

ENT 26663 BK 2715 PG 287  
NINA B REID UTAH CO RECORDER BY NB  
1990 AUG 17 11:53 AM FEE 14.50  
RECORDED FOR ROWLEY LAND TITLE COMPANY

✓

THIRD SUPPLEMENTARY DECLARATION TO  
THE AMENDED AND RESTATED DECLARATION OF  
COVENANTS, EASEMENTS, CONDITIONS, AND RESTRICTIONS  
ESTABLISHING A PLAN OF OWNERSHIP FOR  
PEACHTREE ESTATES, A CONDOMINIUM DEVELOPMENT (EXPANDABLE).

THIS THIRD SUPPLEMENTARY DECLARATION is made this  
19th day of JUNE, 1990 by R. SCOTT MCQUARRIE, President  
of McQuarrie and Co. General Partner of McZKESON LIMITED  
PARTNERSHIP

RECITALS

- A. Peach Tree Estates (the "Development") is a condominium project located in the City of Provo, County of Utah, State of Utah.
- B. On March 23, 1989, Declarant's predecessor in interest Bryce Nelson Construction, Inc., caused to be recorded the Amended and Restated Declaration of Covenants, Easements, Conditions and Restriction Establishing a Plan of Ownership For Peachtree Estates, A Condominium Development (Expandable) (The "Amended and Restated Declaration") in Book 2585 at Page 23 et suite, as Entry No. 7295 with the office of the Recorder, Utah County, State of Utah.
- C. Pursuant to the Utah Condominium Ownership Act and Article 13.5 of the Amended and Restated Declaration, Declarant is entitled to annex into the Development the real property referred to in the Amended and Restated Declaration as "Additional Land", in Exhibit "B", thereto.
- D. Declarant is the record owner of the Additional Land and desires to annex a portion of the same into the Development to become subject to the Amended and Restated Declaration and the Act.
- E. There currently exists in the Development Fifty Eight (58) Units in Twenty (20) buildings. This Third Supplementary Declaration and the Peachtree Estates Condominium Phase VI Map to be recorded concurrently herewith, expands the Development to include four (4) additional Units in two (2) additional Buildings.

NOW THEREFORE, declarant hereby makes this Third Supplementary Declaration:

1

ARTICLE I  
DEFINITIONS

Except as otherwise may be defined herein or as may be required by the context, all terms, phrases or expressions defined in Article I of the Amended and Restated Declaration shall have the same defined meanings when used in this Third Supplementary Declaration, including the Recitals.

ARTICLE II  
SUBMISSION

Declarant hereby submits to the provision of the Act, as Additional Land associated with the Development, that certain parcel of real property situated in Utah County, State of Utah, described in Exhibit "A", attached hereto and made a part hereof, as the same is set forth in that certain Map entitled "PEACHTREE ESTATES CONDOMINIUMS PHASE "VI" filed and recorded concurrently herewith in the Office of the Recorder, Utah County, State of Utah.

ARTICLE III  
PROPERTY RIGHTS

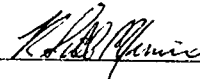
Exhibit "D" to the Amended and Restated Declaration is hereby amended as set forth in Revised Exhibit "D", attached hereto and made a part hereof, which Exhibit reallocates the undivided interests in the Common Areas of each Owner appurtenant to each such Owner's Unit, which interests are equal and in the percentages of fraction set forth in said Revised Exhibit "D" hereto.

ARTICLE IV  
GENERAL

Except as modified and Amended by this Third Supplementary Declaration, all of the terms and provisions of the Amended and Restated Declaration are hereby expressly ratified and confirmed and shall remain in full force and effect and shall apply to the Development as expanded

IN WITNESS WHEREOF, Declarant has duly executed this Third Supplementary Declaration the day and Year First above written.

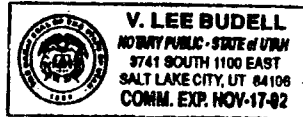
DECLARANT:



R. Scott McQuarrie, President  
of McQuarrie and Co. General  
Partner of McZKESON LIMITED  
PARTNERSHIP

STATE OF UTAH  
COUNTY OF UTAH

On June 19, 1990, personally appeared before me R. SCOTT MCQUARRIE, President of McQuarrie and Co. General Partner of McZKESON LIMITED PARTNERSHIP the signer of the within instrument, who duly acknowledge to me that he executed the same.



  
NOTARY PUBLIC

EXHIBIT  
THIRD SUPPLEMENTARY DECLARATION TO  
AMENDED AND RESTATED DECLARATION OF  
COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS  
ESTABLISHING A PLAN OF OWNERSHIP FOR  
PEACHTREE ESTATES, A CONDOMINIUM DEVELOPMENT (EXPANDABLE)

PEACHTREE PHASE VI  
PROVO, UTAH  
6-19-90

BOUNDARY DESCRIPTION

COMMENCING AT A POINT LOCATED N89°46'21"E ALONG THE SECTION LINE 1279.20  
FEET AND EAST 944.72 FEET FROM THE SOUTH 1/4 CORNER OF  
SECTION 12, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND  
MERIDIAN; THENCE

N45°59'14"W	138.66'	
N00°10'03"E	72.00'	ALONG PHASE IV PEACHTREE ESTATES CONDO. DEV.
S89°49'57"E	25.00'	ALONG PHASE IV PEACHTREE ESTATES CONDO. DEV.
N00°10'03"E	47.92'	ALONG PHASE IV PEACHTREE ESTATES CONDO. DEV.
S89°49'57"E	75.00'	ALONG PHASE V PEACHTREE ESTATES CONDO. DEV.
S00°10'03"W	215.97'	TO THE POINT OF BEGINNING.

AREA = 0.358 ACRES

REVISED  
EXHIBIT "D"  
TO  
AMENDED AND RESTATED DECLARATION OF  
COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTION  
ESTABLISHING A PLAN OF OWNERSHIP FOR  
PEACHTREE ESTATES, A CONDOMINIUM DEVELOPMENT (EXPANDABLE)

ALLOCATION OF UNDIVIDED OWNERSHIP INTEREST

<u>Building and Unit Designation</u>	<u>Phase</u>	<u>Unit Description</u>	<u>Percentage Interest</u>
927 South 200 West #1	I	A	1.6129
927 South 200 West #2	I	C	1.6129
927 South 200 West #3	I	B	1.6129
927 South 200 West #4	I	C	1.6129
927 South 200 West #5	I	B	1.6129
927 South 200 West #6	I	A	1.6129
933 South 200 West #7	I	A	1.6129
933 South 200 West #8	I	C	1.6129
933 South 200 West #9	I	B	1.6129
933 South 200 West #10	I	A	1.6129
939 South 200 West #11	I	A	1.6129
939 South 200 West #12	I	C	1.6129
939 South 200 West #13	I	B	1.6129
939 South 200 West #14	I	C	1.6129
939 South 200 West #15	I	B	1.6129
939 South 200 West #16	I	A	1.6129
945 South 200 West #17	I	C	1.6129
945 South 200 West #18	I	B	1.6129
945 South 200 West #19	I	C	1.6129
945 South 200 West #20	I	A	1.6129
936 South 200 West #21	I	A	1.6129
936 South 200 West #22	I	C	1.6129
936 South 200 West #23	I	A	1.6129
936 South 200 West #24	I	B	1.6129
936 South 200 West #25	I	C	1.6129
936 South 200 West #26	I	A	1.6129

CONTINUED OVER....

<u>Building and Unit designation</u>	<u>Phase</u>	<u>Unit Description</u>	<u>Percentage Interest</u>
966 South 200 West #1	II	A	1.6129
968 South 200 West #2	II	A	1.6129
974 South 200 West #3	II	A	1.6129
976 South 200 West #4	II	A	1.6129
986 South 200 West #5	II	A	1.6129
988 South 200 West #6	II	A	1.6129
238 West 1020 South #7	II	A	1.6129
236 West 1020 South #8	II	A	1.6129
224 West 1020 South #9	II	A	1.6129
222 West 1020 South #10	II	A	1.6129
994 South 200 West #11	II	A	1.6129
992 South 200 West #12	II	A	1.6129
237 West 1020 South #1	III	D	1.6129
237 West 1020 South #2	III	D	1.6129
237 West 1020 South #3	III	D	1.6129
237 West 1020 South #4	III	D	1.6129
1072 South 200 West #5	III	D	1.6129
1072 South 200 West #6	III	D	1.6129
1072 South 200 West #7	III	D	1.6129
1048 South 200 West #8	III	D	1.6129
1048 South 200 West #9	III	D	1.6129
1048 South 200 West #10	III	D	1.6129
1003 South Freedom Blvd.#1	IV	E	1.6129
1005 South Freedom Blvd.#2	IV	E	1.6129
1017 South Freedom Blvd.#3	IV	E	1.6129
1019 South Freedom Blvd.#4	IV	E	1.6129
967 South Freedom Blvd. #5	V	E	1.6129
969 South Freedom Blvd. #6	V	E	1.6129
981 South Freedom Blvd. #7	V	E	1.6129
983 South Freedom Blvd. #8	V	E	1.6129
995 South Freedom Blvd. #9	V	E	1.6129
997 South Freedom Blvd. #10	V	E	1.6129

CONTINUED OVER

<u>Building and Unit designation</u>	<u>Phase</u>	<u>Unit Description</u>	<u>Percentage Interest</u>
1009 South Freedom Blvd. #11	VI	E	1.6129
1011 South Freedom Blvd. #12	VI	E	1.6129
1025 South Freedom Blvd. #13	VI	E	1.6129
1027 South Freedom Blvd. #14	VI	E	1.6129