

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

7721505
09/19/2000 02:00 PM 37.00
Book - 8388 Pg 5282-5290
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 9 P.

[Parcel Nos. 21-30-102-032 thru 043, and 21-30-103-001]

**AMENDMENT NO. THREE
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 19th day of September, 2000, as Entry No. 7721503, in Book 8388, at Pages 5268-5272 et seq., of the records of the Salt Lake County Recorder; and AMENDMENT NO. TWO, recorded the 3rd day of October, 2000, as Entry No. 7731539, in Book 8392, at Pages 1177-1187 et seq., of the records of the Salt Lake County Recorder; to include an additional eighteen (18) Units for a total of thirty (30) Units with additional property available for the expansion of a maximum number of two-hundred and fifty-two (252) 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 3 ("Phase 3 Property"), and declares its intention that the Phase 3 Property shall be subject to the Declaration, and any amendments thereto.

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Declarant hereby adds to the existing Project a total of twelve (12) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be forty-two (42) with two-hundred and forty (240) Units being reserved in the expandable area.

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

1. Phase 3 Expansion: Declarant hereby submits the Phase 3 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. 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 and Amendments thereto. The maximum number of Units to be contained within the Phase 2 Property improvements shall be twelve (12), 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 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 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 1/42nd. Likewise, pursuant to paragraph 4 of Article IV of the Declaration 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.

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.

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, President

20180822
181189

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.

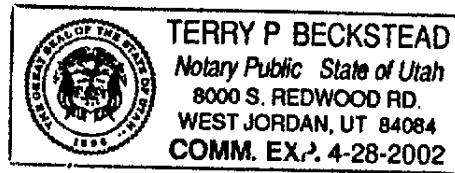


NOTARY PUBLIC

My Commission Expires:

4/28/2002

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 N00°08'29"W along the Section Line, 2095.254 feet and N89°51'31"E, 40.00 feet from the West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence N00°08'29"W along said Right-of-Way, 224.304 feet; thence S89°57'09"E, 248.207 feet; thence S00°08'29"E, 149.806 feet; thence S89°51'31"W, 134.205 feet; thence S00°08'29"E, 32.715 feet; thence Southeasterly 37.402 feet along the arc of a 369.00 foot radius curve to the left, (chord bears S03°02'43"E, 37.386 feet); thence S88°04'00"W, 115.951 feet to the point of beginning.

Contains 1.04 Acres or 45,504 Square Feet

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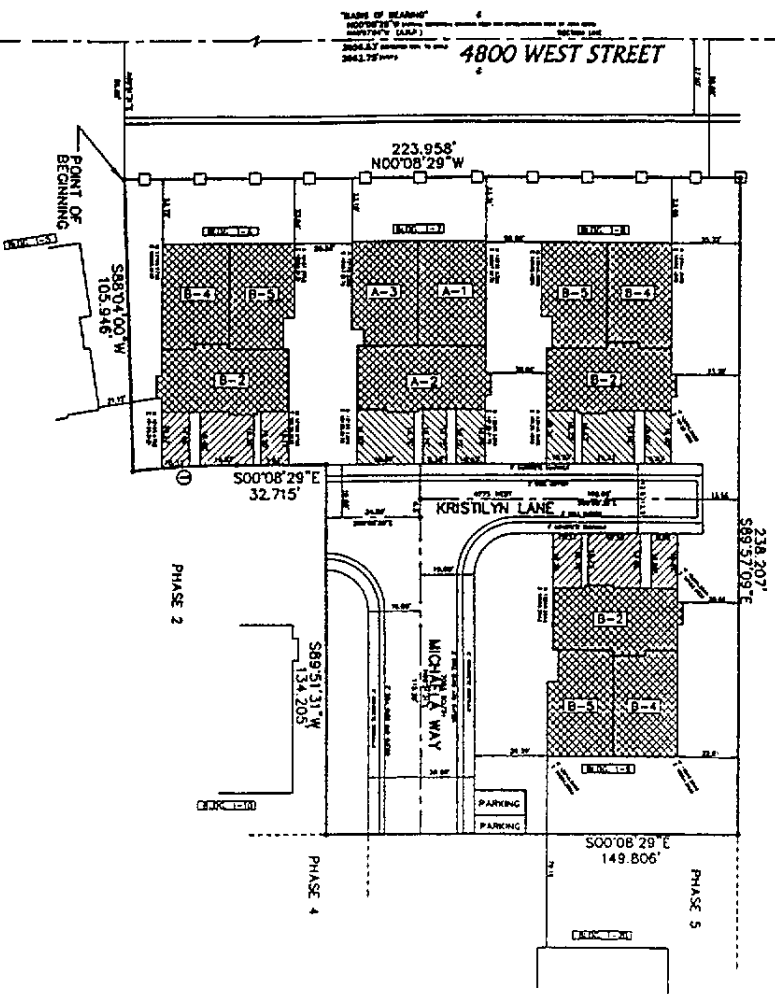
EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 3 MAP

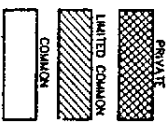
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BRITTANY CONDOMINIUMS PHASE 3



LEGEND
 • BUILDING FOOTPRINT
 ○ EXISTING SURVEY MONUMENT POINT
 — VAC. WAY



CONTRACT NO.	DATE	NO. OF SHEETS	TOTAL SHEETS	DATE	NO. OF SHEETS	TOTAL SHEETS
1	11/17/11	1	1	11/17/11	1	1

PLANNING COMMISSION
 APPROVED AS TO FORM AND CONTENT
 DATE: 11/17/2011

EWP ENGINEERING, INC.
 CIVIL, ENVIRONMENTAL, TRANSPORTATION & UTILITY ENGINEERS
 3800 SOUTH 700 EAST, SUITE 200, WEST JORDAN, UT 84086
 801-941-4444

WEST JORDAN CITY ENGINEER
 I HEREBY CERTIFY THAT THIS PROJECT HAS
 COMPLETED THE PLANNING AND DESIGN
 REQUIREMENTS AND IS IN ACCORDANCE WITH
 THE CITY ENGINEERING STANDARDS.

APPROVAL AS TO FORM
 DATE: 11/17/2011

WEST JORDAN CITY COUNCIL
 APPROVED AS TO FORM AND CONTENT
 DATE: 11/17/2011

RECORDED &
 FILED IN THE COUNTY OF SALT LAKE, UTAH
 DATE: 11/17/2011

SURVEYOR'S CERTIFICATE
 I, J. Michael DeWitt, do hereby certify that I am a
 Licensed Professional Surveyor in the State of Utah
 and that I have personally surveyed and made a
 true and correct survey of the land shown on the
 attached plan, and that the same is in accordance
 with the laws of the State of Utah.
BRITTANY CONDOMINIUMS - PHASE 3

OWNER'S DEDICATION
 We, the undersigned, do hereby dedicate to the public
 the land shown on the attached plan, and we
 warrant that the same is in accordance with the
 laws of the State of Utah.
BRITTANY CONDOMINIUMS - PHASE 3

CORPORATE ACKNOWLEDGMENT
 State of Utah
 County of Salt Lake
 I, J. Michael DeWitt, do hereby certify that I am
 the duly authorized officer of the above
 corporation, and that I have read and understand
 the contents of the foregoing instrument, and that
 the same is in accordance with the laws of the
 State of Utah.
 My Commission expires: 11/17/2011
 Witness my hand and seal this 17th day of
November, 2011.

BRITTANY CONDOMINIUMS - PHASE 3
 I, J. Michael DeWitt, do hereby certify that I am
 the duly authorized officer of the above
 corporation, and that I have read and understand
 the contents of the foregoing instrument, and that
 the same is in accordance with the laws of the
 State of Utah.
 My Commission expires: 11/17/2011
 Witness my hand and seal this 17th day of
November, 2011.

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" 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" HERETO.

~~BK 8388 PG 5290~~
BK 8392 PG 1196

AMENDMENT NO. THREE
TO AMENDED AND RESTATED DECLARATON
AND DECLARATION OF ANNEXATION FOR
BRITTANY CONDOMINIUMS

THIS AMENDMENT is hereby re-executed this 3rd day of October, 2000.

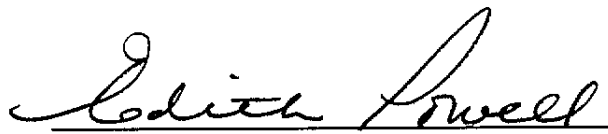
McARTHUR HOMES AT BRITTANY, LC
A Utah Limited Liability Company

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

By: 
Donald R. McArthur, Board Chairman

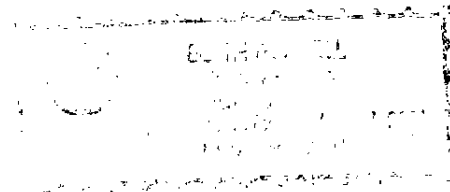
STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

On the 3rd day of October, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say the he is the Board Chairman 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 Board Chairman and executed the same on behalf of McArthur Homes, Inc., the Manager of McArthur Homes at Brittany, LC.


NOTARY PUBLIC

My Commission expires:

3-7-01



NOTARY SEAL NOT LEGIBLE
- CO RECORDER -

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RECORDED & INDEXED

7731540
10/03/2000 02:44 PM 41.00
Book - 8392 Pg - 1188-1198
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOWES LC
9948 S REDWOOD RD
SOUTH JORDAN UTAH 84095
BY: ARG, DEPUTY - WI 11 P.

10/03/2000 02:44 PM

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