Ent 410681 Bk 1126 Pg 1191 – 1195 ELIZABETH M PALMIER, Recorder WASATCH COUNTY CORPORATION 2015 Apr 02 02:52PM Fee: \$61.00 JP For: Atlas Title – Heber City ELECTRONICALLY RECORDED

## FORTH AMENDMENT TO DECLARATION OF CONDOMINIUM

OF

## THE LOOKOUT AT RANCH LANDING CONDOMINIUMS

THIS FORTH AMENDMENT TO DECLARATION OF CONDOMINIUMS (the "Fourth Amendment") is made and executed this \_\_\_\_ day of April, 2015, by THE LOOKOUT AT RANCH LANDING CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation, with its principal place of business located in Salt Lake City, State of Utah (hereinafter referred to as "Association"), and RKW 2006, LLC, a Utah limited liability company ("Declarant").

#### **RECITALS:**

- A. On or about the 4th day of October, 2007, Declarant made and executed that certain "Declaration of Condominium of The Lookout at Ranch Landing Condominiums," with respect to the certain real property located in Wasatch County, State of Utah, more particularly described therein and now known as The Lookout at Ranch Landing Condominiums (herein the "Declaration"), which Declaration was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 4th day of October, 2007, as Entry No. 326816, in Book 951, beginning at Page 185. The legal description of the real property submitted to the terms fo the Declaration is set forth on Schedule "A" attached hereto.
- B. On or about the 5<sup>th</sup> day of June, 2008, Declarant made and executed that certain First Amendment to Declaration of Condominium of The Lookout at Ranch Landing Condominiums (the "<u>First Amendment</u>"), making certain amendments to the Declaration, which First Amendment was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 6th day of June, 2008, as Entry No. 336687, in Book 968, beginning at Page 777.
- C. On or about the 12<sup>th</sup> day of August, 2008, Declarant and the Association made and executed that certain Second Amendment to Declaration of Condominium of The Lookout at Ranch Landing Condominiums (the "<u>Second Amendment</u>"), making certain amendments to the Declaration and assigning Parking Stalls, which Second Amendment was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 13th day of August, 2008, as Entry No. 339011, in Book 972, beginning at 1379.
- D. On or about the 25<sup>th</sup> day of April, 2012, Declarant and the Association made and executed that certain Third Amendment to Declaration of Condominium of The Lookout at Ranch Landing Condominiums (the "<u>Third Amendment</u>"), making certain amendments to the Declaration, which Third Amendment was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 26th day of April, 2012, as Entry No. 378306, in Book 1054, beginning at 583.
- E. Under the terms and conditions of the Declaration, the Declarant reserved the right to expand the Project, by the addition of Additional Land and Units to the Project; provided, however, that such right expired according to the terms of the Act as of the expiration of seven (7) years from the date of recording of the Declaration.
- F. Declarant has sought and obtained the approval of Owners holding at least sixty seven percent (67%) of the Percentage interests in the Common Areas and the approval of First Mortgagees who have requested notice form the Association of any proposed action and amendment to the Declaration that requires the consent of First Mortgagees, for a renewal of Declarant's right to expand the Project by the addition of the balance of the Additional Land or any portion thereof for an additional period of seven (7) years.

NOW, THEREFORE, in consideration of the recitals set forth hereinabove, the Declarant and the Association hereby declare and certify as follows:

- 1. Amendment to Section 6.4. Section 6.4 of the Declaration is amended to provide that Declarant's right to expand the Project as provided in Article VI is extended for an additional period of Seven (7) years, expiring October 3, 2021, at 11:59 p.m.
- 2. Owner Consent. The Association represents that it has obtained the consent of Owners holding at least sixty seven percent (67%) of the Percentage interests in the Common Areas of the Project and has also obtained the approval of First Mortgagees who have requested notice from the Association of any proposed action and amendment to the Declaration that requires the consent of First Mortgagees.
- 3. <u>Effective Date</u>. This Fourth Amendment to Declaration of Condominium of the Lookout at Ranch Landing Condominiums shall take effect upon its being filed for record in the office of the County Recorder of Wasatch County, Utah.
- 4. <u>Lender's Consent</u>. By its execution of this Fourth Amendment, Bank of American Fork ("<u>Construction Lender</u>") consents to the Fourth Amendment as set forth above.

EXECUTED the day and year first above written.

#### ASSOCIATION:

THE LOOKOUT AT RANCH LANDING CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation

Ву

Its Presiden

\_\_\_\_

STATE OF UTAH )
COUNTY OF SALT LAKE )
and and Secretary, respectively, of THE LOOKOUT AT RANCH LANDING CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation, and that the foregoing Amendment was signed on behalf of said corporation by authority of the bylaws and Declaration, and the said individuals acknowledged to me that said corporation executed the same.
MOTARY PUBLIC

## **DECLARANT**:

RKW 2006, LLC, a Utah limited liability company

By:

Russell K. Watts, Manager

STATE OF UTAH

.ss.

COUNTY OF SALT LAKE

On the day of April, 2015, personally appeared before me Russell K. Watts, who being by me duly sworn, did say that he is the Manager of RKW 2006, LLC, a Utah limited liability company, and that the foregoing Declaration was signed on behalf of said company by authority of the Operating Agreement or a resolution of its Manager, and Russell K. Watts acknowledged to me that said company executed the same.

TAMA Natary My Com Comm

TAMARA L. PETERSEN
Notary Public State of Utah
My Commission Expires on:
May 16, 2018
Comm. Number: 675389

# Exhibit A LEGAL DESCRIPTION

All of Units A101, A102, A103, A104, A201, A202, A203, A204, B101, B102, B103, B104, B201, B202, B203, B204, J101, J102, J103, J104, J201, J202, J203, J204, K101, K102, K103, K104, K201, K202, K203, K204, in Buildings "A" "B" "J" and "K", Plat A, Amended, **Also** I101, I102, I103, I104, I201, I202, I203, I204, I301, I302, I303, I304 Building "I". Plat D, also known as Ranch Landing Condos (the Lookout at Ranch Landings Condominiums) A Utah condominium project, as identified in the plat recorded in the office of the Wasatch County Recorder as entry no. 326814 on October 4, 2007. Subject to the Declaration of Condominium of Ranch Landing Plat A or Ranch Landing Condos, or The Lookout at Ranch Landing Condominiums, recorded October, 4, 2007 as Entry No. 326816 in Book 951 at Page 185 of the official records (said declaration may have heretofore been amended or supplemented), together with a right and easement of use and enjoyment in and to the common areas described, and as provided for, in said declaration of condominium (as said declaration may have heretofore been amended and supplemented)

*Tax ID No.:* 0RL-1101-A – 0RL-1204-A

0RL-1101-B – 0RL-1204-B 0RL-1101-J – 0RL-1204-J 0RL-1101-K – 0RL-1204-K 0RL-D101-I – 0RL-D304-I