

**AMENDMENT NO. TWO
TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,
AND DECLARATION OF ANNEXATION OF
BRITTANY CONDOMINIUMS**

THIS AMENDMENT TO THE DECLARATION of Covenants Conditions and Restrictions of Brittany Condominiums is made pursuant to the Utah Condominium Act, Utah Code Ann. §57-8-13.6, and executed this 23rd day of June, 1999, AND AMENDS THE DECLARATION OF CONDOMINIUM FOR BRITTANY CONDOMINIUMS, an expandable condominium Project, recorded ~~June~~ June 8th, 1999, as Entry No. 7407313, in Book —, at Pages — et. seq., of the records of the Salt Lake County Recorder, including all previous amendments thereto.

ANNEXATION

This is a Declaration of Annexation prepared pursuant to Article III of the previously identified Declaration of Covenants Conditions and Restrictions of Brittany Condominiums which created an expandable residential condominium Project consisting of 12 Units, which was subsequently amended by AMENDMENT NO. ONE recorded ~~June~~ June 8th, 1999, as Entry No. 7407315, in Book —, at Pages — et. seq., of the records of the Salt Lake County Recorder to include an additional 18 Units for a total of 30 Units with additional property available for the expansion of a maximum number of 252 additional Units for a total number of 282 Units.

Declarant hereby annexes the Property described in Exhibit A attached hereto as a part hereof, and declares its intention that the Property shall be subject to the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above, and any amendments thereto.

Declarant hereby adds to the existing Project the twelve (12) Units of the expansion Property described in Exhibit B, Phase 3, pursuant to the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above and Amendments thereof.

Any required approvals have been given.

NOW THEREFORE, in pursuance of the foregoing, Declarant declares and certifies as follows:

1. Phase 3 Expansion: Declarant hereby submits the real Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act ("Phase 3 Property"). Declarant is the sole owner of the Phase 3 Property and said Property shall be known as the Brittany Condominiums, Phase 3, and shall be subject to the provisions of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums referred to above and Amendments thereof.

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2. Improvements: The improvements to be built on the Phase 3 Property shall be architecturally compatible with the existing Units and shall be of similar quality. However, the Declarant makes no assurances that any Units constructed on any additional properties annexed hereto by the Declarant will be substantially identical to the Units depicted in the previous Phases. The maximum number of Units to be contained within the Phase 3 Property improvements shall be twelve (12) for a total number of 42 Units with 240 Units remaining in the expandable area.

3. Allocated Interests: As specified in Article III of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums, the undivided interest of each Unit Owner to all Common Area following the expansion created herein is 1/42nd. Likewise, pursuant to paragraph 3 of Article IV of the Declaration of Covenants Conditions and Restrictions of the Brittany Condominiums the par value of each ownership interest shall be 1/42nd as shown in the table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 3 Property, the remaining land available for expansion, being more particularly described at Exhibit D, consists of the original expandable land less the Phase 2 Property and the Phase 3 Property.

This Amendment to Declaration of Brittany Condominiums, shall take effect upon recording in the office of the County Recorder of Salt Lake County, Utah by McARTHUR HOMES AT BRITTANY, LC.

IN WITNESS WHEREOF, the undersigned being the Declarant, has caused this instrument to be executed and its seal be affixed hereto on the day and year first above written.

McARTHUR HOMES AT BRITTANY
a Utah Limited Liability Company

By: McARTHUR HOMES, INC.
a Utah Corporation, it's Manager


By: 
Donald R. McARTHUR, President

STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

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On the 7th day of June, 1999, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, L.C., and that said instrument was acknowledged on behalf of said McArthur Homes at Brittany, L.C., by authority, and said Donald R. McArthur duly acknowledged to me that he as such President of said corporation and executed the same on behalf of McArthur Homes, Inc. as manger of McArthur Homes at Brittany.





NOTARY PUBLIC

Residing at _____

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EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 3

PROPERTY DESCRIPTION:

Beginning at a point on the proposed Easterly Right-of-Way Line of 4800 West Street, said point being North $00^{\circ}08'29''$ West along the Section Line, 2095.567 feet and North $89^{\circ}51'31''$ East, 50.00 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence North $00^{\circ}08'29''$ West along said Right-of-Way, 223.958 feet; thence South $89^{\circ}57'09''$ East, 238.207 feet; thence South $00^{\circ}08'29''$ East, 149.806 feet; thence South $89^{\circ}51'31''$ West, 134.205 feet; thence South $00^{\circ}08'29''$ East, 32.715 feet; thence Southeasterly 37.402 feet along the arc of a 369.00 foot radius curve to the left, (chord bears South $03^{\circ}02'43''$ East, 37.386 feet); thence South $88^{\circ}04'00''$ West, 105.946 feet to the point of beginning.

Contains 0.99 Acres or 43,263 Square Feet

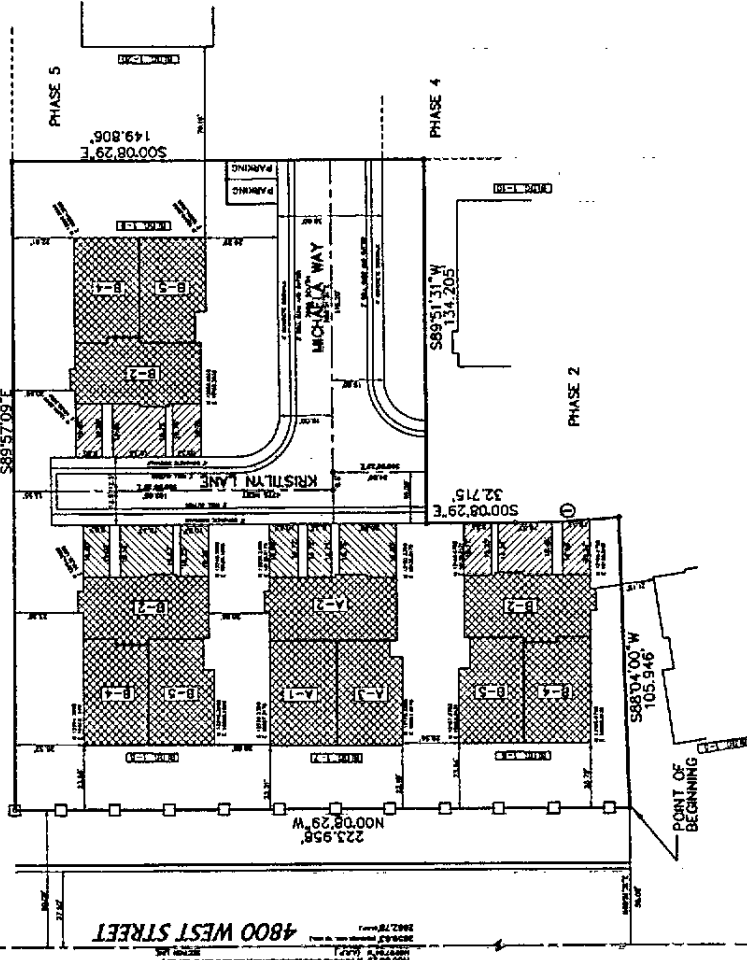
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EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 3 MAP

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BRITANNY CONDOMINIUMS PHASE 3



LEGEND

- Phase Common Area and Unit
- Unimproved Boundary Intersection Point
- Unit Line

PRIVATE
LIMITED COMMON
COMMON



SURVEYOR'S CERTIFICATE
I, J. Michael De Mass, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 174001 as prepared by the State of Utah. I have personally surveyed the land shown on this plat and described below, hereafter to be known as:

BRITANNY CONDOMINIUMS - PHASE 3

BOUNDARY DESCRIPTION

Beginning at a point at the proposed Eastern Right-of-Way Line of 4800 West Street, said point being MO070829' W along the Section Line, 5052.557' N and N89°51'31.7\" E, 50.00' N from the West Quarter Corner of Section 30, Township 3 South, Range 11 East, T3S, R11E, Utah Zone of the NAD 83 datum, thence MO070829' W along said Right-of-Way, 233.858' N, thence S89°51'31.7\" E, 238.207' N, thence S00°08'29.2\" E, 19.892' N, thence S89°51'31.7\" E, 134.262' N, 17' N, thence along the line of a 30.00' wide curb to the site (Chord bears S03°02'43.7\" E, 37.366' N, thence S89°51'31.7\" E, 105.846' N) to the point of beginning.

Contains 0.79 Acres or 43,283 Square Feet

[Signature]
J. Michael De Mass
Surveyor
U.S. No. 174001

OWNER'S DEDICATION
Know all men by these presents that I, the undersigned owner of the above described tract of land, hereafter to be known as:

BRITANNY CONDOMINIUMS - PHASE 3

do hereby dedicate and consent to recordation of long term on this plat, submitting the property described above to the provisions of the Utah State Condominium Ownership Act.

In witness whereof I have hereunto set my hand, this 27th day of June, A.D. 19 99.

Michael Horne of Brittany, LC
By: *[Signature]*
Michael Horne, Inc., Manager
D.R. MacArthur, President

CORPORATE ACKNOWLEDGMENT

State of Utah }
County of Salt Lake } S.S.
On the 27th day of June, A.D. 19 99.

D. R. MacArthur personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, in said State of Utah, who being duly sworn, did say to me that he is the President of Michael Horne, Inc., a corporation organized under the laws of the State of Utah, and that the foregoing instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors; and said person acknowledged to me that said Corporation executed this form.

My Commission expires: October 1, 2000
Notary Public
Residing in West Jordan, County

BRITANNY CONDOMINIUMS - PHASE 3

FILED IN THE OFFICE OF THE CLERK OF DISTRICT COURT, SALT LAKE COUNTY, UTAH.

RECORDED IN
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:
DATE: _____ PAGE: _____

APPROVAL AS TO FORM	APPROVAL AS TO SUBSTANCE
DATE: 10/15/99	DATE: 10/15/99
SIGNATURE: [Signature]	SIGNATURE: [Signature]
TITLE: [Title]	TITLE: [Title]

WEST JORDAN CITY COUNCIL
APPROVED TO THE BEST OF THE CITY COUNCIL'S KNOWLEDGE AND BELIEF THAT THE ABOVE INSTRUMENT COMPLETES FULLY THE DEDICATION AND ACKNOWLEDGMENT.

DATE: 10/15/99
SIGNATURE: [Signature]
TITLE: [Title]

CURVE	ZETA	DELTA	ALPHA	EPICENTRE	CHORD BEARING	CHORD BEARING
7	5.877	38.919	37.640	37.366	30.000' E	30.000' E

APPROVAL AS TO FORM
APPROVAL AS TO SUBSTANCE

DATE: 10/15/99
SIGNATURE: [Signature]
TITLE: [Title]

DATE	TIME	BY
10/15/99	10:00 AM	[Signature]

WEST JORDAN CITY ENGINEER
I HEREBY CERTIFY THAT THE ENGINE HAS CHECKED THIS PLAN AND IT IS CORRECT AND COMPLETE FOR THE CITY OF WEST JORDAN.

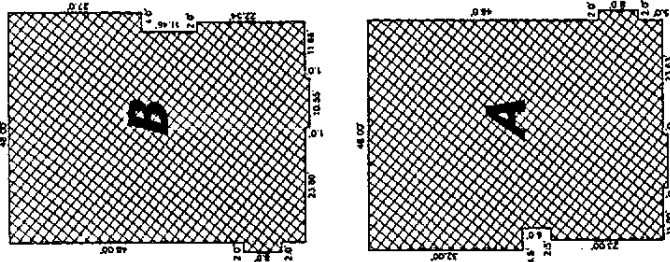
DATE: 10/15/99
SIGNATURE: [Signature]
TITLE: [Title]

PLANNING COMMISSION
APPROVED AND RECOMMENDED FOR THE CITY OF WEST JORDAN CITY PLANNING COMMISSION.

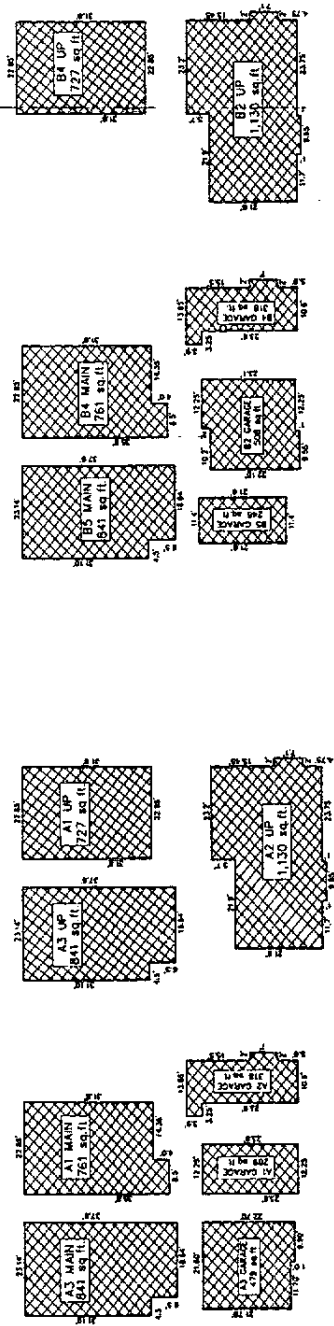
DATE: 10/15/99
SIGNATURE: [Signature]
TITLE: [Title]

EWP ENGINEERING, INC.
CIVIL & ENVIRONMENTAL ENGINEERING & SURVEYING
2000 South 200 West, Suite 200, E.L.C. 2100
801-961-9999

BRITTANY CONDOMINIUMS PHASE 3



GROUND LEVEL
DIMENSIONS
(NOT TO SCALE)



BUILDING A
(NOT TO SCALE)

BUILDING B
(NOT TO SCALE)



BUILDING 1-6

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4671.6		7094 SOUTH KRISTINA LANE, #5
B-4	4671.6		7094 SOUTH KRISTINA LANE, #4
B-2	4680.74	4680.74	7094 SOUTH KRISTINA LANE, #2

BUILDING 1-8

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4670.60		7074 SOUTH KRISTINA LANE, #5
B-4	4670.60	4679.64	7074 SOUTH KRISTINA LANE, #4
B-2	4679.64	4679.64	7074 SOUTH KRISTINA LANE, #2

BUILDING 1-7

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A-1	4680.04		7084 SOUTH KRISTINA LANE, #1
A-2	4680.04	4680.04	7084 SOUTH KRISTINA LANE, #2
A-3	4670.90	4680.04	7084 SOUTH KRISTINA LANE, #3

BUILDING 1-9

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-5	4662.70		7073 SOUTH KRISTINA LANE, #5
B-4	4662.70	4678.84	7073 SOUTH KRISTINA LANE, #4
B-2	4678.84	4678.84	7073 SOUTH KRISTINA LANE, #2

2	2
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EWP ENGINEERING, INC.
 CIVIL & ARCHITECTURAL TRANSMISSION & WATER RESOURCES
 LICENSE/REGISTRATION STATEMENT
 3600 South 7th East, Suite 304, L.L.C. UO# 041-361-0004

EXHIBIT C
OWNERSHIP INTEREST TABLE

<u>UNIT</u>	<u>UNIT PAR VALUE PERCENT OF UNDIVIDED INTEREST IN COMMON AREA</u>	<u>UNIT</u>	<u>UNIT PAR VALUE PERCENT OF UNDIVIDED INTEREST IN COMMON AREA</u>
<u>Phase 1</u>		<u>Bldg. 1-10</u>	
<u>Bldg. 1-1</u>		Unit A-1	1/42nd or 2.3810%
Unit B-2	1/42nd or 2.3810%	Unit A-2	1/42nd or 2.3810%
Unit B-4	1/42nd or 2.3810%	Unit A-3	1/42nd or 2.3810%
Unit B-5	1/42nd or 2.3810%	<u>Bldg. 1-11</u>	
<u>Bldg. 1-2</u>		Unit B-2	1/42nd or 2.3810%
Unit B-2	1/42nd or 2.3810%	Unit B-4	1/42nd or 2.3810%
Unit B-4	1/42nd or 2.3810%	Unit B-5	1/42nd or 2.3810%
Unit B-5	1/42nd or 2.3810%	<u>Bldg. 1-12</u>	
<u>Bldg. 1-13</u>		Unit B-2	1/42nd or 2.3810%
Unit B-2	1/42nd or 2.3810%	Unit B-4	1/42nd or 2.3810%
Unit B-4	1/42nd or 2.3810%	Unit B-5	1/42nd or 2.3810%
Unit B-5	1/42nd or 2.3810%	<u>Phase 3</u>	
<u>Bldg. 1-14</u>		<u>Bldg. 1-6</u>	
Unit A-1	1/42nd or 2.3810%	Unit B-2	1/42nd or 2.3810%
Unit A-2	1/42nd or 2.3810%	Unit B-4	1/42nd or 2.3810%
Unit A-3	1/42nd or 2.3810%	Unit B-5	1/42nd or 2.3810%
<u>Phase 2</u>		<u>Bldg. 1-7</u>	
<u>Bldg. 1-3</u>		Unit A-1	1/42nd or 2.3810%
Unit B-2	1/42nd or 2.3810%	Unit A-2	1/42nd or 2.3810%
Unit B-4	1/42nd or 2.3810%	Unit A-3	1/42nd or 2.3810%
Unit B-5	1/42nd or 2.3810%	<u>Bldg. 1-8</u>	
<u>Bldg. 1-4</u>		Unit B-2	1/42nd or 2.3810%
Unit A-1	1/42nd or 2.3810%	Unit B-4	1/42nd or 2.3810%
Unit A-2	1/42nd or 2.3810%	Unit B-5	1/42nd or 2.3810%
Unit A-3	1/42nd or 2.3810%	<u>Bldg. 1-9</u>	
<u>Bldg. 1-5</u>		Unit B-2	1/42nd or 2.3810%
Unit B-2	1/42nd or 2.3810%	Unit B-4	1/42nd or 2.3810%
Unit B-4	1/42nd or 2.3810%	Unit B-5	1/42nd or 2.3810%
Unit B-5	1/42nd or 2.3810%		

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EXHIBIT D

BRITTANY CONDOMINIUMS - EXPANDABLE AREA

PROPERTY DESCRIPTION:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N.00°08'29"W. 2,319.69 FEET ALONG THE WEST LINE OF SAID SECTION 30; THENCE S.89°57'09"E. 592.10 FEET; THENCE S.00°08'29"E. 2,319.65 FEET TO A POINT ON THE QUARTER-SECTION LINE; THENCE NORTH 89°57'23"W. 592.10 FEET ALONG SAID QUARTER-SECTION LINE TO THE POINT OF BEGINNING.

LESS THE PROPERTY INCLUDED IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT ONE AND PHASE 3 AS STATED IN EXHIBIT "A" HERETO

CONTAINS 29.35 ACRES LESS 1.08 ACRES IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND LESS 1.36 ACRES IN PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT ONE AND LESS 0.99 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" HERETO.

7407317
07/08/99 12:35 PM 37.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
HERRILL TITLE
REC BY:Z JOHANSON ,DEPUTY - WI

BK 8292 PG 7303