

**SECOND AMENDMENT FOR EXPANSION FOR  
FRANKLIN PARK CONDOMINIUMS**  
(An Expandable Condominium Project)

This amendment to the Declaration of Covenants, Conditions and Restrictions of the Franklin Park Condominiums, an Expandable Condominium Project (hereinafter referred to as the "Declaration"), is made as of the date hereinafter set forth by Utah Armadillo Limited Company (hereinafter referred to as "Declarant") pursuant to Utah Code Annotated Section 57-8-13.6 and pursuant to paragraph 35 of Article III of the Declaration.

**RECITALS**

WHEREAS, Declarant caused the Declaration to be recorded on March 26, 1996, as Entry No. 24694, in Book 3923, at Pages 624-669 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map was recorded by Declarant on March 26, 1996, as Entry No. 24693, Map No. 6517, in the official records of the Utah County Recorder, and

WHEREAS, the Declaration provides for the expansion of the condominium project, and

WHEREAS, Declarant caused an amendment for expansion for Phase II of the project to be recorded on May 1, 1996, as Entry No. 36429, in Book 3957, at Pages 712-714 in the official records of the Utah County Recorder, and

WHEREAS, the record of survey map for Phase II of the project was recorded by Declarant on May 1, 1996, as Entry No. 36428, Map No. 6578, in the official records of the Utah County Recorder, and

WHEREAS, Declarant now desires to add Phase III to the existing condominium project pursuant to the terms of the Declaration, and

WHEREAS, the record of survey map for Phase III is being or has been recorded by Declarant in the official records of the Utah County Recorder,

NOW THEREFORE, for the foregoing purposes, Declarant hereby declares and certifies as follows:

1. Declarant hereby submits to the provisions of the Utah Condominium Act, Utah Code Annotated Section 57-8-1 et seq. (hereinafter referred to as the "Act"), the following described real property situated in Utah County, State of Utah:

See Exhibit "A" attached hereto.

2. The real property hereby submitted to the Act shall be known as Phase III of the Franklin Park Condominiums and shall be subject to the terms of the Declaration. The structure to be built on said real property shall consist of one twelve-unit building with a maximum and minimum of 12 Units.

12 Units

3. All improvements constructed on the real property included in Phase III shall be consistent in quality of construction and principal materials and shall be compatible in architectural style with the structures on the land within the original project identified as Phase I. The building will be conventional wood-frame construction with stucco exterior and asphalt shingle roofing. The building will consist of three levels with the lower level being partially underground, making a building which is two and one-half stories in height. Each Unit will contain approximately 1083 square feet and will consist of three bedrooms, one and 3/4 baths, living room and a kitchen-dining area. The upper two levels will have a balcony for each Unit. Each Unit will be provided with one covered parking space which will not be attached to the Unit and shall be designated as Limited Common Area.

4. As specified in paragraph 35 of Article III of the Declaration, with this annexation of Phase III, each Unit Owner will have an undivided 1/36 interest in the Common Areas and Facilities.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on the 6 day of May, 1996.

DECLARANT:

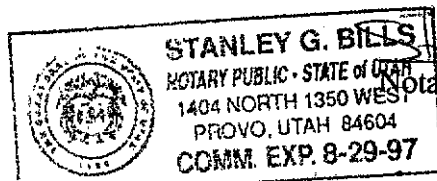
UTAH ARMADILLO LIMITED COMPANY

By: [Signature]  
Terry C. Harward, co-manager

[Signature]  
David K. Gardner, co-manager

STATE OF UTAH )  
 )ss.  
COUNTY OF UTAH )

On the 6 day of May, 1996, personally appeared before me Terry C. Harward and David K. Gardner, who being by me duly sworn, did say that they are the managers of Utah Armadillo Limited Company and that said instrument was signed in behalf of said company by authority of its operating agreement and they acknowledged to me that said company executed the same.



[Signature]  
Notary Public

## EXHIBIT "A"

ENT 43874 BK 3978 PG 378

### FRANKLIN PARK CONDOMINIUMS PHASE III - PROPERTY DESCRIPTION

Beginning at a point which is SOUTH 205.58 feet and WEST 421.82 feet from the Northwest Corner of Section 12, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence S04°11'38"E 45.42 feet; thence S20°54'49"E 118.06 feet; thence S00°36'01"W 33.91 feet; thence N88°17'34"W 146.56 feet; thence N81°50'03"W 26.51 feet; thence S23°34'55"W 14.17 feet; thence S03°04'02"E 49.44 feet; thence S36°50'18"E 14.13 feet; thence S53°27'07"W 35.58 feet; thence N36°23'07"W 122.17 feet; thence N52°50'12"E 102.15 feet; thence S66°28'21"E 20.47 feet; thence N24°00'00"E 152.34 feet; thence S66°00'00"E 32.33 feet; thence along the arc of a 44.00 foot radius curve to the left 29.82 feet, the chord of which bears S85°24'01"E 29.25 feet; thence N75°09'58"E 2.49 feet to the point of beginning.

Containing 0.76 acres