



AFTER RECORDING PLEASE RETURN TO:

Flying Horse LLC
270 East 930 South
Orem, UT 84058

ENT 91280:2017 PG 1 of 7
JEFFERY SMITH
UTAH COUNTY RECORDER
2017 Sep 18 4:08 pm FEE 104.00 BY SW
RECORDED FOR OREM CITY CORPORATION

**FOURTH AMENDMENT TO
DECLARATION OF CONDOMINIUM
(Including Owner Association Bylaws)

FLYING HORSE RESIDENTIAL CONDOMINIUMS
(A Convertible Land Condominium Project)
Orem City, Utah County, Utah**

THIS FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM (the “Fourth Amendment to Declaration”) is made this 21th day of August, 2017 by **FLYING HORSE, LLC**, A Utah limited liability company (“Declarant”) pursuant to the provisions of Title 57, Chapter 8 of the *Utah Code*, as amended, known as the Condominium Ownership Act (the “Act”).

RECITALS:

- A. All defined terms as used in this Fourth Amendment to Declaration shall have the meanings ascribed to them herein or, as the case may be, in the Condominium Project’s Declaration of Condominium, recorded by Declarant in the Public Records as Entry 15285:2017 on February 14, 2017, pages 1 through 35, inclusive (the “Declaration”).
- B. Declarant is the developer of the Project and recorded a Record of Survey Map therefore in the Public Records as Entry 15284:2017 Map # 15412 on February 14, 2017.
- C. Pursuant to ARTICLE II of the Declaration, and Sections 57-8-13 (3) and 57-8-13.4 of the Act, Declarant has caused a Fourth Supplemental Record of Survey map and this Fourth Amendment to Declaration to be prepared for simultaneous recordation in the Public Records in order to convert certain Convertible Land in the Project into additional Units as reflected on the Fourth Supplemental Record of Survey Map.
- D. The real property to which this Fourth Amendment to Declaration and the Fourth Supplemental Record of Survey Map are applicable is located in Orem, Utah County, Utah and is described as follows:

Commencing at a point located South 00°43'17" East along the Section line 336.06 feet and East 767.02 feet from the West quarter corner of Section 27, Township 6 South, Range 2 East, Salt

Lake Base and Meridian; thence South 88°56'07" East along Christ Evangelical Church Amended 421.57 feet to Sandhill Road; thence along Sandhill Road along the arc of a 1974.00 foot radius curve to the left 448.21 feet (chord bears South 39°59'29" East 447.24 feet); thence along South Point Condominiums as follows: North 88°48'06" West 140.42 feet, South 00°30'00" East 330.82 feet; thence North 88°14'28" West 136.54 feet more or less to the easterly Right-of-Way line of Interstate 15; thence North 32°49'40" West along Interstate 15 802.29 feet to the point of beginning.

NOW, THEREFORE, Declarant hereby makes this Fourth Amendment to Declaration as follows:

1. The Declaration is hereby amended in the following particulars as a result of, and pursuant to, the conversion of a portion of the Convertible Land.
 - a. Section 2.02 of the Declaration is amended in its entirety to read as follows:

2.02 Division into Condominium Units, Minimum and Maximum

Ownership Interests. The Project is hereby divided into 82 Units as set forth on the Plat, each such Unit consisting of a Unit and an appurtenant undivided, but equal, interest in and to the Common Areas and Facilities and Convertible Space. Such Units comprise the minimum number of Units in the Project and give each Owner a maximum 1/82 (or approximately 1.2195%) undivided interest in the Common Areas and Facilities to the extent set forth in **Exhibit "A"**. If all of the Additional Land is added into the Project pursuant Sections 2.03 and 2.04, the maximum number of Units in the Project will be 134 and each Unit Owner will have a 1/134th (or approximately 0.0074%) undivided interest in the Common Areas and Facilities.

- b. **Exhibit "A"** to this amendment, in its entirety, is added to the Declaration.

2. Except as amended by the provisions of this Fourth Amendment to Declaration, the Declaration shall remain unchanged and shall constitute the entire Declaration of Condominium for the Project, reflecting the conversion of portions of the Convertible Land as described on the Fourth Supplemental Record of Survey Map and the attached **Exhibit "A"**.

3. This Fourth Amendment to Declaration shall be recorded in the Public Records simultaneously with the Project's Fourth Supplemental Record of Survey Map, consisting of three sheets prepared by Roger D. Dudley, a Utah registered land surveyor holding Certificate No. 147089. Both such instruments shall be effective upon recordation.

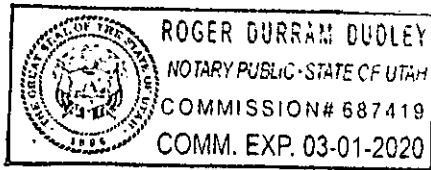
EXECUTED by Declarant on August 21, 2017

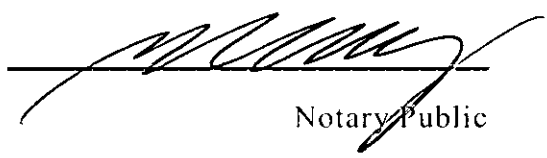


Flying Horse L.L.C., Manager

STATE OF UTAH)
 : ss
COUNTY OF UTAH)

On August 31, 2017, personally appeared before me, Bruce R. Dickerson, manager of Flying Horse LLC, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.





Notary Public

Exhibit "A"

DECLARATION OF CONDOMINIUM ENT 91280:2017 PG 4 of 7
 (Including Owner Association Bylaws)

OF

FLYING HORSE RESIDENTIAL CONDOMINIUMS
 (A Convertible Land Condominium Project)
 Orem, Utah County, Utah

Unit No.	Interest in Common Area (Percentage)	Votes
Building A		
A101	1.2195	1
A102	1.2195	1
A103	1.2195	1
A104	1.2195	1
A105	1.2195	1
A201	1.2195	1
A202	1.2195	1
A203	1.2195	1
A204	1.2195	1
A205	1.2195	1
A301	1.2195	1
A302	1.2195	1
A303	1.2195	1
A304	1.2195	1
A305	1.2195	1
Building H		
H101	1.2195	1
H102	1.2195	1
H103	1.2195	1
H104	1.2195	1
H201	1.2195	1
H202	1.2195	1
H203	1.2195	1
H204	1.2195	1
H301	1.2195	1
H302	1.2195	1
H303	1.2195	1
H304	1.2195	1
H401	1.2195	1
H402	1.2195	1
H403	1.2195	1
H404	1.2195	1

Building G		
G101	1.2195	1
G102	1.2195	1
G103	1.2195	1
G104	1.2195	1
G201	1.2195	1
G202	1.2195	1
G203	1.2195	1
G204	1.2195	1
G301	1.2195	1
G302	1.2195	1
G303	1.2195	1
G304	1.2195	1
G401	1.2195	1
G402	1.2195	1
G403	1.2195	1
G404	1.2195	1
Building C		
C101	1.2195	1
C102	1.2195	1
C103	1.2195	1
C104	1.2195	1
C105	1.2195	1
C201	1.2195	1
C202	1.2195	1
C203	1.2195	1
C204	1.2195	1
C205	1.2195	1
C301	1.2195	1
C302	1.2195	1
C303	1.2195	1
C304	1.2195	1
C305	1.2195	1
C401	1.2195	1
C402	1.2195	1
C403	1.2195	1
C404	1.2195	1
C405	1.2195	1
Building B		
B101	1.2195	1
B102	1.2195	1
B103	1.2195	1
B104	1.2195	1
B105	1.2195	1
B201	1.2195	1

B202	1.2195	1
B203	1.2195	1
B204	1.2195	1
B205	1.2195	1
B301	1.2195	1
B302	1.2195	1
B303	1.2195	1
B304	1.2195	1
B305	1.2195	1

*Percentages may be adjusted by one-thousandth of a percentage point in order to provide for a total of one hundred percent (100%)

Boundary Description

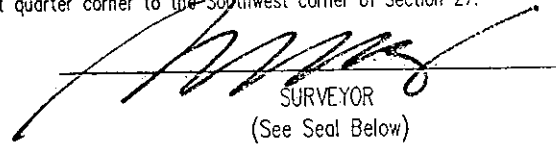
Commencing at a point located South 00°43'17" East along the Section line 336.06 feet and East 767.02 feet from the West quarter corner of Section 27, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 88°56'07" East along Christ Evangelical Church Amended 421.57 feet to Sandhill Road; thence along Sandhill Road along the arc of a 1974.00 foot radius curve to the left 448.21 feet (chord bears South 39°59'29" East 447.24 feet); thence along South Point Condominiums as follows: North 88°48'06" West 140.42 feet, South 00°30'00" East 330.82 feet; thence North 88°14'28" West 136.54 feet more or less to the easterly Right-of-Way line of Interstate 15; thence North 32°49'40" West along Interstate 15 802.29 feet to the point of beginning.

Area = 237,102 sq.ft. or 5.44 Acres

Basis of Bearing is South 00°43'17" East along the Section line from the West quarter corner to the Southwest corner of Section 27.

8/25/2017

DATE


SURVEYOR
(See Seal Below)

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