

8029563

15-27-403-002, 404-016

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

8029563
10/15/2001 02:37 PM 58.00
Book - 8511 Pg - 2655-2661
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
3600 CONSTITUTION BLVD
WVC UT 84119-3720
BY: RDJ, DEPUTY - WI 7 P.

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

This THIRD 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 RODNEY W. JACKSON AND CHRYL M. JACKSON, TRUSTEES OF THE JACKSON LIVING TRUST DATED SEPTEMBER 28, 1998, 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, the First Supplement to the 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. 8029559 in Book 8511 at Page(s) 2640-2645 of the Official Records of the County Recorder of Salt Lake County, Utah (the "First Supplement").

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

Whereas, the Second Supplement to the 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. 8029561 in Book 8511 at Page(s) 2647-2653 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Second Supplement").

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

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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-4" attached hereto and incorporated herein by this reference (the "Phase IV 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 IV Property a residential condominium development.

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

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 THIRD 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. Third Supplement to the Declaration shall mean and refer to this THIRD SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR VIVANTE.

B. Third Supplemental Map or Phase III Map shall mean and refer to the Supplemental Plat Map for Phase IV 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 Third 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-4 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 IV Property shall be annexed to and become subject to the Declaration, which upon recordation of this Third Supplement to the

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JACKSON LIVING TRUST DATED SEPTEMBER 28, 1998

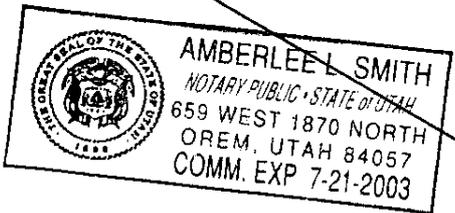
By: [Signature]
Name:
Title: Trustee

By: _____
Name:
Title: Trustee

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 6th day of September, 2001 personally appeared before me RODNEY W. JACKSON and CHRYL M. JACKSON, who by me being duly sworn, did say that they are the Trustees of the JACKSON LIVING TRUST DATED SEPTEMBER 28, 1998, and that the within and foregoing instrument was signed in behalf of said Trust by authority of the Trust Agreement, and said RODNEY W. JACKSON and CHRYL M. JACKSON duly acknowledged to me that said Trust executed the same.

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



A.S.

* REFER TO FOLLOWING
PAGE FOR ACKNOWLEDGMENT

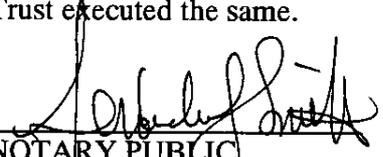
JACKSON LIVING TRUST DATED SEPTEMBER 28, 1998

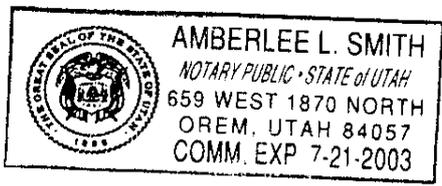
By: _____
Name:
Title: Trustee

By: _____
Name:
Title: Trustee

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 6th day of September, 2001, personally appeared before CHYRL M. JACKSON, know to me to be the Trustee of the **Chyrl M. Jackson for Rodney W. Jackson and Chyrl M. Jackson, Trustees or their successors in trust, under the Jackson Living Trust, dated September 28, 1998** and the trustees who subscribed the said Trust name to the foregoing instrument, acknowledged to me that she executed the same in said Trust name, and that said Trust executed the same.


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



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Exhibit "A-4"

VIVANTE PHASE IV
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 713.38 feet and South 0° 06'18" East 33.00 feet from the Center of Section 27, Township 1 South, Range West Salt Lake Base and Meridian, said point being on the South Right of way line of 3100 South Street, said point also being on a 28.00 foot radius curve to the right; the center of said curve bears South 26°53'31" West; and running thence Southerly along the arc of said curve and along the West Right of Way line of Lester Street, through a central angle of 63°03'45", 30.82 feet; thence South 0°02'44" East along said West Right of Way line 75.07 feet to a point of a 131.45 foot radius curve to the right; thence Southwesterly along the arc of said curve and said West Right of Way line, through a central angle of 22°07'06", 50.74 feet; thence North 70°06'35" West 36.14 feet; thence South 78° 23'05" West 19.49 feet; thence West 154.89 feet; thence North 140.78 feet; thence North 89° 53'42" East 202.21 feet to the point of beginning.

Contains 27,194 square feet
or 0.62 acres.

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THIRD 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	2.7777%
1	Q	2	2.7777%
1	Q	3	2.7777%
1	Q	4	2.7777%
1	Q	5	2.7777%
1	Q	6	2.7777%
2	D	1	2.7777%
2	D	2	2.7777%
2	D	3	2.7777%
2	D	4	2.7777%
2	D	5	2.7777%
2	D	6	2.7777%
2	D	7	2.7777%
2	D	8	2.7777%
2	D	9	2.7777%
2	D	10	2.7777%
2	D	11	2.7777%
2	D	12	2.7777%
3	J	1	2.7777%
3	J	2	2.7777%
3	J	3	2.7777%
3	J	4	2.7777%
3	J	5	2.7777%
3	J	6	2.7777%
4	A	1	2.7777%
4	A	2	2.7777%
4	A	3	2.7777%
4	A	4	2.7777%
4	A	5	2.7777%
4	A	6	2.7777%
4	A	7	2.7777%
4	A	8	2.7777%
4	A	9	2.7777%
4	A	10	2.7777%
4	A	11	2.7777%
4	A	12	2.7777%
TOTAL:			100.0%