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B

WHEN RECORDED, RETURN TO:

VP Daybreak Operations LLC  
Attention: Gary Langston  
11248 Kestrel Rise Road, Suite 201  
South Jordan, UT 84009

13191424  
02/11/2020 02:53 PM \$198.00  
Book - 10895 Pg - 2558-2570  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
VP DAYBREAK OPERATIONS  
ATTN: GARY LANGSTON  
11248 S KESTREL RISE RD #201  
SOUTH JORDAN UT 84009  
BY: CBP, DEPUTY - WI 13 P.

**SUPPLEMENT TO DECLARATION OF CONDOMINIUM  
FOR GARDEN PARK CONDOMINIUMS, PHASE 1  
(ADDING ADDITIONAL LAND – BUILDING 7)**

**THIS SUPPLEMENT TO DECLARATION OF CONDOMINIUM FOR GARDEN PARK CONDOMINIUMS, PHASE 1 (ADDING ADDITIONAL LAND - BUILDING 7)** (this “**Supplement**”) is made as of December 5, 2019, by **VP DAYBREAK OPERATIONS LLC**, a Delaware limited liability company, as successor-in-interest to Kennecott Land Company, a Delaware corporation, as declarant (“**Declarant**”) under that certain Corrected Declaration of Condominium, Phase 1, recorded on February 12, 2010, as Entry No. 10896618, in Book 9803, beginning at Page 6231 (as amended and supplemented from time to time, the “**Declaration**”), and is consented to by **IVORY HOMES, LTD**, a Utah limited partnership (“**Ivory Homes**”).

**RECITALS:**

- A.** Pursuant to the Declaration, Declarant has established the Garden Park Condominium Project (the “**Project**”) initially consisting of various residential “Units” as more particularly defined and described therein, which Units are to be improved with certain attached residential units called “condominiums”. The Project is located within the community commonly known as “*Daybreak*” located in South Jordan, Utah.
- B.** Declarant owns certain parcels of real property (“**Additional Land**”) adjacent to the Project. The Additional Land is legally described in Exhibit A, attached hereto and incorporated herein by this reference.
- C.** Declarant desires to add the Additional Land to the Project and submit and subject the same to the Declaration, as the terms, conditions, covenants and restrictions thereof now exist or may hereafter be amended.

**NOW, THEREFORE**, Declarant hereby declares the following:

- 1. Definitions.** Unless otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed to such terms in the Declaration.
- 2. Submission to Declaration.** Pursuant to Article 16 of the Declaration, Declarant hereby exercises its Option to Expand the Project and add the Additional Land to the Project, effective as of the recording of this Supplement; and Declarant submits and subjects the

Additional Land to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. Ivory Homes hereby consent to the submission of the Additional Land to the Declaration. From and after the recordation of this Supplement, the Additional Land shall be held, transferred, sold, conveyed and occupied subject to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration. In addition, the Additional Land shall be subject to the governance of the Garden Park Condominium Owners' Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.

3. **Amendment to Total Number of Units and Maximum Ownership Interests.** Notwithstanding anything contained in the Declaration (and any previous supplements thereto) to the contrary, upon recordation of this Supplement, the Project shall be deemed to include thirteen (13) additional Units for a total of eighty-three (83) Units in the Project. The Units added to the Project by this Supplement are depicted on the plat attached hereto as **Exhibit B** and incorporated herein by this reference. Accordingly, upon recordation of this Supplement, each Owner will be deemed to have a maximum 1/83<sup>rd</sup> undivided interest in the Common Area.
4. **Amendment to Allocated Interest of Each Unit in the Common Expenses of the Project.** Notwithstanding anything contained in the Declaration to the contrary, upon recordation of this Supplement, each Unit shall have a 1/83<sup>rd</sup> Allocated Interest in the Common Expenses.
5. **Replacement of Exhibit D of Declaration.** **Exhibit D** to the Declaration is hereby deleted in its entirety and replaced with **Exhibit D-1** attached hereto and incorporated herein by this reference. All references to "**Exhibit D**" in the Declaration shall hereafter refer to **Exhibit D-1**.
6. **Full Force and Effect.** The Declaration, as supplemented hereby, remains in full force and effect.
7. **Incorporation by Reference.** The Recitals and Exhibits to this Supplement are hereby incorporated into this Supplement by this reference.

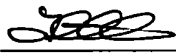
*[Signatures on Following Pages]*

IN WITNESS WHEREOF, Declarant has executed this Supplement, and Ivory Homes has consented to the same, as of the date first written above.

**Declarant:**

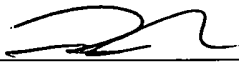
**VP DAYBREAK OPERATIONS LLC,**  
a Delaware limited liability company

By: Daybreak Communities LLC,  
a Delaware limited liability company  
Its: Project Manager

By:   
\_\_\_\_\_  
Ty McCutcheon, President & CEO

**Ivory Homes:**

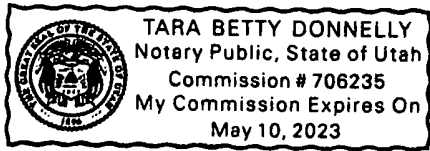
**IVORY HOMES, LTD,**  
a Utah limited partnership

By   
\_\_\_\_\_  
Name Ryan Tesch  
Title CFO

ACKNOWLEDGMENTS

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

On Dec. 5th, 2019, personally appeared before me, a Notary Public, Ty McCutcheon, President & CEO of Daybreak Communities LLC, the Project Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, 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 VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.



WITNESS my hand and official Seal.

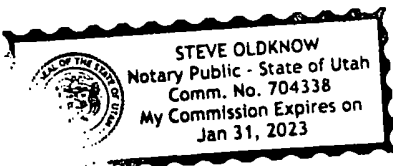
Tara Betty Donnelly  
Notary Public in and for said State  
My commission expires: 5/10/23

[SEAL]

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

On Dec 18th, 2019, personally appeared before me, a Notary Public, RYAN TESCH, the CFD of IVORY HOMES LTD, a Utah limited partnership, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he/she executed the above instrument on behalf of IVORY HOMES LTD, a Utah limited partnership.

WITNESS my hand and official Seal.



Steve Oldknow  
Notary Public in and for said State  
My commission expires: 31 JAN 2023

[SEAL]

**EXHIBIT A**

**LEGAL DESCRIPTION OF ADDITIONAL LAND  
ADDED TO PROJECT PER THIS SUPPLEMENT**

All of the real property described on that certain plat entitled "GARDEN PARK BUILDING 7 CONDOMINIUM (AMENDING PARCELS S & T KENNECOTT DAYBREAK VILLAGE 4A PLAT 5 SUBDIVISION)", recorded on February 17, 2018, as Entry No. 131914-23, in Book 10895 P, at Page 2557 of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON PLAT RECORDING]

LEGAL DESCRIPTION  
PREPARED FOR  
GARDEN PARK DAYBREAK BUILDING 7  
SOUTH JORDAN CITY, UTAH  
(September 19, 2019)  
19-0017

**BOUNDARY DESCRIPTION:**

All of Parcels S and T, KENNECOTT DAYBREAK VILLAGE 4A PLAT 5 SUBDIVISION, according to the Official Plat thereof recorded February 8, 2012 as Entry No. 11329461 in Book 2012P of Plats at Page 14 in the Office of the Salt Lake County Recorder, located in the NE1/4 of Section 24, T3S, R2W, SLB&M, more particularly described as follows:

Beginning at the Northerly corner of Parcel U, KENNECOTT DAYBREAK VILLAGE 4A PLAT 5 SUBDIVISION, according to the Official Plat thereof recorded February 8, 2012 as Entry No. 11329461 in Book 2012P of Plats at Page 14 in the Office of the Salt Lake County Recorder, located N89°58'42"W along the Section line 879.16 feet and North 3,864.28 feet from the Southeast Corner of Section 24, T3S, R2W, SLB&M; thence S53°27'06"W 110.00 feet; thence N36°32'54"W 20.08 feet; thence S53°27'06"W 120.00 feet; thence N36°32'54"W 110.00 feet; thence N53°27'06"E 230.00 feet; thence S36°32'54"E 130.08 feet to the point of beginning.

Ⓢ 26-24-282-002

Contains: 27,509 square feet or 0.63 acres+/-

**EXHIBIT B**

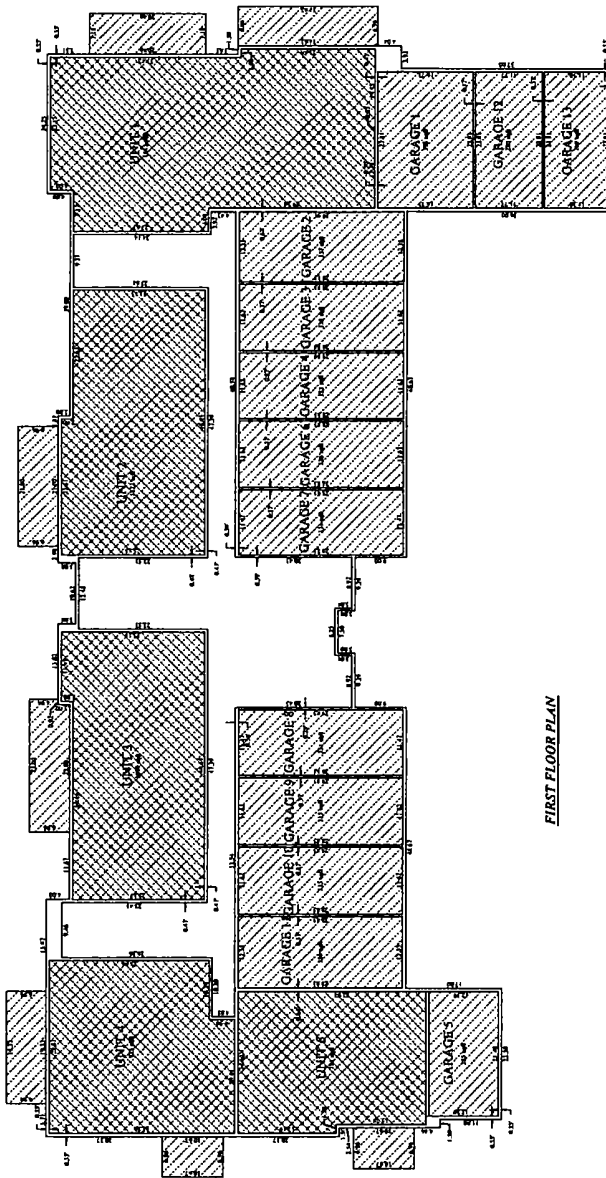
**PLAT**

[Attach Garden Park Condominiums, Building 7 Plat]

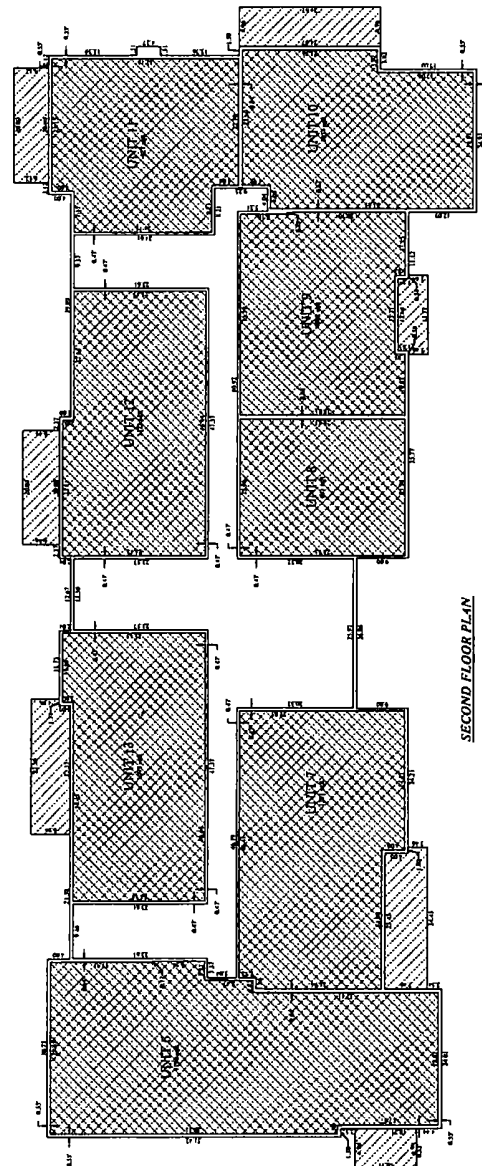


**Building**  
**GARDEN PARK CONDOMINIUMS PHASE 7**

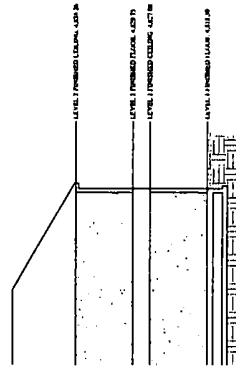
(AMENDING PARCELS S & T KENNECOTT DAYBREAK VILLAGE 4A PLAT 5 SUBDIVISION)  
 LOCATED IN THE NE1/4 OF SECTION 24, T3S, R2W,  
 SALT LAKE BASE & MERIDIAN,  
 SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH



FIRST FLOOR PLAN



SECOND FLOOR PLAN

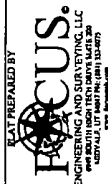


ELEVATION PLAN



SHRITZ & ASSOCIATES  
**GARDEN PARK CONDOMINIUMS PHASE 7**  
 LOCATION: THE NE1/4 OF SECTION 24, T3S, R2W,  
 SALT LAKE BASE & MERIDIAN,  
 SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

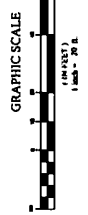
RECORDED # \_\_\_\_\_  
 DATE \_\_\_\_\_  
 SHEET # \_\_\_\_\_ OF \_\_\_\_\_  
 DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 PROJECT # \_\_\_\_\_  
 SHEET # \_\_\_\_\_ OF \_\_\_\_\_  
 SALT LAKE COUNTY RECORDS





# GARDEN PARK CONDOMINIUMS PHASE 7

(AMENDING PARCELS S & T KENNECOTT DAYBREAK VILLAGE 4A PLAT 3 SUBDIVISION)  
 LOCATED IN THE NE1/4 OF SECTION 24, T3S, R2W,  
 SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH



PLAT NUMBER	DIVISIONAL PACE LOT AREA	DIVISIONAL OVER SPACE LOT AREA	COLLECTOR STREET STEP AREA	NON-COLLECTOR STREET PACE STEP AREA	HAIR AREA DECOMMODATED TO CITY	OPEN SPACE AREA DECOMMODATED TO CITY	TOTAL	NUMBER OF LOTS	GENERAL NOTES	PLAT NUMBER	DIVISIONAL PACE LOT AREA	DIVISIONAL OVER SPACE LOT AREA	COLLECTOR STREET STEP AREA	NON-COLLECTOR STREET PACE STEP AREA	HAIR AREA DECOMMODATED TO CITY	OPEN SPACE AREA DECOMMODATED TO CITY	TOTAL	NUMBER OF LOTS	GENERAL NOTES
1	1.00	0.00	0.00	0.00	0.00	0.00	1.00	1	...	1	1.00	0.00	0.00	0.00	0.00	1.00	1	...	

RECORDED & FILED IN THE COUNTY OF SALT LAKE, UTAH, AT THE REGISTRY OF PLATS, ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

PREPARED BY  
**FOCUS**  
 ENGINEERING & ARCHITECTURE, LLC  
 100 SOUTH MAIN STREET, SUITE 100, SALT LAKE CITY, UT 84111  
 TEL: (801) 533-1111 FAX: (801) 533-1112

**EXHIBIT C**

**INTENTIONALLY OMITTED**

**EXHIBIT D-1**

**GARDEN PARK CONDOMINIUMS, PHASE 1, 3, 4, 5, 6 & 7**  
Updated Schedule of Units, Square Footage,  
Votes and Undivided Interests in Common Areas

<b>Unit Identifying Number</b>	<b>Unit Type</b>	<b>Approx. Sq. Footage of Unit</b>	<b>Undivided Interest Per Unit</b>	<b>No. of Votes Per Unit</b>
Phase 1				
101	condo	930	1/83 <sup>rd</sup>	1
102	condo	1097	1/83 <sup>rd</sup>	1
103	condo	1097	1/83 <sup>rd</sup>	1
104	condo	1193	1/83 <sup>rd</sup>	1
105	condo	947	1/83 <sup>rd</sup>	1
106	condo	1384	1/83 <sup>rd</sup>	1
107	condo	1097	1/83 <sup>rd</sup>	1
108	condo	1095	1/83 <sup>rd</sup>	1
109	condo	1193	1/83 <sup>rd</sup>	1
110	condo	1412	1/83 <sup>rd</sup>	1
Phase 3				
301	condo	781	1/83 <sup>rd</sup>	1
302	condo	930	1/83 <sup>rd</sup>	1
303	condo	1098	1/83 <sup>rd</sup>	1
304	condo	1098	1/83 <sup>rd</sup>	1
305	condo	1658	1/83 <sup>rd</sup>	1
306	condo	1791	1/83 <sup>rd</sup>	1
307	condo	1099	1/83 <sup>rd</sup>	1
308	condo	1099	1/83 <sup>rd</sup>	1
309	condo	955	1/83 <sup>rd</sup>	1
310	condo	1038	1/83 <sup>rd</sup>	1
311	condo	1002	1/83 <sup>rd</sup>	1
312	condo	691	1/83 <sup>rd</sup>	1
313	condo	1291	1/83 <sup>rd</sup>	1
Phase 4				
401	condo	785	1/83 <sup>rd</sup>	1

402	condo	937	1/83 <sup>rd</sup>	1
403	condo	1099	1/83 <sup>rd</sup>	1
404	condo	1122	1/83 <sup>rd</sup>	1
405	condo	1613	1/83 <sup>rd</sup>	1
406	condo	1791	1/83 <sup>rd</sup>	1
407	condo	1099	1/83 <sup>rd</sup>	1
408	condo	1122	1/83 <sup>rd</sup>	1
409	condo	932	1/83 <sup>rd</sup>	1
410	condo	1036	1/83 <sup>rd</sup>	1
411	condo	1002	1/83 <sup>rd</sup>	1
412	condo	696	1/83 <sup>rd</sup>	1
413	condo	1291	1/83 <sup>rd</sup>	1
Phase 5				
501	condo	785	1/83 <sup>rd</sup>	1
502	condo	937	1/83 <sup>rd</sup>	1
503	condo	1099	1/83 <sup>rd</sup>	1
504	condo	1099	1/83 <sup>rd</sup>	1
505	condo	1657	1/83 <sup>rd</sup>	1
506	condo	1791	1/83 <sup>rd</sup>	1
507	condo	1099	1/83 <sup>rd</sup>	1
508	condo	1122	1/83 <sup>rd</sup>	1
509	condo	932	1/83 <sup>rd</sup>	1
510	condo	1037	1/83 <sup>rd</sup>	1
511	condo	1001	1/83 <sup>rd</sup>	1
512	condo	696	1/83 <sup>rd</sup>	1
513	condo	1292	1/83 <sup>rd</sup>	1
Phase 6				
201	condo	1720	1/83 <sup>rd</sup>	1
202	condo	1789	1/83 <sup>rd</sup>	1
203	condo	1360	1/83 <sup>rd</sup>	1
204	condo	1360	1/83 <sup>rd</sup>	1
205	condo	1789	1/83 <sup>rd</sup>	1
206	condo	1720	1/83 <sup>rd</sup>	1
301	condo	823	1/83 <sup>rd</sup>	1

302	condo	834	1/83 <sup>rd</sup>	1
303	condo	1557	1/83 <sup>rd</sup>	1
304	condo	902	1/83 <sup>rd</sup>	1
305	condo	899	1/83 <sup>rd</sup>	1
306	condo	902	1/83 <sup>rd</sup>	1
307	condo	1557	1/83 <sup>rd</sup>	1
308	condo	834	1/83 <sup>rd</sup>	1
309	condo	823	1/83 <sup>rd</sup>	1
401	condo	1617	1/83 <sup>rd</sup>	1
402	condo	1724	1/83 <sup>rd</sup>	1
403	condo	1364	1/83 <sup>rd</sup>	1
404	condo	1364	1/83 <sup>rd</sup>	1
405	condo	1724	1/83 <sup>rd</sup>	1
406	condo	1617	1/83 <sup>rd</sup>	1
<b>Building</b>				
<b>Phase 7</b>				
701	condo	1613	1/83 <sup>rd</sup>	1
702	condo	1122	1/83 <sup>rd</sup>	1
703	condo	1099	1/83 <sup>rd</sup>	1
704	condo	925	1/83 <sup>rd</sup>	1
705	condo	1056	1/83 <sup>rd</sup>	1
706	condo	1790	1/83 <sup>rd</sup>	1
707	condo	1291	1/83 <sup>rd</sup>	1
708	condo	691	1/83 <sup>rd</sup>	1
709	condo	1002	1/83 <sup>rd</sup>	1
710	condo	1037	1/83 <sup>rd</sup>	1
711	condo	927	1/83 <sup>rd</sup>	1
712	condo	1122	1/83 <sup>rd</sup>	1
713	condo	1099	1/83 <sup>rd</sup>	1

\* All references to unit designations refer to such numbers and designations as contained on the Plats.

\*\* All square footages are approximate and may vary by up to as much as 10% per unit.