



FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST
CONDOMINIUMS, *Phase 2H*
An Expandable Utah Condominium Project

THIS FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST CONDOMINIUMS, an expandable Utah condominium project (this "**Fourth Amendment**"), is made effective as of the 26 day of July, 2011, 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 a fourth time as follows, with such amendment to become effective upon the recording of this Fourth Amendment and the

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 ninety six (96) total condominium units located in eight (8) 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 H. The Project as expanded by this Fourth 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 Fourth Amendment, each of the words used in this Fourth 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 Fourth Amendment on the date and year first above written.


DECLARANT:

SOLITUDE CONSTRUCTION LLC, a Utah limited liability company

N. Paul Girard
 Printed Name: N. PAUL GIRARD
 Title: Manager

STATE OF UTAH)
) ss.
County of Utah)

The foregoing instrument was acknowledged before me this 26th day of July, 2011, by N. Paul Gifford, as an authorized officer of Solitude Construction LLC.



Notary Public



EXHIBIT A
PHASE 2 PROPERTY LEGAL DESCRIPTION

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

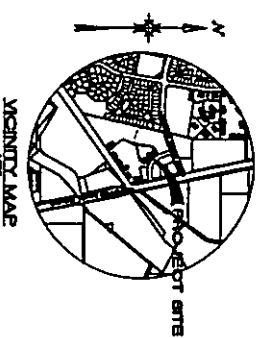
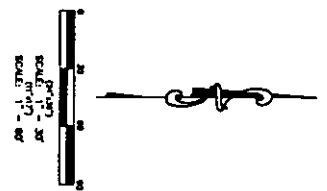
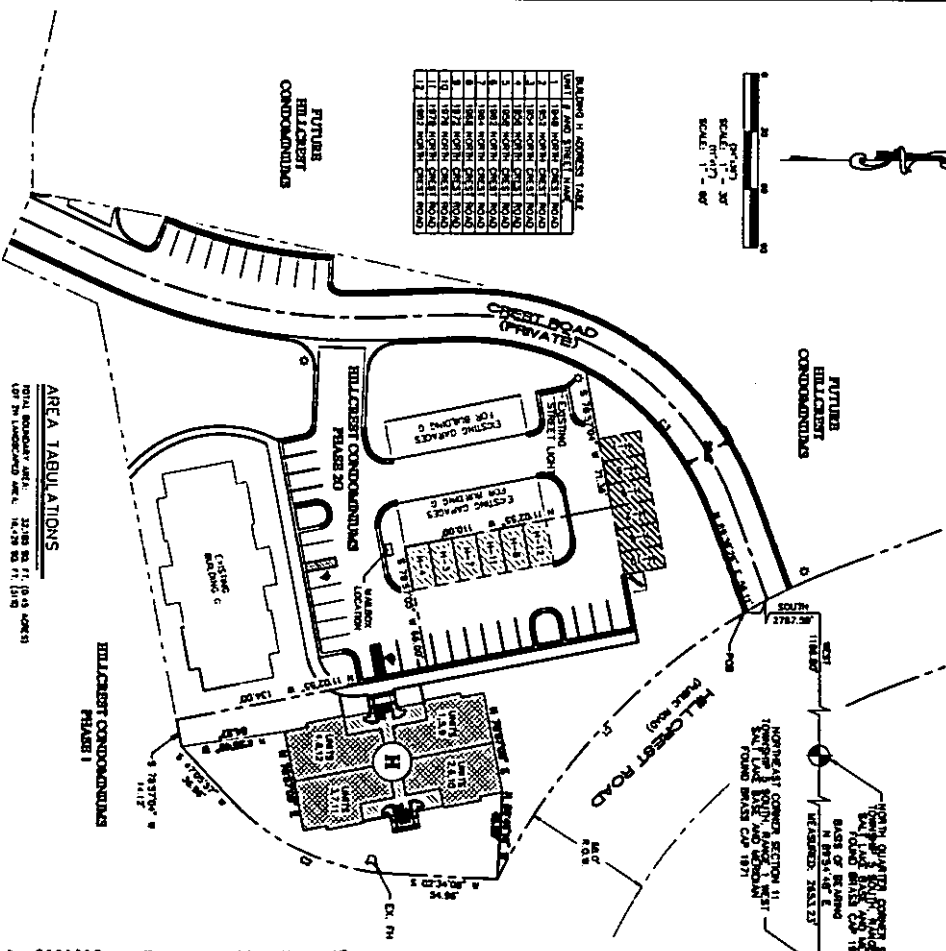
Commencing at a point which is West 1186.80 feet and South 2787.59 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence along a 328.00 foot radius curve to the left 192.02 feet (chord bears: South 47°17'32" East 189.29 feet); thence South 02°34'08" West 54.96 feet; thence along a 124.00 foot radius curve to the right 96.37 feet (chord bears: South 24°50'00" West 93.96 feet); thence South 47°05'57" West 36.96 feet; thence South 78°57'04" West 14.12 feet; thence North 11°02'55" West 134.00 feet; thence South 78°57'05" West 66.00 feet; thence North 11°02'55" West 110.00 feet; thence South 78°57'04" West 71.36 feet; thence along a non-tangent 136.00 foot radius curve to the right 98.87 feet (chord bears: North 48°46'47" West 96.71 feet); thence North 69°36'26" East 56.11 feet to the point of beginning. Parcel Contains: .74 acres more or less. Subdivision contains: 12 units.

EXHIBIT B
PHASE 2 PLAT H

[see attached]

HILLCREST CONDOMINIUMS PHASE 2H

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 WEST, S.W. 1/4, LAMAR COUNTY, IOWA



- LEGEND**
- PROPERTY BOUNDARY LINE
 - CONTRACT LINE
 - EASEMENT LINE
 - FIRE HYDRANT
 - STREET LIGHT
 - SECTION CORNER MONUMENT
 - PRIVATE DIMENSION
 - LIMITED COMMON AREA (GARAGE, PAVED DECK AND HALLWAYS)
 - COMMON AREA (PUBLIC UTILITY EASEMENTS)

BUILDING H. ADDRESS LIST

1	1951 NORTH CREST ROAD
2	1952 NORTH CREST ROAD
3	1953 NORTH CREST ROAD
4	1954 NORTH CREST ROAD
5	1955 NORTH CREST ROAD
6	1956 NORTH CREST ROAD
7	1957 NORTH CREST ROAD
8	1958 NORTH CREST ROAD
9	1959 NORTH CREST ROAD
10	1960 NORTH CREST ROAD
11	1961 NORTH CREST ROAD
12	1962 NORTH CREST ROAD
13	1963 NORTH CREST ROAD
14	1964 NORTH CREST ROAD
15	1965 NORTH CREST ROAD
16	1966 NORTH CREST ROAD
17	1967 NORTH CREST ROAD
18	1968 NORTH CREST ROAD
19	1969 NORTH CREST ROAD
20	1970 NORTH CREST ROAD
21	1971 NORTH CREST ROAD
22	1972 NORTH CREST ROAD
23	1973 NORTH CREST ROAD
24	1974 NORTH CREST ROAD
25	1975 NORTH CREST ROAD
26	1976 NORTH CREST ROAD
27	1977 NORTH CREST ROAD
28	1978 NORTH CREST ROAD
29	1979 NORTH CREST ROAD
30	1980 NORTH CREST ROAD
31	1981 NORTH CREST ROAD
32	1982 NORTH CREST ROAD
33	1983 NORTH CREST ROAD
34	1984 NORTH CREST ROAD
35	1985 NORTH CREST ROAD
36	1986 NORTH CREST ROAD
37	1987 NORTH CREST ROAD
38	1988 NORTH CREST ROAD
39	1989 NORTH CREST ROAD
40	1990 NORTH CREST ROAD
41	1991 NORTH CREST ROAD
42	1992 NORTH CREST ROAD
43	1993 NORTH CREST ROAD
44	1994 NORTH CREST ROAD
45	1995 NORTH CREST ROAD
46	1996 NORTH CREST ROAD
47	1997 NORTH CREST ROAD
48	1998 NORTH CREST ROAD
49	1999 NORTH CREST ROAD
50	2000 NORTH CREST ROAD

AREA TABULATIONS
TOTAL BUILDING AREA: 32,148 SQ. FT. (0.74 ACRES)
TOTAL GARAGE AREA: 14,278 SQ. FT. (0.33 ACRES)

- NOTES:**
- THE INSTALLATION OF ALL IMPROVEMENTS SHALL CONFORM TO THE CITY OF LAMAR, IOWA, ORDINANCES, REQUIREMENTS, CONSTRUCTION STANDARDS, POLICIES AND ANY OTHER RULES PERTAINING TO THE CITY OF LAMAR, IOWA.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED PRIOR TO THE COMMENCEMENT OF THE SALE OF THE UNITS.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED BUDGET.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED AREA.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED PERMITS.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED REGULATIONS.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED STANDARDS.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED POLICIES.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED RULES.

OWNER LIST

UNIT NO.	OWNER NAME	ADDRESS
1	John Doe	123 Main St
2	Jane Smith	456 Elm St
3	Bob Johnson	789 Oak St
4	Sarah Williams	101 Pine St
5	Michael Brown	202 Cedar St
6	Emily Davis	303 Birch St
7	David Miller	404 Walnut St
8	Olivia Taylor	505 Spruce St
9	William Anderson	606 Maple St
10	Isabella White	707 Poplar St
11	James Green	808 Ash St
12	Mia Black	909 Hickory St
13	Lucas Gray	1010 Sycamore St
14	Charlotte King	1111 Magnolia St
15	Benjamin Lee	1212 Dogwood St
16	Ava Hall	1313 Redwood St
17	Ethan Young	1414 Cypress St
18	Sophia King	1515 Juniper St
19	Henry Wright	1616 Fir St
20	Aria Lopez	1717 Laurel St
21	Leo Hill	1818 Cypress St
22	Grace Adams	1919 Dogwood St
23	Diego Baker	2020 Sycamore St
24	Lily Green	2121 Magnolia St
25	Carter Hall	2222 Dogwood St
26	Ariana King	2323 Redwood St
27	Grayson Lee	2424 Cypress St
28	Skylar King	2525 Juniper St
29	Logan Wright	2626 Fir St
30	Madison Lopez	2727 Laurel St
31	Wyatt Hill	2828 Cypress St
32	Zoe Adams	2929 Dogwood St
33	Julian Baker	3030 Sycamore St
34	Leah Green	3131 Magnolia St
35	Robert Hall	3232 Dogwood St
36	Chloe King	3333 Redwood St
37	Jack Lee	3434 Cypress St
38	Madelyn King	3535 Juniper St
39	Connor Wright	3636 Fir St
40	Isabella Lopez	3737 Laurel St
41	Yusuf Hill	3838 Cypress St
42	Chloe Adams	3939 Dogwood St
43	Julian Baker	4040 Sycamore St
44	Leah Green	4141 Magnolia St
45	Robert Hall	4242 Dogwood St
46	Chloe King	4343 Redwood St
47	Jack Lee	4444 Cypress St
48	Madelyn King	4545 Juniper St
49	Connor Wright	4646 Fir St
50	Isabella Lopez	4747 Laurel St
51	Yusuf Hill	4848 Cypress St
52	Chloe Adams	4949 Dogwood St
53	Julian Baker	5050 Sycamore St
54	Leah Green	5151 Magnolia St
55	Robert Hall	5252 Dogwood St
56	Chloe King	5353 Redwood St
57	Jack Lee	5454 Cypress St
58	Madelyn King	5555 Juniper St
59	Connor Wright	5656 Fir St
60	Isabella Lopez	5757 Laurel St
61	Yusuf Hill	5858 Cypress St
62	Chloe Adams	5959 Dogwood St
63	Julian Baker	6060 Sycamore St
64	Leah Green	6161 Magnolia St
65	Robert Hall	6262 Dogwood St
66	Chloe King	6363 Redwood St
67	Jack Lee	6464 Cypress St
68	Madelyn King	6565 Juniper St
69	Connor Wright	6666 Fir St
70	Isabella Lopez	6767 Laurel St
71	Yusuf Hill	6868 Cypress St
72	Chloe Adams	6969 Dogwood St
73	Julian Baker	7070 Sycamore St
74	Leah Green	7171 Magnolia St
75	Robert Hall	7272 Dogwood St
76	Chloe King	7373 Redwood St
77	Jack Lee	7474 Cypress St
78	Madelyn King	7575 Juniper St
79	Connor Wright	7676 Fir St
80	Isabella Lopez	7777 Laurel St
81	Yusuf Hill	7878 Cypress St
82	Chloe Adams	7979 Dogwood St
83	Julian Baker	8080 Sycamore St
84	Leah Green	8181 Magnolia St
85	Robert Hall	8282 Dogwood St
86	Chloe King	8383 Redwood St
87	Jack Lee	8484 Cypress St
88	Madelyn King	8585 Juniper St
89	Connor Wright	8686 Fir St
90	Isabella Lopez	8787 Laurel St
91	Yusuf Hill	8888 Cypress St
92	Chloe Adams	8989 Dogwood St
93	Julian Baker	9090 Sycamore St
94	Leah Green	9191 Magnolia St
95	Robert Hall	9292 Dogwood St
96	Chloe King	9393 Redwood St
97	Jack Lee	9494 Cypress St
98	Madelyn King	9595 Juniper St
99	Connor Wright	9696 Fir St
100	Isabella Lopez	9797 Laurel St

FLAGSHIP HOMES 1001 W. 2ND ST. SUITE 200 LAMAR, IOWA 52240 PHONE: 562-1234	PUBLIC UTILITIES APPROVALS	DATE	DIR. CHIEF APPROVAL	PLANNING COMMISSION APPROVAL	SUBDIVISION SERVICES ENGINEER APPROVAL	SUBDIVISION SERVICES ATTORNEY
TRANE ENGINEERING, P.C. 1001 W. 2ND ST. SUITE 200 LAMAR, IOWA 52240 PHONE: 562-1234	CONTRACT NO.		CITY OF LAMAR	CITY OF LAMAR	CITY OF LAMAR	CITY OF LAMAR

OWNER'S DECLARATION:

I, the undersigned, being the owner of the property described herein, do hereby declare that the information furnished herein is true and correct and that I am the owner of the property described herein. I understand that the information furnished herein will be used for the purpose of the subdivision and that I am responsible for the accuracy of the information furnished herein. I understand that the information furnished herein is subject to the review and approval of the City of Lamar, Iowa, and that I am responsible for the accuracy of the information furnished herein. I understand that the information furnished herein is subject to the review and approval of the City of Lamar, Iowa, and that I am responsible for the accuracy of the information furnished herein.

ACCEPTANCE BY LEGISLATIVE BODY:

The Mayor of the City of Lamar, Iowa, and the Board of Directors of the City of Lamar, Iowa, do hereby accept and approve the subdivision described herein and the information furnished herein. We understand that the information furnished herein is subject to the review and approval of the City of Lamar, Iowa, and that we are responsible for the accuracy of the information furnished herein.

HILLCREST CONDOMINIUMS PHASE 2H

AN EXPANDABLE UTILITY CONDOMINIUM PROJECT INCLUDING A VARIATION OF A PORTION OF LOT 1, HILLCREST OVERALL SUBDIVISION PLAT NO. 123456789

DATE: 11/15/2011

CITY OF LAMAR: 11/15/2011

PLANNING COMMISSION: 11/15/2011

SUBDIVISION SERVICES ENGINEER: 11/15/2011

SUBDIVISION SERVICES ATTORNEY: 11/15/2011

EXHIBIT C
AMENDED TABLE OF UNITS & OWNERSHIP INTERESTS

[see attached]

EXHIBIT C TO FOURTH AMENDMENT TO DECLARATION— HILLCREST CONDOMINIUMS

Amended Table of Units & Ownership Interests

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EXHIBIT C- Amended

(Units, Undivided Ownership Interests, and Votes)

<u>UNIT NO.</u>	<u>SIZE</u> (Square Feet)*	<u>UNDIVIDED OWNERSHIP INTERESTS</u> (Percentage)	<u>VOTES</u>	
<u>Bldg</u>	<u>Unit Number</u>	<u>Unit Square Footage</u>	<u>% Undivided Ownership of Common Area</u>	<u>Number of Votes</u>
A	1	1,261	1.042%	1
A	2	1,261	1.042%	1
A	3	1,261	1.042%	1
A	4	1,261	1.042%	1
A	5	1,261	1.042%	1
A	6	1,261	1.042%	1
A	7	1,261	1.042%	1
A	8	1,261	1.042%	1
A	9	1,261	1.042%	1
A	10	1,261	1.042%	1
A	11	1,261	1.042%	1
A	12	1,261	1.042%	1
B	1	1,261	1.042%	1
B	2	1,261	1.042%	1
B	3	1,261	1.042%	1
B	4	1,261	1.042%	1
B	5	1,261	1.042%	1
B	6	1,261	1.042%	1
B	7	1,261	1.042%	1
B	8	1,261	1.042%	1
B	9	1,261	1.042%	1
B	10	1,261	1.042%	1
B	11	1,261	1.042%	1
B	12	1,261	1.042%	1
C	1	1,261	1.042%	1
C	2	1,261	1.042%	1
C	3	1,261	1.042%	1
C	4	1,261	1.042%	1
C	5	1,261	1.042%	1
C	6	1,261	1.042%	1
C	7	1,261	1.042%	1
C	8	1,261	1.042%	1
C	9	1,261	1.042%	1
C	10	1,261	1.042%	1
C	11	1,261	1.042%	1
C	12	1,261	1.042%	1
D	1	1,261	1.042%	1
D	2	1,261	1.042%	1

D	3	1,261	1.042%	1
D	4	1,261	1.042%	1
D	5	1,261	1.042%	1
D	6	1,261	1.042%	1
D	7	1,261	1.042%	1
D	8	1,261	1.042%	1
D	9	1,261	1.042%	1
D	10	1,261	1.042%	1
D	11	1,261	1.042%	1
D	12	1,261	1.042%	1
E	1	1,261	1.042%	1
E	2	1,261	1.042%	1
E	3	1,261	1.042%	1
E	4	1,261	1.042%	1
E	5	1,261	1.042%	1
E	6	1,261	1.042%	1
E	7	1,261	1.042%	1
E	8	1,261	1.042%	1
E	9	1,261	1.042%	1
E	10	1,261	1.042%	1
E	11	1,261	1.042%	1
E	12	1,261	1.042%	1
F	1	1,261	1.042%	1
F	2	1,261	1.042%	1
F	3	1,261	1.042%	1
F	4	1,261	1.042%	1
F	5	1,261	1.042%	1
F	6	1,261	1.042%	1
F	7	1,261	1.042%	1
F	8	1,261	1.042%	1
F	9	1,261	1.042%	1
F	10	1,261	1.042%	1
F	11	1,261	1.042%	1
F	12	1,261	1.042%	1
G	1	1,261	1.042%	1
G	2	1,261	1.042%	1
G	3	1,261	1.042%	1
G	4	1,261	1.042%	1
G	5	1,261	1.042%	1
G	6	1,261	1.042%	1
G	7	1,261	1.042%	1
G	8	1,261	1.042%	1
G	9	1,261	1.042%	1
G	10	1,261	1.042%	1
G	11	1,261	1.042%	1
G	12	1,261	1.042%	1
H	1	1,261	1.042%	1
H	2	1,261	1.042%	1
H	3	1,261	1.042%	1
H	4	1,261	1.042%	1

H	5	1,261	1.042%	1
H	6	1,261	1.042%	1
H	7	1,261	1.042%	1
H	8	1,261	1.042%	1
H	9	1,261	1.042%	1
H	10	1,261	1.042%	1
H	11	1,261	1.042%	1
H	12	1,261	1.042%	1
Total		121,056	100.000%	96

*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.