

7558984

**AMENDMENT NO. SEVEN
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 ____ day of January, 2000, AND AMENDS THE DECLARATION OF CONDOMINIUM FOR BRITTANY CONDOMINIUMS, an expandable condominium Project, recorded July 8, 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 July 8, 1999, as Entry No. 7407315, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, AMENDMENT NO. TWO recorded July 8, 1999, as Entry No. 7407317, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, AMENDMENT NO. THREE recorded July 8, 1999, as Entry No. 7407319, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, AMENDMENT NO. FOUR recorded July 8, 1999, as Entry No. 7407321, in Book _____, at Pages _____ et. seq., of the records of the Salt Lake County Recorder, AMENDMENT NO. FIVE recorded July 8, 1999, as Entry No. 7407323, in Book _____, at Pages _____ et. seq., and AMENDMENT NO. SIX recorded July 8, 1999, as Entry No. 7407325, in Book 8292, at Pages 7332 et. seq., of the records of the Salt Lake County Recorder to include an additional 75 Units for a total of 87 Units with additional property available for the expansion of a maximum number of 195 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 a Clubhouse and Pool of the expansion Property as described in Exhibit B, Phase 8, 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:

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1. Phase 8 Expansion: Declarant hereby submits the real Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act ("Phase 8 Property"). Declarant is the sole owner of the Phase 8 Property and said Property shall be known as the Brittany Condominiums, Phase 8, 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.

2. Improvements: The improvements to be built on the Phase 4 Property shall consist of a common area Clubhouse and Pool. There are no additional Units to be constructed within the Phase 8 Property. Thus, the total number of Units remains at 87 Units with 195 Units remaining in the expandable area. The improvements to be built on the Phase 8 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.

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 1/87th. 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 1/87th as shown in the table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 8 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, the Phase 3 Property, the Phase 4 Property, the Phase 5 Property, the Phase 6 Property, the Phase 7 Property, and the Phase 8 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
DAVID A. Sr. Vice

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

On the 21st day of January, 2000, personally appeared before me ^{David A. McArthur Sr. Vice President} ~~Donald R.~~ ^{McArthur} 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.~~ ^{David A. McArthur Sr. Vice President} 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.

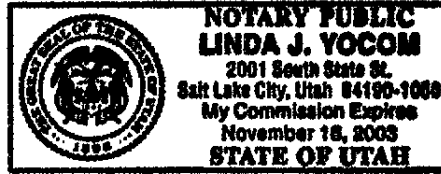
DAVID A. McArthur

Linda J. Yocom
NOTARY PUBLIC

My Commission Expires:

Residing at _____

November 16, 2003



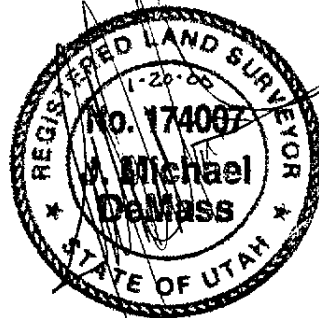
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EXHIBIT A

BRITTANY CONDOMINIUMS PHASE 8

Beginning at a point on the Southerly boundary of Brittany Condominiums Phase 1, said point being $N00^{\circ}08'29''W$ along the Section Line, 1651.630 feet and $N89^{\circ}51'31''E$, 191.909 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West. Salt Lake Base and Meridian; thence continuing along the boundary of said Brittany Condominiums Phase 1 the following four courses: North, 40.857 feet; thence $N02^{\circ}58'00''E$, 52.168 feet; thence Northerly along the arc of a 1181.00 foot radius curve to the right, 22.280 feet, (Center bears $S86^{\circ}10'08''E$, chord bears $N04^{\circ}22'18''E$, 22.280 feet); thence $S79^{\circ}33'54''E$, 79.794 feet; thence $S65^{\circ}15'04''E$, 39.116 feet to a point on the Southerly boundary of Brittany Condominiums Phase 7; thence continuing along said Southerly boundary the following three courses: $N84^{\circ}44'29''E$, 84.901 feet; thence $S04^{\circ}27'49''E$, 60.264 feet; thence Southerly along the arc of a 312.00 foot radius curve to the right, 114.619 feet (Center bears $S85^{\circ}32'11''W$, chord bears $S06^{\circ}03'39''W$, 113.975 feet); thence West, 195.596 feet; thence North, 81.296 feet to the point of beginning.

Contains 0.8371 Acres



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EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 8 MAP

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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>	
		Unit A-1	1/87th or 1.1494%
<u>Bldg. 1-1</u>		Unit A-2	1/87th or 1.1494%
Unit B-2	1/87th or 1.1494%	Unit A-3	1/87th or 1.1494%
Unit B-4	1/87th or 1.1494%		
Unit B-5	1/87th or 1.1494%	<u>Bldg. 1-11</u>	
		Unit B-2	1/87th or 1.1494%
<u>Bldg. 1-2</u>		Unit B-4	1/87th or 1.1494%
Unit B-2	1/87th or 1.1494%	Unit B-5	1/87th or 1.1494%
Unit B-4	1/87th or 1.1494%		
Unit B-5	1/87th or 1.1494%	<u>Bldg. 1-12</u>	
		Unit B-2	1/87th or 1.1494%
<u>Bldg. 1-13</u>		Unit B-4	1/87th or 1.1494%
Unit B-2	1/87th or 1.1494%	Unit B-5	1/87th or 1.1494%
Unit B-4	1/87th or 1.1494%		
Unit B-5	1/87th or 1.1494%	<u>Phase 3</u>	
<u>Bldg. 1-14</u>		<u>Bldg. 1-6</u>	
Unit A-1	1/87th or 1.1494%	Unit B-2	1/87th or 1.1494%
Unit A-2	1/87th or 1.1494%	Unit B-4	1/87th or 1.1494%
Unit A-3	1/87th or 1.1494%	Unit B-5	1/87th or 1.1494%
<u>Phase 2</u>		<u>Bldg. 1-7</u>	
		Unit A-1	1/87th or 1.1494%
<u>Bldg. 1-3</u>		Unit A-2	1/87th or 1.1494%
Unit B-2	1/87th or 1.1494%	Unit A-3	1/87th or 1.1494%
Unit B-4	1/87th or 1.1494%		
Unit B-5	1/87th or 1.1494%	<u>Bldg. 1-8</u>	
		Unit B-2	1/87th or 1.1494%
<u>Bldg. 1-4</u>		Unit B-4	1/87th or 1.1494%
Unit A-1	1/87th or 1.1494%	Unit B-5	1/87th or 1.1494%
Unit A-2	1/87th or 1.1494%		
Unit A-3	1/87th or 1.1494%	<u>Bldg. 1-9</u>	
		Unit B-2	1/87th or 1.1494%
<u>Bldg. 1-5</u>		Unit B-4	1/87th or 1.1494%
Unit B-2	1/87th or 1.1494%	Unit B-5	1/87th or 1.1494%
Unit B-4	1/87th or 1.1494%		
Unit B-5	1/87th or 1.1494%		

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Phase 4

No Additional Units

Phase 5

Bldg. 1-20

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-21

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-22

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Bldg. 1-23

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Phase 6

Bldg. 1-17

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-18

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Bldg. 1-19

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-24

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Bldg. 1-25

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-26

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Phase 7

Bldg. 1-15

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Bldg. 1-16

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-27

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Bldg. 1-28

Unit A-1 1/87th or 1.1494%
Unit A-2 1/87th or 1.1494%
Unit A-3 1/87th or 1.1494%

Bldg. 1-29

Unit B-2 1/87th or 1.1494%
Unit B-4 1/87th or 1.1494%
Unit B-5 1/87th or 1.1494%

Phase 8

No Additional Units

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" TO AMENDMENT TWO AND PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND PHASE 8 AS STATED IN EXHIBIT "A" HERETO

CONTAINS 29.35 ACRES LESS 1.13 ACRES IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND LESS 1.41 ACRES IN PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT ONE AND LESS 1.04 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND LESS 0.19 ACRES IN PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND LESS 1.35 ACRES IN PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND LESS 1.46 ACRES IN PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND LESS 1.32 ACRES IN PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND LESS 0.8371 ACRES IN PHASE 8 AS STATED IN EXHIBIT "A" HERETO.

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01/21/2000 03:44 PM 111.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES
9948 SOUTH REDWOOD ROAD
SOUTH JORDAN UTAH 84095
BY: RDJ, DEPUTY - WI 9 P.

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