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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
RICHARDS KIMBLE & WINN  
2040 E MURRAY HOLLADAY RD STE  
SLC UT 84117  
BY: ZJM, DEPUTY - WI 11 P.

WHEN RECORDED RETURN TO:

RICHARDS KIMBLE & WINN, P.C.  
2040 E. Murray-Holladay Rd., Ste 106  
Salt Lake City, UT 84117

11-31

**AMENDED AND RESTATED THIRD SUPPLEMENT  
TO  
DECLARATION OF CONDOMINIUM  
FOR THE VILLAGES AT WOLF HOLLOW  
an Expandable Utah Condominium Project**

This Third Supplement to Declaration of Condominium for the Villages at Wolf Hollow is made and executed by ZM2, LLC, a Utah limited liability company, as successor declarant (the "Declarant").

**RECITALS**

Whereas, the original Declaration of Condominium for the Villages at Wolf Hollow was recorded in the office of the County Recorder of Salt Lake County, Utah on the 4th day of September, 2001 as Entry No. 7993018 in Book 8496 at Pages 6418-6445 of the Official Records, The First Supplemental Declaration of Condominium, The Villages at Wolf Hollow, relating to Phase II of the Project recorded January 13, 2003 as Entry No. 8491236, Book 8729, Pages 709-715, the Second Supplemental Declaration of Condominium, The Villages at Wolf Hollow, relating to Phase V and VI of the Project recorded January 13, 2003 as Entry No. 8491236, Book 8729, Pages 709-715, and the Third Supplemental Declaration of Condominium, The Villages at Wolf Hollow, relating to Phase III and IV of the Project recorded June 18, 2008 as Entry No. 10457018, Book 9618, Pages 6596-6601 (as so supplemented, the "Declaration").

Whereas, the related Plat Maps for Phases 1, 2, 5 and 6, of the Project have also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article II of the Declaration, the original Declarant reserved an option to expand the Project in accordance with the Act and the Declaration.

Whereas, Declarant ZM2, LLC, is the successor Declarant to the original Declarant as the developer of the Additional Property, as defined in the Declaration.

Whereas, Declarant has annexed a portion of the Additional Land into the Project for development as Phases III and IV of the Project (**Note: Phases III and IV were annexed out of numerical sequence**).

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 Exhibits A and B attached hereto and incorporated herein by this reference (collectively, "Third Supplement Property").

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

Whereas, Declarant has expanded the Project by creating on the Third Supplement Property a residential condominium development.

Whereas, no Units within the Third Supplemental Property have been sold as of the date of this Amended Third Supplement to the Declaration; however certain Units are under contract to be sold.

Whereas, Declarant has made the Third Supplement Property subject to the Act and the Declaration.

Whereas, it has become necessary to amend the Third Supplement to the Declaration to more accurately describe the Units that have been constructed within the Third Supplemental Property and to reassign the parking stalls for Units within Phase IV.

## A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this Amended Third Supplement to Declaration of Condominium for the Villages at Wolf Hollow.

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

A. **Amended Third Supplement to the Declaration** shall mean and refer to this Amended and Restated Third Supplement to Declaration of Condominium for The Villages at Wolf Hollow.

B. **Third Supplemental Map(s) or Third Supplement Property Map(s)** shall mean and refer to the Supplemental Plat Map(s) for the additional phases of the Project described on Exhibits A and B inclusive, filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Third Supplement to the Declaration.

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

2. The Third Supplement Property described in Exhibits A and B inclusive, 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 the Declaration, as supplemented.

3. Declarant hereby declares that the Third Supplement Property shall be annexed to and become subject to the Declaration, which upon recordation of this Third Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibits A and B inclusive, subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. The Declaration is hereby amended in the following particulars as a result of and pursuant to the annexation set forth above:

(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 96 Condominium Units as set forth on the Map, each such Condominium Unit consisting of a Unit and an appurtenant undivided, but equal, interest in and to the Common Areas and Facilities. Such Units comprise the minimum number of Units in the Project and give each Owner a maximum 1/96th undivided interest in the Common Areas and Facilities. All of the Additional Land is hereby added into the Project pursuant to Sections 2.03 and 2.04, the maximum number of Units in the Project being 96 and each Unit Owner now having a 1/96th (or approximately 1.0416%) undivided interest in the Common Areas and Facilities.

(b) Section 3.02 of the Declaration is amended in its entirety to read as follows:

**3.02 Description of Buildings, Parking and Storage Units.** There will be six Buildings, each containing 16 Units, four on each of four floors. A central Common Area hallway on each floor (with a stairway at one end and an elevator and a stairway wrapping around it at the other end of such hallway) provides access to each of the four Units on each floor. Each Unit has one level with either two, three, or four bedrooms and two or three bathrooms, a kitchen, living and dining area. Furthermore, each Unit may have one or more attached patios, balconies, or decks. The construction is stucco and brick over wood frame with asphalt shingle roof. Each Unit's size and configuration will vary based on the number of bedrooms and baths in the Unit; however, Unit's with similar characteristics will be basically the same size. Each Unit in the Project has appurtenant Limited Common Area parking stall, fourth floor Units each have two parking stalls, assigned to it as reflected on the Map or as provided for in this Declaration. The Map notwithstanding, the assignment of parking stalls to each Unit within Phase III shall be assigned as illustrated in Exhibit "C" and the assignment of parking stalls to each Unit within Phase IV shall be assigned as illustrated in Exhibit "D".

5. The Declaration is hereby amended in the following particulars pursuant to the authority granted to Declarant in Section 10.03 and in order to comply with the HUD/FHA guidelines for approval of governmental loans:

(a) Section 13.03 of the Declaration is amended in its entirety to read as follows:

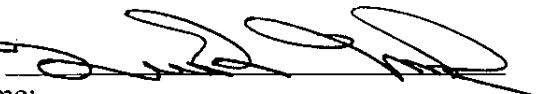
13.03 Amendment. This Declaration may be amended (as opposed to terminated) by an instrument recorded in the Public Records, which is executed either (a) by Owners who collectively hold at least sixty-seven percent (67%) of the total outstanding votes in the Association, or (b) by the Association's President and Secretary who shall certify that the required sixty-seven percent (67%) vote was obtained in a meeting of members, or by written consent, and is so documented in the records of the Association. No amendment to any provision of this Declaration which has the effect of diminishing or impairing any right, power, authority, privilege, protection, or control accorded to Declarant (in its capacity as Declarant), shall be accomplished or effective unless the instrument through which such amendment is purported to be accomplished is specifically consented to in writing by Declarant.

6. Except as amended by the provisions of this Amended Third Supplemental Declaration, the Declaration shall remain unchanged and, together with this Amended Third Supplemental Declaration, shall constitute the Declaration of Condominium for the Project as expanded by the Additional Land described herein.

7. This Amended Third Supplemental Declaration shall be recorded in the Public Records with reference to the Map entitled The Villages At Wolf Hollow Phase III, and the Map entitled The Villages At Wolf Hollow Phase IV, executed and acknowledged by Declarant, each such Map consisting of one sheet prepared by GARY W. WIER, a registered Utah land surveyor holding Certificate No. 333098, and shall be effective from the date of such recording.

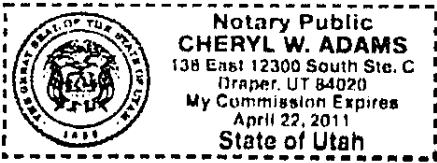
EXECUTED the 16 day of MARCH, 2009.

**ZM2, LLC**  
a Utah limited liability company

By:   
Name:  
Title: Manager

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

On the 16th day of March, 2009, personally appeared before me Zohreh Taher, who by me being duly sworn, did say that he is the Manager of ZM2, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of its Articles of Organization or a resolution of its Members, and said she duly acknowledged to me that said Company executed the same.



Cheryl W. Adams  
 NOTARY PUBLIC

**Amendment Approval**

The adoption and recording of this Amended Third Supplemental Declaration has been unanimously approved by those individuals that will be impacted by the recording of this Amended Third Supplement to the Declaration and are currently under an executory contract to purchase a Unit within the Third Supplemental Property as evidenced below.

<u>[Signature]</u> Name	<u>3-11-09</u> Date	<u>311</u> Unit No.
<u>[Signature]</u> Name	<u>3-11-09</u> Date	<u>205</u> Unit No.
<u>Jennifer Nicholson</u> Name	<u>3-11-09</u> Date	<u>207</u> Unit No.
<u>[Signature]</u> Name	<u>3-11-08</u> Date	<u>312</u> Unit No.
<u>[Signature]</u> Name	<u>3/12/09</u> Date	<u>309</u> Unit No.
<u>[Signature]</u> Name	<u>3-12-09</u> Date	<u>208</u> Unit No.
<u>Bo Sawyer</u> Name	<u>3/12/09</u> Date	<u>103</u> Unit No.
<u>[Signature]</u> Name	<u>3.13.09</u> Date	<u>10</u> Unit No.

**Exhibit A**

**THE VILLAGES AT WOLF HOLLOW**  
An Expandable Condominium Project

Phase III  
Legal Description

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 1 EAST, S.L.B.&M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE INTERSECTION OF SPRING LANE (5150 SOUTH) AND 1300 EAST STREET; THENCE N.00°07'00"E. ALONG THE CENTERLINE OF 1300 EAST STREET, A DISTANCE OF 180.28 FEET, AND WEST A DISTANCE OF 411.19 FEET TO THE REAL POINT OF BEGINNING, SAID POINT OF BEGINNING IS ALSO EAST A DISTANCE OF 1863.81 FEET AND NORTH A DISTANCE OF 171.05 FEET FROM THE CENTER OF SAID SECTION 8;

THENCE SOUTH 25.00 FEET; THENCE S.50°49'24"W. 27.37 FEET TO THE NORTHERLY RIGHT-OF-WAY OF THE VAN WINKLE EXPRESSWAY; THENCE N.39°03'40"W. ALONG SAID RIGHT-OF-WAY 363.84 FEET; THENCE EAST 227.17 FEET; THENCE S.00°07'00"W. 227.01 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT 28.00-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY 28.40 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 58°07'26" AND SUBTENDED BY A CHORD THAT BEARS S.60°56'17"E. 27.20 FEET TO THE CURVES END AND THE POINT OF BEGINNING.

CONTAINS 32,629 SQUARE FEET OR 0.75 ACRES OF LAND MORE OR LESS.

BASIS OF BEARING IS N.00°07'00"E. ALONG THE CENTERLINE OF 1300 EAST STREET, AS PER THE SALT LAKE COUNTY AREA REFERENCE PLAT.

Units that will be Included in Phase III:

Unit 1, Villages at Wolf Hollow Phase III.	Unit 9, Villages at Wolf Hollow Phase III.
Unit 2, Villages at Wolf Hollow Phase III.	Unit 10, Villages at Wolf Hollow Phase III.
Unit 3, Villages at Wolf Hollow Phase III.	Unit 11, Villages at Wolf Hollow Phase III.
Unit 4, Villages at Wolf Hollow Phase III.	Unit 12, Villages at Wolf Hollow Phase III.
Unit 5, Villages at Wolf Hollow Phase III.	Unit 13, Villages at Wolf Hollow Phase III.
Unit 6, Villages at Wolf Hollow Phase III.	Unit 14, Villages at Wolf Hollow Phase III.
Unit 7, Villages at Wolf Hollow Phase III.	Unit 15, Villages at Wolf Hollow Phase III.
Unit 8, Villages at Wolf Hollow Phase III.	Unit 16, Villages at Wolf Hollow Phase III.

**Exhibit B**

Phase IV  
Legal Description

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 1 EAST, S.L.B.&M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE INTERSECTION OF SPRING LANE (5150 SOUTH) AND 1300 EAST STREET; THENCE N.00°07'00"E. ALONG THE CENTERLINE OF 1300 EAST STREET, 180.28 FEET, AND WEST 309.36 FEET TO THE REAL POINT OF BEGINNING, SAID POINT OF BEGINNING IS ALSO EAST 1965.65 FEET AND NORTH 171.05 FEET FROM THE CENTER OF SAID SECTION 8;

THENCE WEST 101.83 FEET TO A POINT OF CURVATURE OF A 28.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY 28.40 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 58°07'26" AND SUBTENDED BY A CHORD THAT BEARS N.60°56'17"W. 27.20 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE N.00°07'00"E. 69.79 FEET; THENCE EAST 135.47 FEET; THENCE SOUTH 73.00 FEET TO A POINT OF CURVATURE OF A 10.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 90°00'00" AND SUBTENDED BY A CHORD THAT BEARS S.45°00'00"W. 14.14 FEET TO THE CURVES END AND THE POINT OF BEGINNING.

CONTAINS 11.137 SQUARE FEET OR 0.26 ACRES OF LAND MORE OR LESS.

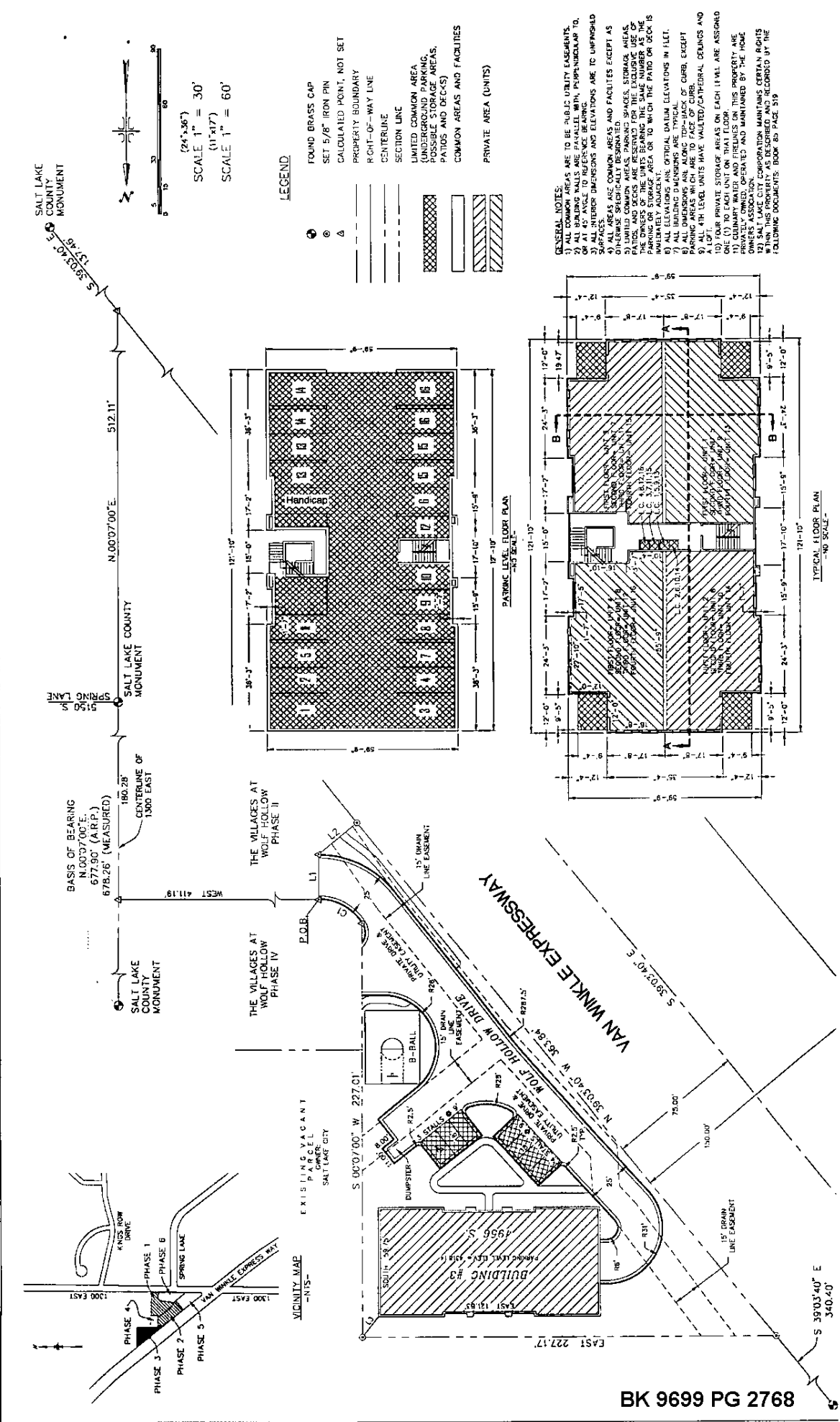
BASIS OF BEARING IS N.00°07'00"E, ALONG THE CENTERLINE OF 1300 EAST STREET, AS PER THE SALT LAKE COUNTY AREA REFERENCE PLAT.

Units Included in Phase IV:

Unit 1, Villages at Wolf Hollow Phase IV.	Unit 9, Villages at Wolf Hollow Phase IV.
Unit 2, Villages at Wolf Hollow Phase IV.	Unit 10, Villages at Wolf Hollow Phase IV.
Unit 3, Villages at Wolf Hollow Phase IV.	Unit 11, Villages at Wolf Hollow Phase IV.
Unit 4, Villages at Wolf Hollow Phase IV.	Unit 12, Villages at Wolf Hollow Phase IV.
Unit 5, Villages at Wolf Hollow Phase IV.	Unit 13, Villages at Wolf Hollow Phase IV.
Unit 6, Villages at Wolf Hollow Phase IV.	Unit 14, Villages at Wolf Hollow Phase IV.
Unit 7, Villages at Wolf Hollow Phase IV.	Unit 15, Villages at Wolf Hollow Phase IV.
Unit 8, Villages at Wolf Hollow Phase IV.	Unit 16, Villages at Wolf Hollow Phase IV.

**Exhibit C**





SALT LAKE COUNTY MONUMENT

SALT LAKE COUNTY MONUMENT

SALT LAKE COUNTY MONUMENT

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SALT LAKE COUNTY MONUMENT

SALT LAKE COUNTY MONUMENT

SALT LAKE COUNTY MONUMENT

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SALT LAKE COUNTY MONUMENT

SALT LAKE COUNTY MONUMENT

512.11'

180.28'

677.90'

678.26'

180.28'

180.28'

180.28'

180.28'

180.28'

180.28'

180.28'

180.28'

180.28'

180.28'

N.00°07'00"E

N.00°07'00"E

N.00°07'00"E

N.00°07'00"E

N.00°07'00"E

N.00°07'00"E

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N.00°07'00"E

N.00°07'00"E

S.50°24'0"E

S.50°24'0"E

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S.50°24'0"E

SCALE 1" = 30'

SCALE 1" = 60'

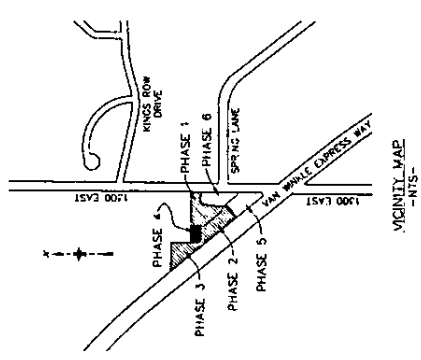
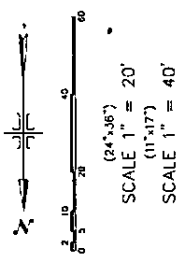
LEGEND

- FOUND BRASS CAP
- SET 5/8" IRON PIN
- △ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- CENTERLINE
- SECTION LINE
- LIMITED COMMON AREA (UNDERGROUND PARKING, POSSIBLE STORAGE AREAS, PATIOS AND DECKS)
- COMMON AREAS AND FACILITIES
- PRIVATE AREA (UNITS)

**GENERAL NOTES:**

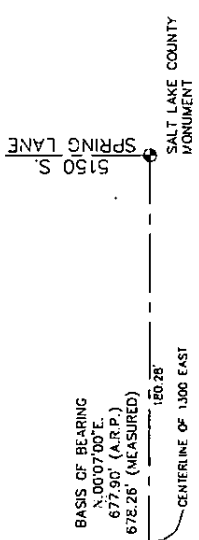
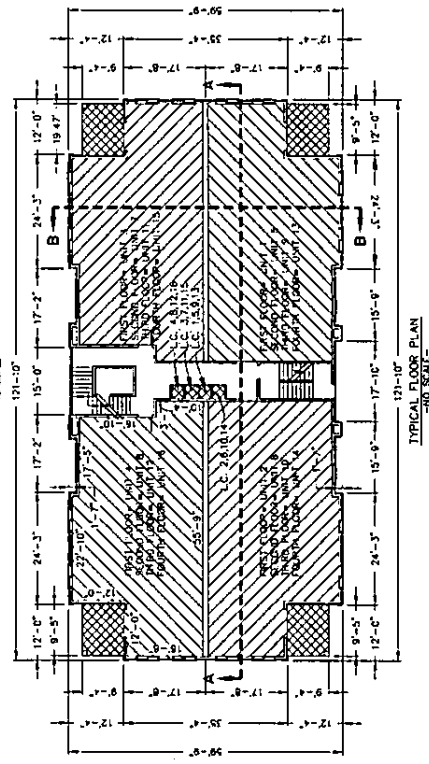
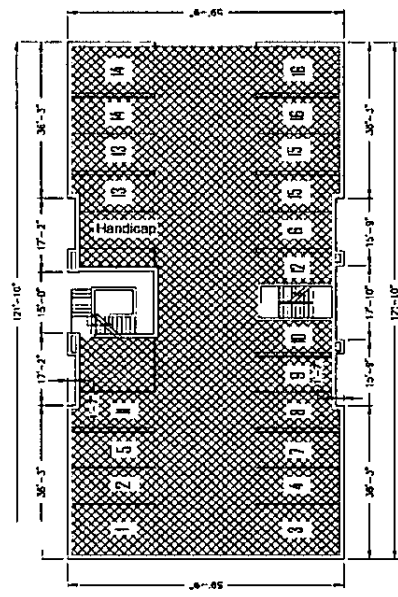
- 1) ALL COMMON AREAS ARE TO BE 30.00 SURVEY EASEMENTS.
- 2) ALL INTERIOR DIMENSIONS AND ELEVATIONS ARE TO UNFINISHED OR AT 45° ANGLE TO REFERENCE BEARING.
- 3) ALL INTERIOR DIMENSIONS AND ELEVATIONS ARE TO UNFINISHED OR AT 45° ANGLE TO REFERENCE BEARING.
- 4) ALL AREAS ARE COMMON AREAS AND FACILITIES EXCEPT AS OTHERWISE SPECIFICALLY DESIGNATED.
- 5) LIMITED COMMON AREAS, PARKING SPACES, STORAGE AREAS, PATIOS AND DECKS ARE TO BE SHOWN AS SHOWN ON THIS PLAN. THE OWNERS OF THE UNITS BEARING THE SHADE NUMBER AS THE PARKING OR STORAGE AREA OR TO WHICH THE PATIO OR DECK IS ATTACHED SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SAME.
- 6) ALL ELEVATIONS ARE TYPICAL.
- 7) ALL BUILDING DIMENSIONS ARE TYPICAL.
- 8) ALL DIMENSIONS ARE ALONG TOP-BACK OF CURB, EXCEPT AS NOTED OTHERWISE.
- 9) ALL 4TH LEVEL UNITS HAVE VALUED/CATHERED, CEILING AND A LIFT.
- 10) FOUR PRIVATE STORAGE AREAS ON EACH LEVEL ARE ASSIGNED TO EACH UNIT. THE LOCATION OF THESE AREAS IS SHOWN ON THIS PLAN. PRIVATELY OWNED OPERATED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION. CORPORATION MAINTAINS CERTAIN RIGHTS WHICH THIS PROPERTY AS DESCRIBED AND RECORDED BY THE FOLLOWING DOCUMENTS: BOOK 83 PAGE 519

**Exhibit D**



- LEGEND**
- FOUND BRASS CAP
  - ⊙ SET 5/8" IRON PIN
  - △ CALCULATED POINT, NOT SET
  - PROPERTY BOUNDARY
  - RIGHT-OF-WAY LINE
  - CENTERLINE
  - SECTION LINE
  - ▨ LIMITED COMMON AREA (UNDERGROUND PARKING, POSSIBLE STORAGE AREAS, PATIOS AND DECKS)
  - ▩ COMMON AREAS AND FACILITIES
  - ▧ PRIVATE AREA (UNITS)

CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BEG.	DELTA
C1	18.00'	38.00'	37.10'	S. 43°00' E. 180.00'	180.00°
C2	18.00'	38.00'	37.10'	S. 43°00' E. 180.00'	180.00°

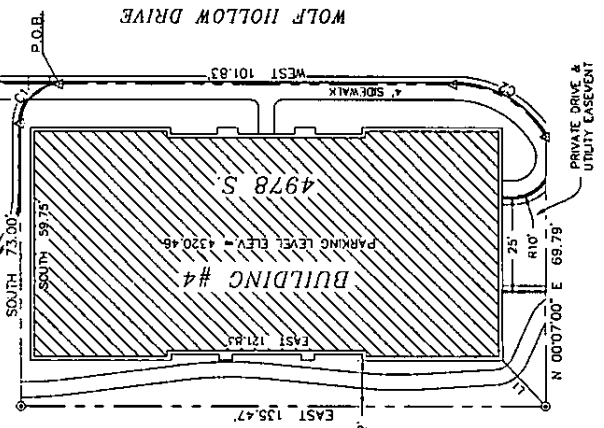


LINE	LENGTH	BEARING
L1	10.36'	S. 42°48'28" E.

BASIS OF BEARING  
N. 00°07'00" E.  
6777.90' (A.R.P.)  
6782.26' (MEASURED)

CENTERLINE OF 1,000' EAST

THE VILLAGES AT WOLF HOLLOW PHASE I



THE VILLAGES AT WOLF HOLLOW PHASE II

EXISTING VACANT PAVEMENT  
DWG. BY SALT LAKE CITY