

When Recorded Return To:
Holmes DB Condos, LLC
126 West Sego Lily Dr., Ste 250
Sandy, Utah 84070

Tax ID# 26-24-179-002

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5/13/2021 3:06:00 PM \$106.00
Book - 11174 Pg - 19-25
RASHELLE HOBBS
Recorder, Salt Lake County, UT
MERIDIAN TITLE
BY: eCASH, DEPUTY - EF 7 P.

SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DB CONDOMINIUMS

(Phase 1C)

This SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DB CONDOMINIUMS (this "**Supplemental Declaration**") is executed and adopted by Holmes DB Condos, LLC, a Utah limited liability company ("**Declarant**"), and is consented to by VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company ("**Founder**").

RECITALS

A. This Supplemental Declaration shall modify and supplement that certain "Declaration of Condominium for DB Condominiums" recorded with the Salt Lake County Recorder's Office on March 23, 2021, as Entry No. 13607323, in Book 11142, beginning at Page 3852 (as amended and supplemented from time to time, the "**Declaration**").

B. Declarant is the Declarant as identified and set forth in the Declaration and is the owner of the real property subject to this Supplemental Declaration.

C. Under the terms of the Declaration, Declarant reserved the right to unilaterally expand the Project by the addition of all or a portion of the Additional Land. Declarant desires to add a portion of the Additional Land as hereinafter provided for.

D. Unless otherwise defined herein, all capitalized terms shall have the meaning defined in the Declaration.

ANNEXATION

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Additional Land**") is submitted to and properly annexed into the Declaration.

2. Plat. The Additional Land described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on that certain plat entitled **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1C AMENDING A PORTION OF LOT C-101 OF THE SOUTH STATION PLAT 3 SUBDIVISION**, which plat map is recorded with the County.

3. Submission. The Additional Land shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Unit within the Additional Land shall be a member of the DB Condominium Owners Association, a Utah nonprofit corporation (the "**Association**") and shall be entitled to all benefits and voting rights of such membership as set forth in the Declaration. Each Unit Owner is allotted voting rights in proportion to its Undivided Interest.

5. Undivided Interests. The Undivided Interests as set forth on **Exhibit B** of the Declaration and all Supplements to the Declaration recorded prior to the recording of this Supplemental Declaration shall be amended and restated as set forth in the **Exhibit B** attached hereto.

6. Apportionment of Common Expenses. In accordance with the Declaration, Common Expenses shall be apportioned among Unit Owners according to their Undivided Interest, including the Owners of Units annexed into to the Association through this Supplemental Declaration.

7. Reservation of Declarant's Rights. All rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Additional Land. The exercise of Declarant's rights concerning such Additional Land shall be governed by the terms, provisions and limitations set forth in the Declaration.

8. Definitions. Unless otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed to such terms in the Declaration.

9. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County Recorder.

[Signatures on Following Pages]

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration this 26th day of April, 2021.

DECLARANT:

HOLMES DB CONDOS, LLC,
a Utah limited liability company
By its Manager Holmes Homes, Inc.

By: 

Name: DARON SMITH

Title: Secretary

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 26 day of April, 2021, personally appeared before me Daron Smith, Sec of Holmes Homes, Inc. who by me being duly sworn, did say that she/he is an authorized representative of Holmes DB Condos, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



Notary Public: 

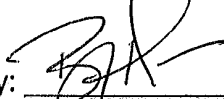
[Signatures Continue on Following Page]

IN WITNESS WHEREOF, Founder has consented to this Supplemental Declaration this 3 day of May, 2021.

VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

By: Miller Family Real Estate, L.L.C.,
a Utah limited liability company

Its: Authorized Manager

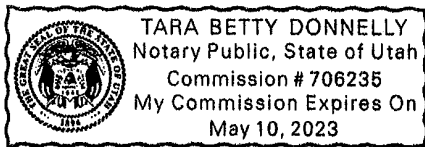
By: 
Brad Holmes, President

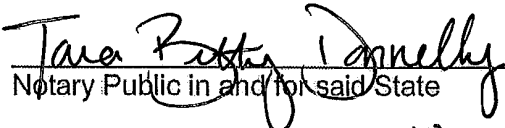
ACKNOWLEDGMENT

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

On May 3, 2021, personally appeared before me, a Notary Public, Brad Holmes, the President of Miller Family Real Estate, L.L.C., a Utah limited liability company, the Authorized 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.




Notary Public in and for said State
My commission expires: 5.10.23

[SEAL]

EXHIBIT A
ADDITIONAL LAND
(Legal Description)

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1C AMENDING A PORTION OF LOT C-101 OF THE SOUTH STATION PLAT 3 SUBDIVISION** according to the official plat on file in the office of the Salt Lake County Recorder.

Including 10 Units and Common Area

More particularly described as:

A portion of Lot C-101 of DAYBREAK SOUTH STATION PLAT 3 AMENDING T4 OF THE KENNECOTT DAYBREAK MASTER SUBDIVISION #1, recorded as Entry No. 13288782 in Book 2020P at Page 132 in the Office of the Salt Lake County Recorder; (Vesting Deed Entry # 13298666); more particularly described as follows: Beginning at an East Corner of the Future South Station Plat 3 Condominiums Phase 1A, said point also being on the Southwest Line of Lot C-101 of the Daybreak South Station Plat 3 subdivision, said point lies South 89°55'30" East 2441.053 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 3748.532 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lot C-101 the following (2) courses: 1) North 36°32'54" West 137.979 feet; 2) North 53°27'06" East 81.755 feet to a Westerly Corner of said South Station Plat 3 Condominiums Phase 1A; thence along said Future South Station Plat 3 Condominiums Phase 1A the following (2) courses: 1) South 36°32'54" East 137.979 feet; 2) South 53°27'06" West 81.755 feet to the point of beginning.

Property contains 0.259 acres, 11,280 sq. ft.

ALSO TO BE RECORDED AGAINST THE FOLLOWING PROPERTIES:

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1A AMENDING A PORTION OF LOT C-101 OF THE SOUTH STATION PLAT 3 SUBDIVISION**, according to the official plat on file in the office of the Salt Lake County Recorder.

Including 10 Units and Common Area

More particularly described as:

Beginning at the Southernmost Corner of Lot C-101 of the South Station Plot 3 Subdivision, said point lies South 89°55'30" East 2519.687 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 3642.555 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lot C-101 North 36°32'54" West 132.047 feet; thence North 53°27'06" East 81.755 feet; thence

North 36°32'54" West 137.979 feet to a point on the Northwesterly Line of said Lot C-101; thence along said Lot C-101 thence North 53°27'06" East 24.000 feet; thence South 36°32'54" East 56.813 feet to a point on a 10.000 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 81°32'54" East 14.142 feet); thence along the arc of said curve 15.708 feet through a central angle of 90°00'00"; thence North 53°27'06" East 5.323 feet; thence North 52°00'02" East 44.014 feet; thence North 53°27'06" East 11.677 feet; thence South 36°32'54" East 165.886 feet; thence South 53°27'06" West 11.677 feet; thence South 54°54'09" West 44.014 feet; thence South 53°27'06" West 10.323 feet; thence South 36°32'54" East 47.916 feet; thence South 53°27'06" West 9.789 feet; thence South 36°32'54" East 14.868 feet to a point on the Southeasterly Line of said Lot C-101; thence along said Lot C-101 the following (2) courses: 1) thence South 67°31'47" West 57.014 feet to a point on a 532.500 foot radius tangent curve to the left, (radius bears South 22°28'13" East, Chord, South 65°01'17" West 46.612 feet); 2) along the arc of said curve 46.627 feet through a central angle of 05°01'01" to the point of beginning.

Property contains 0.697 acres, 30,370 sq. ft.

All of **SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 1B AMENDING A PORTION OF LOT C-101 OF THE SOUTH STATION PLAT 3 SUBDIVISION** according to the official plat on file in the office of the Salt Lake County Recorder.

Including 20 Units and Common Area

More particularly described as:

A portion of Lot C-101 of Daybreak South Station Plat 3 Amending T4 of the Kennecott Daybreak Master Subdivision #1, recorded as Entry No. 13288782 in Book 2020P at Page 132 in the Office of the Salt Lake County Recorder; (Vesting Deed Entry #13298666); more particularly described as follows: Beginning at a point on the Southerly Right-of-Way Line of Reventon Drive, said point lies South 89°55'30" East 2443.844 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 3922.359 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Reventon Drive North 53°27'06" East 139.562 feet to the intersection of said Reventon Drive and the Westerly Right-of-Way Line of Freestone Road; thence along said Freestone South 36°32'54" East 151.141 feet; thence South 53°27'06" West 68.562 feet to the Northeasterly Line of Future South Station Plat 3 Condominiums Phase 1A; thence along said Future South Station Plat 3 Condominiums Phase 1A the following (6) courses, 1) North 36°32'54" West 85.443 feet; 2) South 53°27'06" West 11.677 feet; 3) South 52°00'02" West 44.014 feet; 4) South 53°27'06" West 5.323 feet to a point on a 10.000 foot radius tangent curve to the right, (radius bears North 36°32'54" West, Chord: North 81°32'54" West 14.142 feet); 5) along the arc of said curve 15.708 feet through a central angle of 90°00'00"; 6) North 36°32'54" West 56.813 feet to the point of beginning.

Property contains 0.345 acres, 15,047 sq. ft.

EXHIBIT B
UNDIVIDED INTEREST IN COMMON AREAS

Upon the recording of this Supplemental Declaration, the Project will consist of 40 Units.

**Each Unit in the Project shall have an equal Undivided Interest
equivalent to a 1/40th fractional amount.**