

When recorded please return to:

Michael R. Holmes
Prowswood, Ltd.
4885 South 900 East
Salt Lake City, UT

Recorded at request of SECURITY TITLE COMPANY Order No. 825/8 Fee Paid 29.⁵⁰
Date OCT 16 1984 at 8³⁶ M CAROL DEAN PAGE Recorder Davis County
By Sharon [Signature] Deputy Book 1009 Page 917

FIRST AMENDMENT
685345 TO
DECLARATION OF CONDOMINIUM
OF
CARRIAGE CROSSING (PHASE II)
AN EXPANDABLE CONDOMINIUM COMMUNITY

2101 - 2106
2201 - 2206
2301 - 2304
Phase II

THIS FIRST AMENDMENT TO DECLARATION is made on the date set forth at the end hereof by Prowswood, Ltd., a Utah corporation, hereinafter called "Declarant," for itself, its successors, grantees and assigns, pursuant to the condominium Ownership Act of the State of Utah.

RECITALS

A. On August 8, 1984, Declarant executed a Declaration of Condominium of Carriage Crossing, an Expandable Condominium Community (the "Declaration") as part of a Plan for the Carriage Crossing Condominium Project (the "Project"), which Declaration was recorded in the Office of the County Recorder of Davis County, State of Utah, on August 21, 1984, as Entry No. 680796 in Book 1002 at Pages 1274 through 1338. The Declaration and the Map submitted to the provisions of the Act and following described real property situated in Salt Lake County, State of Utah, to wit:

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

See Exhibit "A" attached hereto and incorporated herein by this reference.

B. Declarant desires pursuant to Section 36 of the Declaration to expand the Project.

C. Declarant is the record owner of the real property described on Exhibit "B" attached hereto (the "Phase II Land") which is a portion of the Additional Land described in the Declaration. The Record of Survey Map Phase II of the Project ("Phase II Map") consists of six (6) sheets, prepared and certified to by J. Scott Balling, a Utah Registered Land Surveyor. Upon recordation, this document shall effect the first expansion of the Project.

D. It is the intent of the Declaration that the Phase II Land shall become subject to the Declaration.

E. There currently exists in the Project twenty (20) Units. This Amendment to Declaration and the Phase II Map expand the Project to include sixteen (16) Additional Units and additional Common and Limited Common Areas, all as depicted on the Phase II Map. After the recording of the Phase II Map and this Amendment to Declaration, there will be a total thirty-six (36) Units in the Project.

NOW, THEREFORE, for such purposes, Declarant hereby makes the following Amendment to Declaration:

1. Definitions. Except as otherwise defined herein or as may be required by the context, all terms or expressions defined in the Declaration, shall have such defined meanings when used in this Amendment to Declaration.

2. Submission to Condominium Ownership. Declarant hereby submits to the provisions of the Act, as additional land associated with the Project, the parcels of real property situated in Davis County, State of Utah, described on Exhibit "B" attached hereto.

RESERVED FROM THE SUBMISSION OF THE LAND described on Exhibit "B" are such easements and rights of egress and ingress over, across, through and under the Land, any improvements now or hereafter constructed thereon as may be necessary to develop the Project as it may be expanded as provided in the Declaration. If pursuant to this reservation the above-described real property or any improvement 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 reservation hereby affected shall terminate upon the completion and sale of all Units in the Project. AND SUBJECT, ALSO, to all visible easements and easements of record and SUBJECT FURTHER to restrictions, provisions and covenants of record.

3. Description of Improvements. The significant improvements contained or to be contained in the Phase II of the Project include one (1) two and one-half story building

containing sixteen (16) Units each constructed principally of concrete foundation with exterior walls of wood composition siding, asphalt shingle roofing, interior walls of wood studs, plywood and dry wall plaster. Each unit has an assigned carport. Said improvements are located substantially as shown in the Phase II Map and will be subject to easements which are reserved through the Project as may be required for utility services.

The Phase II Map shows the Unit Number of each Unit, its location, those Limited Common Areas and Facilities which are reserved for its use, and the Common Areas and Facilities to which it has immediate access. All Units, of whatever type, shall be capable of being independently owned, encumbered and conveyed.

4. Description of Limited Common Areas and Facilities. Each Owner of a Unit is hereby granted an irrevocable and exclusive license to use and occupy the Limited Common Areas and Facilities reserved exclusively for the use of his Unit. The Limited Common Areas appurtenant to any given Unit consist of a patio, entrance walkway and/or balcony areas contiguous with the Unit as indicated on the Phase II Map, and the assigned carport appurtenant to each Unit. The exclusive right to use and occupy each Limited Common Area shall be appurtenant to and shall pass with the title to the Unit with which it is associated.

5. Computation of Undivided Interest. The percentage of undivided ownership interest in the Common Areas and Facilities which is appurtenant to each Unit has been computed by determining the ratio between the square footage associated with such Unit (as set forth in Exhibit "C") and the aggregate square footages of all Units in the Project including previous Phases (with such minor adjustments in some or all of the resulting percentage interests as may have been necessary to assure that the total undivided interest respecting the Project equals 100%). These percentages are subject to diminution upon merger with the other Phases. Substantially identical Units have been assigned the same square footage, and the total of all undivided interests equals 100%. A Unit Owner's percentage of ownership interest in the Common Areas and Facilities shall be for all purposes, including voting and assessment of common expenses.

6. Contents of Revised Exhibit "C". The Revised Exhibit "C" to this Amendment to Declaration contains the

following information with respect to each Unit contained in the Project as expanded: (i) the Unit number and type; (ii) the assigned carport; (iii) the square footage of the Unit; and (iv) the appurtenant Percentage Ownership Interest in Common Areas and Facilities after the expansion accomplished by this Amendment to Declaration.

7. Effective Date. This Amendment to Declaration shall take effect upon recording.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment to Declaration this 15 day of October, 1984.

ATTEST: PROSWOOD, LTD., a Utah corporation

David C. Judd
Secretary

BY [Signature]
Vice President

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 15 day of October, 1984, personally appeared before me Michael R. Holmes and David C. Judd, who being by me duly sworn, did say that they are the Vice President and Secretary respectively of Prowswood, Ltd., a Utah corporation and the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors and they duly acknowledged to me that said corporation executed the same.

Kenyon R. Gurr
NOTARY PUBLIC
Residing at: ~~Salt Lake City~~, Utah
Bountiful

My Commission Expires:
April 4, 1986

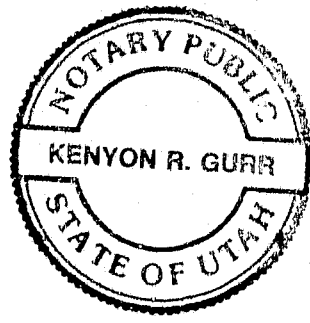


EXHIBIT "A"

Beginning at a point which is N 89°44'04" E 1284.84 ft along the south line of a street (500 South Street) and S 0°36'11" E 1047.04 ft along the west line of a street (Main Street) from the Northwest Corner of Lot 4, Block "L", North Mill Creek Plat, Bountiful Townsite Survey, and running thence S 89°57'30" W 223.06 ft along the extended north line of a concrete retaining wall; thence N 0°01'15" W 21.16 ft along the extended west line of a concrete retaining wall; thence N 37°28'40" E 25.30 FT; thence northwesterly 33.43 ft along the arc of a 47.08 ft radius curve to the right through a central angle of 40°41'20" (radius point bears N 37°28'40" E from the beginning of the curve), thence N 11°50'W 69.69 ft thence northwesterly 10.88 ft along the arc of a 20.00 ft radius curve to the left through a central angle of 31°10' (radius point bears S 78°10' W from the beginning of the curve); thence N 43°00' W 20.15 ft; thence westerly 37.82 ft along the arc of a 20.00 ft radius curve to the left through a central angle of 108°21'10" (radius point bears S 47°00' W from the beginning of the curve); thence N 61°21'10" W 25.00 ft; thence northeasterly 4.62 ft along the arc of a 100.00 ft radius curve to the left through a central angle of 2°38'50" (radius point bears N 61°21'10" W from the beginning of the curve); thence N 26°00' E 42.00 ft; thence northeasterly 189.11 ft along the arc of a 110.00 ft radius curve to the right through a central angle of 98°30' (radius point bears N 64°00'W from the beginning of the curve); thence S 55°30' E 49.84 ft; thence southeasterly 61.27 ft along the arc of a 100.00 ft radius curve to the left through a central angle of 35°06'10" (radius point bears N 34°30' E from the beginning of the curve); thence N 89°23'49" E 29.55 ft; thence S 0°36'11" E 207.99 ft along said west line of Main Street to the point of beginning. Containing 1.3929 acres.

EXHIBIT "B"

ADDITIONAL LAND

Beginning at the Southwest Corner of CARRIAGE CROSSING CONDOMINIUM PHASE 1 and the Corner of an existing concrete retaining wall which point is N 89°44'04" E 1284.84 ft. along the South line of a street (500 South Street) and S 0°36'11" E 1047.04' ft. along the West line of a street (Main Street) and S 89°57'30" W 223.06 ft. along the South boundary of said CARRIAGE CROSSING CONDOMINIUMS PHASE 1 from the Northwest corner of Lot 4 Block "L", North Mill Creek Plat, Bountiful Townsite Survey; and running thence S 89°57'30" W 79.73 ft., thence N 23°53'30" W 81.99 ft.; thence S 89°50'26" W 82.33 ft.; thence N 0°09'34" E 43.72 ft.; thence S 89°50'26" E 10.85 ft.; thence Northeasterly 111.86 ft. along the arc of a 112.50 ft. radius curve to the left through a central angle of 56°58'15" (radius point bears N 0°09'34" E from the beginning of the curve; thence along the boundary of said CARRIAGE CROSSING CONDOMINIUMS PHASE 1 in the following eight courses to the point of beginning; S 61°21'10" E 25.79 ft.; Easterly 37.82 ft along the arc of a 20.00 ft. radius curve to the right through a central angle of 108°21'10" (radius point bears S 61°21'10" E from the beginning of the curve); S 43°00' E 20.15 ft.; Southeasterly 10.88 ft. along the arc of a 20.00 ft. radius curve to the right through a central angle of 31°10' (radius point bears S 47°00' W from the beginning of the curve); S 11°50' E 69.69 ft; Southeasterly 33.43 ft. along the arc of a 47.08 ft. radius curve to the left through a central angle of 40°41'20" (radius point bears N 78°10' E from the beginning of the curve); S 37°28'40" W 25.30 ft.; S 0°01'15" E 21.16 ft.

Containing 0.4833 acres.

EXHIBIT "C"

(Phases I and II)

CARRIAGE CROSSING, A CONDOMINIUM PROJECT

<u>Unit #</u>	<u>Type of Unit</u>	<u>Limited Common Areas and Facilities Appurtenant To Unit</u>	<u>Square Footage of Unit</u>	<u>Appurtenant % of Ownership in Common Areas and Facilities</u>
<u>Bldg. #1</u>				
		<u>Carport #</u>		
1101	B	14	900	2.346
1102	B	13	900	2.346
1103	A	23	900	2.346
1104	A	6	900	2.346
1105	E	15	985	2.566
1106	E	21	985	2.566
1107	E	1	985	2.566
1108	E	3	985	2.566
1201	B	12	900	2.346
1202	B	11	900	2.346
1203	A	5	900	2.346
1204	A	7	900	2.346
1205	F	16	1,344	3.502
1206	F	22	1,344	3.502
1207	F	2	1,344	3.502
1208	F	4	1,344	3.502
1301	D	10	1,250	3.257
1302	D	24	1,250	3.257
1303	C	8	1,250	3.257
1304	C	9	1,250	3.257
<u>Bldg. #2</u>				
2101	B	20	900	2.346
2102	B	19	900	2.346
2103	B	18	900	2.346
2104	B	17	900	2.346
2105	E	25	985	2.566
2106	E	27	985	2.566
2201	B	35	900	2.346
2202	B	36	900	2.346
2203	B	30	900	2.346
2204	B	31	900	2.346
2205	F	36	1,344	3.502
2206	F	20	1,344	3.502
2301	D	33	1,250	3.257
2302	D	34	1,250	3.257
2303	D	29	1,250	3.257
2304	D	36	1,250	3.257
TOTAL			38,374	100.000