

15 UNITS

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

7721512
09/19/2000 02:02 PM 43.00
Book - 8388 Pg - 5339-5348
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 10 P.

7721512

[Parcel No. 21-30-103-001]

AMENDMENT NO. NINE
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; AMENDMENT NO. SEVEN, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt

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Lake County Recorder; and AMENDMENT NO. EIGHT, 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 9 ("Phase 9 Property"), and declares its intention that the Phase 9 Property shall be subject to the Declaration, and any amendments thereto.

Declarant hereby adds to the existing Project a total of fifteen (15) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be one-hundred and two (102) with one-hundred and eighty (180) Units being reserved in the expandable area.

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

1. Phase 9 Expansion: Declarant hereby submits the Phase 9 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 9 Property and said Property shall be known as the Brittany Condominiums, Phase 9, and shall be subject to the provisions of the Declaration and Amendments thereto. The maximum number of Units to be contained within the Phase 9 Property improvements shall be fifteen (15), the proposed configuration of which is described in the Plat Map attached hereto at Exhibit B.

2. Improvements: The improvements to be built on the Phase 9 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 without variance with the Units depicted in the plat.

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 1/102nd. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/102nd as shown in the Table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 9 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, the Phase 8 Property, and the Phase 9 Property.

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EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 9

PROPERTY DESCRIPTION:

Beginning at a point which is N00°08'29"W along the Section Line, 1666.630 feet and N89°51'31"E, 50.000 feet from West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence N89°51'31"E, 89.001 feet; thence Southeasterly 23.562 feet along the arc of a 15.00 foot radius curve to the right, (chord bears S45°08'29"E, 21.213 feet); thence N89°51'31"E, 37.908 feet; thence South, 81.296 feet; thence S00°24'23"E, 63.214 feet; thence Southeasterly 200.334 feet along the arc of a 181.00 foot radius curve to the left, (chord bears S31°51'57"E, 190.263 feet); thence S36°06'15" W, 79.559 feet; thence Southwesterly 26.790 feet along the arc of a 281.00 foot radius curve to the left, (chord bears S33°22'22"W, 26.780 feet); thence N63°54'16"W, 200.870 feet; thence N00°08'29"W, 319.063 feet to the point of beginning.

Contains 1.37 Acres or 59,805 Square Feet

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2009

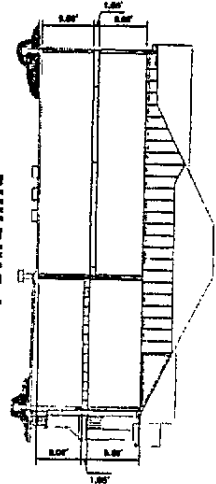
BK 8388 PG 5342

EXHIBIT B

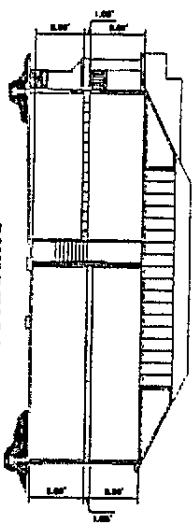
BRITTANY CONDOMINIUMS PHASE 9 MAP

BK 8388 PG 5343

BRITTANY CONDOMINIUMS PHASE 9

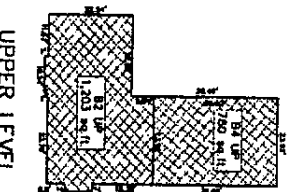
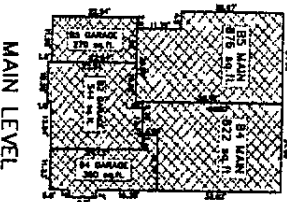
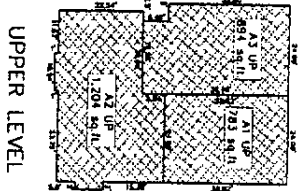
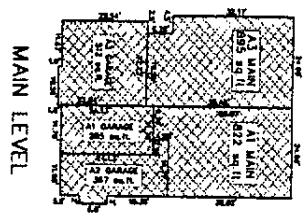
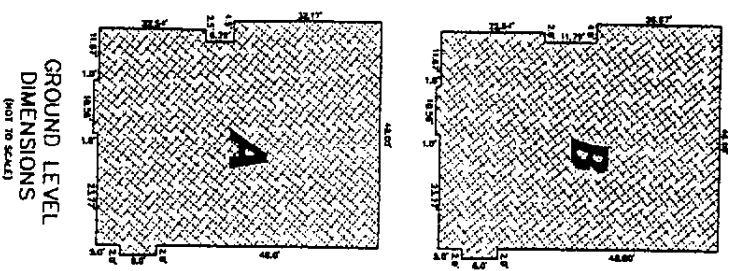


BUILDING A



BUILDING B

FOR FLOOR ELEVATIONS
 SEE TABLES THIS SHEET



UNIT TYPE	PLATE NAME
A-1	BRANDON
A-2	WINDSOR-A
A-3	LANCASTER
B-1	WINDSOR-B
B-2	ASHE
B-3	DORSET



BUILDING 201

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
C	B-2	4878.50	4887.84	7188 S. HUNTERTON LANE
B	B-4	4878.50	4888.84	7188 S. HUNTERTON LANE
A	B-5	4878.50	4879.50	7184 S. HUNTERTON LANE

BUILDING 202

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
C	B-2	4878.70	4887.84	7172 S. HUNTERTON LANE
B	B-4	4878.70	4888.84	7172 S. HUNTERTON LANE
A	B-5	4878.70	4879.70	7178 S. HUNTERTON LANE

BUILDING 203

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A	A-1	4880.70	4889.34	7182 S. HUNTERTON LANE
C	A-2	4880.70	4889.34	7184 S. HUNTERTON LANE
B	A-3	4880.70	4889.34	7186 S. HUNTERTON LANE

BUILDING 204

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
C	B-2	4878.80	4888.04	7188 S. HUNTERTON LANE
B	B-4	4878.80	4889.04	7188 S. HUNTERTON LANE
A	B-5	4878.80	4879.80	7184 S. HUNTERTON LANE

BUILDING 205

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A	A-1	4880.80	4889.74	7202 S. HUNTERTON DRIVE
C	A-2	4880.80	4889.74	7204 S. HUNTERTON DRIVE
B	A-3	4880.80	4889.74	7206 S. HUNTERTON DRIVE

2
 2

PROJECT NO.	DATE	REVISION



Shirley
 1000 S. HUNTERTON DRIVE
 SUITE 100
 HUNTERTON, CO. 80131

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	1/102nd or .9804%
1		B-4	1/102nd or .9804%
1		B-5	1/102nd or .9804%
1	1-2	B-2	1/102nd or .9804%
1		B-4	1/102nd or .9804%
1		B-5	1/102nd or .9804%
1	1-13	B-2	1/102nd or .9804%
1		B-4	1/102nd or .9804%
1		B-5	1/102nd or .9804%
1	1-14	A-1	1/102nd or .9804%
1		A-2	1/102nd or .9804%
1		A-3	1/102nd or .9804%
2	1-3	B-2	1/102nd or .9804%
2		B-4	1/102nd or .9804%
2		B-5	1/102nd or .9804%
2	1-4	A-1	1/102nd or .9804%
2		A-2	1/102nd or .9804%
2		A-3	1/102nd or .9804%
2	1-5	B-2	1/102nd or .9804%
2		B-4	1/102nd or .9804%
2		B-5	1/102nd or .9804%
2	1-10	A-1	1/102nd or .9804%
2		A-2	1/102nd or .9804%
2		A-3	1/102nd or .9804%
2	1-11	B-2	1/102nd or .9804%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
2		B-4	1/102nd or .9804%
2		B-5	1/102nd or .9804%
2	1-12	B-2	1/102nd or .9804%
2		B-4	1/102nd or .9804%
2		B-5	1/102nd or .9804%
3	1-6	B-2	1/102nd or .9804%
3		B-4	1/102nd or .9804%
3		B-5	1/102nd or .9804%
3	1-7	A-1	1/102nd or .9804%
3		A-2	1/102nd or .9804%
3		A-3	1/102nd or .9804%
3	1-8	B-2	1/102nd or .9804%
3		B-4	1/102nd or .9804%
3		B-5	1/102nd or .9804%
3	1-9	B-2	1/102nd or .9804%
3		B-4	1/102nd or .9804%
3		B-5	1/102nd or .9804%
4	Tot Lot		No Additional Units
5	1-20	B-2	1/102nd or .9804%
5		B-4	1/102nd or .9804%
5		B-5	1/102nd or .9804%
5	1-21	B-2	1/102nd or .9804%
5		B-4	1/102nd or .9804%
5		B-5	1/102nd or .9804%
5	1-22	A-1	1/102nd or .9804%
5		A-2	1/102nd or .9804%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
5		A-3	1/102nd or .9804%
5	1-23	B-2	1/102nd or .9804%
5		B-4	1/102nd or .9804%
5		B-5	1/102nd or .9804%
6	1-17	B-2	1/102nd or .9804%
6		B-4	1/102nd or .9804%
6		B-5	1/102nd or .9804%
6	1-18	A-1	1/102nd or .9804%
6		A-2	1/102nd or .9804%
6		A-3	1/102nd or .9804%
6	1-19	B-2	1/102nd or .9804%
6		B-4	1/102nd or .9804%
6		B-5	1/102nd or .9804%
6	1-24	A-1	1/102nd or .9804%
6		A-2	1/102nd or .9804%
6		A-3	1/102nd or .9804%
6	1-25	B-2	1/102nd or .9804%
6		B-4	1/102nd or .9804%
6		B-5	1/102nd or .9804%
6	1-26	A-1	1/102nd or .9804%
6		A-2	1/102nd or .9804%
6		A-3	1/102nd or .9804%
7	1-15	A-1	1/102nd or .9804%
7		A-2	1/102nd or .9804%
7		A-3	1/102nd or .9804%
7	1-16	B-2	1/102nd or .9804%
7		B-4	1/102nd or .9804%
7		B-5	1/102nd or .9804%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
7	1-27	B-2	1/102nd or .9804%
7		B-4	1/102nd or .9804%
7		B-5	1/102nd or .9804%
7	1-28	A-1	1/102nd or .9804%
7		A-2	1/102nd or .9804%
7		A-3	1/102nd or .9804%
7	1-29	B-2	1/102nd or .9804%
7		B-4	1/102nd or .9804%
7		B-5	1/102nd or .9804%
8	Club House		No Additional Units
9	201	B-2	1/102nd or .9804%
9		B-4	1/102nd or .9804%
9		B-5	1/102nd or .9804%
9	202	B-2	1/102nd or .9804%
9		B-4	1/102nd or .9804%
9		B-5	1/102nd or .9804%
9	203	A-1	1/102nd or .9804%
9		A-2	1/102nd or .9804%
9		A-3	1/102nd or .9804%
9	204	B-2	1/102nd or .9804%
9		B-4	1/102nd or .9804%
9		B-5	1/102nd or .9804%
9	205	A-1	1/102nd or .9804%
9		A-2	1/102nd or .9804%
9		A-3	1/102nd or .9804%

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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" TO AMENDMENT EIGHT AND PHASE 9 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" TO AMENDMENT EIGHT AND LESS 1.37 ACRES IN PHASE 9 AS STATED IN EXHIBIT "A" HERETO.

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