

WHEN RECORDED RETURN TO: CAMBRIA DEVELOPMENT, L.C. William L. Montgomery 758 South 400 East Orem, Utah 84097 (801) 227-0550 ENT 136245:2006 PG 1 of 15 RANDALL A. COVINGTON UTAH COUNTY RECORDER 2006 Oct 13 8:42 am FEE 85.00 BY STL RECORDED FOR PLEASANT GROVE CITY CORPORA

# FOURTH SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR CAMBRIA CONDOMINIUMS,

an expandable Utah condominium project

This Fourth Supplement to the Declaration of Condominium for Cambria Condominiums, an expandable Utah condominium project, is made and executed by Cambria Development, L.C., a Utah limited liability company, of 758 South 400 East, Orem, Utah 84097 (the "Declarant").

### **RECITALS**

Whereas, the original Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on September 30, 2004 as Entry No. 111749:2004 at Pages 1-62 of the Official Records (the "Declaration").

Whereas, the related Condominium Plat Map(s) for Phases 1, 2 and 3 of the Project have also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the First Supplement to the Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on December 21, 2004 as Entry No. 142661:2004 at Pages 1-13 of the Official Records (the "First Supplement").

Whereas, the related Condominium Plat Map(s) for Phases 4-10, inclusive, of the Project have also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the First Amendment to the Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on May 17, 2005 as Entry No. 52851:2005 at Pages 1-7 of Official Records to add Additional Land, the Cambria East Property (the "First Amendment").

Whereas, the Amendment to the First Supplement to the Declaration of Condominium for Cambria Condominiums and Notice of Change in Building Footprint was recorded in the office of the County Recorder of Utah County, Utah on December 22, 2005 as Entry No. 147848:2005 at Pages 1-4 of the Official Records

Whereas, the Second Supplement to the Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on August 29, 2005 as Entry No. 95348:2005 at Pages 1-15 of the Official Records (the "Second Supplement").

Whereas, the related Condominium Plat Map(s) for Phases 12-17, inclusive, of the Project have also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the Third Supplement to the Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on February 24, 2006 as Entry No. 22005:2006 at Pages 1-15 of the Official Records (the "Third Supplement").

Whereas, the related Condominium Plat Map(s) for Phases 11, 18, 19, 20 and 21, inclusive, of the Project have also been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, a Second Amendment to the Declaration of Condominium for Cambria Condominiums was recorded in the office of the County Recorder of Utah County, Utah on the 8th day of May, 2006 as Entry No. 56226:2006 at Pages 1-11 of the Official Records (the "Second Amendment").

Whereas, under Article III, Section 46 of the Declaration, Declarant reserved an option, until five years from the date following the first conveyance of a Unit in Phase I to a Unit purchaser, to expand the Project in accordance with the Act.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on the following Exhibits attached hereto and incorporated herein by this reference: A-22 through A-25, inclusive (collectively, "Fourth Supplement Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of VA, HUD, FHA, FNMA or other government lender, guarantor or insurer, if applicable, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Fourth Supplement Property a residential condominium development.

Whereas, Declarant now intends that the Fourth Supplement Property shall become subject to the Declaration.

### AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this Fourth Supplement to the Declaration of Condominium for Cambria Condominiums.

- 1. **Supplement to Definitions**. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:
  - A. Fourth Supplement to the Declaration shall mean and refer to this Fourth Supplement to the Declaration of Condominium for Cambria Condominiums.
  - B. Fourth Supplemental Map(s) or Fourth Supplement Property Map(s) shall mean and refer to the Supplemental Condominium Plat Map(s) for the additional phases of the Project described on Exhibits A-22 through A-25, inclusive, prepared and certified to by Kenneth E. Barney, a duly registered Utah Land Surveyor holding Certificate No. 172762, and filed for record in the Office of the County Recorder of Utah County, Utah concurrently with the filing of this Fourth Supplement to the Declaration.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

- 2. **Legal Description**. The real property described in Exhibits A-22-A-25, inclusive, is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as supplemented.
- 3. Annexation. Declarant hereby declares that the Fourth Supplement Property shall be annexed to and become subject to the Declaration, which upon recordation of this Fourth Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibits A-22-A-25, inclusive, subject to the functions, powers, rights, duties and jurisdiction of the Association.
- 4. **Total Number of Units Revised.** As shown on the map(s), the following Buildings and Units will be added to the Project:

Phase 22: Building U; 12 Units

Phase 23: Building V; 12 Units

Phase 24: Building W; 12 Units

Phase 25: Building X; 12 Units

In all, 4 new Buildings and 48 additional Units are or will be constructed and/or created in the Project on the Fourth Supplement Property. The additional Buildings and Units are located within a portion of the Additional Land. Upon the recordation of the Maps for the additional Phases and this Fourth Supplement to the Declaration, the total number of Units in the Project will be 243. The additional Buildings and Units in each Phase are or will be substantially similar in construction, design, and quality to the Building and Units in the prior Phases.

- 5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities. Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Fourth Revised Exhibit "C," attached hereto and incorporated herein by this reference, is substituted in lieu thereof.
- Effective Date. The effective date of this Fourth Supplement to the Declaration and the Fourth Supplement Map(s) shall be the date on which said instruments are filed for record in the Office of the County Recorder of Utah County. Utah.

EXECUTED the day of August, 2006.

CAMBRIA DEVELOPMENT, L.C., a Utah limited liability company

Name: WILLIAM L

Title: Manager

STATE OF UTAH

COUNTY OF UTAH )

On the 31 day of August, 2006 personally appeared before me WILLIAM L MONTGOMERY, who by me being duly sworn, did say that he is the Manager of CAMBRIA DEVELOPMENT, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members, and said WILLIAM L MONTGOMERY duly acknowledged to me that said Company executed the same.

Residing At: DYUM, UT Commission Expires: 5-4. 2008

#### **EXHIBIT "A-22"**

### CAMBRIA CONDOMINIUMS LEGAL DESCRIPTION

The land described in the foregoing document as the Phase 22 of the Fourth Supplement Property is located in Utah County, Utah and is described more particularly as follows:

## BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.& M., PLEASANT GROVE, UTAH, MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 19: THENCE S.89'44'08"W. A DISTANCE OF 972.94 FEET ALONG THE SECTION LINE AND NORTH A DISTANCE OF 1062.76 FEET TO THE REAL POINT OF BEGINNING.

THENCE NORTH A DISTANCE OF 104.87 FEET; THENCE S.89\*56'02"E. A DISTANCE OF 30.28 FEET; THENCE N.00\*03'58"E. A DISTANCE OF 72.49 FEET; THENCE S.89\*56'02"E. A DISTANCE OF 151.64 FEET; THENCE S.00\*03'58"W. A DISTANCE OF 147.91 FEET; THENCE N.89\*57'25"W. A DISTANCE OF 72.58 FEET; THENCE S.00\*02'35"W. A DISTANCE OF 29.29 FEET; THENCE WEST A DISTANCE OF 109.23 FEET TO THE POINT OF BEGINNING. CONTAINING 27,920 S.F. OR 0.64 ACRES.

### EXHIBIT "A-23"

### CAMBRIA CONDOMINIUMS LEGAL DESCRIPTION

The land described in the foregoing document as the Phase 23 of the Fourth Supplement Property is located in Utah County, Utah and is described more particularly as follows:

### BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.& M., PLEASANT GROVE, UTAH, MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 19: THENCE S.89\*44'08"W. A DISTANCE OF 972.94 FEET ALONG THE SECTION LINE AND NORTH A DISTANCE OF 956.51 FEET TO THE REAL POINT OF BEGINNING.

THENCE NORTH A DISTANCE OF 106.25 FEET; THENCE EAST A DISTANCE OF 109.23 FEET; THENCE N.00°02'35"E. A DISTANCE OF 29.29 FEET; THENCE S.89°57'25"E. A DISTANCE OF 72.58 FEET; THENCE S.00°03'58"W. A DISTANCE OF 146.58 FEET; THENCE N.89°57'25"W. A DISTANCE OF 72.52 FEET; THENCE N.00°02'35"E. A DISTANCE OF 11.04 FEET; THENCE WEST A DISTANCE OF 109.15 FEET TO THE POINT OF BEGINNING. CONTAINING 22,236 S.F. OR 0.51 ACRES.

### EXHIBIT "A-24"

### CAMBRIA CONDOMINIUMS LEGAL DESCRIPTION

The land described in the foregoing document as the Phase 24 of the Fourth Supplement Property is located in Utah County, Utah and is described more particularly as follows:

## BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.& M., PLEASANT GROVE, UTAH, MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 19: THENCE S.89\*44'08"W. A DISTANCE OF 966.19 FEET ALONG THE SECTION LINE AND NORTH A DISTANCE OF 852.11 FEET TO THE REAL POINT OF BEGINNING.

THENCE N.89\*46'55"W. A DISTANCE OF 23.00 FEET; THENCE N.00\*13'05"E. A DISTANCE OF 100.34 FEET; THENCE NORTH A DISTANCE OF 3.94 FEET; THENCE EAST A DISTANCE OF 125.01 FEET; THENCE S.00\*02'35"W. A DISTANCE OF 11.04 FEET; THENCE S.89\*57'25"E. A DISTANCE OF 72.52 FEET; THENCE S.00\*03'58"W. A DISTANCE OF 132.42 FEET; THENCE N.89\*57'25"W. A DISTANCE OF 54.47 FEET; THENCE N.00\*02'35"E. A DISTANCE OF 39.11 FEET; THENCE WEST A DISTANCE OF 120.31 FEET TO THE POINT OF BEGINNING. CONTAINING 21,957 S.F. OR 0.50 ACRES.

### EXHIBIT "A-25"

### CAMBRIA CONDOMINIUMS LEGAL DESCRIPTION

The land described in the foregoing document as the Phase 25 of the Fourth Supplement Property is located in Utah County, Utah and is described more particularly as follows:

### BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.& M., PLEASANT GROVE, UTAH, MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 19: THENCE S.89'44'08"W. A DISTANCE OF 966.19 FEET ALONG THE SECTION LINE AND NORTH A DISTANCE OF 852.11 FEET TO THE REAL POINT OF BEGINNING.

THENCE EAST A DISTANCE OF 120.31 FEET; THENCE S.00°02'35"W. A DISTANCE OF 39.11 FEET; THENCE S.89°57'25"E. A DISTANCE OF 54.47 FEET; THENCE S.00°03'58"W. A DISTANCE OF 134.95 FEET; THENCE N.89°57'25"W. A DISTANCE OF 37.38 FEET; THENCE N.00°02'35"E. A DISTANCE OF 62.98 FEET; THENCE WEST A DISTANCE OF 160.69 FEET; THENCE N.00°13'05"E. A DISTANCE OF 111.17 FEET; THENCE S.89°46'55"E. A DISTANCE OF 23.00 FEET TO THE POINT OF BEGINNING. CONTAINING 22,214 S.F. OR 0.51 ACRES.

# FOURTH REVISED EXHIBIT "C" PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

Phase	Building No.	Unit No.	Percentage of Ownership Interest
1	В	1	0.4115%
1	В	2	0.4115%
1	В	3	0.4115%
1	С	1	0.4115%
1	C	2	0.4115%
1	С	3	0.4115%
2	L	1	0.4115%
	L	2	0.4115%
2 2 2 2 2 2 2 2 2 2 2 2	L	3	0.4115%
2	L	4	0.4115%
2	L	5	0.4115%
2	L	6	0.4115%
2	L	7	0.4115%
2	L	8	0.4115%
2	L	9	0.4115%
2	L	10	0.4115%
2	L	11	0.4115%
2	L	12	0.4115%
3	K	1	0.4115%
3	K	2	0.4115%
3	K	3	0.4115%
3	K	4	0.4115%
3	K	5	0.4115%
3	K	6	0.4115%
3	K	7	0.4115%
3 3 3	K	8	0.4115%
3	K	9	0.4115%
3	K	10	0.4115%
3	K	11	0.4115%
3	K	12	0.4115%

Phase	Building No.	Unit No.	Percentage of Ownership Interest
4	D	1	0.4115%
4	D		0.4115%
4	D	2 3	0.4115%
4	Е	1	0.4115%
4	Е	2	0.4115%
4	Е	3	0.4115%
4	F	1	0.4115%
4	F	2 3	0.4115%
4	F	3	0.4115%
5	G	1	0.4115%
5 5 5	G	2 3	0.4115%
5	G	3	0.4115%
5	Н	1	0.4115%
5 5 5	Н	2 3	0.4115%
5	Н	3	0.4115%
6	I	1	0.4115%
6	I	2 3	0.4115%
6	I	3	0.4115%
6	J	1	0.4115%
6	J	2 3	0.4115%
6	J	3	0.4115%
7	N	1	0.4115%
7	N	2	0.4115%
7	N	3	0.4115%
7	N	4	0.4115%
7	N	5	0.4115%
7	N	6	0.4115%
7	N	7	0.4115%
7	N	8	0.4115%
7	N	9	0.4115%
7	N	10	0.4115%
7	N	11	0.4115%
7	N	12	0.4115%

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11 A 2 0.4115%	
11 A 3 0.4115%	

11

Phase	Building No.	Unit No.	Percentage of Ownership Interest
12	Y	1	0.4115%
12	Y	2	0.4115%
12	Y	3	0.4115%
12	Y	4	0.4115%
12	Y	5	0.4115%
12	Y	6	0.4115%
12	Y	7	0.4115%
12	Y	8	0.4115%
12	Y	9	0.4115%
12	Y	10	0.4115%
12	Y	11	0.4115%
12	Y	12	0.4115%
13	Z	1	0.4115%
13	Z	2	0.4115%
13	Z	3	0.4115%
13	AA	1	0.4115%
13	AA	2	0.4115%
13	AA	3	0.4115%
14	BB	1	0.4115%
14	BB	2	0.4115%
14	BB	3	0.4115%
14	CC	1	0.4115%
14	CC	2	0.4115%
14	CC	3	0.4115%
15	DD	1	0.4115%
15	DD	2 3	0.4115%
15	DD	3	0.4115%
15	EE	1	0.4115%
15	EE	2	0.4115%
15	EE	3	0.4115%
15	FF	1	0.4115%
15	FF	2 3	0.4115%
15	FF	3	0.4115%

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Phase	Building No.	Unit No.	Percentage of Ownership Interest
16	GG	1	0.4115%
16	GG	2	0.4115%
16	GG	3	0.4115%
16	НН	1	0.4115%
16	НН	2	0.4115%
16	НН	3	0.4115%
17	II	1	0.4115%
17	II	2	0.4115%
17	II	3	0.4115%
17	JJ	1	0.4115%
17	JJ	2 3	0.4115%
17	JJ	3	0.4115%
18	P	1	0.4115%
18	P	2	0.4115%
18	P	3	0.4115%
18	P	4	0.4115%
18	P	5	0.4115%
18	P	6	0.4115%
18	P	7	0.4115%
18	P	8	0.4115%
18	P	9	0.4115%
18	P	10	0.4115%
18	P	11	0.4115%
18	P	12	0.4115%
19	Q	1	0.4115%
19	Q	2 3	0.4115%
19	Q		0.4115%
19	Q	4	0.4115%
19	Q	5	0.4115%
19	Q Q Q Q Q Q Q Q Q Q Q	6	0.4115%
19	Q	7	0.4115%
19	Q	8	0.4115%
19	Q	9	0.4115%
19	Q	10	0.4115%
19	Q	11	0.4115%
19	Q	12	0.4115%

Phase	Building No.	Unit No.	Percentage of Ownership Interest
20	R	1	0.4115%
20	R	2	0.4115%
20	R	3	0.4115%
20	R	4	0.4115%
20	R	5	0.4115%
20	R	6	0.4115%
20	R	7	0.4115%
20	R	8	0.4115%
20	R	9	0.4115%
20	R	10	0.4115%
20	R	11	0.4115%
20	R	12	0.4115%
21	T	1	0.4115%
21	T	2	0.4115%
21	T	3	0.4115%
21	T	4	0.4115%
21	T	5	0.4115%
21	T	6	0.4115%
21	T	7	0.4115%
21	T	8	0.4115%
21	T	9	0.4115%
21	T	10	0.4115%
21	T	11	0.4115%
21	T	12	0.4115%
22	U	1	0.4115%
22	U	2	0.4115%
22	U	3	0.4115%
22	U	4	0.4115%
22	U	5	0.4115%
22	U	6	0.4115%
22	U	7	0.4115%
22	U	8	0.4115%
22	U	9	0.4115%
22	U	10	0.4115%
22	U	11	0.4115%
22	U	12	0.4115%
23	V	1	0.4115%
23	V	2	0.4115%
23	v	3	0.4115%
23	V	4	0.4115%
23	V	5	0.4115%
<b>4</b> 3	•	J	0.111070

Phase	Building No.	Unit No.	Percentage of Ownership Interest
23	V	6	0.4115%
23	V	7	0.4115%
23	V	8	0.4115%
23	V	9	0.4115%
23	V	10	0.4115%
23	V	11	0.4115%
23	V	12	0.4115%
24	W	1	0.4115%
24	W	2	0.4115%
24	W	3	0.4115%
24	W	4	0.4115%
24	W	5	0.4115%
24	W	6	0.4115%
24	W	7	0.4115%
24	W	8	0.4115%
24	W	9	0.4115%
24	W	10	0.4115%
24	W	11	0.4115%
24	W	12	0.4115%
25	X	1	0.4115%
25	X	2	0.4115%
25	X	3	0.4115%
25	X	4	0.4115%
25	X	5	0.4115%
25	X	6	0.4115%
25	X	7	0.4115%
25	X	8	0.4115%
25	X	9	0.4115%
25	X	10	0.4115%
25	X	11	0.4115%
25	X	12	0.4115%
TOTAL:			100.0%

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