



ENT 10313:2018 PG 1 of 16
JEFFERY SMITH
UTAH COUNTY RECORDER
2018 Jan 31 4:14 pm FEE 174.00 BY MA
RECORDED FOR OREM CITY CORPORATION

AFTER RECORDING PLEASE RETURN TO:

Flying Horse LLC
270 East 930 South
Orem, UT 84058

**EIGHTH AMENDMENT TO
DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)

FLYING HORSE RESIDENTIAL CONDOMINIUMS
(A Convertible Land Condominium Project)
Orem City, Utah County, Utah**

THIS EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM (the “Eighth Amendment to Declaration”) is made this 29th day of December, 2017 by **FLYING HORSE, LLC**, A Utah limited liability company (“Declarant”) pursuant to the provisions of Title 57, Chapter 8 of the *Utah Code*, as amended, known as the Condominium Ownership Act (the “Act”).

RECITALS:

- A. All defined terms as used in this Eighth Amendment to Declaration shall have the meanings ascribed to them herein or, as the case may be, in the Condominium Project’s Declaration of Condominium, recorded by Declarant in the Public Records as Entry 15285:2017 on February 14, 2017, pages 1 through 35, inclusive (the “Declaration”).
- B. Declarant is the developer of the Project and recorded a Record of Survey Map therefore in the Public Records as Entry 15284:2017 Map # 15412 on February 14, 2017.
- C. Pursuant to ARTICLE II of the Declaration, and Sections 57-8-13 (3) and 57-8-13.4 of the Act, Declarant has caused a Seventh Supplemental Record of Survey map and this Eighth Amendment to Declaration to be prepared for simultaneous recordation in the Public Records in order to convert certain Convertible Land in the Project into additional Units as reflected on the Seventh Supplemental Record of Survey Map.
- D. The real property to which this Eighth Amendment to Declaration and the Seventh Supplemental Record of Survey Map are applicable is located in Orem, Utah County, Utah and is described as follows:

Commencing at a point located South 00°43'17" East along the Section line 336.06 feet and East 767.02 feet from the West quarter corner of Section 27, Township 6 South, Range 2

East, Salt Lake Base and Meridian; thence South 88°56'07" East along Christ Evangelical Church Amended 421.57 feet to Sandhill Road; thence along Sandhill Road along the arc of a 1974.00 foot radius curve to the left 448.21 feet (chord bears South 39°59'29" East 447.24 feet); thence along South Point Condominiums as follows: North 88°48'06" West 140.42 feet, South 00°30'00" East 330.82 feet; thence North 88°14'28" West 136.54 feet more or less to the easterly Right-of-Way line of Interstate 15; thence North 32°49'40" West along Interstate 15 802.29 feet to the point of beginning.

NOW, THEREFORE, Declarant hereby makes this Eighth Amendment to Declaration as follows:

1. The Declaration is hereby amended in the following particulars as a result of, and pursuant to, the conversion of a portion of the Convertible Land.
 - a. Section 2.02 of the Declaration is amended in its entirety to read as follows:

2.02 Division into Condominium Units, Minimum and Maximum

Ownership Interests. The Project is hereby divided into 134 Units as set forth on the Plat, each such Unit consisting of a Unit and an appurtenant undivided, but equal, interest in and to the Common Areas and Facilities and Convertible Space. Such Units comprise the minimum number of Units in the Project and give each Owner a maximum 1/134 (or approximately .74%) undivided interest in the Common Areas and Facilities to the extent set forth in **Exhibit "A"**. If all of the Additional Land is added into the Project pursuant Sections 2.03 and 2.04, the maximum number of Units in the Project will be 134 and each Unit Owner will have a 1/134th (or approximately 0.74%) undivided interest in the Common Areas and Facilities.

- b. **Exhibit "A"** to this amendment, in its entirety, is added to the Declaration.

2. Except as amended by the provisions of this Eighth Amendment to Declaration, the Declaration shall remain unchanged and shall constitute the entire Declaration of Condominium for the Project, reflecting the conversion of portions of the Convertible Land as described on the Seventh Supplemental Record of Survey Map and the attached **Exhibit "A"**.

3. Limited common area reassignments are determined for all plats and supplemental plats as shown on the Seventh Supplemental Record of Survey Map and supersedes any previous references or assignments. As noted, the reassignments affected both common and limited common areas. Some common area are now limited common area and some limited common area are now common area.

4. This Eighth Amendment to Declaration shall be recorded in the Public Records simultaneously with the Project's Seventh Supplemental Record of Survey Map, consisting of three sheets prepared by Roger D. Dudley, a Utah registered land surveyor holding Certificate No. 147089. Both such instruments shall be effective upon recordation.

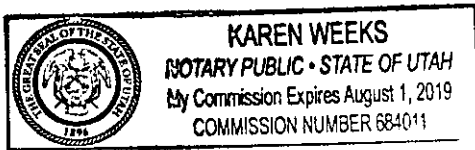
EXECUTED by Declarant on January 4, 2018



Flying Horse L.L.C.,
Bruce R. Dickerson, Manager

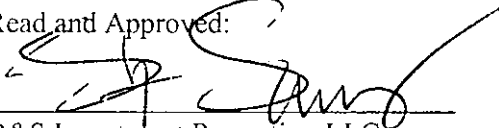
STATE OF UTAH)
 : ss
COUNTY OF UTAH)

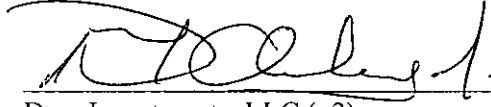
On January 4, 2018, personally appeared before me, Bruce R. Dickerson, manager of Flying Horse LLC, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

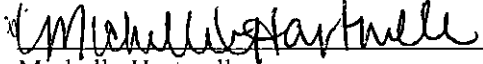


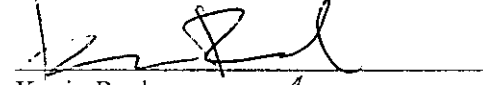
Notary Public

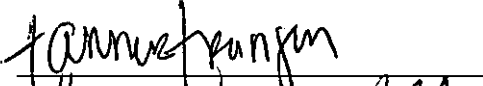
Read and Approved:

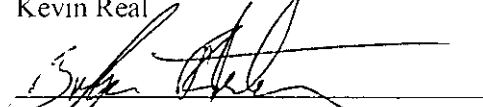

D&S Investment Properties, LLC
By: Stacy Sommers, Member

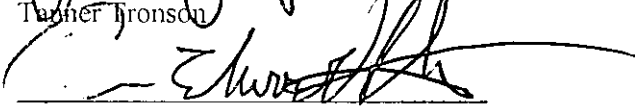

Dare Investments, LLC (x2)
By: Richard D. McCloskey Jr, Managing Member

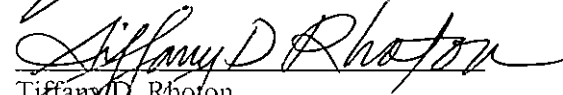

Michelle Hartwell

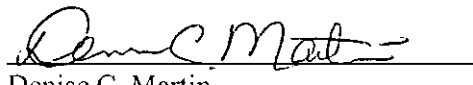

Kevin Real



Tanner Bronson



Brayden D. Rhoton



Devin Elwood Rhoton

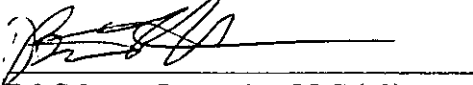

Tiffany D. Rhoton

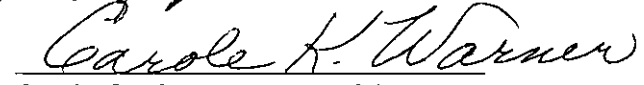

Denise C. Martin

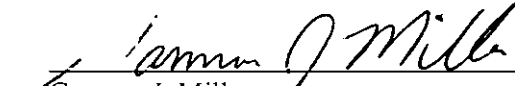

Nathan Bracken


Karen F. Weeks

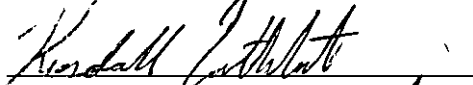

Philip B. Weeks


B&C Jarrett Properties, LLC (x2)
By: Brian Jarrett, Member



Carole K. Warner, Trustee of the
Warner Family Trust dated April 25, 2005

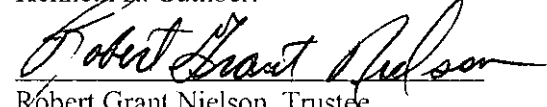

Camron J. Miller


Mariys Miller


Kendall R. Cuthbert


Kenneth R. Cuthbert

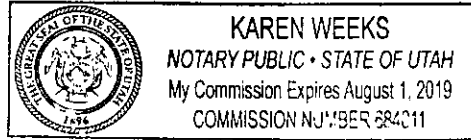

Margo R. Nielson, Trustee
The Margo R. Nielson Trust dated 9/22/15


Robert Grant Nielson, Trustee
The Margo R. Nielson Trust dated 9/22/15

State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Stacy Sommers, member of D& S Investment Properties, LLC who is the signer of the attached document, who duly acknowledged the same.

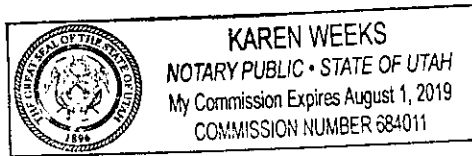
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Richard D. McCloskey, Jr. Managing Member Dare Investments, LLC who is the signer of the attached document, who duly acknowledged the same.

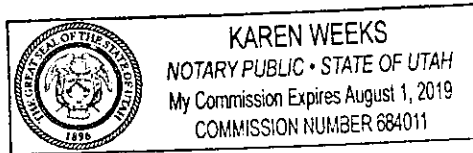
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Michelle Hartwell who is the signer of the attached document, who duly acknowledged the same.

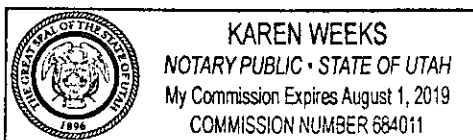
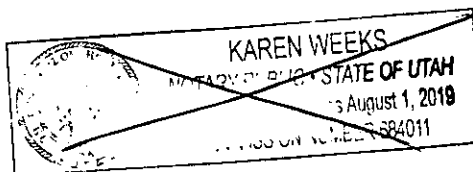
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Kevin Real who is the signer of the attached document, who duly acknowledged the same.

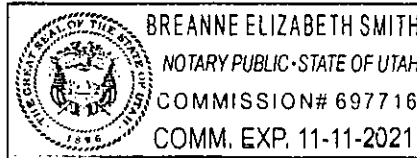
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Tanner Tronson who is the signer of the attached document, who duly acknowledged the same.

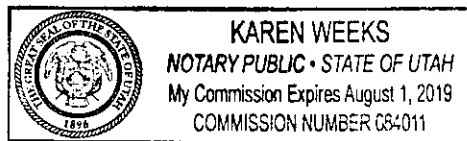
Breanne Smith
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Brayden D. Rhoton and Devin Elwood Rhoton and Tiffany D. Rhoton signers of the attached document, who duly acknowledged the same.

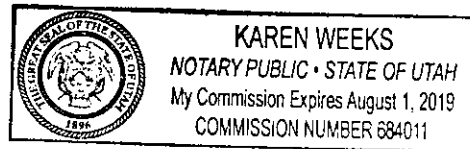
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Denise C. Martin who is the signer of the attached document, who duly acknowledged the same.

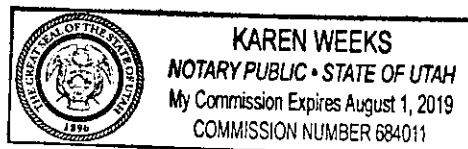
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Nathan Bracken who is the signer of the attached document, who duly acknowledged the same.

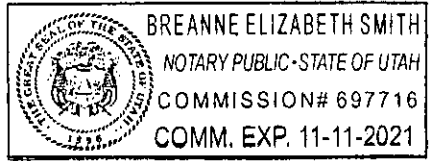
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Karen F. Weeks and Philip B. Weeks who is the signer of the attached document, who duly acknowledged the same.

Breanne Smith
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Brian Jarrett, Member of B&C Jarrett Properties, LLC who is the signer of the attached document, who duly acknowledged the same.

Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Carole K. Warner, Trustee of the Warner Family Trust dated April 25, 2005 who is the signer of the attached document, who duly acknowledged the same.

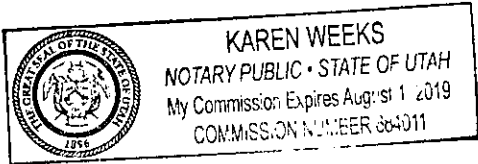
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Camron J. Miller and Marlys Miller signers of the attached document, who duly acknowledged the same.

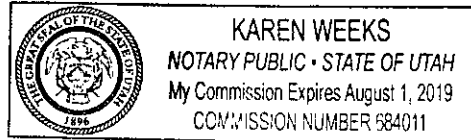
Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Kendall R. Cutherbert and Kenneth R. Cuthbert signers of the attached document, who duly acknowledged the same.

Karen Weeks
Notary Public



State of Utah)
)SS
County of Utah)

On the 16th day of January, 2018 appeared Margo R. Nielson and Robert Grant Nielson, Trustees of The Margo R. Nielson Trust dated September 22, 2015 who is the signer of the attached document, who duly acknowledged the same.

Karen Weeks
Notary Public



Exhibit "A"

DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)

OF

FLYING HORSE RESIDENTIAL CONDOMINIUMS
(A Convertible Land Condominium Project)
Orem City, Utah County, Utah

Unit No.	Interest in Common Area (Percentage)	Votes
Building A		
A101	.74%	1
A102	.74%	1
A103	.74%	1
A104	.74%	1
A105	.74%	1
A201	.74%	1
A202	.74%	1
A203	.74%	1
A204	.74%	1
A205	.74%	1
A301	.74%	1
A302	.74%	1
A303	.74%	1
A304	.74%	1
A305	.74%	1

Building H		
H101	.74%	1
H102	.74%	1
H103	.74%	1
H104	.74%	1
H201	.74%	1
H202	.74%	1
H203	.74%	1
H204	.74%	1
H301	.74%	1
H302	.74%	1
H303	.74%	1
H304	.74%	1
H401	.74%	1
H402	.74%	1
H403	.74%	1
H404	.74%	1
Building G		
G101	.74%	1
G102	.74%	1
G103	.74%	1
G104	.74%	1
G201	.74%	1
G202	.74%	1

G203	.74%	1
G204	.74%	1
G301	.74%	1
G302	.74%	1
G303	.74%	1
G304	.74%	1
G401	.74%	1
G402	.74%	1
G403	.74%	1
G404	.74%	1
Building C		
C101	.74%	1
C102	.74%	1
C103	.74%	1
C104	.74%	1
C105	.74%	1
C201	.74%	1
C202	.74%	1
C203	.74%	1
C204	.74%	1
C205	.74%	1
C301	.74%	1
C302	.74%	1
C303	.74%	1

C304	.74%	1
C305	.74%	1
C401	.74%	1
C402	.74%	1
C403	.74%	1
C404	.74%	1
C405	.74%	1
Building B		
B101	.74%	1
B102	.74%	1
B103	.74%	1
B104	.74%	1
B105	.74%	1
B201	.74%	1
B202	.74%	1
B203	.74%	1
B204	.74%	1
B205	.74%	1
B301	.74%	1
B302	.74%	1
B303	.74%	1
B304	.74%	1
B305	.74%	1

Building D		
D101	.74%	1
D102	.74%	1
D103	.74%	1
D104	.74%	1
D201	.74%	1
D202	.74%	1
D203	.74%	1
D204	.74%	1
D301	.74%	1
D302	.74%	1
D303	.74%	1
D304	.74%	1
D401	.74%	1
D402	.74%	1
D403	.74%	1
D404	.74%	1
Building E		
E101	.74%	1
E102	.74%	1
E103	.74%	1
E104	.74%	1
E201	.74%	1
E202	.74%	1

E203	.74%	1
E204	.74%	1
E301	.74%	1
E302	.74%	1
E303	.74%	1
E304	.74%	1
E401	.74%	1
E402	.74%	1
E403	.74%	1
E404	.74%	1
Building F		
F101	.74%	1
F102	.74%	1
F103	.74%	1
F104	.74%	1
F105	.74%	1
F201	.74%	1
F202	.74%	1
F203	.74%	1
F204	.74%	1
F205	.74%	1
F301	.74%	1
F302	.74%	1
F303	.74%	1

F304	.74%	1
F305	.74%	1
F401	.74%	1
F402	.74%	1
F403	.74%	1
F404	.74%	1
F405	.74%	1
TOTAL	100%	

*Percentages may be adjusted by one-thousandth of a percentage point in order to provide for a total of one hundred percent (100%).

