

9/11



After recording return to:  
Art City Townhomes, LLC  
947 South 500 East #100  
American Fork, Utah 84003

ENT 67319:2015 PG 1 of 5  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2015 Jul 27 4:00 pm FEE 28.00 BY ED  
RECORDED FOR SPRINGVILLE CITY CORPORATIO

**SUPPLEMENTAL DECLARATION OF CONDOMINIUM  
OF ART CITY TOWNHOMES  
PHASE C**

**THIS SUPPLEMENTAL DECLARATION** is made by Art City Townhomes, LLC (“Declarant”), owner of the property known as Art City Townhomes Phase C (as described in Exhibit “A” to this Supplemental Declaration.

RECITALS

A. Real property in Utah County, Utah, known as Art City Townhomes was subjected to covenants, conditions, and restrictions pursuant to a Declaration recorded July 21, 2015, in the Utah County Recorder’s Office as Entry No. 67315-2015 (“Declaration”). Declarant is the owner of the land described in Exhibit “A”.

B. Under Article II, Section 2.2 of the Declaration, Declarant has the right to add Units to this Project;

C. Declarant desires to annex property into the Project. The annexed land shall be known as Phase C as described in Exhibit “A” and the plat recorded simultaneously herewith.

**NOW, THEREFORE,** Declarant hereby declares as follows:

1. All defined terms as used in this Supplemental Declaration shall have the same meaning as those set forth and defined in the Declaration, unless a definition is given to the term in this Supplemental Declaration.
2. The real property described in Exhibit “A” and situated in Springville City, Utah County, Utah, is hereby made subject to the provisions of the Declaration and, pursuant thereto, is hereby annexed in to the Project and is to be held, transferred, sold, conveyed, and occupied as a part of the Project, subject to the following:

**RESERVING UNTO DECLARANT,** however, such easements and rights of ingress and egress over, across, through, and under the said property and any improvements (including buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant (in as manner which is reasonable and not inconsistent with the provisions of the Declaration); (i) to construct and complete the Project, and to do all things reasonably necessary or property in connection therewith; (ii) to construct and complete on the Additional Land, or any portion thereof, such improvements as Declarant shall determine to build in its sole discretion (and whether or not the Additional Land, or any portion thereof has been or hereafter will be added to the Project);(iii) to amend the existing Project as to the number of lot, lot sizes, and units to be built upon the land, as permitted by the laws of the State of Utah, and Utah County and the zoning requirements of Springville City; and (iv) to improve portion of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners a Declarant may reasonably determine to be appropriate. If, pursuant to all foregoing reservations, the said property or any improvements thereon is traversed or partially occupied by a permanent improvement or

utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire 7 years after the date on which this Supplemental Declaration is recorded. Declarant may add land and subject it to the Declaration in its discretion for 7 years from the date this Supplemental Declaration is recorded.

**THE FOREGOING IS SUBJECT TO** all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservations and exclusions, all mineral reservations of record and rights incident thereto; all instruments of record which affect the above described real property or any portion thereof, including, without limitation, any mortgage or deed of trust (and nothing in this paragraph shall be deemed to modify or amend such mortgage, or deed of trust); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on, or revealed by, a plat or otherwise existing, an easement for each and every pipe, line, cable, wire, utility line or similar facility which traverses or partially occupies the said real property at such time as construction of all Development Improvement is complete; and all easements necessary for ingress or egress from, maintenance of, and replacement of all such pipes, lines, cable, wire, utility lines, and similar facilities.

3. The Declaration as previously amended and supplemented shall remain unchanged and, together with Supplemental Declaration shall constitute the Declaration and Covenants, Conditions and Restrictions for the Project as it may be further expanded by the annexation of the Additional Land.
4. Declarant reserves the right, as stated in the Declaration to Class B voting membership.
5. This Supplemental Declaration shall be recorded in the Utah County Recorder's Office to accompany the Plat Map entitled Art City Townhomes Phase C recorded simultaneously herewith, located in Springville City, Utah County, Utah, executed and acknowledged by Declarant, and accepted by Springville City.
6. The Declarant hereby adds an additional four Units to bring the total to 11 Units. The Percentage interest shall be changed to be 1/11<sup>th</sup> per Unit. Phase C adds to the previously recorded phases which includes Phase A and B (see Exhibit "B" to this Supplemental Declaration).

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first set forth above.

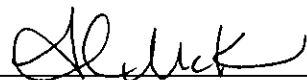
**DECLARANT**

Art City Townhomes, LLC  
A Utah limited Liability Company

  
By: Brad A. Jensen  
Its: Manager/Member

STATE OF UTAH                    )  
  ;SS  
COUNTY OF UTAH                )

On this 27<sup>th</sup> day of July, 2015, personally appeared before me, Brad A. Jensen, who being by me duly sworn did say that he is the agent of the Declarant, authorized to execute this Declaration.

  
Notary Public

Residing at: Utah  
My commission expires: 5/14/16



**EXHIBIT "A"**  
**Legal Description**

Art City Phase C

A parcel of land located in the Southwest Quarter of Section 28, Township 7 South, Range 3 East, Salt Lake Base and Meridian, located in Springville, Utah County, Utah, more particularly as described as follows:

Beginning at a point on the East line of Lot 3, Art City Commercial Subdivision, Plat A, as recorded in the Office of the Utah County Recorder, said point being located West 271.24 feet and North 1111.66 feet from the South Quarter Corner of Section 28, Township 7 South, Range 3 East, Salt Lake Base and Meridian, and running thence N89°47'27"W 70.80 feet; thence N00°12'35"E 3.08 feet; thence N89°47'26"W 9.49 feet to the beginning of a curve to the right, having a radius of 4.00 feet; thence along the arc of said curve a length of 6.26 feet, passing through a central angle of 89°43'27", chord bears N44°55'43"W 5.64 feet; thence N00°12'33"E 115.94 feet; thence S89°47'27"E 84.29 feet to the East line of said Lot 3; thence S00°12'33"W 123.00 feet to the point of beginning.

Containing 0.237 acres, more or less.

**Exhibit "B"**

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<b>Phase #</b>	<b>Plat #</b>	<b>Percentage Ownership</b>
Phase 1	Phase A	1/4
Phase 2	Phase B	1/7
Phase 3	Phase C	1/11