

7721510

Return When Recorded to:
McArthur Homes, LC
c/o Don McArthur
9948 South Redwood Road
South Jordan, Utah 84095

7721510
09/19/2000 02:02 PM 26.00
Book - 8388 Pg - 5329-5337
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WL 9 P.

[Parcel Nos. 21-30-102-001, 089 and 21-30-103-001]

**AMENDMENT NO. EIGHT
TO AMENDED AND RESTATED DECLARATION
AND DECLARATION OF ANNEXATION FOR
BRITTANY CONDOMINIUMS**

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION of Covenants Conditions and Restrictions for Brittany Condominiums is made pursuant to the Utah Condominium Act, Utah Code Ann. §57-8-13.6, and executed this 18 day of September, 2000, AND AMENDS THE AMENDED AND RESTATED DECLARATION FOR BRITTANY CONDOMINIUMS ("Declaration"), an expandable condominium Project, recorded June 5, 2000, as Entry No. 7653288, in Book 8366, at Pages 1625 through 1677, of the records of the Salt Lake County Recorder.

AMENDMENT

This is a Declaration of Annexation prepared pursuant to Article III of the Declaration which created an expandable residential condominium Project consisting of twelve (12) Units and additional property available for the expansion of a maximum number of two-hundred and seventy (270) additional Units for a total number of two-hundred and eighty-two (282) Units. The Declaration has subsequently been amended by AMENDMENT NO. ONE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. TWO, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. THREE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. FOUR, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. FIVE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. SIX, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; and

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AMENDMENT NO. SEVEN, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; to include an additional seventy-five (75) Units for a total of eighty-seven (87) Units with additional property available for the expansion of a maximum number of one-hundred and ninety-five (195) additional Units for a total number of two-hundred and eighty-two (282) Units.

From the Property identified in the Declaration at Exhibit E, Declarant hereby annexes the parcels of Property described in Exhibit A attached hereto as a part hereof and known as Phase 8 ("Phase 8 Property"), and declares its intention that the Phase 8 Property shall be subject to the Declaration, and any amendments thereto.

Declarant hereby adds to the existing Project a total of zero (0) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be eighty-seven (87) with one-hundred and ninety-five (195) Units being reserved in the expandable area.

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

1. Phase 8 Expansion: Declarant hereby submits the Phase 8 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. 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 and Amendments thereto. The improvements to be built on the Phase 8 Property shall consist of a common area Clubhouse and Pool. There are no additional Units to be constructed on the Phase 8 Property, thus the maximum number of Units to be contained within the Phase 8 Property improvements shall be zero (0). The proposed configuration of the improvements is described in the Plat Map attached hereto at Exhibit B.

2. Improvements: The improvements to be built on the Phase 8 Property shall consist of a common area Clubhouse and Pool.

3. Allocated Interests: As specified in Article III of the Declaration, the undivided interest of each Unit Owner to all Common Area following the expansion created herein is 1/87th. Likewise, pursuant to paragraph 4 of Article IV of the Declaration 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.

Any required approvals have been given. This Amendment to Declaration for 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.

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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, LC
a Utah Limited Liability Company

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

By: *Donald R. McArthur*
Donald R. McARTHUR, President

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

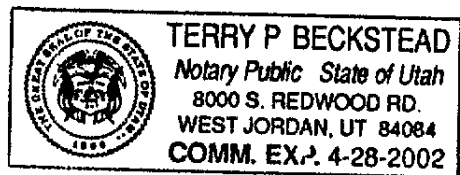
On the 18 day of September, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, LC, and that said instrument was acknowledged on behalf of said McArthur Homes at Brittany, LC, by authority, and said Donald R. McArthur duly acknowledged to me that he is the President of and executed the same on behalf of McArthur Homes, Inc. the Manager of McArthur Homes at Brittany, LC.

Terry P. Beckstead
NOTARY PUBLIC

My Commission Expires:

4/28/2002

Residing at: _____



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EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 8

PROPERTY DESCRIPTION:

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 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 1181.000 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 312.000 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 60.065 feet to the Point of Beginning.
Contains .8371 acres.

PROB
COURT
CLERK

BK 8388 PG 5332

EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 8 MAP

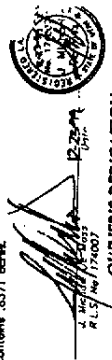
BRITANNY CONDOMINIUMS PHASE 8

SURVEYOR'S CERTIFICATE
I, J. Michael De Moss, do hereby certify that I am a Registered Land Surveyor and that this map was filed on 1/17/2007 as prescribed by the Laws of the State of Utah. I further certify that by authority of the Owners, I have made a Survey of the tract of land shown on this plan and described below, hereafter to be known as:

BRITANNY CONDOMINIUMS - PHASE 8

BOUNDARY DESCRIPTION

Beginning at a point on the Southern boundary of Brittany Condominiums Phase 1, said point being N00°08'29"W along the line 1651.000 feet and S89°51'31"E 191.909 feet from Range 1 West, Salt Lake Meridian, Section 20, Township 2 South, along the boundary of said Brittany Condominiums Phase 1 to the intersection of said boundary with the centerline of the proposed driveway, bearing N04°22'18"E 22.000 feet, to a point on the centerline of said driveway, bearing S78°33'54"E 79.794 feet, thence S89°51'31"E 39.116 feet to a point on the Southern boundary of Brittany Condominiums Phase 7, thence S02°44'29"E 84.901 feet, to a point on the boundary between Phase 7 and Phase 8, bearing N84°44'29"E 195.596 feet, to a point on the boundary between Phase 7 and Phase 8, bearing N02°14'23"E 64.901 feet, to the center of a 212,000 foot radius curve to the right, 114.019 feet (Center bearing S65°52'11"W, Chord bearing N81°29'6"W, and a distance of 195.596 feet), thence North 81.296 feet to the point of Beginning. Contains .8371 acres.



OWNER'S DEDICATION

Owner of the above described tract of land, hereafter to be known as:

BRITANNY CONDOMINIUMS - PHASE 8

do hereby dedicate and consent to recordation of this plan on this plat, submitting the property described herein to the provisions of the Utah State Condominium Act, Utah Code Ann. Title 78B, Chapter 1, and the provisions of the Uniform Common Interest Ownership Act, Utah Code Ann. Title 71B, Chapter 2, in witness whereof, I have hereunto set my hand this ___ day of _____ A.D., 2007

Witness my hands at Brimley, UT
By: *[Signature]* D.R. McArthur, President

CORPORATE ACKNOWLEDGMENT

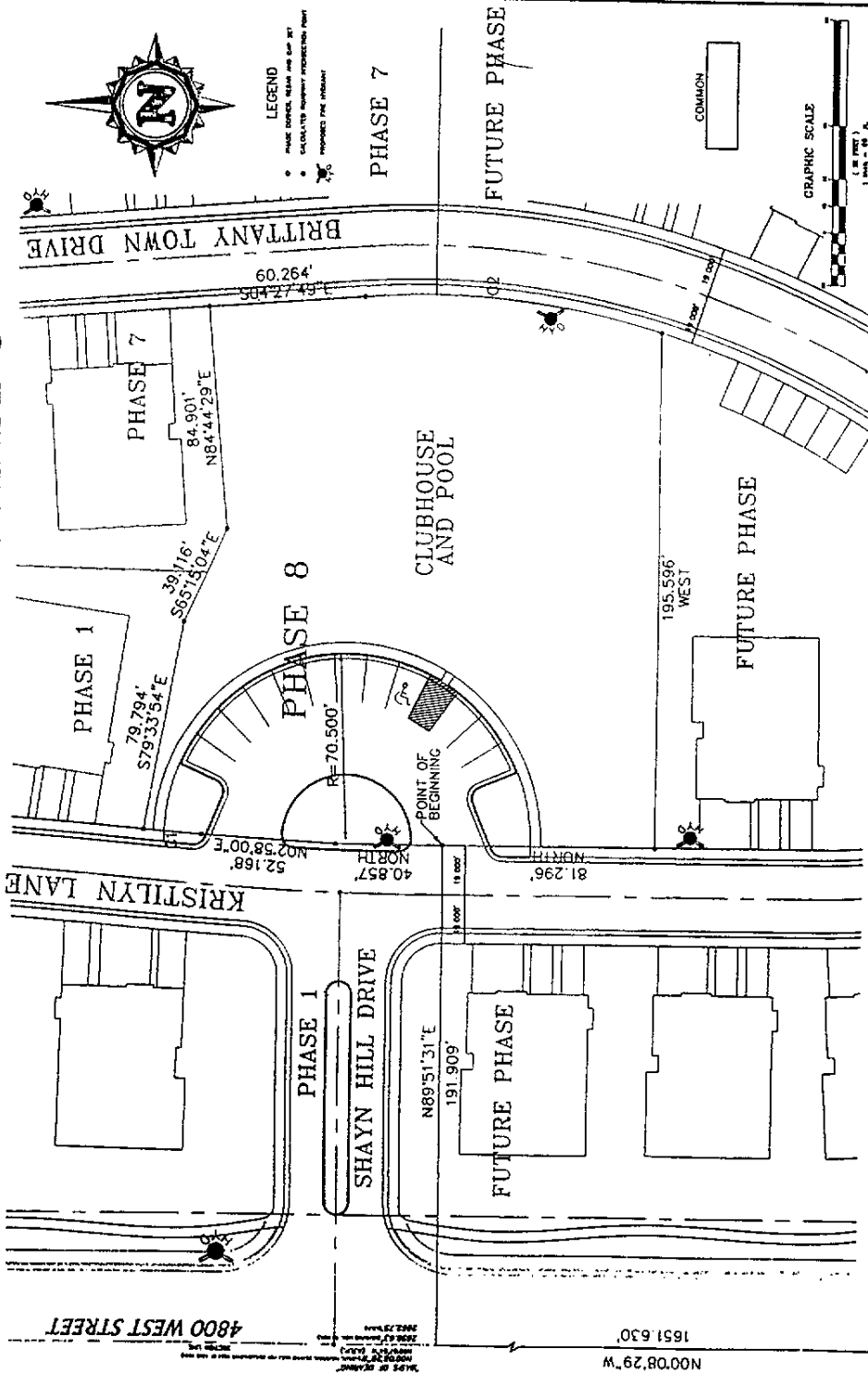
I, _____ day of _____ A.D. 2007

State of Utah
County of Salt Lake

D.R. McArthur 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, depose and testify that he is the President of McArthur Homes, Inc., Manager of McArthur Homes of Brimley, 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 the same My Commission expires: _____ Notary Public Residing in: _____ County, _____ State of Utah

BRITANNY CONDOMINIUMS - PHASE 8

PART OF THE SUBDIVISION SHOWN ON RECORD MAP NO. 16451-3-2007-10



APPROVAL AS TO FORM
WEST JORDAN CITY COUNCIL
APPROVED AS TO FORM BY: _____ A.D. _____
PRESENTED TO THE WEST JORDAN CITY COUNCIL ON _____ DAY OF _____ A.D. _____
CONDOMINIUM PLAN HAS APPROVED AND ACCEPTED.

APPROVAL AS TO FORM
WEST JORDAN CITY ENGINEER
I HEREBY CERTIFY THAT THIS OFFICE HAS BEEN REGISTERED AS AN ENGINEER IN THE STATE OF UTAH IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
DATE: _____ WEST JORDAN CITY ENGINEER: _____

BOARD OF HEALTH
APPROVED THIS _____ DAY OF _____ A.D. _____
WEST JORDAN CITY BOARD OF HEALTH

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____ A.D. _____
WEST JORDAN CITY PLANNING COMMISSION

RECORDING
FILED FOR RECORDATION ON _____ DAY OF _____ A.D. _____
BY: _____ COUNTY CLERK
COUNTY OFFICE, SALT LAKE COUNTY RECORDS

GRAPHIC SCALE
1" = 100' (1:1200)
1" = 500' (1:6000)

LEGEND
★ PHASE BOUNDARY (REAR AND SIDE SET)
● CALCULATED PROPERTY INTERSECTION POINT
✱ PROPERTY CORNER
✳ PROPERTY CORNER

CHORD BEARING TABLE

CHORD BEARING	CHORD BEARING	CHORD BEARING	CHORD BEARING	CHORD BEARING
00°00'00"	22°30'00"	45°00'00"	67°30'00"	90°00'00"
01°00'00"	23°00'00"	45°30'00"	68°00'00"	90°30'00"
02°00'00"	23°30'00"	46°00'00"	68°30'00"	91°00'00"
03°00'00"	24°00'00"	46°30'00"	69°00'00"	91°30'00"
04°00'00"	24°30'00"	47°00'00"	69°30'00"	92°00'00"

SWITCHING TABLE

SECTOR #	SECTOR #	SECTOR #	SECTOR #	SECTOR #
1	2	3	4	5
6	7	8	9	10
11	12	13	14	15

PROPERTY INFORMATION
PROPERTY OWNER: _____
PROPERTY ADDRESS: _____
PROPERTY IDENTIFICATION NUMBER: _____

EWP ENGINEERING, INC.
CIVIL & ENVIRONMENTAL ENGINEERING, TRANSPORTATION & WATER RESOURCE
1995 South 700 East, Suite 204, Salt Lake City, UT 84116-8644 (801) 561-4044

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COURT RECORDS

EXHIBIT C
OWNERSHIP INTEREST TABLE

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
1	1-1	B-2	1/87th or 1.1494%
1		B-4	1/87th or 1.1494%
1		B-5	1/87th or 1.1494%
1	1-2	B-2	1/87th or 1.1494%
1		B-4	1/87th or 1.1494%
1		B-5	1/87th or 1.1494%
1	1-13	B-2	1/87th or 1.1494%
1		B-4	1/87th or 1.1494%
1		B-5	1/87th or 1.1494%
1	1-14	A-1	1/87th or 1.1494%
1		A-2	1/87th or 1.1494%
1		A-3	1/87th or 1.1494%
2	1-3	B-2	1/87th or 1.1494%
2		B-4	1/87th or 1.1494%
2		B-5	1/87th or 1.1494%
2	1-4	A-1	1/87th or 1.1494%
2		A-2	1/87th or 1.1494%
2		A-3	1/87th or 1.1494%
2	1-5	B-2	1/87th or 1.1494%
2		B-4	1/87th or 1.1494%
2		B-5	1/87th or 1.1494%
2	1-10	A-1	1/87th or 1.1494%
2		A-2	1/87th or 1.1494%
2		A-3	1/87th or 1.1494%
2	1-11	B-2	1/87th or 1.1494%
2		B-4	1/87th or 1.1494%
2		B-5	1/87th or 1.1494%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
2	1-12	B-2	1/87th or 1.1494%
2		B-4	1/87th or 1.1494%
2		B-5	1/87th or 1.1494%
3	1-6	B-2	1/87th or 1.1494%
3		B-4	1/87th or 1.1494%
3		B-5	1/87th or 1.1494%
3	1-7	A-1	1/87th or 1.1494%
3		A-2	1/87th or 1.1494%
3		A-3	1/87th or 1.1494%
3	1-8	B-2	1/87th or 1.1494%
3		B-4	1/87th or 1.1494%
3		B-5	1/87th or 1.1494%
3	1-9	B-2	1/87th or 1.1494%
3		B-4	1/87th or 1.1494%
3		B-5	1/87th or 1.1494%
4	Tot Lot		No additional Units
5	1-20	B-2	1/87th or 1.1494%
5		B-4	1/87th or 1.1494%
5		B-5	1/87th or 1.1494%
5	1-21	B-2	1/87th or 1.1494%
5		B-4	1/87th or 1.1494%
5		B-5	1/87th or 1.1494%
5	1-22	A-1	1/87th or 1.1494%
5		A-2	1/87th or 1.1494%
5		A-3	1/87th or 1.1494%
5	1-23	B-2	1/87th or 1.1494%
5		B-4	1/87th or 1.1494%
5		B-5	1/87th or 1.1494%

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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 TWO AND PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SEVEN 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 TWO AND LESS 1.04 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND LESS 0.19 ACRES IN PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND LESS 1.35 ACRES IN PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND LESS 1.46 ACRES IN PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND LESS 1.32 ACRES IN PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SEVEN AND LESS 0.8371 ACRES IN PHASE 8 AS STATED IN EXHIBIT "A" HERETO.

POSTED
CO. RECORDS

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