the right, having a radius of 470.00 feet and a central angle of 6°36'29", thence Northeasterly along the arc of said curve a distance of 54.21 feet, said arc subtended by a chord bearing North 08°33'49" East, a distance of 54.18 feet; thence North 11°51'53" East 222.95 feet; thence South 86°22'53" East 142.64 feet; thence South 89°35'03" East 583.48 feet to the point of beginning.

Containing 203,037 sf or 4.66 acres, more or less.