

6550641

WHEN RECORDED RETURN TO:
MDM Corporation
Preston Miller
4625 South 2300 East #212
Salt Lake City, Utah 84117

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01/16/97 10:30 AM 137.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MDM CORPORATION
REC BY: V ASHBY DEPUTY - WI

FIRST SUPPLEMENT TO THE SIXTH AMENDMENT: AMENDED & RESTATED
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS
FOR
JEFFERSON PLACE, A Condominium Project

This FIRST SUPPLEMENT to the SIXTH AMENDMENT: AMENDED & RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for the JEFFERSON PLACE CONDOMINIUM PROJECT is made and executed this 13th day of December, 1996 by MDM CORPORATION of 4625 South 2300 East #212, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, on or about the 3rd day of October, 1996 Declarant executed the Sixth Amendment: Amended and Restated Declaration of Covenants, Conditions and Restrictions for Jefferson Place which was recorded in the Office of the County Recorder of Salt Lake County, Utah on the 16 day of ~~December~~ December 1997, as Entry No. 6550639, in Book _____, at Page _____, (the "Declaration"). The related Record of Survey Maps have also been recorded.

Whereas, under Article III, Section 36 of the Declaration, Declarant reserved an option to expand the Project in accordance with the Act until seven (7) years from the date following the first conveyance of a Unit in the Additional Land to a purchaser.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "B-5" attached hereto and incorporated herein by this reference (the "Phase V Property"). Declarant desires to expand the Project by creating on the Phase V Property a residential condominium development.

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of the Office of Veterans Affairs, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant now intends that the Phase V Property

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shall become subject to the Act and the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant desires to adopt this First Supplement to the Sixth Amendment: Amended & Restated Declaration of Covenants, Conditions and Restrictions for Jefferson Place, a Condominium Project.

1. Supplement to Definitions. Article I of the Declaration entitled "Definitions" is hereby modified to include the following supplemental definitions:

A. First Supplemental Declaration shall mean and refer to this First Supplement to the Declaration.

B. First Supplemental Phase V Map shall mean and refer to the Record of Survey Map of Phase V of the Project, prepared and certified to by Richard W. Miller, a duly registered Utah Land Surveyor holding Certificate No. 4776 and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplemental Declaration.

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

2. Legal Description. The real property described in Exhibit B-5 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 this First Supplemental Declaration:

3. Annexation. Declarant hereby declares that the Phase V Property shall be annexed to and become subject to the Declaration which, upon recordation of this First Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit B-5 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase V Map, eight (8) additional Units are created in the Project on the Phase V Property. Said additional Units are located within a single building situated on a portion of the Additional Land. Upon the recordation of the Phase V Map and this First Supplemental Declaration, the total number of Units in the Project will be 112. The said additional Units are substantially similar in construction, design and quality to the Units in the prior Phases.

5. Percentage Interest Revised. Pursuant to the Act and

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the Declaration, Declarant is required, with the additional Units, to reallocate the Percentage Interest. Revised Exhibit "A" to the Declaration is deleted in its entirety and "First Revised Exhibit 'A'" attached is substituted in lieu thereof and incorporated herein by this reference. The Percentage Interests set forth in First Revised Exhibit "A" have been computed on the basis of par value.

6. Effective Date. The effective date of this First Supplemental Declaration and the Phase V Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first above written.

MDM CORPORATION

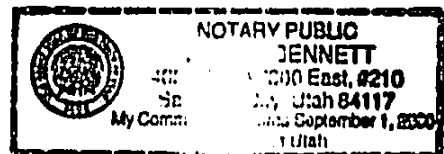
BY: *Preston Miller*
TITLE: Preston Miller

BY: *Tony V. DiVino*
TITLE: Tony V. DiVino

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

On the ___ day of December, 1996, personally appeared before me PRESTON MILLER and TONY V. DIVINO, who by me being duly sworn, did say that they are the Board of Directors of MDM CORPORATION, a Utah Corporation, and that the within and foregoing instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors, and said PRESTON MILLER and TONY V. DIVINO, duly acknowledged to me that said Corporation executed the same.

[Signature]
NOTARY PUBLIC
Residing At:
Commission Expires:



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EXHIBIT B-5

The Land referred to in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

BEGINNING AT A POINT NORTH 00°10'22" EAST 1167.01 FEET AND EAST 290.63 FEET AND S 02°25'15" W 90.75 FEET AND S 33°28'31" W 28.92 FEET FROM THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON OR NEAR THE WESTERLY BERM OF THE GALENA CANAL:

THENCE S 33°28'31" W, 122.12 FEET ALONG SAID BERM;
THENCE S 52°37'34" W, 21.96 FEET ALONG SAID BERM;
THENCE N 49°22'24" W, 76.89 FEET;
THENCE N 41°00'22" E, 9.12 FEET;
THENCE N 51°31'12" W, 22.30 FEET;
THENCE N 86°59'18" W, 15.89 FEET;
THENCE N 52°02'55" W, 18.82 FEET;
THENCE N 42°01'11" E, 72.07 FEET;
THENCE N 52°30'23" E, 22.28 FEET;
THENCE S 30°41'56" E, 27.34 FEET;
THENCE S 79°38'05" E, 99.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,075 SQ. FT. OR 0.3231 ACRES, MORE OR LESS.

-POOR COPY-
CO. RECORDER

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SECOND REVISED EXHIBIT "A"
 PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST
 (This is an Expandable Condominium Project.)

<u>BLDG.</u> <u>UNIT NO.</u>	<u>SIZE</u> <u>(Square Footage)</u>	<u>PAR</u> <u>VALUE</u>	<u>PERCENTAGE OF</u> <u>OWNERSHIP INTEREST</u>
<u>PHASE NO. 1</u>			
ONE			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548
TWO			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548
THREE			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548
FOUR			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548

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<u>BLDG.</u> <u>UNIT NO.</u>	<u>SIZE</u> <u>(Square Footage)</u>	<u>PAR</u> <u>VALUE</u>	<u>PERCENTAGE OF</u> <u>OWNERSHIP INTEREST</u>
FIVE			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548

PHASE NO. 2

SIX			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548
G	1320	119	1.0487
H	1320	119	1.0487

SEVEN			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548
G	1320	119	1.0487
H	1320	119	1.0487

PHASE NO. 3

FOURTEEN			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548

FIFTEEN			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548

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<u>BLDG.</u> <u>UNIT NO.</u>	<u>SIZE</u> <u>(Square Footage)</u>	<u>PAR</u> <u>VALUE</u>	<u>PERCENTAGE OF</u> <u>OWNERSHIP INTEREST</u>
G	1320	119	1.0487
H	1320	119	1.0487
SIXTEEN			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548
G	1320	119	1.0487
H	1320	119	1.0487
SEVENTEEN			
A	921	97	.8548
B	921	97	.8548
C	1320	119	1.0487
D	1320	119	1.0487
E	921	97	.8548
F	921	97	.8548
G	1320	119	1.0487
H	1320	119	1.0487
EIGHTEEN			
A	921	97	.8548
B	921	97	.8548
C	921	97	.8548
D	921	97	.8548
E	921	97	.8548
F	921	97	.8548
G	921	97	.8548
H	921	97	.8548
<u>PHASE NO. 4</u>			
EIGHT			
A	1026	97	.8548
B	1026	97	.8548
C	1026	97	.8548
D	1026	97	.8548
E	1026	97	.8548
F	1026	97	.8548
G	1026	97	.8548
H	1026	97	.8548

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<u>BLDG.</u> <u>UNIT NO.</u>	<u>SIZE</u> <u>(Square Footage)</u>	<u>PAR</u> <u>VALUE</u>	<u>PERCENTAGE OF</u> <u>OWNERSHIP INTEREST</u>
<u>PHASE NO. 5</u>			
NINE			
A	1026	97	.8548
B	1026	97	.8548
C	1026	97	.8548
D	1026	97	.8548
E	1026	97	.8548
F	1026	97	.8548
G	1026	97	.8548
H	1026	97	.8548
TOTAL			100%

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