

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

7721507
09/19/2000 02:01 PM 37.00
Book - 8388 Pg - 5300-5308
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 9 P.

7731542
-7721507

[Parcel Nos. 21-30-102-044 thru 055 and 21-30-103-001]

AMENDMENT NO. FIVE
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; AMENDMENT NO. TWO, recorded the 3rd day of October, 2000, as Entry No. 7731539, in Book 8392, at Pages 1177-1181 et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. THREE, recorded the 3rd day of October, 2000, as Entry No. 7731540, in Book 8392, at Pages 1188-1198 et seq., of the records of the Salt Lake County Recorder; and AMENDMENT NO. FOUR, recorded the 3rd day of October, 2000, as Entry No. 7731541, in Book 8392, at Pages 1199-1209 et seq., of the records of the Salt Lake County Recorder; to include an additional thirty (30) Units for a total of forty-two (42) Units with additional property available for the expansion of a maximum number of two-hundred and forty (240) additional Units for a total number of two-hundred and eighty-two (282) Units.

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BK8392PG1210

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 5 ("Phase 5 Property"), and declares its intention that the Phase 5 Property shall be subject to the Declaration, and any amendments thereto.

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 fifty-four (54) with two-hundred and twenty-eight (228) Units being reserved in the expandable area.

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

1. Phase 5 Expansion: Declarant hereby submits the Phase 5 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 5 Property and said Property shall be known as the Brittany Condominiums, Phase 5, and shall be subject to the provisions of the Declaration and Amendments thereto. The maximum number of Units to be contained within the Phase 5 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 5 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 1/54th. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/54th as shown in the Table attached hereto as Exhibit C.

4. Additional Land: With the annexation of the Phase 5 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, and the Phase 5 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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BK8388PG5301

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 }

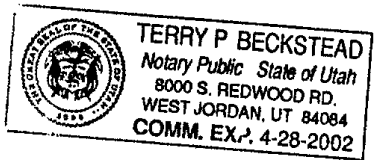
On the 18 day of September, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, LC, and that said instrument was acknowledged on behalf of said McArthur Homes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



BK8388PG5302
BK8392PG1212

EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 5

PROPERTY DESCRIPTION:

Beginning at a point which is N00°08'29"W along the Section Line, 2183.933 feet and N89°51'31"E, 288.205 feet and N00°08'29"W, 77.988 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, 134.806 feet; thence S89°57'09"E, 303.893 feet, thence S00°08'29"E, 237.127 feet; thence N83°29'59"W, 166.930 feet, thence N81°00'56"W, 38.002 feet, thence Northeasterly 13.370 feet along the arc of a 338.00 foot radius curve to right, (chord bears N10°43'53"E, 13.369 feet); thence Northeasterly 49.978 feet along the arc of a 262.00 foot radius curve to the left, (chord bears N06°24'00"E, 49.902 feet); thence Northwesterly 23.844 feet along the arc of a 15.00 foot radius curve to the left, (chord bears N44°36'11"W, 21.412 feet); thence S89°51'31"W, 93.770 feet to the point of beginning.

Contains 1.35 Acres or 58,986 Square Feet

BK8388PE5303
BK8392PG1213

EXHIBIT B

BRITTANY CONDOMINIUMS PHASE 5 MAP

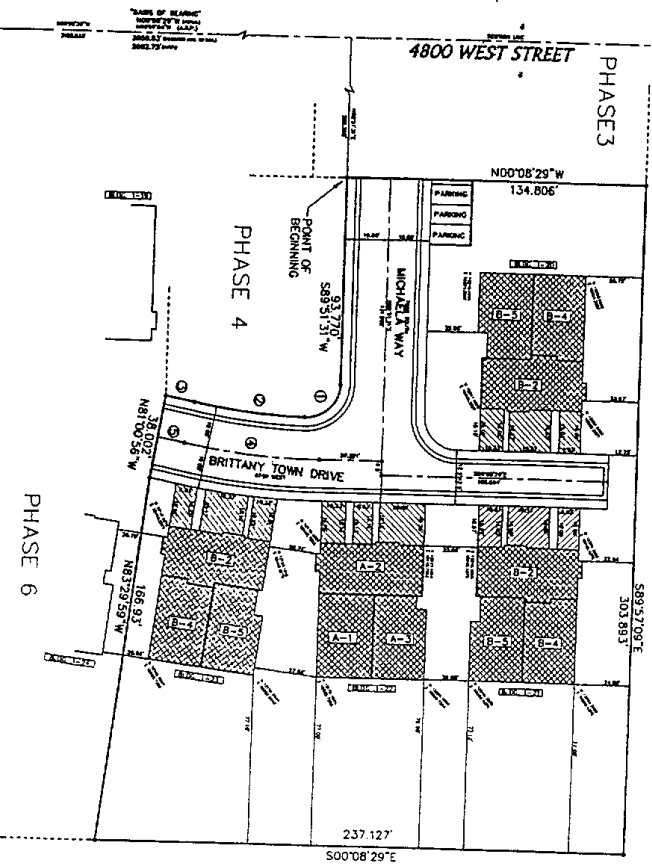
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17092 COPY
OF RECORD

BK8380PG5305
BK8392PG1215

BRITTANY CONDOMINIUMS PHASE 5



LEGEND
 ■ PRIVATE
 ▨ LIMITED COMMON
 □ COMMON



NO.	AREA	AREA	AREA	AREA	AREA	AREA	AREA
1	175.00	175.00	175.00	175.00	175.00	175.00	175.00
2	175.00	175.00	175.00	175.00	175.00	175.00	175.00

PLANNING COMMISSION
 EMP ENGINEERING, INC.
 1900 South 1900 West, Salt Lake City, UT 84119
 801-461-1000

APPROVAL AS TO FORM
 APPROVED AS TO FORM AND CONTENT
 APPROVED AS TO FORM AND CONTENT

APPROVAL AS TO FORM
 APPROVED AS TO FORM AND CONTENT
 APPROVED AS TO FORM AND CONTENT

SURVEYOR'S CERTIFICATE
 I, Michael D. Hays, do hereby certify that I am a duly Licensed Land Surveyor in the State of Utah and that I have personally surveyed and laid out the boundaries of the above described land shown on this plan and that the same are correct according to the best of my knowledge and belief.

OWNER'S DEDICATION
 I, the undersigned, do hereby dedicate to the public the above described land shown on this plan, and the same shall be held in trust for the use and benefit of the public of the State of Utah.

COMPLIANT ACKNOWLEDGMENT
 I, the undersigned, do hereby acknowledge the above described land shown on this plan, and the same shall be held in trust for the use and benefit of the public of the State of Utah.

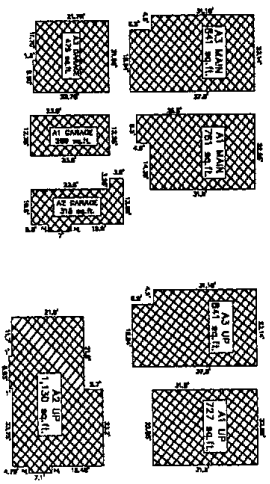
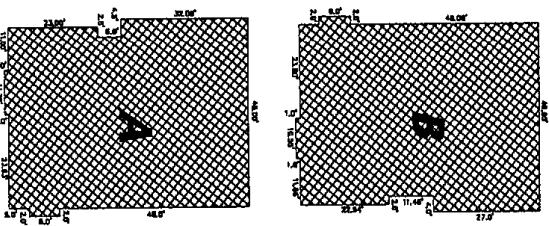
BRITTANY CONDOMINIUMS - PHASE 5
 RECORD # _____
 DATE OF RECORDING _____

BRITANNY CONDOMINIUMS
PHASE 5

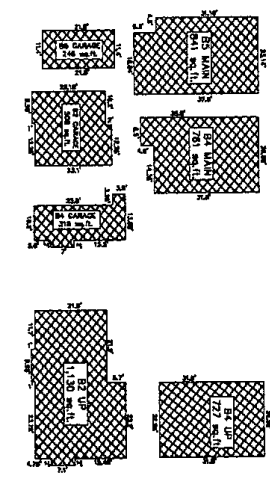
BK 8388 PG 5306

BK 8392 PG 1216

BRITANNY CONDOMINIUMS PHASE 5



BUILDING A
(NOT TO SCALE)



BUILDING B
(NOT TO SCALE)



**GROUND LEVEL
DIMENSIONS
(NOT TO SCALE)**

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-3	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-4	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-2	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE

BUILDING 1-20

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-3	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-4	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-2	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE

BUILDING 1-22

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A-1	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
A-2	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-2	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE

BUILDING 1-23

UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B-3	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-4	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE
B-2	4487.00	4478.14	7028 SOUTH BRITANNY TOWN DRIVE

PROJECT NO.	DATE	BY	CHK	APP
2024-001	10/20/24	J. W. P.	J. W. P.	J. W. P.

EWP ENGINEERING, INC.
 ENGINEERING & ARCHITECTURE
 1000 SOUTH 1000 WEST, SUITE 1000, SALT LAKE CITY, UT 84143
 (801) 487-1000

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	1/54th or 1.8519%
1		B-4	1/54th or 1.8519%
1		B-5	1/54th or 1.8519%
1	1-2	B-2	1/54th or 1.8519%
1		B-4	1/54th or 1.8519%
1		B-5	1/54th or 1.8519%
1	1-13	B-2	1/54th or 1.8519%
1		B-4	1/54th or 1.8519%
1		B-5	1/54th or 1.8519%
1	1-14	A-1	1/54th or 1.8519%
1		A-2	1/54th or 1.8519%
1		A-3	1/54th or 1.8519%
2	1-3	B-2	1/54th or 1.8519%
2		B-4	1/54th or 1.8519%
2		B-5	1/54th or 1.8519%
2	1-4	A-1	1/54th or 1.8519%
2		A-2	1/54th or 1.8519%
2		A-3	1/54th or 1.8519%
2	1-5	B-2	1/54th or 1.8519%
2		B-4	1/54th or 1.8519%
2		B-5	1/54th or 1.8519%
2	1-10	A-1	1/54th or 1.8519%
2		A-2	1/54th or 1.8519%
2		A-3	1/54th or 1.8519%
2	1-11	B-2	1/54th or 1.8519%
2		B-4	1/54th or 1.8519%
2		B-5	1/54th or 1.8519%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
2	1-12	B-2	1/54th or 1.8519%
2		B-4	1/54th or 1.8519%
2		B-5	1/54th or 1.8519%
3	1-6	B-2	1/54th or 1.8519%
3		B-4	1/54th or 1.8519%
3		B-5	1/54th or 1.8519%
3	1-7	A-1	1/54th or 1.8519%
3		A-2	1/54th or 1.8519%
3		A-3	1/54th or 1.8519%
3	1-8	B-2	1/54th or 1.8519%
3		B-4	1/54th or 1.8519%
3		B-5	1/54th or 1.8519%
3	1-9	B-2	1/54th or 1.8519%
3		B-4	1/54th or 1.8519%
3		B-5	1/54th or 1.8519%
4	Tot Lot		No Additional Units
5	1-20	B-2	1/54th or 1.8519%
5		B-4	1/54th or 1.8519%
5		B-5	1/54th or 1.8519%
5	1-21	B-2	1/54th or 1.8519%
5		B-4	1/54th or 1.8519%
5		B-5	1/54th or 1.8519%
5	1-22	A-1	1/54th or 1.8519%
5		A-2	1/54th or 1.8519%
5		A-3	1/54th or 1.8519%
5	1-23	B-2	1/54th or 1.8519%
5		B-4	1/54th or 1.8519%
5		B-5	1/54th or 1.8519%

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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" 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" HERETO.

~~BK8388PG5308~~
BK8392PG1218

AMENDMENT NO. FIVE
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

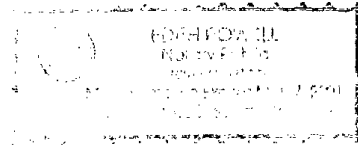
STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

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 -

BK 8392 PG 1219

7731542
10/03/2000 02:45 PM 41.00
Book - 8392 Pg - 1210-1220
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
7748 S REDWOOD RD
SOUTH JORDAN UTAH 84095
BY: ARG, DEPUTY - WI 11 P.

BK8392PG1220