

ENT 90144:2007 PG 1 of 4  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2007 Jun 21 11:37 am FEE 88.00 BY SS  
RECORDED FOR MHM

**SECOND AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE HILLCREST CONDOMINIUMS  
An Expandable Utah Condominium Project  
Phase 1**

DECLARANT:

Hillcrest Saratoga Condominiums, LLC

WHEN RECORDED RETURN TO:

Bill O. Heder  
MacArthur, Heder & Metler, PLLC  
3507 N. Univ. Ave., Suite 350  
Provo, UT 84062

**SECOND AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE HILLCREST CONDOMINIUMS**

Hillcrest Saratoga Condominiums, L.L.C., a Utah Limited Liability Company, (hereafter, "Declarant"), hereby amends the Declaration of Covenants, Conditions and Restrictions for the Hillcrest Condominiums.

**RECITALS**

A. On the 13th day of May, 2005, Declarant caused to be recorded in the office of the Utah County Recorder "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HILLCREST CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT," for the Hillcrest Condominiums, located in Utah County, Utah; entry number of 51908:2005 (hereafter, "Declaration").

B. Declarant intends this Second Amendment to be binding upon Declarant, its successors, assigns and upon all owners of property in the Subdivision, their grantees, mortgagees, successors, heirs, executors, administrator, devisees and assigns, regardless of whether or not they receive a copy hereof at closing or any time thereafter, and whether or not their ownership was obtained before or after the date of this amendment.

C. By this Amendment as signed and dated hereafter, Declarant intends to modify restrictions on the potential number of units to be constructed on additional lands as follows:

**AMENDMENT**

NOW THEREFORE, the Declaration is hereby further amended for a second time as follows, with such Amendment to become effective upon the recording of this Amendment in the office of the County Recorder of Utah County, Utah:

1. Section 16, ("Additional Lands") Paragraph 16.10 (misnumbered in the original as 19.10) of the Declaration shall be amended in its entirety to read as follows:

16.10 Maximum Number of Units. The improvements to be placed on the Additional Land shall include no more residential units than that number which, when added to units constructed outside the "additional land," would bring the total number of residential condominium units in all phases of the project to 228 residential condominium units.

2. This Second Amendment shall be binding upon Declarant, its successors, assigns and upon all owners of property in the Subdivision, their grantees, mortgagees, successors, heirs, executors, administrator, devisees and assigns, regardless of whether or not they receive a copy hereof at closing or any time thereafter, and whether or not their ownership was obtained before or after the date of this amendment.

3. All other provisions of the Declaration not amended hereby shall remain in

force and binding as stated.

DATED this 29 day of May, 2007.

**Hillcrest Saratoga Condominiums, LLC,**  
A Utah Limited Liability Company

By: *[Signature]* *Manager SRC7 LLC*  
Steven Croshaw, Manager of SRC7, LLC, which is a Manager of Hillcrest Saratoga  
Condominiums, LLC

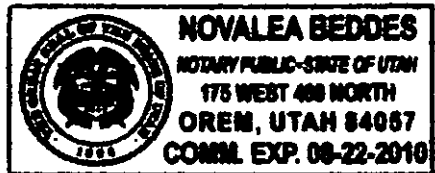
STATE OF UTAH

:SS

COUNTY OF UT AH

On the 29 day of May, 2007, personally appeared before me  
Steven Croshaw, who by me being duly sworn, did say that he is the manager of  
SRC7, LLC, a Utah limited liability company, a manager of HILLCREST  
SARATOGA CONDOMINIUMS, LLC, "Declarant" herein, and that the within and  
foregoing instrument was signed in behalf of said Company by authority of its  
Articles of Organization or a resolution of its Members, and said person duly  
acknowledged to me that the Company executed the same.

*Nova Lea Beddes*  
NOTARY PUBLIC



**EXHIBIT A  
PROPERTY DESCRIPTION**

A PARCEL OF LAND LOCATED IN UTAH COUNTY, UTAH WHICH IS IN THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL ALSO BEING A PART OF LOT 1, PLAT A, HILLCREST OVERALL SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED ACCORDING TO THE FOLLOWING COURSES AND DISTANCES, TO WIT:

BEGINNING AT A POINT ON THE SOUTH LINE OF HILLCREST ROAD, SAID POINT BEING LOCATED WEST 1047.77 FEET AND SOUTH 2915.98 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 11 (FOUND CORNER-BASIS OF BEARING IS N 89°54'48" E, BETWEEN THE NORTH QUARTER CORNER AND THE NORTHEAST SECTION CORNER OF SAID SECTION 11), THENCE ALONG THE ARC OF A 328.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 13°51'33" FOR 79.34 FEET (CHORD BEARS SOUTH 70°59'35" EAST 79.15 FEET); THENCE SOUTH 18°01'38" WEST 97.06 FEET THENCE SOUTH 34°34'59" EAST 48.17 FEET; THENCE NORTH 78°00'31" EAST 220.48 FEET; THENCE SOUTH 11°59'29" EAST 207.64 FEET; THENCE SOUTH 55°25'01" WEST 740.62 FEET; THENCE NORTH 34°34'59" WEST 143.26 FEET; THENCE NORTH 55°25'01" EAST 70.37 FEET; THENCE NORTH 34°34'59" WEST 174.98 FEET; THENCE NORTH 24°31'07" EAST 245.18 FEET; THENCE NORTH 78°57'04" EAST 235.11 FEET; THENCE NORTH 47°05'57" EAST 36.96 FEET; THENCE ALONG THE ARC OF A 124.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 44°31'49" FOR 96.37 FEET (CHORD BEARS NORTH 24°50'02" EAST 93.97 FEET); THENCE NORTH 02°34'08" EAST 54.96 FEET TO THE POINT OF BEGINNING.

AREA CONTAINED: 6.086 ACRES