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Book - 9898 Pg - 9147-9152
Gary W. Ott
Recorder, Salt Lake County, UT
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BY: eCASH, DEPUTY - EF 6 P.

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11/30/2010 2:37:00 PM \$32.00
Book - 9884 Pg - 862-866
Gary W. Ott
Recorder, Salt Lake County, UT
HOBBS & OLSON
BY: eCASH, DEPUTY - EF 6 P.~~

**THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE SIGNATORY'S
TITLE AND NOTARY ACKNOWLEDGEMENT**

**AMENDMENT NO. 1
TO CORRECTED DECLARATION OF CONDOMINIUM OF
GARDEN PARK CONDOMINIUMS PHASE I, IN SALT LAKE COUNTY, UTAH**

**THIS AMENDMENT NO. 1 TO CORRECTED DECLARATION OF
CONDOMINIUM OF GARDEN PARK CONDOMINIUMS, PHASE I, IN SALT LAKE
COUNTY, UTAH** (this "Amendment") dated NOVEMBER 29, 2010 is made and
executed by KENNECOTT LAND COMPANY, a Delaware corporation (the "Declarant").

RECITALS

A. The Declaration of Condominium of Garden Park Condominiums, Phase I, in Salt Lake County, Utah was recorded in the office of the Salt Lake County Recorder by the Declarant, Kennecott Land Company, on January 8, 2010, as Entry No. 10875802, in Book No. 9795, beginning at page 5909.

B. The Corrected Declaration of Condominium of Garden Park Condominiums, Phase I, in Salt Lake County, Utah (the "Declaration") was recorded in the office of the Salt Lake County Recorder by the Declarant, Kennecott Land Company, on February 12, 2010, as Entry No. 10896618, in Book No. 9803, beginning at page 6231.

C. Declarant is still in control of the Garden Park Condominiums Owners' Association, Inc. (the "Association"), as none of the events outlined in Section 5.14 (Declarant Control of the Association) of the Declaration has occurred.

D. Section 15.2 (Amendments by Declarant After First Sale) of the Declaration provides the Declarant the right to unilaterally amend the Declaration in the exercise of its rights set forth in the Declaration. Accordingly, the Declarant desires to amend the Declaration as set forth herein.

E. From and after the recording of this Amendment, the Declaration, as Amended by this and other Amendments, shall remain in full force and effect with respect to the property described in Exhibit "A" attached hereto. Any reference to the Declaration in any document shall include this Amendment.

F. The purpose of this Amendment is to outline leasing restrictions of Units within the Association, pursuant to Section 7.1(b) of the Community Charter for Daybreak, as amended by Amendment No. 5, recorded on November 24, 2010 as Entry No. 11082445, in Book No. 9882, beginning at page 1049. (The "Charter Rental Restriction").

NOW, THEREFORE, the Declaration is amended as follows:

1. Amendment Regarding Leasing Restrictions. Paragraph 9.16 of the Declaration is amended by inserting the following paragraph, immediately following "...for the collection thereof."

No more than twenty percent (20%) of Units sold directly to an Owner by a Builder may be leased at any given time prior to the Owner occupying the Unit for a continuous period of twelve (12) months. No percentage limitations apply to Units, regardless of whether the Unit was sold directly to an Owner by a Builder or not, that are otherwise eligible for leasing pursuant to the provisions of the Charter Rental Restriction, and these Units shall not be considered part of this allowance.

IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the Effective Date.

DECLARANT:

KENNECOTT LAND COMPANY,
A Delaware corporation

By: [Signature]

Name: TM MCCUTCHEON

Title: PRESIDENT

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

On November 29, 2010, personally appeared before me, a Notary Public, Ty McUtchedn, the President of KENNECOTT LAND COMPANY, a Delaware 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 KENNECOTT LAND COMPANY, a Delaware corporation.

WITNESS my hand and official Seal.



[Signature]
NOTARY PUBLIC

CORRECTED SIGNATURE PAGE

IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the Effective Date.

DECLARANT:

KENNECOTT LAND COMPANY,
A Delaware corporation

By: 

Name: Ty McCutcheon

Title: Vice President Daybreak

ACKNOWLEDGEMENT

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

On January 18, 2011, personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President Daybreak of KENNECOTT LAND COMPANY, a Delaware 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 KENNECOTT LAND COMPANY, a Delaware corporation.

WITNESS my hand and official Seal.


NOTARY PUBLIC

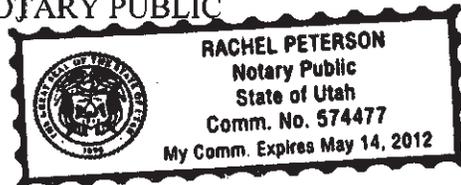


EXHIBIT A

**LEGAL DESCRIPTION
PARCEL**

The following described real property, located in Salt Lake County, Utah, is the Parcel referred to in the Declaration:

ALL OF PARCELS A & B OF THE KENNECOTT DAYBREAK VILLAGE 4A PLAT 3 SUBDIVISION AMENDED AND EXTENDED, RECORDED IN BOOK 2009P, AT PAGE 166.

BEING MORE PARTICULARLY DISCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING NORTH 89°58'42" WEST - 2677.868 FEET BETWEEN THE SOUTHEAST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 24) AND RUNNING SOUTH 89°52'04" EAST ALONG THE SOUTH LINE OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN FOR A DISTANCE OF 170.434 FEET; THENCE NORTH 00°07'56" EAST PERPENDICULAR TO THE SOUTH LINE OF SAID SECTION 19 FOR 4376.691 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 36°32'54" EAST FOR 119.99 FEET; THENCE SOUTH 53°27'06" WEST FOR 220.00 FEET; THENCE NORTH 36°32'54" WEST FOR 100.07 FEET; THENCE NORTH 53°27'06" EAST FOR 120.00 FEET; THENCE NORTH 36°32'54" WEST FOR 19.92 FEET; THENCE NORTH 53°27'06" EAST FOR 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,008 SQUARE FEET OR 0.5511 ACRES, MORE OR LESS

TAX PARCEL NOS. 27-19-101-005-0000 AND 27-19-101-004-0000

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND

All of the real property described on that certain plat entitled "GARDEN PARK CONDOMINIUMS, PHASE 3, Amending Parcels K and L of Kennecott Daybreak Village 4A Multifamily No. 1 Subdivision", recorded on 13 JUNE, 2010, as Entry No. 10922740, Book 7010P, at Page 104 of the Official Records of Salt Lake County, Utah.

Being more particularly described as follows:

Commencing at the Southeast corner Section 24 Township 3 South Range 2 West Salt Lake Base and Meridian (basis of bearing being N89°58'42"W 2,677.863 feet between the Southeast corner and the South quarter corner of said Section 24) and running along the South line of Section 24 N89°58'42"W 802.25 feet; thence North 3,919.10 feet to the point of beginning; then N36°32'54"W 120.08 feet along the East Right-of-Way line of Oakmond Road; thence N53°27'06"E 226.00 feet to a point on the West Right-of-Way line of Arugla Drive; thence S36°32'54"E 100.00 feet along the Right-of-Way line of Arugla Drive to a point on the North Right-of-Way line of Alley 28; thence along said Right-of-Way line S53°27'06"W 120.00 feet to an intersection point of South and West Right-of-way lines of Alley 28 and Alley 29; thence S36°32'54"E 20.08 feet along the West Right-of-Way Alley 29; thence S53°27'06"W 106.0 feet to the POINT OF BEGINNING.

Contains 0.5677 acres - 10 units.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

All of the real property described on and subdivided by the plat entitled "GARDEN PARK CONDOMINIUMS, PHASE 1 Amending Parcels A and B of Kennecott Daybreak Village 4A Plat 3 Subdivision" recorded on January 8, 2010, as Entry No. 10875801, Book 2010P, at Page 6 of the Official Records of Salt Lake County, Utah.

TAX PARCEL NOS.:

27-19-102-001-0000
27-19-102-002-0000
27-19-102-003-0000
27-19-102-004-0000
27-19-102-005-0000
27-19-102-006-0000
27-19-102-007-0000
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