



ENT 43177:2014 PG 1 of 11
JEFFERY SMITH
UTAH COUNTY RECORDER
2014 Jun 24 4:04 pm FEE 42.00 BY SW
RECORDED FOR HILLCREST SPRINGS CITY

NINTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST
CONDOMINIUMS,
An Expandable Utah Condominium Project

THIS SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST CONDOMINIUMS, an expandable Utah condominium project (this "NINTH Amendment"), is made effective as of the 21st day of May, 2014, by Solitude Construction LLC, a Utah limited liability company ("Declarant").

RECITALS:

A. On or around May 13, 2005, Hillcrest Saratoga Condominiums, LLC, as the original declarant, made and executed that certain Declaration of Covenants, Conditions and Restrictions of the Hillcrest Condominiums, an Expandable Utah Condominium Project (the "Declaration") thereby creating Hillcrest Condominiums, an expandable Utah Condominium Project (the "Project"), which Declaration was recorded in the office of the Utah County Recorder on May 13, 2005, as Entry No. 51908:2005.

B. A related condominium plat entitled Phase 1 Hillcrest Condominiums (the "Plat") was recorded concurrently with the Declaration in the office of the Utah County Recorder, as Entry No. 2005-51907, Map No. 11082, Book 41, Page 601.

C. The Declaration and Plat submitted to the provisions of the Utah Condominium Ownership Act (the "Act"), Utah Code Annotated, Section 57-8-1, et seq., certain real property described in Recital A of the Declaration and in the Plat.

D. The original declarant, as provided in Section 16 of the Declaration and pursuant to Section 57-8-13.6 of the Act, reserved the sole and exclusive right to expand the Project from time to time by adding thereto all or any portion of that certain real property (the "Additional Land") described in Section 16.7 of the Declaration.

E. The undersigned Declarant is the successor-in-interest to the original declarant with respect to that portion of the Additional Land described on Exhibit A attached hereto and incorporated herein by reference (the "Phase 2 Property").

F. The undersigned Declarant desires to add to the Project the Phase 2 Property as set forth herein.

AGREEMENT:

NOW, THEREFORE, the Declaration is hereby amended an NINTH time as follows, with such amendment to become effective upon the recording of this NINTH Amendment and the

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Plat of the Phase 2 Property (the "**Phase 2 Plat**"), a copy of which is attached hereto as Exhibit B and incorporated herein by reference:

1. Units and Boundaries. The Project as hereby expanded shall consist of one hundred and forty four (144) total condominium units located in twelve (12) buildings. Each Unit in the Phase 2 Property is given an identifying number and the single Building constructed on the Phase 2 Property is depicted on the Phase 2 Plat as Building L. The Project as expanded by this NINTH Amendment shall continue to be known as Hillcrest Condominiums, an Expandable Utah Condominium Project.

2. Reallocation of Undivided Interests in Common Areas. Attached as Exhibit A to the Declaration is a Table of Units, Undivided Ownership Interests, and Votes (the "**Table of Units & Ownership Interests**"). Pursuant to the provisions of Section 57-8-13.10 of the Act, the undivided ownership interests in the Common Areas and Facilities of the Project and the votes in the Association appurtenant to each Unit in the Project are hereby reallocated between the Units in accordance with the attached Amended Exhibit A to the Declaration of Covenants, Conditions and Restrictions of the Hillcrest Condominiums, an Expandable Utah Condominium Project, Table Of Units, Undivided Ownership Interests, And Votes (the "**Amended Table of Units & Ownership Interests**"), which is attached hereto as Exhibit C and incorporated herein by reference. The Amended Table of Units, Undivided Ownership Interests, and Votes hereby amends, restates and replaces in its entirety each and every prior Table of Units & Undivided Ownership Interests.

3. Construction. From and after the date hereof, all references in the Declaration and the Plat, as amended and supplemented, shall be deemed to and shall refer to the Declaration and the Plat, as amended hereby and by the Phase 2 Plat. Except as modified by this NINTH Amendment, each of the words used in this NINTH Amendment shall have the meaning given to each such term in the Declaration and Declarant hereby ratifies and confirms all of the terms and provisions of the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this NINTH Amendment on the date and year first above written.

DECLARANT:

SOLITUDE CONSTRUCTION LLC, a Utah limited liability company



Printed Name: Nathan Hutchinson

Title: Manager

STATE OF UTAH)
) ss.
County of Utah)

The foregoing instrument was acknowledged before me this 21st day of May, 2014, by Nathan Hutchinson, as an authorized officer of Solitude Construction LLC.



Shanna McClure
Notary Public

EXHIBIT A
PHASE 2 PROPERTY LEGAL DESCRIPTION

That certain real property located in Utah County, Utah, legally described as follows.

A parcel of land situated in the Southwest Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at a point which is West 1622.48 feet and South 2927.20 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 77°15'23" East along Plat 2J of Hillcrest Condominiums 64.55 feet; thence North 12°44'38" East along Plat 2J 8.50 feet; thence South 77°15'22" East along Plat 2K of Hillcrest Condominiums 194.24 feet; thence South 11°45'34" West along Plat 2G of Hillcrest Condominiums 117.54 feet; thence South 09°56'26" West along Plat 2G 70.55 feet; thence West 43.21 feet; thence North 77°15'23" West 128.14 feet; thence North 12°44'37" East 27.00 feet; thence North 77°15'23" West 52.00 feet; thence North 12°44'37" East 9.00 feet; thence North 77°15'23" West 41.97 feet; thence North 12°44'38" East 153.02 feet along Harvest Hills Plat "C" to the point of beginning.

Parcel contains: 1.10 acres more or less

Subdivision contains: 12 units

Basis of Bearing: North 89°54'48" East from the North Quarter Corner of Section 11 to the Northeast Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian

EXHIBIT B
PHASE 2 PLAT

[see attached]

HILLCREST CONDOMINIUMS PHASE 2L

LOCATED IN THE QUARTER 3/4 SECTION 11, TOWNSHIP 3 SOUTH, RANGE 1 WEST, COUNTY OF WASHINGTON, WASHINGTON

5 SOUTH, RANGE 1 WEST, COUNTY OF WASHINGTON, WASHINGTON

LEGEND

- PROPERTY BOUNDARY LINE
- CENTERLINE
- EASEMENT LINE
- FIRE HYDRANT
- STREET LIGHT
- SECTION CORNER MONUMENT
- PRIVATE OWNERSHIP
- LIQUID COMMON AREA
- CANAL, PAVED DECK, AND HALLWAYS
- COMMON AREA (PUBLIC UTILITY EASEMENTS)

NOTES

1. PLAT MUST BE RECORDED WITHIN 30 WORKING DAYS OF FINAL APPROVAL.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED PERMITS AND ALL CITY ORDINANCES.
3. THE DEVELOPER SHALL MAINTAIN RECORD DRAWINGS AND RECORDS OF CONSTRUCTION FOR THE PROJECT FOR THE LIFE OF THE PROJECT.
4. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
5. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
6. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
7. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
8. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
9. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
10. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
11. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.
12. ALL UTILITIES SHALL BE DEEPER THAN ALL FOUNDATION FOOTINGS.

OWNERS DEDICATION

HILLCREST CONDOMINIUMS PHASE 2L

DATE: _____ BY: _____

ACKNOWLEDGEMENT

STATE OF WASHINGTON

COUNTY OF WASHINGTON

APPROVAL BY LEGISLATIVE BODY

HILLCREST CONDOMINIUMS PHASE 2L

ANY CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED PERMITS AND ALL CITY ORDINANCES.

PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__
PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__

PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__

PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__

PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__

PLANNING COMMISSION APPROVAL	APPROVED BY THE PLANNING COMMISSION ON THE DAY OF _____ A.D. 20__
CITY ENGINEER APPROVAL	APPROVED BY THE CITY ENGINEER ON THE DAY OF _____ A.D. 20__

EXHIBIT C
AMENDED TABLE OF UNITS & OWNERSHIP INTERESTS

[see attached]

EXHIBIT C TO NINTH AMENDMENT TO DECLARATION— HILLCREST CONDOMINIUMS
Amended Table of Units & Ownership Interests

EXHIBIT C - Amended

(Units, Undivided Ownership Interests, and Votes)

UNIT NO. **SIZE**
(Square Feet)* **UNDIVIDED**
OWNERSHIP
INTERESTS
(Percentage) **VOTES**

Bldg	Unit Number	Unit Square Footage	% Undivided Ownership of Common Area	Number of Votes
A	1	1,261	0.694%	1
A	2	1,261	0.694%	1
A	3	1,261	0.694%	1
A	4	1,261	0.694%	1
A	5	1,261	0.694%	1
A	6	1,261	0.694%	1
A	7	1,261	0.694%	1
A	8	1,261	0.694%	1
A	9	1,261	0.694%	1
A	10	1,261	0.694%	1
A	11	1,261	0.694%	1
A	12	1,261	0.694%	1
B	1	1,261	0.694%	1
B	2	1,261	0.694%	1
B	3	1,261	0.694%	1
B	4	1,261	0.694%	1
B	5	1,261	0.694%	1
B	6	1,261	0.694%	1
B	7	1,261	0.694%	1
B	8	1,261	0.694%	1
B	9	1,261	0.694%	1
B	10	1,261	0.694%	1
B	11	1,261	0.694%	1
B	12	1,261	0.694%	1
C	1	1,261	0.694%	1
C	2	1,261	0.694%	1
C	3	1,261	0.694%	1
C	4	1,261	0.694%	1
C	5	1,261	0.694%	1
C	6	1,261	0.694%	1
C	7	1,261	0.694%	1
C	8	1,261	0.694%	1
C	9	1,261	0.694%	1
C	10	1,261	0.694%	1
C	11	1,261	0.694%	1
C	12	1,261	0.694%	1
D	1	1,261	0.694%	1

D	2	1,261	0.694%	1
D	3	1,261	0.694%	1
D	4	1,261	0.694%	1
D	5	1,261	0.694%	1
D	6	1,261	0.694%	1
D	7	1,261	0.694%	1
D	8	1,261	0.694%	1
D	9	1,261	0.694%	1
D	10	1,261	0.694%	1
D	11	1,261	0.694%	1
D	12	1,261	0.694%	1
E	1	1,261	0.694%	1
E	2	1,261	0.694%	1
E	3	1,261	0.694%	1
E	4	1,261	0.694%	1
E	5	1,261	0.694%	1
E	6	1,261	0.694%	1
E	7	1,261	0.694%	1
E	8	1,261	0.694%	1
E	9	1,261	0.694%	1
E	10	1,261	0.694%	1
E	11	1,261	0.694%	1
E	12	1,261	0.694%	1
F	1	1,261	0.694%	1
F	2	1,261	0.694%	1
F	3	1,261	0.694%	1
F	4	1,261	0.694%	1
F	5	1,261	0.694%	1
F	6	1,261	0.694%	1
F	7	1,261	0.694%	1
F	8	1,261	0.694%	1
F	9	1,261	0.694%	1
F	10	1,261	0.694%	1
F	11	1,261	0.694%	1
F	12	1,261	0.694%	1
G	1	1,261	0.694%	1
G	2	1,261	0.694%	1
G	3	1,261	0.694%	1
G	4	1,261	0.694%	1
G	5	1,261	0.694%	1
G	6	1,261	0.694%	1
G	7	1,261	0.694%	1
G	8	1,261	0.694%	1
G	9	1,261	0.694%	1
G	10	1,261	0.694%	1
G	11	1,261	0.694%	1
G	12	1,261	0.694%	1
H	1	1,261	0.694%	1

H	2	1,261	0.694%	1
H	3	1,261	0.694%	1
H	4	1,261	0.694%	1
H	5	1,261	0.694%	1
H	6	1,261	0.694%	1
H	7	1,261	0.694%	1
H	8	1,261	0.694%	1
H	9	1,261	0.694%	1
H	10	1,261	0.694%	1
H	11	1,261	0.694%	1
H	12	1,261	0.694%	1
I	1	1,261	0.694%	1
I	2	1,261	0.694%	1
I	3	1,261	0.694%	1
I	4	1,261	0.694%	1
I	5	1,261	0.694%	1
I	6	1,261	0.694%	1
I	7	1,261	0.694%	1
I	8	1,261	0.694%	1
I	9	1,261	0.694%	1
I	10	1,261	0.694%	1
I	11	1,261	0.694%	1
I	12	1,261	0.694%	1
J	1	1,261	0.694%	1
J	2	1,261	0.694%	1
J	3	1,261	0.694%	1
J	4	1,261	0.694%	1
J	5	1,261	0.694%	1
J	6	1,261	0.694%	1
J	7	1,261	0.694%	1
J	8	1,261	0.694%	1
J	9	1,261	0.694%	1
J	10	1,261	0.694%	1
J	11	1,261	0.694%	1
J	12	1,261	0.694%	1
K	1	1,261	0.694%	1
K	2	1,261	0.694%	1
K	3	1,261	0.694%	1
K	4	1,261	0.694%	1
K	5	1,261	0.694%	1
K	6	1,261	0.694%	1
K	7	1,261	0.694%	1
K	8	1,261	0.694%	1
K	9	1,261	0.694%	1
K	10	1,261	0.694%	1
K	11	1,261	0.694%	1
K	12	1,261	0.694%	1
L	1	1,261	0.694%	1

L	2	1,261	0.694%	1
L	3	1,261	0.694%	1
L	4	1,261	0.694%	1
L	5	1,261	0.694%	1
L	6	1,261	0.694%	1
L	7	1,261	0.694%	1
L	8	1,261	0.694%	1
L	9	1,261	0.694%	1
L	10	1,261	0.694%	1
L	11	1,261	0.694%	1
L	12	1,261	0.694%	1
Total		136,188	100.000%	144

*Size has been determined on the basis of the approximate number of square feet of floor space within each respective Unit, as shown on the Map and rounded off. Such number is not a representation or warranty of Declarant as to the actual size of a Unit.