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DOC # 00341544

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SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION
TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT
RESIDENTIAL UNITS
(An Expandable Condominium Development)
(Adding Phase 3)

This Second Amendment and Supplemental Declaration to the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS is made and executed in Sevier County, Utah this _____ day of July, 2006, by **WALNUT GROVE DEVELOPMENT, L.L.C.**, A Utah limited liability company whose principal address is P.O. Box 56, Richfield UT 84701 ("**Declarant**") for itself, its successors, grantees and assigns, pursuant to the provisions of the Utah Condominium Ownership Act, Utah Code, Section 57-8-1 et seq.

1. RECITALS

A. The DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS (An Expandable Condominium), hereafter referred to as the "Declaration," was recorded in the office of the Sevier County Recorder on March 30, 2004, as Entry No. 00324219, Book 00488, Pages 00405 to 00472, containing a description of property on its Exhibit "D-1" submitted as **Additional Land** to the Project reserved for future phases.

B. Declarant added some of the Additional Land to the Project by filing Phase 2 documents being the First Amendment and Supplemental Declaration to the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS recorded in the office of the Sevier County Recorder on April 18, 2006 as Entry No. 00339268, Book 00541, Pages 00771 to 00780, along with the Centennial Plaza Planned Unit Development Phase 2 & Condominium Plat recorded therewith. Though the Centennial Plaza Planned Unit Development Phase 2 & Condominium Plat filed with the First Amendment and Supplemental Declaration contains both additional business and additional residential condominium units from the Additional Land, the First Amendment and Supplemental Declaration only effected and controlled the residential property and units contained in the property description attached as Exhibit B thereto and depicted on Sheets 1 and 2 of the Condominium Plat as PARCEL NO. 2 PHASE 2 and PARCEL NO. 3 PHASE 2. An additional First Amendment and Supplemental Declaration was filed therewith controlling and effecting those properties and units which were developed for business

purposes and that declaration references the same Condominium Plat but controls separate business parcels depicted on Sheets 1 and 2.

C. Also recorded contemporaneously with this Second Amendment and Supplemental Declaration is the Centennial Plaza Planned Unit Development Phase 3 & Condominium Plat effecting and controlling the residential property and units contained in the property description attached as **Exhibit B** hereto, defined hereinbelow as the "**Tract**," and depicted on the Centennial Plaza Planned Unit Development Phase 3 & Condominium Plat as PARCEL NO. 1 PHASE 3.

D. Declarant desires, by recording this Second Amendment and Supplemental Declaration, to add Phase 3, consisting of certain land out of the Additional Land and twelve additional condominium units (together with the undivided interest in common areas and facilities attendant thereto), to the CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS.

2. SUBMISSION

Declarant hereby makes this Second Amendment and Supplemental Declaration and submits that portion of the Additional Land described in paragraph 3 hereof and the condominiums constructed thereon to the CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS, as previously amended, consistent with the provisions of the Condominium Act.

3. PROPERTY SUBMITTED TO THE CONDOMINIUM PROJECT

The property added as Phase 3 of the CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS is described as follows:

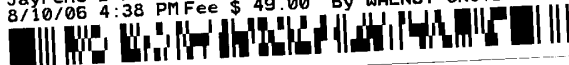
PARCEL NO. 1 - PHASE 3

BEGINNING AT POINT LOCATED NORTH 1168.64 FEET AND EAST 920.49 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T. 23 S., R. 3 W., S.L.B. & M.; THENCE S00°39'59"W 115.18 FEET; THENCE N89°20'01"W 13.77 FEET; THENCE S00°39'59"W 68.00 FEET; THENCE N89°20'01"W 146.63 FEET; THENCE N47°28'54"W 56.34 FEET; THENCE AROUND A 150.00 FOOT RADIUS CURVE TO THE RIGHT 28.74 FEET (DELTA=10°58'46", CB=N35°45'40"E, CD=28.70 FEET); THENCE N41°15'03"E 117.07 FEET; THENCE AROUND A 128.19 FOOT RADIUS CURVE TO THE RIGHT 55.62 FEET (DELTA=24°51'34", CB=N53°40'50"E, CD=55.18 FEET); THENCE N66°06'37"E 30.76 FEET; THENCE AROUND A 54.00 FOOT RADIUS CURVE TO THE RIGHT 11.37 FEET (DELTA=12°03'32", CB=S66°16'45"E, CD=11.34 FEET); THENCE S72°18'33"E 28.46 FEET TO THE POINT OF BEGINNING. CONTAINING 0.62 ACRE.

4. PERCENTAGE OF OWNERSHIP

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The percentage of ownership in the Common Areas and Facilities, from and after the date of recording of this Second Amendment and Supplemental Declaration and the Centennial Plaza Planned Unit Development Phase 3 & Condominium Plat, shall be as set forth in **Exhibit C** attached hereto and incorporated herein.

5. EXPANSION OF THE CONDOMINIUM PROJECT

The condominiums located in the Centennial Plaza Planned Unit Development Phase 3, as well as those of Phase 1 and Phase 2 shall be subject to all the terms and conditions of the Declaration and subject to condominium ownership with all incidents pertaining thereto as specified in the Declaration as Amended and supplemented by the First Amendment and Supplemental Declaration and this Second Amendment and Supplemental Declaration.

6. EXPANSION OF DEFINITIONS


The definitions used in the Declaration, as amended by the First Amendment and Supplemental Declaration, are expanded to encompass and refer to the CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS as expanded, Phases 1, Phase 2, and Phase 3 inclusive. The recordation in the office of the Sevier County Recorder, Richfield, Utah of this Second Amendment and Supplemental Declaration and of the Centennial Plaza Planned Unit Development Phase 3 & Condominium Plat shall operate automatically to grant, transfer and convey to the owners of the units in the Project as it existed before this expansion, the respective undivided interests in the new Common Areas added to the project as the result of this expansion, and to reduce their percentage of interest in the Common Areas, existing prior to this expansion. The undivided interest of each unit in the Common Areas of the expanded Centennial Plaza Planned Unit Development Residential Units is set forth in **Exhibit C** attached hereto and incorporated herein.

7. APPLICABILITY OF THE DECLARATION

Except as the Declaration is modified, supplemented or amended as set forth herein and the recording of the Centennial Plaza Planned Unit Development Phase 3 & Condominium Plat, the Declaration as previously amended and the expanded definitions thereof shall continue in full force and effect applicable to all condominiums submitted to CENTENNIAL PLAZA PLANNED UNIT DEVELOPMENT RESIDENTIAL UNITS by the Declaration, the First Amendment and Supplemental Declaration adding Phase 2 to the Project, and this Second Amendment and Supplemental Declaration adding Phase 3 to the Project.

8. ADDITIONAL LAND

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The legal description of the Additional Land as described in Exhibit "D-1" of the Declaration shall be reduced by the Parcel described on Exhibit B attached hereto.

IN WITNESS WHEREOF, the undersigned, Walnut Grove Development, L.L.C., a Utah limited liability company has set its hand this 10 day of ~~July~~, 2006.

August

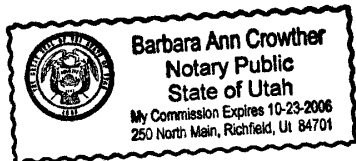
DECLARANT:
Walnut Groye Development, L.L.C.,
a Utah limited liability company

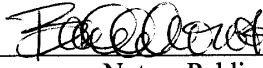
By: 
Samuel W. Morgan, Manager

ACKNOWLEDGMENT

STATE OF UTAH,)
 : SS.
COUNTY OF SEVIER)

The foregoing instrument was acknowledged before me this 10th day of ~~July~~^{August}, 2006, by Samuel W. Morgan as Manager of Walnut Grove Development, L.L.C., a Utah limited liability company.

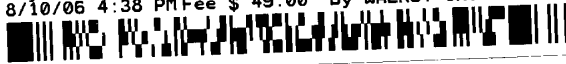




Notary Public

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**EXHIBIT A
LEGAL DESCRIPTION OF THE ORIGINAL PROJECT**

The Land described in the foregoing document as Phase 1 is located in Sevier County, Utah and is described more particularly as follows:

Phase 1

PARCEL NO. 2 - PHASE 1

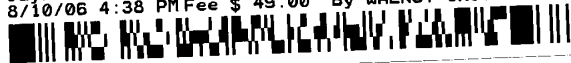
BEGINNING AT A POINT LOCATED NORTH 1131.32 FEET AND EAST 1251.70 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T.23S., R.3W., S.L.B. & M.; THENCE S00°41'23"W 149.72 FEET; THENCE N89°20'01"W 218.79 FEET; THENCE N00°39'59"E 68.00 FEET; THENCE S89°20'01"E 19.18 FEET; THENCE N00°39'59"E 104.92 FEET; THENCE N88°43'39"E 16.28 FEET; THENCE AROUND A 522.68 FOOT RADIUS CURVE TO THE RIGHT 131.79 FEET, SAID CURVE HAVING A CHORD BEARING OF S84°02'56"E AND A CHORD LENGTH OF 131.45 FEET; THENCE S76°49'32"E 53.79 FEET TO THE POINT OF BEGINNING. CONTAINING 0.79 ACRES.

PARCEL NO. 3 - PHASE 1

BEGINNING AT A POINT LOCATED NORTH 1377.94 FEET AND EAST 875.90 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T.23S., R.3W., S.L.B. & M.; THENCE S11°19'08"W 92.92 FEET; THENCE AROUND A 223.50 FOOT RADIUS CURVE TO THE LEFT 51.29 FEET, SAID CURVE A CHORD BEARING OF S04°44'42"W AND A CHORD LENGTH OF 51.17 FEET; THENCE S01°49'44"E 23.58 FEET; THENCE S66°06'37"W 22.05 FEET; THENCE AROUND A 175.19 FEET RADIUS CURVE TO THE LEFT 76.01 FEET, SAID CURVE HAVING A CHORD BEARING OF S53°40'50"W AND CHORD LENGTH OF 75.42 FEET; THENCE S41°15'03"W 117.07 FEET; THENCE AROUND A 197.00 FOOT CURVE TO THE LEFT 27.60 FEET, SAID CURVE HAVING A CHORD BEARING OF S37°14'14"W AND CHORD LENGTH OF 27.58 FEET; THENCE N47°28'54"W 3.12 FEET; THENCE N00°37'01"W 308.92 FEET; THENCE N89°22'59"E 83.96 FEET; THENCE AROUND A 215.50 FOOT RADIUS CURVE TO THE RIGHT 35.93 FEET, SAID CURVE HAVING A CHORD BEARING OF N06°37'04"E AND CHORD LENGTH OF 35.89 FEET; THENCE S80°52'44"E 31.03 FEET; THENCE S74°37'45"E 84.64' TO THE POINT OF BEGINNING. CONTAINING 0.98 ACRES.

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The Land described in the foregoing document as Phase 2 is located in Sevier County, Utah and is described more particularly as follows:

Phase 2

PARCEL NO. 2 - PHASE 2

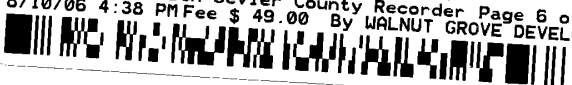
BEGINNING AT POINT LOCATED NORTH 1168.64 FEET AND EAST 920.49 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T. 23 S., R. 3 W., S.L.B. & M.; THENCE AROUND A 271.23 FOOT RADIUS CURVE TO THE LEFT 89.77 FEET (DELTA=18°57'48", CB=N82°16'23W, CD=89.36 FEET); THENCE N88°43'39"E 43.40 FEET; THENCE S00°39'59"W 104.92 FEET; THENCE N89°20'01"W 19.18 FEET; THENCE S00°39'59"W 68.00 FEET; THENCE N89°20'01"W 126.55 FEET; THENCE N00°39'59"E 68.00 FEET; THENCE S89°20'01"E 13.77 FEET; THENCE N00°39'59"E 115.18 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.52 ACRE.

PARCEL NO. 3 - PHASE 2

BEGINNING AT A POINT LOCATED NORTH 1377.94 FEET AND EAST 875.90 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T. 23 S., R. 3 W., S.L.B. & M.; THENCE N75°37'45"W 84.64 FEET; THENCE N80°52'44"W 31.03 FEET; THENCE AROUND A 215.50 FOOT RADIUS CURVE TO THE LEFT 35.93 FEET (DELTA=9°33'07", CB=S06°37'04"W, CD=35.89 FEET); THENCE S89°22'59"W 83.96 FEET; THENCE N00°37'01"W 86.99 FEET; THENCE N26°37'28"E 17.33 FEET; THENCE N13°19'20"E 219.08 FEET; THENCE S76°40'40" E 87.12 FEET; THENCE N11°46'33"E 21.21 FEET; THENCE S78°13'27"E 31.00 FEET; THENCE S78°40'52"E 82.16 FEET; THENCE S11°19'08"W 290.34 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.40 ACRES.

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**EXHIBIT B
LEGAL DESCRIPTION OF THE PHASE 3 TRACT**

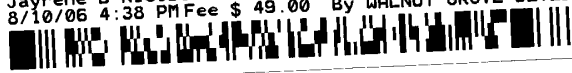
The Land described in the foregoing document as Phase 3 is located in Sevier County, Utah and is described more particularly as follows:

Phase 3

PARCEL NO. 1 - PHASE 3
BEGINNING AT POINT LOCATED NORTH 1168.64 FEET AND EAST 920.49 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, T. 23 S., R. 3 W., S.L.B. & M.; THENCE S00°39'59"W 115.18 FEET; THENCE N89°20'01"W 13.77 FEET; THENCE S00°39'59"W 68.00 FEET; THENCE N89°20'01"W 146.63 FEET; THENCE N47°28'54"W 56.34 FEET; THENCE AROUND A 150.00 FOOT RADIUS CURVE TO THE RIGHT 28.74 FEET (DELTA=10°58'46", CB=N35°45'40"E, CD=28.70 FEET); THENCE N41°15'03"E 117.07 FEET; THENCE AROUND A 128.19 FOOT RADIUS CURVE TO THE RIGHT 55.62 FEET (DELTA=24°51'34", CB=N53°40'50"E, CD=55.18 FEET); THENCE N66°06'37"E 30.76 FEET; THENCE AROUND A 54.00 FOOT RADIUS CURVE TO THE RIGHT 11.37 FEET (DELTA=12°03'32", CB=S66°16'45"E, CD=11.34 FEET); THENCE S72°18'33"E 28.46 FEET TO THE POINT OF BEGINNING. CONTAINING 0.62 ACRE

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**EXHIBIT C
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST**

<u>Phase</u>	<u>Bldg. No.</u>	<u>Unit No.</u>	<u>Percentage of Interest</u>
1	T1-4	T1	1.923077
1	T1-4	T2	1.923077
1	T1-4	T3	1.923077
1	T1-4	T4	1.923077
1	T5-8	T5	1.923077
1	T5-8	T6	1.923077
1	T5-8	T7	1.923077
1	T5-8	T8	1.923077
1	C1-8	C1	1.923077
1	C1-8	C2	1.923077
1	C1-8	C3	1.923077
1	C1-8	C4	1.923077
1	C1-8	C5	1.923077
1	C1-8	C6	1.923077
1	C1-8	C7	1.923077
1	C1-8	C8	1.923077
2	T9-12	T9	1.923077
2	T9-12	T10	1.923077
2	T9-12	T11	1.923077
2	T9-12	T12	1.923077
2	T13-16	T13	1.923077
2	T13-16	T14	1.923077
2	T13-16	T15	1.923077
2	T13-16	T16	1.923077
2	T17-20	T17	1.923077
2	T17-20	T18	1.923077
2	T17-20	T19	1.923077
2	T17-20	T20	1.923077
2	T21-24	T21	1.923077
2	T21-24	T22	1.923077
2	T21-24	T23	1.923077
2	T21-24	T24	1.923077
2	B1-8	B1	1.923077
2	B1-8	B2	1.923077
2	B1-8	B3	1.923077
2	B1-8	B4	1.923077
2	B1-8	B5	1.923077
2	B1-8	B6	1.923077
2	B1-8	B7	1.923077
2	B1-8	B8	1.923077

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(Exhibit C continued)

<u>Phase</u>	<u>Bldg. No.</u>	<u>Unit No.</u>	<u>Percentage of Interest</u>
3	A1-12	A1	1.923077
3	A1-12	A2	1.923077
3	A1-12	A3	1.923077
3	A1-12	A4	1.923077
3	A1-12	A5	1.923077
3	A1-12	A6	1.923077
3	A1-12	A7	1.923077
3	A1-12	A8	1.923077
3	A1-12	A9	1.923077
3	A1-12	A10	1.923077
3	A1-12	A11	1.923077
3	A1-12	A12	1.923077
<hr/>			
TOTAL	8	52	100%

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