

4667206

2550

4667206
24 AUGUST 88 11:18 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
RON BERRIN
505 16 AVE SLC UT 84103
REC BY: DOROTHY SINFIELD, DEPUTY

WHEN RECORDED, RETURN TO:
WALTER J. PLUMB, III
411 EAST 100 SOUTH
SALT LAKE CITY, UTAH 84111

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF THE SUGARPLUM PHASE II CONDOMINIUMS

This Third Amendment to Declaration of Condominium of the Sugarplum Phase II Condominiums ("Third Amended Declaration") is executed pursuant to the Utah Condominium Ownership Act (the "Act") and the original Declaration this ___ day of August, 1988 by SUGARPLUM ASSOCIATES, a joint venture ("Declarant").

RECITALS

A. Declarant has heretofore filed for record on January 16, 1985 a Declaration of Condominium ("Declaration") of the Sugarplum Phase II Condominiums with the Salt Lake County Recorder, as Entry No. 4039541, Book 5622, Pages 2266-2309, together with a Record of Survey Map ("Map"), Entry No. 4039540.

B. The Declaration contains provisions for expansion of the Sugarplum Phase II Condominiums to include additional units within the Additional Land as defined in the Declaration.

C. Pursuant to such expansion provisions, the Declarant executed the First Amended Declaration of Condominium of the Sugarplum Phase II Condominiums on December 16, 1985 ("First Amended Declaration"), recorded with the Salt Lake County Recorder as Entry No. 4180108, Book 5720, Pages 1917-1918. The Declarant subsequently executed a Second Amendment to the Declaration of Condominium of the Sugarplum Phase II Condominiums on February 23, 1988 ("Second Amended Declaration"), recorded with the Salt Lake County Recorder as Entry No. 4590120, Book 6006, Pages 1824-1828.

D. Declarant desires by filing this Third Amended Declaration, together with a supplemental Record of Survey Map ("Supplemental Map") to correct certain ambiguities in the Second Amended Declaration by identifying H and I as units in the Village at Sugarplum, otherwise known as Part 3 Sugarplum Phase II Condominiums, and to expand Sugarplum Phase II Condominiums to include portions of the Additional Land, to be known as the Village at Sugarplum, Part 4 of Sugarplum Phase II Condominiums, and to adjust the percentages of undivided interest of all units in the Sugarplum Phase II Condominiums as permitted by the Declaration.

BOOK 6058 PAGE 1039

DECLARATION

1. Declarant hereby incorporates that portion of the Additional Land as described in Appendix B attached hereto and incorporated herein by this reference into the Sugarplum Phase II Condominiums, together with the two buildings located thereon containing a total of three units, and designated on the Supplemental Map as Units 21, J and K, which buildings are similar in construction to the original buildings described in the Declaration, and consist of two stories.

2. Declarant hereby designates on the Supplemental Map an additional building containing Units H and I, which was inadvertently and incorrectly omitted from the Second Amended Declaration.

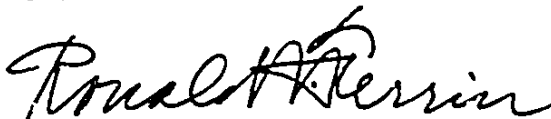
3. Attached hereto and incorporated by reference is an amended Appendix A to the Declaration, which reallocates the undivided interest in the common areas and facilities among all Units in the Sugarplum Phase II Condominiums, including the Units described in the Declaration, the First Amended Declaration, the Second Amended Declaration, as well as Units added hereby all in accordance with Section 57-8-13.6 and 57-8-13.10 (2) of the Act.

4. Both this Third Amended Declaration and the Supplemental Map shall be considered supplemental to the Declaration, the First Amended Declaration, the Second Amended Declaration, and to the Map and any supplements or additions thereto, and except as expressly amended by this Third Amended Declaration and the Supplemental Map, the Declaration and First Amended Declaration, Second Amended Declaration and the Map and its supplements shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Third Amended Declaration and the Supplemental Map.

Dated the year and day first above written.

SUGARPLUM ASSOCIATES,
a Joint Venture:

By MADISON COMPANY, a
Utah Corporation, its
General Partner


By: Ronald Ferrin, President

By R.A. FERRIN COMPANY, INC.
A Utah Corporation, its
General Partner


By: Ronald Ferrin, President

State of Utah)
 :
County of Salt Lake)

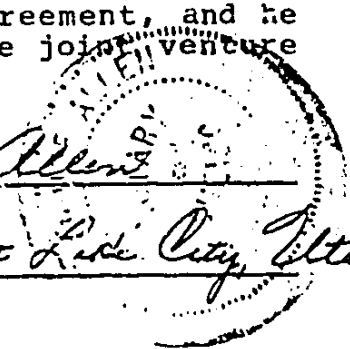
On this 24th day of August, 1988, personally appeared before me Ronald Ferrin, who being by me duly sworn, did say that he is the President of Madison Company and R.A. Ferrin Corporation, Utah Corporation, joint venturers in Sugarplum Associates, and the foregoing instrument was signed in behalf of such joint venture by authority of its joint venture agreement, and he acknowledged to me that the corporations and the joint venture executed the same.

My Commission Expires:

8-5-91

Josephine Allen
Notary Public

Residing In: Salt Lake City, Utah



AMENDED APPENDIX A
SUGARPLUM PHASE II CONDOMINIUMS

<u>Unit Number</u>	<u>Approximate Sq. Footage</u>	<u>Share of Ownership of Common Areas and Facilities</u>
1	3430	.061
2	2126	.038
3	2323	.041
4	2126	.038
5	2126	.038
6	2323	.041
7	1938	.034
8	1538	.027
9	1803	.032
10	1598	.028
11	2323	.041
12	1938	.034
13	2323	.041
14	2126	.038
15	2323	.041
16	1553	.027
17	2323	.041
18	2028	.036
21	2075	.037
A	1440	.026
B	1440	.026
C	1440	.026
D	1440	.026
E	1440	.026
F	1440	.026
G	1440	.026
H	1440	.026
I	1440	.026
J	1440	.026
K	<u>1440</u>	<u>.026</u>
	56,183	1.000

APPENDIX B

Parcel A

Beginning at a point which is N 67° 20' 00" W 220.00 feet and N 22° 40' 00" E 186.47 feet from the Southeast Corner of Lot 6 of Sugarplum Phase II Condominiums according to the official plat thereof, said corner of Lot 6 also being South 141.80 feet and East 774.47 feet from a 2" steel pipe placed in the rock kern of Corner #2 of the Black Jack Mining Lode Claim, Survey #5288, said claim corner being located S 32° 13' 19" W 3377.23 feet, more or less, from the Northeast Corner of Section 6, Township 3 South, Range 3 East, Salt Lake Base Meridian, and running thence from the point of beginning S 22° 40' 00" W 55.00 feet, thence N 69° 23' 36" W 89.00 feet thence N 22° 40' 00" E 55.00 feet then S 69° 23' 36" E 89.00 feet to the point of beginning containing 4,895+ sq. ft. or 0.112+ Acres.

Parcel B

Beginning at a point which is N 67° 20' 00" W 220.00 feet and N 22° 40' 00" E 186.47 feet and N 69° 23' 36" W 183.677 feet from the Southeast Corner of Lot 6 of Sugarplum Phase II Condominiums according to the official plat thereof, said corner of Lot 6 also being South 141.80 feet and East 774.47 feet from a 2" steel pipe placed in the rock kern of Corner #2 of the Black Jack Mining Lode Claim, Survey #5288, said claim corner being located S 32° 13' 19" W 3377.23 feet, more or less, from the Northeast Corner of Section 6, Township 3 South, Range 3 East, Salt Lake Base Meridian, and running then S 69° 23' 36" E 48.00 feet, thence S 46° 22' 43" W 113.55 feet, thence North 42.00 feet then N 35° 00' 00" E 64.99 feet to the point of beginning containing 3,237+ sq. ft. or 0.074+ Acres.