

WHEN RECORDED, RETURN TO:
TITLE INSURANCE AGENCY

32 50

3508103

SECOND SUPPLEMENTARY DECLARATION
TO THE
DECLARATION OF CONDOMINIUM
OF

TITLE INS. AGENCY
REF. 07
D. [Signature]
D. [Signature]
D. [Signature]

Nov 29 1 01 PM '80

KATIE L. DIXON
RECORDS
SALT LAKE COUNTY,
UTAH

COPPERVIEW VILLAGE CONDOMINIUM PROJECT
(An Expandable Condominium)

THIS SECOND SUPPLEMENTARY DECLARATION is made and
executed on the 26TH day of NOVEMBER, 1980, by COPPER-
VIEW/^{VILLAGE}ASSOCIATES, a Utah General Partnership (the "Declarant").

R E C I T A L S:

A. On November 30, 1979 Declarant made and executed
the "Declaration of Condominium of Copperview Village Condominium
Project, An Expandable Condominium" (the "Declaration") as the
initial part of a plan for the Copperview Village Condominium
Project (the "Project"). The Declaration was dated November 30,
1979, executed and acknowledged by Declarant and recorded in
the Official Records of Salt Lake County, State of Utah, on
December 7, 1979, in Book 5001 at page 392 and following as
Entry No. 3374565. The related Record of Survey Map ("Phase I
Map") was recorded concurrently with the Declaration in Book
79-12 at page 355 as Entry No. 3374564. The Declaration and
Phase I Map submitted to the provisions of the Act the following
described real property situated in Salt Lake County, State of
Utah, to-wit:

Parcel A: All of Lots 35, 36, 37 & 38 of
Copperview Subdivision, being more particularly
described as; Beginning at the Southeast corner
of Lot 35, said point being N 0°08'06" W 155.00
feet and West 467.64 feet from the S.E. Corner
of Sec. 21, T. 1 S., R. 2 W., S.L.B. & M., thence
S 87°29'35" W 114.31 feet to the S.W. Corner of
Lot 35; thence West 342.60 feet to the S.W. Corner
of Lot 38; thence North 95.00 feet to the N.W.
Corner of Lot 38; thence East 456.80 feet to the
N.E. Corner of Lot 35; thence South 90.00 feet to
the point of beginning. Contains 0.99 Acre.

BOOK 5184 PAGE 472

Parcel B: All of Lots 29, 30 & 31 of Copperview Subdivision, being more particularly described as: Beginning at the S.E. Corner of Lot 31, said point being West 539.004 feet from the S.E. Corner of Section 21, T. 1 S., R. 2 W., S.L.B. & M., thence West 300.00 feet to the S.W. Corner of Lot 29; thence North 100.00 feet to the N.W. Corner of Lot 29; thence East 300.00 feet to the N.E. Corner of Lot 31; thence South 100.00 feet to the point of beginning. Contains 1.69 acre.

Parcel C: All of Lot 28 of Copperview Subdivision, being more particularly described as: Beginning at the S.E. Corner of Lot 28, said point being West 889.004 feet from the S.E. Corner of Section 21, T. 1 S., R. 2 W., S.L.B. & M., thence West 100.00 feet to the S.W. Corner of Lot 28; thence North 100.00 feet to the N.W. Corner of Lot 28; thence East 100.00 feet to the N.E. Corner of Lot 28; thence South 100.00 feet to the point of beginning. Contains 0.23 Acre.

B. On September 4, 1980, Declarant executed and acknowledged an instrument headed "First Supplementary Declaration to the Declaration of Condominium Copperview Village Condominium project, and Expandable Condominium" (the First Supplementary Declaration). The First Supplementary Declaration was recorded in the official records of Salt Lake County, State of Utah, in book 5146 at page 106 as entry number 3473348. The related Record of Survey Map ("Phase II Map") was recorded concurrently with the First Supplementary Declaration in book 80-9 at page 134 as entry number 3473347. The recordation of the First Supplementary Declaration and the Phase II Map expanded the initial phase of the project by submitting to the provisions of the Act the following described parcels of real property in Salt Lake County, State of Utah:

All of Lots 19, 20, 21, 22, 23, 24, 25, 26, and 27, COPPERVIEW, a subdivision in the SE1/4 of Section 21, T.1S., R.2W., S.L.B. & M. and more particularly described as follows: Beginning at the Southeast corner of said Lot 27, said point being West 989.004 feet from the Southeast corner of said section 21; thence West 771.00 feet to the Southwest corner of said subdivision; thence North 240.00 feet to the Northwest corner of said lot 19; thence East 100.00 feet; thence South 77.80 feet to a point of tangency with a 15.00 foot radius curve; thence Southerly along said curve to the right through a central angle of 20°12'19" a distance of 5.29 feet to a point of reverse curve where the center of a 50.00 foot radius curve bears S 69°47'41" E; thence Southerly and Easterly along said 50.00 foot radius curve to the left through a central angle of 142°49'14" for a distance of 124.634 feet to a point of reverse curve where the

BOOK 5184 PAGE 473

center of a 15.00 foot radius curve bears S32°36'55" E; thence Easterly along said last mentioned 15.00 radius curve to the right through a central angle of 32°36'55" for a distance of 8.54 feet; thence East along the South line of Copperview Drive 589.97 feet to the Northeast Corner of said Lot 27; thence South 100.00 feet to the point of beginning, containing 2.082 Acres.

ALSO:

All of Lots 39, 40, 41, 42, 43, and 44 COPPERVIEW, a Subdivision in the SE1/4 of Section 21, T.1S., R.2W2., S.L.B. & M. and more particularly described as follows: Beginning at the Southeast Corner of said Lot 39, said point being N 0°08'06" W 125.00 feet along the Section line, West 342.60 feet and North 25.00 feet from the Southeast Corner of said Section 21; thence West 685.20 feet to the Southwest corner of said lot 44; thence North 95.00 feet; thence East 685.20 feet; thence South 95.00 feet to the point of beginning, containing 1.494 Acres.

C. Under the Declaration (Section 20 of Article III) Declarant reserved the right to expand the Project until the seventh anniversary of the recording of the Declaration.

D. Declarant is the record owner of the real property described in Article II ("Phase III Land") of this Second Supplementary Declaration. Phase III Land is a portion of the Additional Land described in the Declaration. This Second Supplementary Declaration seeks to comply in every way with the expansion provisions of the Declaration. This Second Supplementary Declaration supplements the Declaration and, to the extent herein referred, the First Supplementary Declaration. The record of Survey Map Phase III of the Project ("Phase III Map"), recorded herewith, consisting of two sheets, prepared and certified to by C.J. Schuchert, a duly registered Utah Land Surveyor, which also described the Phase III Land, and this Second Supplementary Declaration, upon recordation, effects the second expansion of the Project.

E. It is the intent of the Declarant that the Phase III Land shall become subject to the Declaration and the Act. To this end and for the benefit of the Project and the Owners thereof, Declarant makes this Second Supplementary Declaration.

F. There currently exists in the Project twenty-

BOOK 5184 PAGE 474

three (23) Buildings containing 46 Units and the Common Areas. This Second Supplementary Declaration and the Phase III Map expands the Project to include ten additional buildings containing twenty (20) Units to be individually owned and the Common Areas shown on the Phase III Map.

NOW THEREFORE, for the foregoing purposes, Declarant hereby makes the following First Supplementary Declaration:

I. DEFINITION

Except as otherwise defined herein or as may be required by the context, all terms or expressions defined in Article I of the Declaration shall have such defined meanings when used in this Second Supplementary Declaration.

II. SUBMISSION

There is hereby submitted to the provisions of the Act, as an additional tract associated with the Project, the real property situated in Salt Lake County, State of Utah, described in Exhibit "A", attached hereto and made a part hereof, subject to the easements, restrictions, reservations and other provisions therein set forth.

III. COVENANTS, CONDITIONS AND RESTRICTIONS.

The foregoing submission is made upon and under the following covenants, conditions and restrictions:

1. Description of Improvements. The improvements included in the Project are now or will be located on the Land. The significant improvements contained in the Project (other than improvements located on or otherwise associated with portions of the Additional Land) include ten (10) Buildings containing twenty (20) Units, twenty single car carports and concrete driveways. The Project (excluding that part thereof located on or otherwise associated with the remainder of the Additional Land) also contains such improvements as patios and storage sheds. The location and configuration of the improvements referred to in the foregoing sentence is depicted

BOOK 5184 PAGE 475

on the Map. The Project (excluding that part thereof located on or otherwise associated with the remainder of the Additional Land) also contains other improvements of a less significant nature, such as outdoor lighting and landscaping. The map shows the number of stories and the number and identification of the Units which are contained in the Buildings. The Buildings are composed of the following materials: wooden frame with load and non-load bearing walls studded with wood; first floor of concrete; second floor of wooden joists and wood floor; porch roof surfaced with asphalt shingles; interior walls surfaced with gypsum board; and exterior surfaced with aluminum siding. Each Unit has three bedrooms and one and one-half bath.

2. Description and Legal Status of Units. The Phase III Map shows the Unit designation of each Unit located within the boundaries of this expansion, its location, dimension from which its areas may be determined, the Common Areas to which it has immediate access, and other pertinent information.

3. Limited Common Areas. The Limited Common Areas which are contained in this Phase III and the Limited Common Areas appertaining to each Unit consist of: the carport, the concrete area adjacent to the carport, drivesay, storage shed, patio and the walkway.

4. Computation of Fractional Interest. The fraction of undivided ownership interest in the Common Areas which, at any point in time, is appurtenant to a Unit shall be equal to the integer one (1) divided by the total number of Units then included in the Project. The Fractional Interest which becomes appurtenant to each Unit, with this Second Supplementary Declaration has been recomputed in the aforesaid manner and is depicted in the Revised Exhibit "B" hereto attached and made a part hereof applicable to all Units after addition to the project after this expansion. Upon future expansions(s)

BOOK 5184 PAGE 475

of the Project, the Fractional Interest appurtenant to each Unit then contained in the Project may be recomputed and revised only through use of the formula described at the outset of this Section 4.

5. Effective Date. This Second Supplementary Declaration to the Declaration shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, State of Utah.

EXECUTED on the day and year first above written.

VILLAGE
COPPERVIEW/ASSOCIATES
(A Utah General Partnership)

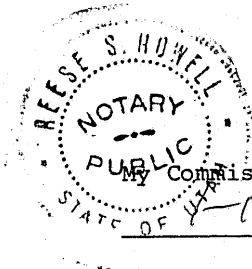
By *G. Ray Hale*
G. Ray Hale - General Partner

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

On the 26th day of NOVEMBER, 1980, personally appeared before me, G. Ray Hale, who, being by me duly sworn did say that he is one of the general partners of Copperview Village Associates, a Utah General Partnership, and that the foregoing instrument was signed in behalf of said Partnership by authority, and said G. Ray Hale acknowledged to me that he as such general partner executed the same.

Reese S. Howell
NOTARY PUBLIC

Residing at Salt Lake City,
Utah



My Commission Expires:

4-10-83

BOOK 5184 PAGE 477

EXHIBIT "A"
TO THE SECOND SUPPLEMENTARY DECLARATION
TO THE DECLARATION OF CONDOMINIUM OF
COPPERVIEW VILLAGE CONDOMINIUM PROJECT
(An Expandable Condominium)

The following described real property situated in the County of Salt Lake, State of Utah, described as follows:

All of Lot 18 Copperview, a subdivision in the SE/4 of Section 21, T. 1S., R. 2W., S.L.B. & M. and more particularly described as follows: Beginning at the Southeast corner of said Lot 18 said point also being N 0°08'06" W along the section line 125.00 feet and West 467.71 feet and North 115.00 feet and West 1192.00 feet from the SE corner of said Section 21; thence West 100.00 feet to the SW corner of said Lot 18; thence North 100.00 feet; thence East 100.00 feet, to the Northeast corner of said Lot 18; thence South 100.00 feet to the point of beginning, containing 0.230 Acre.

Also:

All of Lots 12, 13 and 14 Copperview, a subdivision in the Southeast 1/4 of Section 21, T. 1S., R. 2W., S.L.B. & M. and more particularly described as follows: Beginning at the Northeast corner of said Lot 12, said point also being N 0°08'06" W along the Section line 489.00 feet and West 1102.35 feet; from the Southeast corner of said Section 21; thence West 303.30 feet; to the Northwest corner of said Lot 14; thence South 99.00 feet; thence East 303.30 feet to the Southeast corner of said Lot 12; thence North 99.00 feet to the point of beginning, containing 0.689 Acre.

Also:

All of Lots 50, 49, 48, 47, 46 and 45 Copperview, a subdivision in the SE/4 of Section 21, T. 1S., R. 2W., S.L.B. & M. and more particularly described as follows: Beginning at the Southeast corner of said Lot 50, said point also being N 0°08'06" W along the Section line 125.00 feet and West 467.71 feet, and North 120.00 feet, and West 456.80 feet from the Southeast corner of said Section 21; thence West 685.20 feet to the Southwest corner of said Lot 45; thence North 95.00 feet; thence East 685.00 feet to the Northeast corner of said Lot 50; thence South 95.00 feet to the point of beginning, containing 1.494 Acres.

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described real property.

ALL OF THE FOREGOING IS SUBJECT TO: all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi governmental authorities; all Patent reservations and exclusions; any mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described real property or any portion thereof, including, without limitation, any mortgage or deed of trust; all visible easements and rights-of-way; all easements and rights-of-way of record; any easements, rights-of-way, encroachments, or discrepancies shown on or revealed by the Phase III Map or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the above-described real property at such time as construction of all Project improvements is complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through and under the above-described real property and any improvements now or hereafter constructed thereon as may be reasonably necessary for Declarant or for any assignee or successor of Declarant (in a manner which is reasonable and not inconsistent with the provision of this Declaration): (i) To construct and complete each of the Buildings and all of the other improvements described in the Second Supplementary Declaration or in the Phase III Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection therewith; (ii) To construct and complete on the remainder of the Additional Land or any portion thereof such improvements as Declarant or said assignee or successor shall determine to build in its sole discretion (and whether or not the remainder of the Additional Land or said portion has been or thereafter will be added to the Project); (iii) To improve portions of the real property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all the Owners as Declarant or as such assignee or successor may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, the above described real property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire seven years after the date on which the Declaration was filed for record in the office of the County Recorder of Salt Lake County, Utah.

REVISED EXHIBIT "B"

COPPERVIEW VILLAGE CONDOMINIUM PROJECT
(After second expansion - Phase 3)

<u>Unit Designation</u>	<u>Fractional Interest</u>
7343 Copperview Drive	1/66
7341 " "	1/66
7319 " "	1/66
7317 " "	1/66
7305 " "	1/66
7303 " "	1/66
7289 " "	1/66
7287 " "	1/66
7278 " "	1/66
7280 " "	1/66
7296 " "	1/66
7298 " "	1/66
7312 " "	1/66
7314 " "	1/66
7330 " "	1/66
7332 " "	1/66
2676 " "	1/66
2678 " "	1/66
2684 " "	1/66
2686 " "	1/66
7445 " "	1/66
7443 " "	1/66
7433 " "	1/66
7431 " "	1/66
7417 " "	1/66
7415 " "	1/66
7403 " "	1/66
7401 " "	1/66
7389 " "	1/66
7387 " "	1/66
7373 " "	1/66
7371 " "	1/66
7357 " "	1/66
7355 " "	1/66
7436 " "	1/66
7434 " "	1/66
7418 " "	1/66
7416 " "	1/66
7402 " "	1/66
7400 " "	1/66
7382 " "	1/66
7380 " "	1/66
7368 " "	1/66
7366 " "	1/66
7350 " "	1/66
7348 " "	1/66
7372 Mineside Drive	1/66
7374 " "	1/66
7388 " "	1/66
7390 " "	1/66
7402 " "	1/66
7404 " "	1/66
7345 " "	1/66
7347 " "	1/66
7365 " "	1/66

7367	Mineside Drive	1/66
7381	" "	1/66
7383	" "	1/66
7397	" "	1/66
7399	" "	1/66
7415	" "	1/66
7417	" "	1/66
7433	" "	1/66
7435	" "	1/66
2664	Copperview Drive	1/66
2666	" "	1/66
		<u>1.00</u>