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27-17-162-001

AMENDMENT TO DECLARATION

FOR

OQUIRRH PARK CONDOMINIUMS
RECORD OF SURVEY MAP OF PHASE 2-2

BOOK 8484 PAGE 3875

**AMENDMENT TO DECLARATION
FOR
OQUIRRH PARK CONDOMINIUM**

THIS AMENDMENT TO DECLARATION is made this 26th day of July, 2001, by Oquirrh Shadows II, LLC, a Utah Limited Liability Company, O. Park, LLC, a Utah Limited Liability Company, and Holmes Homes, Inc., a Utah Company (together with its successors and assigns "Declarant").

RECITALS

A. Declarant desires to amend its original Declaration of Condominium for Oquirrh Park Phase 2 filed in this matter regarding land located at 10575 South 4000 West, South Jordan, UT 84065, which land is located in the County of Salt Lake, State of Utah, and is more particularly described on Exhibit A attached hereto and made part hereof.

B. Declarant is amending the original and underlying Declaration of Condominium for Oquirrh Park Phase 2 Condominium recorded 2/01/01 as Document #7811516 in Book 8420 Pages 7116 to 7123 the "Amendment to Declaration."

C. Specifically, Declarant is converting certain land described in the Original Declaration referenced as Tract - 2, Phase 2-2 Convertible Land Area 5:21 Units, pursuant to Article XVIII of the underlying Declaration.

AMENDED DECLARATION

In consideration of the foregoing, Declarant hereby declares as follows:

1.01 Conversion of Tract - 2 Phase 2-2 Convertible Land Area 5: 21 Units.

- (i). Declarant hereby converts Land Area 5 as more particularly described in the Original Declaration and supplemental map recorded herewith.
- (ii). The supplemental map specifically sets forth each of the 21 Units, their location and dimensions, along with any limited common elements pertinent only to the Converted Land Area and Units therein.
- (iii). The new or additional General Common Elements to the Converted Land Area consists of a Roads, and Open Space.

2.01 Common Area.

The prior Common Elements specified in the Original Declaration at Article 3.03 shall continue to be common area for the entire project including the converted units pursuant to this Amended Declaration.

3.01 Description of Condominium Units.

Any deed, lease, mortgage, deed of trust, or other instruments conveying, encumbering, or otherwise affecting the condominium unit shall describe the interest or estates substantially as follows:

[Unit 21], contained within Oquirrh Park Condominiums Tract - 2 Phase 2-2 Convertible Land Area 5 as the same is identified in the record of Survey Map recorded in Salt Lake County, Utah, on _____, 2001 as Entry No. ____ (as said Record of Survey Map shall have heretofore been amended or supplemented) and in the Declaration of Condominium for Oquirrh Park Phase 2 Condominiums, recorded in Salt Lake County, Utah on _____, 2001 as Entry No. _____, in Book No. ____ At Page _____ (as said Declaration may have heretofore been amended or supplemented).

TOGETHER WITH the undivided ownership interest in said Condominium Project's Common Elements that is appurtenant to said Unit as more Particularly described in said Declaration.

4.01 Supplemental Map.

The Supplemental Map is the record of survey map or maps filed herewith, entitled "Oquirrh Park Condominium Tract - 2, Phase 2-2 Convertible Land Area 5 consisting of 21 Units." The Supplemental Map is executed and acknowledged by Declarant, consisting of one sheet and prepared by Ward Engineering Group, a duly registered land surveyor holding License No. 155100 as such record of Survey Map may be amended or supplemented in accordance with the laws and provisions hereof from time to time.

5.01 No Other Modifications.

But for the changes, additions and modifications set forth in this Amended Declaration, and those set forth on the Supplemental Map, the Original Declaration shall remain unchanged and in full force and effect.

Declarant has caused its name to be signed by the signature of a duly authorized officer as of the day and year first written above.

EXHIBIT A

(Attached to and forming a part of the Declaration of Condominium
for Oquirrh Park Condominiums and Amendments thereto)

Legal Description of Tract 2 Land

A copy of the Legal Description of the Land
follows this cover sheet.

Overall Boundary Description

Tract 1

Beginning at a point which lies South 00°00'01" East 1951.04 feet along the East line of Section 18, and South 89°59'59" West 40.00 feet from the Northeast corner of Section 18, Township 3 South, Range 1 West, Salt Lake Base & Meridian, said point being a point on the West right-of-way line of 4000 West Street; and traversing thence

South 00°00'01" East	2303.20 feet along
said right-of-way; thence	
North 29°31'50" West	2406.46 feet; thence
North 53°02'25" East	233.42 feet; thence
North 57°51'35" East	156.79 feet; thence
North 62°49'11" East	155.48 feet; thence
North 67°00'06" East	105.61 feet; thence
North 71°05'14" East	153.23 feet; thence
South 26°56'13" East	143.37 feet; thence
South 15°14'18" East	109.86 feet; thence
North 75°57'31" East	102.82 feet; thence
North 80°05'03" East	101.47 feet; thence
North 83°15'42" East	70.29 feet; thence
North 86°50'24" East	123.20 feet to the

point of beginning.

Containing 1,498,797 sf or 34.41 acres.

Tract 2

Beginning at a point which lies South 00°00'01" East 2021.73 feet along the East line of Section 18, and North 89°59'59" East 40.00 feet from the Northeast corner of Section 18, Township 3 South, Range 1 West, Salt Lake Base & Meridian, said point being a point on the East right-of-way line of 4000 West Street; and traversing thence

North 89°59'59" East	96.38 feet to a point on a curve to the right,
having a radius of 525.00 feet and a central angle of 90°23'59".	thence Southeasterly
along the arc of said curve a distance of 828.33 feet, said arc	
subtended by a chord bearing South 44°48'02" East, a distance of 745.05 feet; thence	
South 00°23'58" West	93.60 feet; thence
North 89°36'02" West	620.73 feet to a point on the East right-of-way line
of 4000 West Street; thence	
North 00°00'01" West	617.93 feet along said right-of-way to the point of beginning.

Containing 326,138 sf or 7.49 acres.

EXHIBIT B

(Attached to and forming a part of the Declaration of Condominium
For Oquirrh Park Condominiums and any Amendments thereto)

Legal Description of the Convertible Land
Being Converted Phase 2-2

The Legal Description follows this cover sheet.

BULK OF 410 547 MADE OUT OF
BK 548 41 PG 3662

Final Plat of Phase 2-2 - Boundary Description

Beginning at a point which lies South 00°00'01" East 2639.66 feet along the East line of Section 18, and North 89°59'59" East 40.00 feet from the Northeast corner of Section 18, Township 3 South, Range 1 West, Salt Lake Base & Meridian, said point being a point on the East right-of-way line of 4000 West Street; and traversing thence

North 00°00'01" West 155.26 feet to a point on a non-tangent curve to the left, having a radius of 25.00 feet and a central angle of 89°36'00", thence Southeasterly along the arc of said curve a distance of 39.10 feet, said arc subtended by a chord bearing South 44°48'02" East, a distance of 35.23 feet; thence South 89°36'02" East 80.07 feet to a point on a curve to the left, having a radius of 15.00 feet and a central angle of 90°23'58", thence Northeasterly along the arc of said curve a distance of 23.67 feet, said arc subtended by a chord bearing North 45°11'58" East, a distance of 21.29 feet; thence South 89°15'55" East 31.00 feet; thence North 00°00'01" West 237.51 feet to a point on a non-tangent curve to the right, having a radius of 294.00 feet and a central angle of 45°12'25", thence Southeasterly along the arc of said curve a distance of 231.97 feet, said arc subtended by a chord bearing South 56°41'25" East, a distance of 226.00 feet; thence North 55°54'48" East 100.00 feet to a point on a non-tangent curve to the left, having a radius of 394.00 feet and a central angle of 05°06'21", thence Northwesterly along the arc of said curve a distance of 35.11 feet, said arc subtended by a chord bearing North 36°38'23" West, a distance of 35.10 feet; thence North 50°48'27" East 131.00 feet to a point on a non-tangent curve to the right, having a radius of 525.00 feet and a central angle of 39°35'31", thence Southeasterly along the arc of said curve a distance of 362.78 feet, said arc subtended by a chord bearing South 19°23'47" East, a distance of 355.61 feet; thence South 00°23'58" West 93.60 feet; thence North 89°36'02" West 620.73 feet to the point of beginning.

Containing 178,851 sf or 4.11 acres.

Additional Land Area

Tract 1

Beginning at a point which lies South 00°00'01" East 1951.04 feet along the East section of Section 18, and South 89°59'59" West 40.00 feet from the Northeast corner of Section 18, Township 3 South, Range 1 West, Salt Lake Base & Meridian, said point being a point on the West right-of-way line of 4000 West Street; and traversing thence

South 00°00'01" East	1131.88 feet along said right-of-way; thence
South 89°59'59" West	120.96 feet; thence
North 00°00'01" West	14.48 feet; thence
South 89°59'59" West	129.00 feet; thence
North 00°00'01" West	115.15 feet to a point on a non-tangent curve to the right, having a radius of 217.50 feet and a central angle of 09°39'43", thence Northwesterly along the arc of said curve a distance of 36.68 feet, said arc subtended by a chord bearing North 67°02'24" West, a distance of 36.63 feet; thence
South 27°47'34" West	97.10 feet; thence
South 56°30'49" West	78.91 feet; thence
South 60°28'10" West	108.91 feet; thence
North 29°31'50" West	16.41 feet; thence
South 60°28'10" West	132.06 feet; thence
North 29°31'50" West	1163.70 feet; thence
North 53°02'25" East	233.42 feet; thence
North 57°51'35" East	156.79 feet; thence
North 62°49'11" East	155.48 feet; thence
North 67°00'06" East	105.61 feet; thence
North 71°05'14" East	153.23 feet; thence
South 26°56'13" East	143.37 feet; thence
South 15°14'18" East	109.86 feet; thence
North 75°57'31" East	102.82 feet; thence
North 80°05'03" East	101.47 feet; thence
North 83°15'42" East	70.29 feet; thence
North 86°50'26" East	123.20 feet to the point of beginning.

Containing 1,107,104 sf or 25.42 acres.

Tract 2

Beginning at a point which lies South 00°00'01" East 2021.73 feet along the East line of Section 18, and North 89°59'59" East 40.00 feet from the Northeast corner of Section 18, Township 3 South, Range 1 West, Salt Lake Base & Meridian, said point being a point on the East right-of-way line of 4000 West Street; and traversing thence

North 89°59'59" East	96.38 feet to a point on a curve to the right, having a radius of 525.00 feet and a central angle of 50°48'28", thence Southeasterly along the arc of said curve a distance of 465.55 feet, said arc subtended by a chord bearing South 64°35'47" East, a distance of 450.45 feet; thence
South 50°48'27" West	131.00 feet to a point on a non-tangent curve to the right, having a radius of 394.00 feet and a central angle of 05°06'21", thence Southeasterly along the arc of said curve a distance of 35.11 feet, said arc subtended by a chord bearing South 36°38'23" East, a distance of 35.10 feet; thence
South 55°54'48" West	100.00 feet to a point on a non-tangent curve to the left, having a radius of 294.00 feet and a central angle of 45°12'25", thence Northwesterly along the arc of said curve a distance of 231.97 feet, said arc subtended by a chord bearing North 56°41'25" West, a distance of 226.00 feet; thence
South 00°00'01" East	237.51 feet; thence
North 89°15'55" West	31.00 feet to a point on a non-tangent curve to the right, having a radius of 15.00 feet and a central angle of 90°23'58", thence Southwesterly along the arc of said curve a distance of 23.67 feet, said arc subtended by a chord bearing South 45°11'58" West, a distance of 21.29 feet; thence
North 89°36'02" West	80.07 feet to a point on a curve to the right, having a radius of 25.00 feet and a central angle of 89°36'00", thence Northwesterly along the arc of said curve a distance of 39.10 feet, said arc subtended by a chord bearing North 44°48'02" West, a distance of 35.23 feet; thence
North 00°00'01" West	462.67 feet to the point of beginning.

Containing 147,285 sf or 3.38 acres.