

Recording requested and  
when recorded, return to:

VP Daybreak Operations LLC  
11248 Kestrel Rise Road, Suite 201  
South Jordan, UT 84009  
Attention: Cameron Jackson

13828166  
11/19/2021 09:49 AM \$66.00  
Book - 11271 Pg - 3124-3132  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
VP DAYBREAK OPERATIONS LLC  
11248 KESTREL RISE RD #201  
SOUTH JORDAN UT 84009  
BY: DHA, DEPUTY -- WI 9 P.

APNs: See Exhibit "A"

**SUPPLEMENT TO CORRECTED DECLARATION OF CONDOMINIUM OF GARDEN  
PARK CONDOMINIUMS  
(WITHDRAWING CERTAIN LOTS)**

**THIS SUPPLEMENT TO CORRECTED DECLARATION OF CONDOMINIUM OF GARDEN PARK CONDOMINIUMS (WITHDRAWING CERTAIN LOTS)** (this "Supplement") is made and entered into as of this 18<sup>th</sup> of November, 2021, by **VP DAYBREAK OPERATIONS LLC**, a Delaware limited liability company, as successor-in-interest to Kennecott Land Company, a Delaware corporation, as declarant ("**Declarant**") under that certain Corrected Declaration of Condominium of Garden Park Condominiums, Phase 1, recorded February 12, 2000, as Entry No. 10896618, Book 9803, beginning at Page 6231 of the Official Records of Salt Lake County, as subsequently amended and supplemented from time to time (collectively, the "**Declaration**"), and is consented to by Ivory Homes, LTD, a Utah limited partnership ("**Ivory Homes**") and Garden Park Village Condominium Owners' Association, Inc., a Utah nonprofit corporation (the "**Association**").

**RECITALS:**

- A. Pursuant to the Declaration, Declarant has established the Garden Park Condominium Project (the "**Project**") initially consisting of various "Units" as more particularly defined and described therein. The Project is located within the community commonly known as "*Daybreak*" located in South Jordan, Utah.
- B. Pursuant to that certain Supplement to Declaration for Garden Park Condominiums Phase 1 (Adding Additional Land – Phase 6), recorded September 28, 2016, as Entry No. 12375727, in Book 10481, beginning at Page 2661 of the Official Records of Salt Lake County (the "**Supplement**"), certain additional Units within the "Property" (as defined in the Supplement) were added to the Project and subjected to the Declaration.
- C. Declarant desires, pursuant to the authority reserved unto Declarant, under that certain Community Charter for Daybreak, which was recorded as Entry No. 8989518, in Book, 8950, beginning at 7784 of the Official Records of Salt Lake County, Utah (the "**Master Residential Declaration**") and the terms of Article 16 of the Declaration, to withdraw certain lots from the Declaration, the Garden Park Condominium project, and from the governance of the Association, and Ivory Homes and the Association consent to such withdraw.

NOW, THEREFORE, Declarant hereby declares the following:

1. **Definitions.** Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Declaration.
2. **Withdrawal from Declaration.** Pursuant to the authority vested and reserved in Declarant (as "Founder" thereunder) as set forth in Chapter 16 and 17 of the Master Residential Declaration, and Article 16 of the Declaration, Declarant hereby withdraws those certain lots legally described in **Exhibit A** attached hereto and incorporated herein by this reference (the "**Withdrawn Property**") from the Project and unsubjects the Withdrawn Property to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration, which shall no longer be of force or effect with respect to the Withdrawn Property. Declarant, as the fee simple owner of the Withdrawn Property, hereby consents to the removal of the Withdrawn Property from the Project and the termination of the Declaration solely with respect to the Withdrawn Property. From and after the recordation of this Supplement, the Withdrawn Property shall be held, transferred, sold, conveyed, developed, and occupied free from the encumbrance of the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration, including the governance of the Association.
3. **Amendment to Total Number of Units and Maximum Ownership Interests.** Notwithstanding anything contained in the Declaration (and any previous supplements thereto) to the contrary, upon recordation of this Supplement, the Project shall be deemed to have twenty-one (21) less Units for a total of sixty-two (62) total Units in the Project. Accordingly, upon recordation of this Supplement, each Owner will be deemed to have a maximum 1/62<sup>nd</sup> undivided interest in the Common Area.
4. **Amendment to Allocated Interest of Each Unit in the Common Expenses of the Project.** Notwithstanding anything contained in the Declaration to the contrary, upon recordation of this Supplement, each Unit shall have a 1/62<sup>nd</sup> Allocated Interest in the Common Expenses.
5. **Replacement of Exhibit D of the Declaration.** **Exhibit D** of the Declaration is hereby deleted in its entirety and replaced with **Exhibit D-1** attached hereto and incorporated herein by this reference. All references to "**Exhibit D**" in the Declaration shall hereafter refer to **Exhibit D-1**.
6. **Quitclaim by the Association.** The Association hereby consents to the withdraw of the Withdrawn Property and quitclaims any rights, title or interest to the Withdrawn Property and to any common areas therein.
7. **Full Force and Effect.** Except as specifically amended hereby, the Declaration remains in full force and effect.
8. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated herein by this reference.

[Signatures on the Following Page]

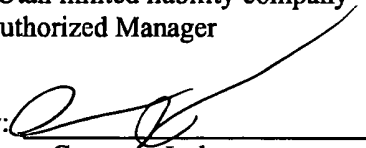
IN WITNESS WHEREOF, as of this 11/18, 2021, Declarant has executed this Supplement, and Ivory Homes and the Association have consented to the same.

**Declarant:**

**VP DAYBREAK OPERATIONS LLC,**  
a Delaware limited liability company

By: Miller Family Real Estate, L.L.C.,  
a Utah limited liability company

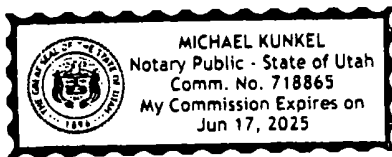
Its: Authorized Manager

By:   
Name: Cameron Jackson  
Its: VP Residential Operations

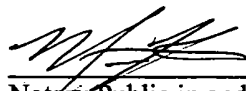
STATE OF UTAH                                    )  
  :SS,  
COUNTY OF SALT LAKE                        )

On Nov. 18, 2021, personally appeared before me, a Notary Public, Cameron Jackson, the Vice President of Residential Operations, the Authorized Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.



[SEAL]

  
\_\_\_\_\_  
Notary Public in and for said State

My commission expires: June 17, 2025

Ivory:

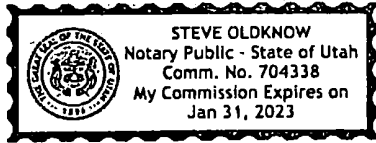
IVORY HOMES, LTD,  
a Utah limited partnership

By: [Signature]  
Name: Ryan Tesch  
Its: CEO

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

On Nov. 18, 2021, personally appeared before me, a Notary Public,  
RYAN TESCH, the CEO of IVORY HOMES, LTD, a Utah limited  
partnership, personally known or proved to me to be the person whose name is subscribed to the  
above instrument who acknowledged to me that he executed the above instrument on behalf of  
IVORY HOMES, LTD, a Utah limited partnership.

WITNESS my hand and official Seal.



[Signature]  
Notary Public in and for said State

My commission expires: JAN 31, 2023

[SEAL]

Association:

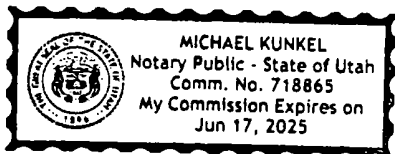
**GARDEN PARK VILLAGE  
CONDOMINIUM OWNERS'  
ASSOCIATION, INC.,**  
a Utah nonprofit corporation

By: *[Signature]*  
Name: Courtney Palmer  
Its: President

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

On Nov 18, 2021, personally appeared before me, a Notary Public,  
Courtney Palmer, the President of GARDEN PARK VILLAGE  
CONDOMINIUM OWNERS' ASSOCIATION, INC., a Utah nonprofit corporation, personally  
known or proved to me to be the person whose name is subscribed to the above instrument who  
acknowledged to me that he executed the above instrument on behalf of GARDEN PARK  
VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, INC., a Utah nonprofit corporation.

WITNESS my hand and official Seal.



[SEAL]

*[Signature]*  
Notary Public in and for said State

My commission expires: June 17, 2025

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE WITHDRAWN PROPERTY**

UNITS 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 307, 308, 309, 410, 402, 403, 404, 405 AND 406 OF GARDEN PARK CONDOMINIUMS, PHASE 6 AMENDING LOT T4 OF AMENDED LOTS B2, B3, OS2, T4, V4, V7 & WTC2 KENNECOTT MASTER SUBDIVISION #1

ALL OF THE COMMON AREA, CONTAINED WITHIN THE GARDEN PARK CONDOMINIUMS, PHASE 6 AMENDING LOT T4 OF AMENDED LOTS B2, B3, OS2, T4, V4, V7 & WTC2 KENNECOTT MASTER SUBDIVISION # 1, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON SEPTEMBER 28, 2016 IN SALT LAKE COUNTY, AS ENTRY NO. 12375726 IN BOOK 2016P AT PAGE 253 (AS SAID RECORD OF SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE SUPPLEMENT TO DECLARATION OF CONDOMINIUM FOR GARDEN PARK CONDOMINIUMS, PHASE 1 (ADDING ADDITIONAL LAND - PHASE 6) RECORDED ON SEPTEMBER 28, 2016 IN SALT LAKE COUNTY, AS ENTRY NO. 12375727 IN BOOK 10481 AT PAGE 2661 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED).

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

Tax Parcel Nos. 26-24-256-024-0000, 26-24-256-003-0000, 26-24-256-004-0000, 26-24-256-005-0000, 26-24-256-006-0000, 26-24-256-007-0000, 26-24-256-008-0000, 26-24-256-009-0000, 26-24-256-010-0000, 26-24-256-011-0000, 26-24-256-012-0000, 26-24-256-013-0000, 26-24-256-014-0000, 26-24-256-014-0000, 26-24-256-016-0000, 26-24-256-017-0000, 26-24-256-018-0000, 26-24-256-019-0000, 26-24-256-020-0000, 26-24-256-021-0000, 26-24256-022-0000 and 26-24256-023-0000

**EXHIBIT D-1**

**GARDEN PARK CONDOMINIUMS, PHASE 1, 3, 4, 5 & 7**  
Updated Schedule of Units, Square Footage,  
Votes and Undivided Interests in Common Areas

<b>Unit Identifying Number</b>	<b>Unit Type</b>	<b>Approx. Sq. Footage of Unit</b>	<b>Undivided Interest Per Unit</b>	<b>No. of Votes Per Unit</b>
<b>Phase 1</b>				
101	condo	930	1/62 <sup>nd</sup>	1
102	condo	1097	1/62 <sup>nd</sup>	1
103	condo	1097	1/62 <sup>nd</sup>	1
104	condo	1193	1/62 <sup>nd</sup>	1
105	condo	947	1/62 <sup>nd</sup>	1
106	condo	1384	1/62 <sup>nd</sup>	1
107	condo	1097	1/62 <sup>nd</sup>	1
108	condo	1095	1/62 <sup>nd</sup>	1
109	condo	1193	1/62 <sup>nd</sup>	1
110	condo	1412	1/62 <sup>nd</sup>	1
<b>Phase 3</b>				
301	condo	781	1/62 <sup>nd</sup>	1
302	condo	930	1/62 <sup>nd</sup>	1
303	condo	1098	1/62 <sup>nd</sup>	1
304	condo	1098	1/62 <sup>nd</sup>	1
305	condo	1658	1/62 <sup>nd</sup>	1
306	condo	1791	1/62 <sup>nd</sup>	1
307	condo	1099	1/62 <sup>nd</sup>	1
308	condo	1099	1/62 <sup>nd</sup>	1
309	condo	955	1/62 <sup>nd</sup>	1
310	condo	1038	1/62 <sup>nd</sup>	1
311	condo	1002	1/62 <sup>nd</sup>	1
312	condo	691	1/62 <sup>nd</sup>	1
313	condo	1291	1/62 <sup>nd</sup>	1
<b>Phase 4</b>				
401	condo	785	1/62 <sup>nd</sup>	1

402	condo	937	1/62 <sup>nd</sup>	1
403	condo	1099	1/62 <sup>nd</sup>	1
404	condo	1122	1/62 <sup>nd</sup>	1
405	condo	1613	1/62 <sup>nd</sup>	1
406	condo	1791	1/62 <sup>nd</sup>	1
407	condo	1099	1/62 <sup>nd</sup>	1
408	condo	1122	1/62 <sup>nd</sup>	1
409	condo	932	1/62 <sup>nd</sup>	1
410	condo	1036	1/62 <sup>nd</sup>	1
411	condo	1002	1/62 <sup>nd</sup>	1
412	condo	696	1/62 <sup>nd</sup>	1
413	condo	1291	1/62 <sup>nd</sup>	1
Phase 5				
501	condo	785	1/62 <sup>nd</sup>	1
502	condo	937	1/62 <sup>nd</sup>	1
503	condo	1099	1/62 <sup>nd</sup>	1
504	condo	1099	1/62 <sup>nd</sup>	1
505	condo	1657	1/62 <sup>nd</sup>	1
506	condo	1791	1/62 <sup>nd</sup>	1
507	condo	1099	1/62 <sup>nd</sup>	1
508	condo	1122	1/62 <sup>nd</sup>	1
509	condo	932	1/62 <sup>nd</sup>	1
510	condo	1037	1/62 <sup>nd</sup>	1
511	condo	1001	1/62 <sup>nd</sup>	1
512	condo	696	1/62 <sup>nd</sup>	1
513	condo	1292	1/62 <sup>nd</sup>	1
Phase 7				
701	condo	1613	1/62 <sup>nd</sup>	1
702	condo	1122	1/62 <sup>nd</sup>	1
703	condo	1099	1/62 <sup>nd</sup>	1
704	condo	925	1/62 <sup>nd</sup>	1
705	condo	1056	1/62 <sup>nd</sup>	1
706	condo	1790	1/62 <sup>nd</sup>	1



707	condo	1291	1/62 <sup>nd</sup>	1
708	condo	691	1/62 <sup>nd</sup>	1
709	condo	1002	1/62 <sup>nd</sup>	1
710	condo	1037	1/62 <sup>nd</sup>	1
711	condo	927	1/62 <sup>nd</sup>	1
712	condo	1122	1/62 <sup>nd</sup>	1
713	condo	1099	1/62 <sup>nd</sup>	1

- \* All references to unit designations refer to such numbers and designations as contained on the Plats.
- \*\* All square footages are approximate and may vary by up to as much as 10% per unit.