

WHEN RECORDED RETURN TO:
VIVANTE, L.C.
Wayne H. Corbridge
758 South 400 East
Orem, Utah 84058

8029559
10/15/2001 02:35 PM 38.00
Book - 8511 Pg - 2640-2645
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
3600 CONSTITUTION BLVD
WVC UT 84119-3720
BY: RDJ, DEPUTY - WI 6 P.

8029559

**FIRST SUPPLEMENT TO THE
DECLARATION OF CONDOMINIUM FOR VIVANTE**
an expandable Utah condominium project

This FIRST SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR VIVANTE, an expandable Utah condominium project, is made and executed by VIVANTE DEVELOPMENT, L.C., a Utah limited liability company, of 758 South 400 East, Orem, Utah 84097, and THE JACKSON COMPANY, a California general partnership, of 758 South 400 East, Orem, Utah 84097 (collectively, "Declarant").

RECITALS

Whereas, the original Declaration of Condominium for VIVANTE was recorded in the office of the County Recorder of Salt Lake County, Utah on the 15th day of October, 2001 as Entry No. 8029557 in Book 8511 at Page(s) 2575-2638 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 45 of the Declaration, Declarant reserved an option, until the seven (7) years from the date following the first conveyance of a Unit in Phase I to a Unit purchaser, to expand the Project in accordance with the Act.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-2" attached hereto and incorporated herein by this reference (the "Phase II Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of the Department of Veterans Affairs, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Phase II Property a residential condominium development.

Whereas, Declarant now intends that the Phase II Property shall become subject to the Declaration.

15-27-403-004, 404-016

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A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this FIRST SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR VIVANTE.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. First Supplement to the Declaration shall mean and refer to this FIRST SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR VIVANTE.

B. First Supplemental Map or Phase II Map shall mean and refer to the Supplemental Plat Map for Phase II of the Project, prepared and certified to by Gary Wier, a duly registered Utah Land Surveyor holding Certificate No. 333098, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplement to the Declaration.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property described in Exhibit A-2 is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as supplemented.

3. Annexation. Declarant hereby declares that the Phase II Property shall be annexed to and become subject to the Declaration, which upon recordation of this First Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase II Map, a Clubhouse, Building and twelve (12) additional Units are or will be constructed and/or created in the Project on the Phase II Property. The additional Buildings and Units are located within a portion of the Additional Land. Upon the recordation of the Phase II Map and this First Supplement to the Declaration, the total number of Units in the Project will be eighteen (18). The additional Buildings and Units are substantially similar in construction, design and quality to the Buildings and Units in the prior Phase.

5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities. Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

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6. Effective Date. The effective date of this First Supplement to the Declaration and the Phase II Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

EXECUTED the 29 day of August, 2001.

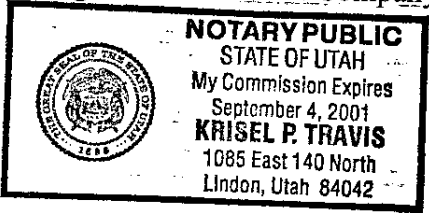
VIVANTE DEVELOPMENT, L.C.,
a Utah limited liability company

By: [Signature]
Name: WAYNE H. CORBRIDGE
Title: Manager

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 29 day of August, 2001 personally appeared before me WAYNE H. CORBRIDGE, who by me being duly sworn, did say that he is the Manager of VIVANTE DEVELOPMENT, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members, and said WAYNE H. CORBRIDGE duly acknowledged to me that said Company executed the same.

[Signature]
NOTARY PUBLIC
Residing At: London UT
Commission Expires: Sept. 4, 2001




THE JACKSON COMPANY
a California General Partnership

By: [Signature]
Name: E. William Jackson
Title: General Partner

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STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 12th day of ~~November~~, September 2001 (B), personally appeared before me E. WILLIAM JACKSON, who by me being duly sworn, did say that he is the General Partner of THE JACKSON COMPANY, a California General Partnership, and that the within and foregoing instrument was signed in behalf of said Partnership by authority of the General Partnership Agreement, and said E. WILLIAM JACKSON duly acknowledged to me that said Partnership executed the same.



NOTARY PUBLIC
Residing At: Utah
Commission Expires: 7-21-03

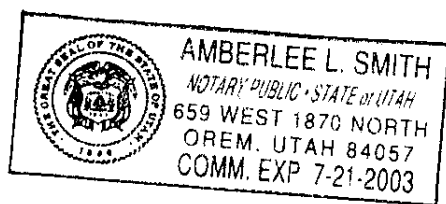


Exhibit "A-2"

VIVANTE PHASE II
LEGAL DESCRIPTION

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

Beginning North 89°53'42" East along the Section line 718.76 feet and South 0°06'18" East 182.53 feet from the Center of Section 27, Township 1 South Range 1 West Salt Lake Base and Meridian, said point being on the West Right of Way line of Lester Street, said point also being on the arc of a 131.45 foot radius curve to the right, the center of which bears North 67°55'38" West, and running thence Southwesterly along the arc of said curve and said Right of way line, and through a central angle of 16°19'58", 37.47 feet to a point of a reverse curve to the left, the radius point of which is South 51°35'31" East 168.50 feet; thence Southerly along the arc of said curve, and said Right of Way line, and through a central angle of 38°24'20", 112.95 feet to a point of tangency; thence South along said Right of Way line 99.14 feet to a point of a 28.00 foot radius curve to the right; thence Southwesterly along the arc of said curve and through a central angle of 22°58'48", 11.23 feet; thence West 150.48 feet; thence North 255.38 feet; thence East 154.89 feet; thence North 78°23'05" East 19.49 feet; thence South 70°06'35" East 36.14 feet to the point of beginning.

Contains 42,138 square feet
or 0.97 acres.

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REVISED EXHIBIT "C"
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

<u>Phase</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
1	Q	1	5.555%
1	Q	2	5.555%
1	Q	3	5.555%
1	Q	4	5.555%
1	Q	5	5.555%
1	Q	6	5.555%
2	D	1	5.555%
2	D	2	5.555%
2	D	3	5.555%
2	D	4	5.555%
2	D	5	5.555%
2	D	6	5.555%
2	D	7	5.555%
2	D	8	5.555%
2	D	9	5.555%
2	D	10	5.555%
2	D	11	5.555%
2	D	12	5.555%
TOTAL:			100.0%