

WHEN RECORDED, RETURN TO:

Patrick H. Holmes  
HOLMES HOMES, INC.  
9345 South 1300 East  
Sandy, Utah 84094 PARCEL I.D. # 20-34-454-014

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03/24/2003 12:01 PM 40.00  
Book - 8760 Pg - 7523-7526  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
HOLMES HOMES INC  
45 W 10000 S STE.206  
SANDY UT 84070  
BY: ROJ, DEPUTY - WI 4 P.

8577817

**AMENDMENT NO. ONE  
FOR EXPANSION OF  
IVY SPRINGS CONDOMINIUMS**

**(An Expandable Condominium Project)**

THIS AMENDMENT NO. ONE ("Amendment") to the Declaration of Condominium of Ivy Springs Condominiums, an expandable condominium project (the "Declaration"), is made effective as of the date of the recording hereof in the Salt Lake County Recorder's Office by JVC, LLC, a Utah limited liability company ("Declarant"), pursuant to Section 57-8-13.6 of the Utah Condominium Ownership Act and Article 16 of the Declaration.

**RECITALS:**

A. On October 30, 2002, Declarant filed the Declaration, as Entry No. 8403950, in Book 8675, beginning at page 2580 in the official records of the Salt Lake County Recorder, State of Utah, with the Record of Survey Map (the "Plat").

B. The Plat created an expandable residential condominium project (the "Condominium Project"), consisting of twelve (12) units, Unit Nos. 11011, 11012, 11013, 11021, 11022, 11023, 11031, 11032, 11033, 11041, 11042 and 11043 ("Phase One"), and additional land that may be used to expand the Condominium Project with up to 132 additional units ("Additional Land").

C. Declarant is the owner of fee simple title to all of the Additional Land and now desires to add twelve (12) units, Unit Nos. 11051, 11052, 11053, 11061, 11062, 11063, 11471, 11472, 11473, 11481, 11482 and 11483 ("Phase Two"), to the existing Condominium Project pursuant to the terms of the Declaration.

D. The supplemental Plat for Phase Two will be recorded concurrently with this Amendment by Declarant in the official records of the Salt Lake County Recorder, State of Utah.

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

1. Phase Two Expansion. Declarant hereby submits to the provisions

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of the Utah Condominium Ownership Act, Utah Code Ann. § 57-8-1 et seq. (the "Act"), the real property situated in Salt Lake County, Utah, as more particularly described on Exhibit "A," attached to and incorporated in this Amendment by reference (the "Phase Two Property"). As of the date of this Amendment, Declarant is the sole owner of the Phase Two Property. The Phase Two Property hereby submitted to the Act shall be known as Ivy Springs Condominiums, Phase Two, and shall be subject to the terms and conditions of the Declaration.

2. Improvements. The improvements to be built on the Phase Two Property shall consist of several multi-unit buildings with a maximum and minimum of twelve (12) units, Unit Nos. 11051, 11052, 11053, 11061, 11062, 11063, 11471, 11472, 11473, 11481, 11482 and 11483. All improvements constructed on the Phase Two Property shall be consistent in terms of quality of construction and shall be compatible in terms of principal materials used and architectural style with the structures in Phase One. Further, the Units created in Phase Two shall be substantially identical to the Units in Phase One. Each Unit will be provided with one or more parking spaces, which shall be designated as Limited Common Area appurtenant to such Unit.

3. Undivided and Allocated Interests. As specified in Article 16 of the Declaration, with the expansion of the Condominium Project to include Phase Two, each Unit Owner in the Condominium Project shall have a maximum 1/24<sup>th</sup> (or 4.1667%) undivided interest in the Common Area, 1/24<sup>th</sup> (or 4.1667%) allocated interest in the common expenses of the Condominium Project, and a 1/24<sup>th</sup> (or 4.1667%) vote for all matters of the Condominium Project's homeowners association.

4. Additional Land. With the annexation of Phase Two into the Condominium Project, the new Additional Land shall consist of the original Additional Land less the Phase Two Property, as more particularly described on Exhibit "B," attached to and incorporated in this Amendment by reference.

5. Schedule of Units, Square Footage, Votes and Undivided Interest in Common Areas. With the annexation of Phase Two into the Condominium Project, the Schedule of Units, Square Footage, Votes and Undivided Interest in Common Areas attached to the Declaration as Exhibit "D" shall be replaced with the revised Schedule of Units, Square Footage, Votes and Undivided Interest in Common Areas attached to and incorporated by reference in this Amendment as Exhibit "C."

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed on this 4 day of March, 2003.

DECLARANT:

JVC, LLC, a Utah limited liability company

By: 

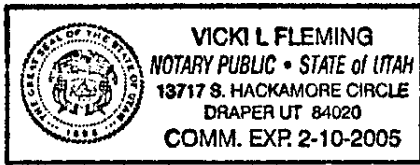
PATRICK H. HOLMES, Managing

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Member

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 4th day of march, 2003, by PATRICK H. HOLMES, who is the Managing Member of JVC, LLC, a Utah limited liability company.



*V. Fleming*  
NOTARY PUBLIC  
Residing at Salt Lake County, Utah

My Commission Expires:

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EXHIBIT "A"

LEGAL DESCRIPTION  
PHASE TWO  
IVY SPRINGS CONDOMINIUMS

The following described real property, located in Salt Lake County, Utah, is the parcel representing Phase Two of the Condominium Project:

**Boundary Description - Ivy Springs Condominiums Phase 2**

Beginning at a point on the East Right of Way line of 6700 West, which point lies North 89°51'27" West along the South line of the Southeast Quarter of Section 34, Township 2 South, Range 2 West, Salt Lake Base & Meridian 1879.20 feet and North 00°35'55" West 824.23 feet from the Southeast corner of said Section 34; and traversing thence North 00° 35'55" West 129.50 feet along said East Right of Way Line; thence North 89°24'05" East 129.00 feet; thence North 00°35'55" West 36.12 feet to a point on a curve to the right, having a radius of 5.00 feet and a central angle of 90°00'00"; thence along the arc of said curve a distance of 7.85 feet, said arc subtended by a chord bearing North 44°24'05" East, a distance of 7.07 feet; thence North 89°24'05" East 68.67 feet; thence

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South 00°35'55" East 95.90 feet; thence South 05°26'37" East 74.99 feet; thence South 89°24'05" West 209.00 feet to the point of beginning.

Containing 29,713 sf or 0.68 acres or more or less.

EXHIBIT "B"

LEGAL DESCRIPTION  
ADDITIONAL LAND AFTER ADDITION OF PHASE TWO  
IVY SPRINGS CONDOMINIUMS

The following described real property, located in Salt Lake County, is the new Additional Land after the addition of Phase Two:

**Boundary Description - Additional Land Area**

Beginning at a point on the East Right of Way line of 6700 West, which point lies North 89°51'27" West along the South line of the Southeast Quarter of Section 34, Township 2 South, Range 2 West, Salt Lake Base & Meridian 1879.20 feet and North 00°35'55" West 510.03 feet from the Southeast corner of said Section 34; and traversing thence North 00°35'55" West 314.20 feet; thence North 89°24'05" East 209.00 feet; thence North 05°26'37" West 74.99 feet; thence North 00°35'55" West 95.90 feet; thence South 89°24'05" West 53.67 feet; thence North 00°35'55" West 102.00 feet; thence South 89°24'05" West 15.00 feet to a point on a curve to the right, having a radius of 5.00 feet and a central angle of 90°00'00"; thence along the arc of said curve a distance of 7.85 feet, said arc subtended by a chord bearing North 45°35'55" West, a distance of 7.07 feet; thence North 00°35'55" West 82.26 feet to a point on a curve to the right, having a radius of 11.00 feet and a central angle of 89°59'41"; thence along the arc of said curve a distance of 17.28 feet, said arc subtended by a chord bearing North 44°24'14" East, a distance of 15.56 feet; thence North 00°35'55" West 31.00 feet to a point on a non-tangent curve to the right, having a radius of 15.00 feet and a central angle of 90°00'00"; thence along the arc of said curve a distance of 23.56 feet, said arc subtended by a chord bearing North 45°35'55" West, a distance of 21.21 feet; thence North 00°35'55" W 105.20 feet; thence South 89°54'36" East 470.78 feet; thence South 07°20'19" East 194.17 feet; thence South 03°27'43" West 277.92 feet; thence South 14°00'07" West 372.60 feet to a point on the North Right of Way line of Hilltop Oak Drive; thence South 89°24'05" West 504.93 feet along said North Right of Way line to the point of beginning.

Containing 404,720 sf or 9.29 acres, more or less.

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