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FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF
DAYBREAK HILL (PHASE I)
AN EXPANDABLE CONDOMINIUM COMMUNITY

1550
COUNTY TITLE
SALT LAKE COUNTY
OFFICE
1986
Ervin Group
DAYBREAK HILL
CONDOMINIUM PROJECT

KATHLEEN L. ERVIN
RECORDER
SALT LAKE COUNTY,
UTAH
Jul 7 2 40 PM '86

THIS FIRST AMENDMENT TO DECLARATION is made on the date set forth at the end hereof by The Ervin Group, a Utah corporation, hereinafter called "Declarant," for itself, its successors, grantees and assigns, pursuant to the condominium Ownership Act of the State of Utah.

RECITALS

A. In January, 1986, Declarant executed a Declaration of Condominium of Daybreak Hill Phase I, an Expandable Condominium Community (the "Declaration") as part of a Plan for the Daybreak Hill Condominium Project (the "Project"), which Declaration was recorded in the Office of the County Recorder of Salt Lake County, State of Utah, on January 24, 1986, as Entry No. 4193526 in Book 5730 at Page 1590. The Declaration and the Map submitted to the provisions of the Act and following described real property situated in Salt Lake County, State of Utah, to wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

B. Declarant desires pursuant to Section 27 of the Declaration to amend the Declaration to add two parcels to Exhibit "B" describing Additional Land.

NOW, THEREFORE, for such purposes, Declarant hereby makes the following Amendment to Declaration:

1. Section 36(f)(6) is amended to read in its entirety as follows:

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(6) Assuming that only Phase One of the original Declaration is completed the minimum number of Units would be sixteen (16) and the maximum Percentage Interest of each Unit would be 6.25% percent. Assuming all Phases are completed and all Additional Land is added to the Project the maximum number of Units shall be one hundred nine (109) and the minimum Percentage Interest of each Unit would be .92%. Provided, however, the number of Units actually constructed and the actual Percentage Interest of each Unit may actually be somewhere in between.

2. Exhibit "B" is amended by the addition to the "Description of Additional Land" of the following-described parcels located in Salt Lake County:

BEGINNING at a point which is South 0°00'50" West 437 feet from the East quarter corner of Section 22, Township 2 South, Range 1 West, Salt Lake Meridian; thence South 88°25'20" West 298.115 feet; thence South 0°00'50" West 69.22 feet; thence North 86°50'40" East 298.45 feet more or less; thence North 0°00'50" East 61 feet to BEGINNING. LESS STREET 0.40 acres more or less.

BEGINNING at a point which is South 0°00'50" West 249 feet and South 88°25'20" West 298.115 feet from the East quarter corner of Section 22, Township 2 South, Range 1 West, Salt Lake Meridian; thence South 88°25'20" West 428.165 feet; thence South 269 feet; thence North 86°50'40" East 428.65 feet; thence North 0°00'50" East 257.22 feet to the point of BEGINNING. Containing 2.59 acres more or less.

3. Effective Date. This Amendment to Declaration shall take effect upon recording.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment to Declaration this ____ day of July, 1986.

THE ERVIN GROUP, a Utah corporation

ATTEST:

Robert F. Balch
Secretary

By Rodney K. Erickson
Vice President

5787-365

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

On the 2 day of July, 1986, personally appeared before me Rodney Erickson and Robert Salomich, who being by me duly sworn, did say that they are the Vice President and Secretary respectively of The Ervin Group, a Utah corporation and the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors and they duly acknowledged to me that said corporation executed the same.

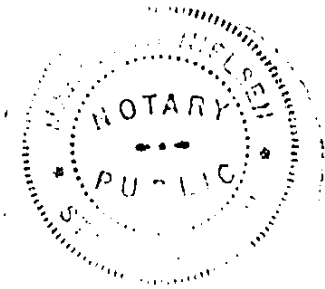
Marshall Nelson

Notary Public
Residing at Salt Lake City, Utah

My Commission Expires:

3-20-90

SCM1495F



PH 5787 PH 366

EXHIBIT "A"

PARCEL I - Beginning at a Point which is SOUTH 498.00 feet and SOUTH 86°50'40" West 33.05 feet from the East Quarter Corner of Section 22, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence SOUTH 260.00 feet; thence SOUTH 86°50'40" WEST 223.95 feet; thence NORTH 3°09'20" WEST 126.00 feet; thence NORTH 86°50'40" EAST 42.00 feet; thence NORTH 3°09'20" WEST 133.61 feet; thence NORTH 86°50'40" EAST 196.26 feet to the Point of Beginning.