

After Recording Please Return To:

Pinehurst Management
Attn: Stacey Anderson
1039 S. Orem Blvd.
Orem, UT 84058

ENT 73726:2007 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2007 May 18 11:15 am FEE 23.00 BY SS
RECORDED FOR PINEHURST MANAGEMENT

AFFIDAVIT MEMORANDUM RELATIVE TO

**AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)**

**PINEHURST PLAZA OFFICE CONDOMINIUMS
Orem, Utah County, Utah**

THIS AFFIDAVIT MEMORANDUM, pertaining to the facts and circumstances set forth in the Amended and Restated Declaration of Condominium of Pinehurst Plaza Office Condominiums (herein "the A&R Declaration") is made by Ammon Jones (herein "Affiant"), as President of the Pinehurst Plaza Office Condominiums Owners Association (herein "the Association"), with reference to the following facts:

A. On or about January 9, 2007, Pinehurst At 800 North, L.L.C., as the developer of Pinehurst Plaza Office Condominiums (herein "the Project") caused to be recorded in the Public Records as Entry 4503:2007 Pages 1-30, inclusive, the A&R Declaration, setting forth in the RECITALS thereto the complete sequence of events throughout the development of the Project, including recordation of the Condominium Plats, Amended Condominium Plats, Declaration of Condominium, Supplements to Declaration, and Amended Exhibit "A" which sets forth the respective Buildings and Units within the Project, the Unit sizes, percentage of undivided ownership interest of Owners in and to undivided Common Area, and votes of Owners.

B. Among such RECITALS, in paragraph E, appears reference to the recordation of the Condominium Plat entitled **Pinehurst Plaza Office Condominiums, Amended Phase "1"** (both therein and herein "the Amended Original Plat") which subdivided Unit 103 into Units 103A, 103B and 103C. However, through inadvertence, the Amended Original Plat reflected certain party and exterior walls separating Units 101 and 102 from each other and from certain Limited Common Area space shared by said Units to be in locations other than where such walls were in fact, actually constructed. **Note: (The Project's Original and Amended Original Plats pertain to and describe Building "B".)**

C. The Owners of Units 101 and 102 have requested that the Amended Original Plat be further amended by recording a new Condominium Plat to be entitled **Pinehurst Plaza Office Condominiums, Amended Amended Phase "1"**, which Plat has been executed and acknowledged by all of the Owners of Units in Building "B", and which Plat, when recorded in the public records, will vacate the Amended Original Plat.

NOW, THEREFOR, Affiant, based upon information and belief of facts presented by professional consultants, and by reason of his office as President of the Association, hereby states as follows:

1. The facts and circumstances set forth in the above Affidavit Memorandum are true and the Condominium Plat entitled **Pinehurst Plaza Office Condominiums, Amended Amended Phase "1"** shall be submitted for recordation in the Public Records concurrently with this Affidavit Memorandum;

2. Because the original construction of Units 101 and 102 are in concurrence with the specifications set forth in the Condominium Plat referenced in paragraph 1, above, there is no reason to amend the A&R Declaration, as the square footages, ownership interests and voting allocations set forth in Amended Exhibit "A" thereto are still correct and operative;

3. A copy of this Affidavit Memorandum as recorded shall accompany the recorded A&R Declaration as a permanent informational part thereof;

4. All defined terms herein, i.e., those capitalized, shall have the same meanings and references as set forth throughout the A&R Declaration, or as required by the context thereof;

5. The Association shall incur no expenses for professional or recordation costs pertaining to the preparation of this Affidavit Memorandum or of the Condominium Plat referenced in paragraph 1, above.

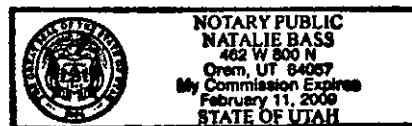
DATED: May 17th, 2007.

Ammon Jones
Ammon Jones, President
Pinehurst Plaza Office Condominiums
Owners Association


STATE OF UTAH)
: ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 17th day of May, 2007, by Ammon Jones in the capacity indicated.

Natalie Bass
NOTARY PUBLIC



DATE 4-23-07


(Registered Land Surveyor (see-seal below))

BOUNDARY DESCRIPTION

All of Phase 1, Pinehurst Plaza Office Condominiums, An Expandable Condominium, as shown on record in the office of the Utah County Recorder, said property being described as: Commencing North 00°39'38" West along the Section line 161.745 feet and East 1660.812 feet from the West quarter corner of Section 10, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 00°24'16" West 112.58 feet; thence North 89°35'44" East 37.65 feet; thence North 00°24'16" West 66.00 feet; thence South 89°35'44" West 37.65 feet; thence North 00°24'16" West 20.09 feet; thence North 44°35'44" East 194.58 feet; thence North 00°07'55" West 52.22 feet; thence North 03°22'27" East 45.10 feet; thence North 00°24'16" West 20.00 feet; thence North 03°46'38" East 30.08 feet; thence North 00°24'16" West 40.71 feet; thence North 89°35'44" East 182.83 feet; thence South 00°40'37" East 524.57 feet; thence Along Pinehurst Plaza Subdivision, Plat "B", North 89°17'38" West 24.08 feet; thence South 89°44'03" West 187.28 feet; thence South 89°19'42" West 116.98 feet to the point of beginning.

Area: 133,024 sq.ft. or 3.05 Acres

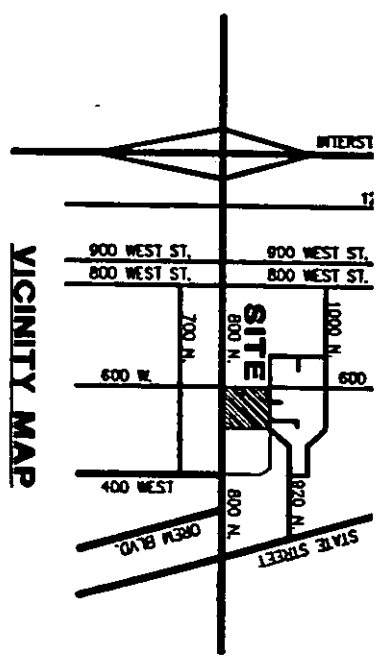
BASIS OF BEARING = N 00°39'38" W ALONG THE SECTION LINE

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER ("OWNER", WITHOUT REGARD TO NUMBER OR GENDER) OF THE ABOVE-DESCRIBED LAND HEREBY CERTIFIES THAT: OWNER HAS CAUSED A SURVEY TO BE MADE OF SAID LAND AND THIS RECORD OF SURVEY MAP ("MAP") AND A DECLARATION OF CONDOMINIUM ("DECLARATION") TO BE PREPARED FOR PINEHURST PLAZA OFFICE CONDOMINIUMS, PHASE 1 AMENDED, AN EXPANDABLE CONDOMINIUM PROJECT (THE "PROJECT"); OWNER HEREBY CONSENTS TO THE CONCURRENT RECORDATION OF THE MAP AND DECLARATION AND THEREBY SUBMITS THE DESCRIBED LAND TO THE PROVISIONS OF THE UTAH CONDOMINIUM OWNERSHIP ACT; OWNER HEREBY DEDICATES ANY PUBLIC STREETS REFLECTED ON THE MAP FOR USE BY THE GENERAL PUBLIC AND DECLARES ALL OTHER DRIVEWAYS OR PRIVATE STREETS REFLECTED ON THE MAP TO BE PRIVATE AND INTENDED FOR USE ONLY BY OWNERS OF CONDOMINIUM UNITS WITHIN THE PROJECT; THEIR GUESTS AND INVITEES, AS REFLECTED IN THE PROVISIONS OF THE DECLARATION.

UTILITY DEDICATION

THE UNDERSIGNED OWNER HEREBY OFFERS AND CONVEYS TO ALL PUBLIC UTILITY AGENCIES, THEIR SUCCESSORS AND ASSIGNS, A PERMANENT EASEMENT AND RIGHT-OF-WAY IN AND TO THOSE AREAS REFLECTED ON THE MAP AS "COMMON AREAS" (INCLUDING PRIVATE STREETS AND PRIVATE DRIVEWAYS) FOR THE CONSTRUCTION AND



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AGENT
HURST

ON PLAT "A"
ON PLAT "B"