

W140

VALLEY TITLE CO.

21088

AMENDMENT TO DECLARATION FOR SHADOWBROOK, A CONDOMINIUM PROJECT

RECORDED AT THE REQUEST OF VALLEY TITLE CO. 1973 NOV 27 AM 10:07 NINA S. HARRIS COUNTY CLERK PROVO, UTAH

21088

This Amendment to the Declaration for Shadowbrook, a Condominium Project, is made and executed in Utah County, State of Utah this 17th day of September, 1973, by Shadowbrook, a Limited Partnership, hereinafter designated and referred to as "Declarant", pursuant to the provisions of the Utah Condominium Ownership Act,

WITNESSETH:

WHEREAS, Declarant has previously filed and recorded with the office of Utah County Recorder on the 5th day of September, 1973, its original Declaration for Shadowbrook, which Declaration subjected to the Condominium Ownership Act, the original Phase I of the Shadowbrook Condominium Project, more particularly described as follows:

Commencing at a point 265.94 feet North and 165.99 feet West from the Northeast corner of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 04°01'40" West 307.16 feet; thence North 51°17'41" West 219.10 feet; thence North 54°22'24" West 170.15 feet; thence North 45°55'40" West 136.80 feet; thence South 64°08'40" West 64.30 feet; thence South 86°03'06" West 66.37 feet, thence South 04°57'09" West 543.00 feet; thence South 83°57'19" East 602.67 feet to the point of beginning. Area = 6.105 acres.

WHEREAS, the original Declaration for Shadowbrook provides that each and every grantee, heir, devisee, administrator, executor and assign irrevocably consents to the Declarant making such computations and recording such documents as may be deemed necessary by Declarant to implement the lawful inclusion of other Phases into the condominium project known as Shadowbrook; and

WHEREAS, Declarant is the owner of real property located in the City of Provo, County of Utah, herein referred to as Phase II and more particularly described as follows:

Commencing 153.86 feet South and 136.43 feet West from the Northeast corner of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 04°01'40" West 420.84 feet; thence North 83°57'19" West 602.67 feet; thence South 04°57'09" West 258.00 feet; thence South 70°50'28" East 689.33 feet to the point of beginning. Area = 5.121 acres.

WHEREAS, Declarant has constructed or is in the process of constructing, or will construct certain Townhouse and Manor House buildings and certain other improvements upon said Phase II in accordance with plans and drawings set forth in its record of survey map recorded herewith consisting of 6 sheets, prepared and certified to by Carr F. Greer, a duly registered Utah land surveyor; and

DOUGLAS W. MORRISON ATTORNEY AND COUNSELOR AT LAW SUITE 14, THE REPLAQUE 348 EAST 1300 SOUTH OREM, UTAH 84057 A PROFESSIONAL CORPORATION

BOOK 1351 PAGE 315

WHEREAS, it is the desire and the intention of the Declarant to divide Phase II into condominiums and to sell and convey the same to various purchasers, subject to the covenants, conditions, and restrictions herein reserved to be kept and observed, and also subject to those same covenants, conditions and restrictions previously declared in that Declaration for Shadowbrook filed on the 5th day of September, 1973; and

WHEREAS, Declarant desires and intends by filing this Amendment to the Declaration for Shadowbrook and the aforesaid record of survey map to submit the above described property and the Townhouse and Manor House buildings and other improvements constructed thereon, together with all appurtenances thereto, to the provisions of the aforesaid Act as part of the Shadowbrook condominium project, and to impose upon said property mutually beneficial restrictions under a general plan of improvement for the benefit of all of the condominiums in Phase I and Phase II and the owners thereof;

NOW, THEREFORE, the Declarant does hereby amend the original Declaration and publish and declare that all of the property described above, both the Phase I and Phase II properties, are held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied, and improved subject to all the covenants, conditions, restrictions, uses, limitations, and obligations as set forth in the original Declaration for Shadowbrook, a condominium project, as recorded on pages 467-484 book 1342 in the office of the Utah County Recorder, Provo, Utah; all of which is declared and agreed to be in furtherance of a plan for the improvement of said property and the division thereof into condominiums, and shall be deemed to run with the land and shall be a burden and a benefit to Declarant, its successors and assigns and any person acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, devisees, and assigns.

Declarant hereby submits the above described Phase II property and the improvements constructed and to be constructed thereon, together with all appurtenances thereto, to the provisions of the Utah Condominium Ownership Act as a condominium project, to be known as SHADOWBROOK. This Amendment to the Declaration is submitted in accordance with the terms and provisions of said Act and the terms of the original Declaration, and shall be construed in accordance therewith.

Phase II of the condominium project shall consist of five (5) buildings containing twenty-six (26) units as shown by the record of survey map recorded herewith. Construction is and shall be principally of brick, concrete, steel, wood, and glass, located upon the land described herein. All buildings shall be one and two story without basements.

FURTHERMORE, as provided in section 10 of the original Declaration, each grantee of a unit in Phase I and Phase II recognizes that the undivided ownership interest of each grantee in the combined common areas and facilities shall be the adjusted and revised percentage set forth in the attached Exhibit "A" to this Amendment to the Declaration. Owners of units in Phase I shall no longer have the ownership interests previously shown of record in Exhibit "A" to the original Declaration.

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OREM, UTAH 84057
A PROFESSIONAL CORPORATION

This Amendment to the Declaration of Shadowbrook shall take effect upon recording as provided by the Condominium Ownership Act.

Made and executed as of the day and year first above written.

SHADOWBROOK, A Limited Partnership

By Bruce A. Jackson
Its General Partner

STATE OF UTAH)
) :SS
COUNTY OF UTAH)

On this 17th day of September, 1973, personally appeared before me BRUCE A. JACKSON, who duly acknowledged to me that he executed the same as its General Partner.

Claudia M. Olson
Notary Public

Residence: Arden Utah

My Comm. Expires 7-30-77

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EXHIBIT "A"

Unit Designation	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
1-A	1,790	6	2.152	One Story	One family residence, including exclusive use of garage, patio, and entryways as shown on Record of Survey Map.
1-B	1,594	5	2.057	One Story	Same as above
2-A	1,594	5	2.057	One Story	Same as above
2-B	1,790	6	2.114	One Story	Same as above
3-A	2,417	8	1.936	Two Story	Same as above
3-B	1,665	6	1.542	Two Story	Same as above
3-C	1,616	5	1.465	Two Story	Same as above
3-D	2,073	7	1.859	Two Story	Same as above
4-A	2,073	7	1.204	Two Story	Same as above
4-B	1,665	6	1.606	Two Story	Same as above
4-C	1,665	6	1.606	Two Story	Same as above
4-D	2,417	8	1.980	Two Story	Same as above
5-A	2,073	7	1.858	Two Story	Same as above
5-B	1,616	5	1.446	Two Story	Same as above
5-C	1,616	5	1.484	Two Story	Same as above
5-D	2,417	8	1.935	Two Story	Same as above
6-A	2,417	8	1.915	Two Story	Same as above
6-B	1,665	6	1.522	Two Story	Same as above
6-C	1,665	6	1.522	Two Story	Same as above
6-D	2,073	7	1.877	Two Story	Same as above
7-A	2,073	7	1.839	Two Story	Same as above
7-B	1,665	6	1.522	Two Story	Same as above
7-C	1,665	6	1.522	Two Story	Same as above
7-D	2,417	8	1.935	Two Story	Same as above
8-A	2,073	7	1.839	Two Story	Same as above
8-B	1,665	6	1.522	Two Story	Same as above
8-C	1,665	6	1.522	Two Story	Same as above
8-D	1,665	6	1.522	Two Story	Same as above
8-E	1,665	6	1.541	Two Story	Same as above

General Description

Location

Percentage of Ownership
in Common Area and
FacilitiesNumber of
RoomsApproximate Number
of Square FeetUnit
Designation

Unit Designation	Approximate Number of Square Feet	Number of Rooms	Percentage of Ownership in Common Area and Facilities	Location	General Description
8-F	2,417	6	1.954	Two Story	Same as above
10-A	1,790	6	2.115	One Story	Same as above
10-B	1,594	5	2.057	One Story	Same as above
10-C	1,594	5	2.076	One Story	Same as above
10-D	1,790	6	2.133	One Story	Same as above
11-A	2,700	6	2.103	Two Story	Same as above
11-B	1,665	6	1.580	Two Story	Same as above
11-C	1,665	6	1.580	Two Story	Same as above
11-D	1,665	6	1.580	Two Story	Same as above
11-E	1,665	6	1.580	Two Story	Same as above
11-F	2,671	8	2.089	Two Story	Same as above
12-A	2,417	8	1.935	Two Story	Same as above
12-B	1,665	6	1.561	Two Story	Same as above
12-C	1,665	6	1.561	Two Story	Same as above
12-D	1,665	6	1.561	Two Story	Same as above
12-E	1,665	6	1.561	Two Story	Same as above
12-F	2,417	8	1.935	Two Story	Same as above
13-A	2,417	8	1.915	Two Story	Same as above
13-B	1,665	6	1.522	Two Story	Same as above
13-C	1,665	6	1.522	Two Story	Same as above
13-D	1,665	6	1.522	Two Story	Same as above
13-E	1,665	6	1.522	Two Story	Same as above
13-F	2,417	8	1.915	Two Story	Same as above
14-A	1,790	6	2.133	One Story	Same as above
14-B	1,594	5	2.095	One Story	Same as above
14-C	1,594	5	2.095	One Story	Same as above
14-D	1,790	6	2.171	One Story	Same as above