

8951446
01/15/2004 11:33 AM 69.00
Book - 8934 Pg - 4448-4454
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
EQUITY TITLE
BY: SBM, DEPUTY - WZ 7 P.

WHEN RECORDED RETURN TO:
James R. Blakesley
Attorney at Law
2595 East 3300 South
Salt Lake City, Utah 84109
(801) 485-1555

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

This FIRST SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR ALBION VILLAGE CONDOMINIUM, an expandable Utah condominium project, is made and executed by ALBION VILLAGE, LLC, a Utah limited liability company, of 287 N. Robertson Lane, Springville, Utah 84663 (the "Declarant").

RECITALS

The Declaration of Condominium for Albion Village Condominium was recorded in the office of the County Recorder of Salt Lake County, Utah on August 25, 2003 as Entry No. 8788136 in Book 8869 at Pages 440-495 of the official records (the "Declaration").

The First Amendment to Declaration of Condominium for Albion Village Condominium was recorded in the office of the County Recorder of Salt Lake County, Utah on November 6, 2003 as Entry No. 8883087 in Book 8907 at Pages 8874-8882 of the official records (the "First Amendment").

The Affidavit of Withdrawal was recorded in the office of the County Recorder of Salt Lake County, Utah on December 5, 2003 as Entry No. 8917332 in Book 8920 at Pages 7730-7733 of the official records (the "Affidavit of Withdrawal").

The Second Amendment to Declaration of Condominium for Albion Village Condominium was recorded December 5, 2003 as Entry No. 891733 in Book 8920 at Pages 77334-7738 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Second Amendment").

The Corrected Affidavit of Withdrawal was recorded in the Office of the County Recorder of Salt Lake County, Utah on 11/16/04 as Entry No. 8945444 in Book 8932 at Pages 4022 of the Official Records (the "Corrected Affidavit").

The Corrected Second Amendment was recorded in the Office of the County Recorder of Salt Lake County, Utah on 11/16/04 as Entry No. 8946174 in Book 8932 at Pages 6456 of the Official Records (the "Corrected Second Amendment").

120-102-21-2
001
27-12-21-2
120-102-21-2
001

Whereas, the related Plat Map(s) for Phase 1 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 47 of the Declaration, Declarant reserved an option, until the five (5) 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 2 Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of Fannie Mae, 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 2 Property a residential condominium development.

Whereas, Declarant now intends that the "Phase 2 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 FIRST SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR ALBION VILLAGE CONDOMINIUM.

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 ALBION VILLAGE CONDOMINIUM.

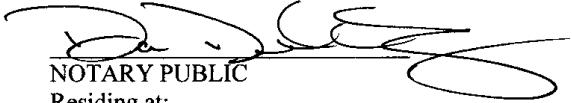
B. **First Supplemental Map(s) or Phase 2 Map(s)** shall mean and refer to the Supplemental Plat Map(s) for the additional phase of the Project described on Exhibit "A-2," prepared and certified to by Gary Wier P.L.S., a duly registered Utah Land Surveyor holding Certificate No. 333098, and filed for 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.

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

On this 8 day of January, 2004, personally appeared before me, the undersigned Notary Public, in and for said county and state, Jason B. Johnson, being first duly sworn, who acknowledged to me that he is the Managing Member of Albion Development, LLC, who is the Managing Member of Albion Village, LLC, and that he signed the foregoing By-Laws, on and in behalf of said limited liability company pursuant to its Articles of Organization and a Resolution of its Members), and said Jason B. Johnson further acknowledged for and in behalf of Albion Development, LLC that Albion Village, LLC executed the same.


NOTARY PUBLIC
Residing at:
My Commission Expires:

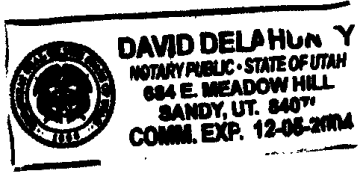


EXHIBIT "A-2"

**ALBION VILLAGE CONDOMINIUM
LEGAL DESCRIPTION**

The land described in the foregoing document as the Phase 2 Property is located in Salt Lake County, Utah and is described more particularly as follows:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, S.L.B. & M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 12; THENCE NORTH 771.96 FEET AND WEST 1263.22 FEET TO THE REAL POINT OF BEGINNING; (BASIS OF BEARING BEING N.00°11'00"W. ALONG THE MONUMENTED CENTERLINE OF STATE STREET FROM THE BRASS CAP MONUMENT MARKING THE INTERSECTION OF 9800 SOUTH AND THE BRASS CAP MONUMENT MARKING THE CENTERLINE OF 9400 SOUTH.)

THENCE N.79°25'12"W. 126.14 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE LEFT 25.59 FEET, HAVING A CENTRAL ANGLE OF 07°19'56" AND BEING SUBTENDED BY A CHORD THAT BEARS N.83°05'10"W. 25.58 FEET; THENCE N.86°25'47"W. 25.19 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 194.00 FOOT RADIUS CURVE TO THE RIGHT 22.39 FEET, HAVING A CENTRAL ANGLE OF 06°36'43" AND BEING SUBTENDED BY A CHORD THAT BEARS N.82°43'34"W. 22.38 FEET; THENCE N.79°25'12"W. 31.29 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 344.50 FOOT RADIUS CURVE TO THE LEFT 63.61 FEET, HAVING A CENTRAL ANGLE OF 10°34'48" AND BEING SUBTENDED BY A CHORD THAT BEARS N.84°42'36"W. 63.52 FEET; THENCE WEST 170.63 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 19.74 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 45.07 FEET, HAVING A CENTRAL ANGLE OF 130°50'27" AND BEING SUBTENDED BY A CHORD THAT BEARS N.18°21'57"W. 35.89 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 112.58 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 8.82 FEET, HAVING A CENTRAL ANGLE OF 04°29'19" AND BEING SUBTENDED BY A CHORD THAT BEARS N.87°40'38"E. 8.82 FEET; THENCE N.87°12'01"E. 239.53 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 530.00 FOOT RADIUS CURVE TO THE LEFT 94.73 FEET, HAVING A CENTRAL ANGLE OF 10°14'28" AND BEING SUBTENDED BY A CHORD THAT BEARS N.82°04'47"E. 94.61 FEET; THENCE N.76°57'33"E. 126.45 FEET; THENCE S.60°41'33"E. 33.22 FEET; THENCE S.10°34'45"W. 115.64 FEET TO THE POINT OF BEGINNING CONTAINING 0.72 ACRES OF LAND.

SECOND REVISED EXHIBIT "C"
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

Phase No.	Bldg. No.	Floor	Unit No.	Percentage of Ownership
1	3	1st	101	2.08%
1	3	1st	102	2.08%
1	3	1st	103	2.08%
1	3	1st	104	2.08%
1	3	1st	105	2.08%
1	3	1st	106	2.08%
1	3	2nd	201	2.08%
1	3	2nd	202	2.08%
1	3	2nd	203	2.08%
1	3	2nd	204	2.08%
1	3	2nd	205	2.08%
1	3	2nd	206	2.08%
1	3	3rd	301	2.08%
1	3	3rd	302	2.08%
1	3	3rd	303	2.08%
1	3	3rd	304	2.08%
1	3	3rd	305	2.08%
1	3	3rd	306	2.08%
1	3	4th	401	2.08%
1	3	4th	402	2.08%
1	3	4th	403	2.08%
1	3	4th	404	2.08%
1	3	4th	405	2.08%
1	3	4th	406	2.08%
2	2	1st	101	2.08%
2	2	1st	102	2.08%
2	2	1st	103	2.08%
2	2	1st	104	2.08%
2	2	1st	105	2.08%
2	2	1st	106	2.08%
2	2	2nd	201	2.08%
2	2	2nd	202	2.08%
2	2	2nd	203	2.08%
2	2	2nd	204	2.08%
2	2	2nd	205	2.08%
2	2	2nd	206	2.08%

Phase No.	Bldg. No.	Floor	Unit No.	Percentage of Ownership
2	2	3rd	301	2.08%
2	2	3rd	302	2.08%
2	2	3rd	303	2.08%
2	2	3rd	304	2.08%
2	2	3rd	305	2.08%
2	2	3rd	306	2.08%
2	2	4th	401	2.08%
2	2	4th	402	2.08%
2	2	4th	403	2.08%
2	2	4th	404	2.08%
2	2	4th	405	2.08%
2	2	4th	406	2.08%