

14-142

**FIRST SUPPLEMENT TO DECLARATION OF CONDOMINIUM****FOR****COUNTRY VIEW CONDOMINIUMS**

a Utah condominium project

This First Supplement to Declaration of Condominium ("Supplement") is made and executed this 27<sup>th</sup> day of SEPTEMBER, 2006, by Country View Homes, LLC, a Utah limited liability company, of 225 South 200 East, Salt Lake City, Utah 84111 (the "Declarant").

**RECITALS**

A. The Declaration of Condominium for Country View Condominiums was recorded in the office of the Recorder of Salt Lake County, Utah, against certain real property in Salt Lake County, Utah, on November 14, 2003, as Entry No. 8894265, Book 8911, Pages 5157 - 5221 (the "Declaration"). Said real property is identified as Phases "A" and "B" and defined as the Tract in the Declaration and related documents.

B. The By-Laws of The Country View Condominiums Homeowners Association Inc. were recorded against the same real property in Salt Lake County, Utah on November 14, 2003, as Entry No. 8894266, Book 8911, Pages 5222-5229 (the "By-Laws").

C. As a result of the recording of the Declaration, the legal description of the real property against which the Declaration and the By-Laws were recorded was changed to the legal description of the condominium units created by the Declaration. The legal description of said condominiums units is set forth on Exhibit "A" attached hereto and incorporated herein by reference.

D. Declarant is the owner of additional real property adjoining the Tract, described on Exhibit "B" (Phaes "C" and "D") and Exhibit "C" (the "Clubhouse Parcel") attached hereto and incorporated herein by reference. Said real property is the "Additional Land" referred to in Paragraph 3 in Section I ("Definitions") of the Declaration, which Declarant has the legal right to add to the Project by this Supplement under Paragraph 39 ("Expansion of Project" of Section III ("Covenants, Conditions, and Restrictions") of the Declaration.

E. The purpose of this Supplement is the add the Additional Land as Phases "C" and "D" and an undivided ownership in the Clubhouse Parcel to the Project (as defined in the Declaration), and to make necessary amendments and additions to the Declaration and By-Laws to make the Additional Land subject to the Declaration and the By-Laws.

09-26-06

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 09/27/2006 02:39 PM \$178.00  
 Book - 9356 Pg - 9394-9407  
 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 STOKER SWINTON & CANNON  
 ATTN: STEPHEN G STOKER  
 311 S STATE STREET STE 400  
 SLC UT 84111  
 BY: SLR, DEPUTY - WI 14 P.

TERMS OF SUPPLEMENT

NOW, THEREFORE, it is hereby declared that the Declaration is supplemented and amended as follows:

1. Submission. The Land that is subject to the Declaration, as defined in Section I, Paragraph 24 of the Declaration, is hereby expanded to include the real property described in Exhibit "B" and Exhibit "C" attached hereto and incorporated herein by reference. Said real property, which is the Additional Land described in the Declaration, is located in Salt Lake County, Utah, and is hereby submitted to the Act and the definitions, terms, covenants and conditions of the Declaration and the By-Laws, and is hereby made subject to, and shall be governed and regulated by, the Act, the Declaration and the By-Laws.

In addition:

The Land is SUBJECT TO the described easements and rights of way, TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcel of real property.

ALL OF THE FOREGOING IS SUBJECT TO: All liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservation and exclusions; any mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described Tract or any portion thereof, including, without limitation, any mortgage or deed of trust; all visible and necessary easements and rights-of-way or record; any easements, rights-of-way, encroachments, or discrepancies shown on or revealed by the Plat Maps or otherwise existing; an easement for each and every common area improvement, equipment, pipes, lines, cables, partially occupy the above-described Tract; and all easements necessary for servicing, repairing, ingress to, egress from, improvements, equipment, pipes, lines cables, wires, utility systems, and similar facilities.

2. Conveyances. Any deed, lease, mortgage, deed of trust, or other instrument conveying or encumbering a Unit shall describe the interest or estate involved substantially as follows:

All of Unit No. \_\_\_\_\_ contained within Country View Condominiums, a Utah Condominium Project, as the same is identified in the Record of Plat Map recorded in Salt Lake County, Utah, as Entry No. 8894258, in Book 2003P, at Page 357, and in the Record of Plat Map recorded in Salt Lake County, Utah as Entry No. \_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_ (as said Record of Plat Maps may have heretofore been amended or supplemented), in the Declaration of Condominium of Country View Condominiums as amended by the First Supplement thereto recorded in Salt Lake County, Utah as Entry No.

\_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_, (as said Declaration may have heretofore been otherwise amended or supplemented), together with an undivided percentage of ownership interest in the Common Areas appurtenant thereto.

3. Title to the Common Area, and Voting and Sharing of Expenses Relating to the Clubhouse Parcel. The Common Area as set forth in the record of plat map for Phases and as delineated on Exhibit "D" which is attached hereto and incorporated herein by this reference, shall be owned by all of the Unit Owners as tenants in common. Exhibit "D" amends the percentages of ownership of Common Area owned by each Unit Owner as provided by Section III, Paragraph 39(e) of the Declaration. The Common Area now includes a 73.2% undivided tenant in common interest in the Clubhouse Parcel. The other 26.8% undivided tenant in common interest in the Clubhouse Parcel will be part of the Common Area of Phases 1, 2 and 3 of The Country View Planned Unit Development.

(a) All obligations for maintenance, operation, repair and replacement of the clubhouse and all other improvements to the Clubhouse Parcel will be paid for 73.2% by The Country View Condominiums Homeowners Association, Inc., and 26.8% by The Country View Planned Unit Development Homeowners Association, Inc.

(b) All voting on matters relating to the maintenance, operation, repair and replacement of the clubhouse and all other improvements to the Clubhouse Parcel shall be based on one vote for each unit in the Condominiums and one vote for each lot in the Planned Unit Development, with a minimum vote of 60% of the combined total of all such units and lots required for a vote to carry. Voting shall be done in separate votes carried out by each Association under the provisions the Declaration and By-Laws for the condominium units and the CC&R's and By-Laws for the planned unit development lots, and the combined total of the separate votes shall determine the success or failure of the matter voted on.

4. Continuing Effectiveness of the Declaration and By-Laws, as Amended. Except as amended by this Supplement, all provisions of the Declaration and the By-Laws remain in full force and effect.

EXECUTED the day and year first above written.

DECLARANT:

Country View Homes, LLC, a Utah limited liability company

BY:   
RYAN PETERSON, Member

STATE OF UTAH )  
 )  
SS:  
COUNTY OF SALT LAKE )

On the 27 day of September 2006, the foregoing instrument was acknowledged before me by Ryan Peterson, a Member of Country View Homes, LLC, a Utah limited liability company.

SEAL:

Notary Public: Lori Johnston

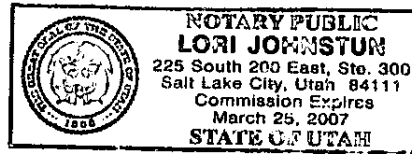


EXHIBIT "A"

(Legal Description of the Condominium Units in Phases "A" and "B")

All of Unit Nos. A-1, A-2, A-3, A-4, B-1, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3, C-4, C-5, C-6, D-1, D-2, D-3, D-4, D-5, D-6, E-1, E-2, E-3, E-4, F-1, F-2, F-3, F-4, G-1, G-2, G-3, G-4, G-5, G-6, H-1, H-2, H-3, H-4, H-5, H-6, I-1, I-2, I-3, I-4, I-5, I-6, J-1, J-2, J-3, J-4, J-5, J-6, K-1, K-2, K-3, K-4, K-5, K-6, L-1, L-2, L-3, L-4, L-5, L-6, M-1, M-2, M-3, M-4, M-5, M-6, contained within Country View Condominiums, a Utah Condominium Project, as the same is identified in the Record of Plat Map recorded in Salt Lake County, Utah, as Entry No. 8894258, in Book 2003P, at Page 357, and in the Record of Plat Map recorded in Salt Lake County, Utah as Entry No. \_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_ (as said Record of Plat Maps may have heretofore been amended or supplemented), in the Declaration of Condominium of Country View Condominiums, as amended by the First Supplement thereto recorded in Salt Lake County, Utah as Entry No. \_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_, (as said Declaration may have heretofore been otherwise amended or supplemented), together with an undivided percentage of ownership interest in the Common Areas appurtenant thereto.

Tax Parcel Nos.: \_\_\_\_\_

EXHIBIT "B"

(Legal Description of the Additional Land in Phases "C" and "D")

Phase C

Beginning at a point on the west line of Adelaide Drive, (2565 West, a private road), said point also being on the westerly boundary line of the Country View Condominiums Phase "A" Subdivision, South 89°45'32" East 910.60 feet along the section line and North 330.03 feet from the South Quarter Corner of Section 28, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running;

Thence North 89°45'32" West 375.66 feet;  
Thence North 0°14'28" East 88.00 feet;  
Thence North 89°45'32" West 92.70 feet;  
Thence North 0°14'28" East 30.00 feet;

Thence northeasterly 7.85 feet along the arc of a 5.00 foot radius curve to the left, (center bears South 89°45'32" East and long chord bears North 45°14'28" East 21.21 feet, with a central angle of 90°00'00");

Thence North 0°14'28" East 15.00 feet;  
Thence South 89°45'32" East 56.89 feet;  
Thence North 0°14'28" East 238.82 feet;  
Thence North 3°39'46" East 24.98 feet;

Thence northwesterly 7.89 feet along the arc of a 5.00 foot radius curve to the left, (center bears North 86°20'14" West and long chord bears North 41°31'17" West 73.09 feet, with a central angle of 90°22'06");

Thence North 3°17'41" East 44.00 feet;

Thence southwesterly 207.15 feet along the arc of a 827.00 foot radius curve to the right, (center bears South 3°17'41" West and long chord bears South 79°31'47" East 206.61 feet, with a central angle of 14°21'06");

Thence southeasterly 22.64 feet along the arc of a 15.00 foot radius curve to the left, (center bears North 17°38'47" East and long chord bears South 64°24'29" East 20.55 feet, with a central angle of 86°28'36");

Thence northeasterly, easterly and southeasterly 158.66 feet along the arc of a 50.00 foot radius curve to the right, (center bears South 68°49'50" East and long chord bears South 67°55'37" East 99.99 feet, with a central angle of 181°48'27");

Thence southeasterly 22.64 feet along the arc of a 15.00 foot radius curve to the left, (center

bears South 67°01'23" East and long chord bears South 20°15'41" East 20.55 feet, with a central angle of 86°28'36");

Thence southeasterly 21.82 feet along the arc of a 827.00 foot radius curve to the right, (center bears South 26°30'01" West and long chord bears South 62°44'38" East 21.82 feet, with a central angle of 1°30'43") to the Northwest Corner of Country View Clubhouse Subdivision, said point being on the north line of Mont Sur Drive as platted in said subdivision;

Thence southwesterly 268.91 feet along the arc of a 444.91-foot radius curve to the left, (center bears South 55°07'43" West and long chord bears South 17°33'232 West 264.83 feet, with a central angle of 34°37'49") along the westerly line of said Country View Clubhouse Subdivision;

Thence South 0°14'28" West 16.07 feet along the westerly line to a Southwest Corner of said Country View Subdivision;

Thence South 89°45'32" East 144.91 feet along the southerly line to a Southeast Corner of said Country View Clubhouse Subdivision, said point being on the westerly line of Adelaide Drive as platted on the Country View Condominiums Phase "A" Subdivision;

Thence South 0°14'28" West 88.00 feet along the westerly line of said Adelaide Drive and the westerly boundary lien of said Country View Condominiums Phase "A" Subdivision to the point of beginning.

#### Phase D

Beginning at a point located on the East line of 2700 West Street, said point being located North 0°11'57" East 799.18 feet along the section line and South 89°48'03" East 40.00 feet from the South Quarter Corner of Section 28, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running:

thence South 89°48'03" East 76.00 feet;

thence South 0°11'57" West 34.55 feet;

thence South 49°57'22" East 25.83 feet;

thence Northeasterly 82.29 feet along the arc of a 94.00 foot radius curve to the right (center bears South 49°57'22" East and the long chord bears North 65°07'18" East 79.68 feet with a central angle of 50°09'19");

thence South 89°48'03" East 248.85 feet;

thence Southeasterly 44.68 feet along the arc of a 827.00 foot radius curve to the right (center bears South 0°11'57" West and the long chord bears South 88°15'11" East 44.67 feet with a central angle of 3°05'44");

thence South 3°17'41" West 44.00 feet;

thence Southeasterly 7.89 feet along the arc of a 5.00 foot radius curve to the right (center bears South 3°17'41" West and the long chord bears South 41°31'17" East 7.09 feet with a central angle of 90°22'06");

thence South 3°39'46" West 24.98 feet;

thence South 0°14'28" West 238.82 feet;  
thence North 89°45'32" West 56.89 feet;  
thence South 0°14'28" West 15.00 feet;  
thence Southwesterly 7.85 feet along the arc of a 5.00 foot radius curve to the right  
(center bears North 89°45'32" West and the long chord bears South 45°14'28" West 7.07 feet  
with a central angle 90°00'00");  
thence South 0°14'28" West 30.00 feet;  
thence South 89°45'32" East 92.70 feet;  
thence South 0°14'28" West 88.00 feet;  
thence North 89°45'32" West 296.94 feet;  
thence North 0°11'57" East 145.97 feet;  
thence North 89°45'32" West 38.82 feet;  
thence North 50°20'09" West 11.51 feet;  
thence North 89°48'03" West 134.15 feet;  
thence Southwesterly 18.28 along the arc of a 15.00 foot radius curve to the left (center  
bears South 0°11'57" West and the long chord bears South 55°16'45" West 17.17 feet with a  
central angle of 69°50'24") to the East line of 2700 West Street;  
thence North 0°11'57" East 325.83 feet along East line of said 2700 West Street to the  
Point of Beginning.



EXHIBIT "C"

(Legal description of the undivided interest in the Clubhouse Parcel)

A 73.2% undivided tenant in common interest in the following real property:

Beginning at a point on the west line of Adelaide Drive, (2565 West, a private road), said point being South 89°45'32" East 910.04 feet along the section line and North 413.04 feet from the South Quarter Corner of Section 28, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running;

Thence northwesterly 16.09 feet along the arc of a 25.00 foot radius curve to the left, (center bears South 37°06'40" West and long chord bears North 71°19'26" West 15.81 feet, with a central angle of 36°52'12");

Thence North 89°45'32" West 129.91 feet;

Thence North 0°14'28" East 16.07 feet;

Thence northeasterly 268.91 feet along the arc of a 444.91 foot radius curve to the right, (center bears South 89°45'32" East and long chord bears North 17°33'23" East 264.83 feet, with a central angle of 34°37'49") to the northerly line of Mont Sur Drive, a private road);

Thence southeasterly 79.57 feet along the arc of an 827.00-foot radius curve to the right, (center bears South 28°00'43" West and long chord bears South 59°13'53" East 79.54 feet, with a central angle of 5°30'47") along the northerly line of said Mont Sur Drive;

Thence South 33°31'30" West 54.00 feet to the southerly line of said Mont Sur Drive;

Thence southeasterly 56.64 feet along the arc of a 773.00-foot radius curve to the right, (center bears South 33°31'30" West and long chord bears South 54°22'33" East 56.62 feet, with a central angle of 4°11'53") along the southerly line of said Mont Sur Drive;

Thence southwesterly 19.75 feet along the arc of a 15.00-foot radius curve to the right, (center bears South 37°43'23" West and long chord bears South 14°33'57" East 18.35 feet, with a central angle of 75°25'20") along the southerly line of said Mont Sur Drive to the westerly line of said Adelaide Drive;

Thence southwesterly 119.92 feet along the arc of a 300.00-foot radius curve to the left, (center bears South 68°43'03" East and long chord bears South 11°41'36" West 119.13 feet, with a central angle of 22°54'14") along the westerly line of said Adelaide Drive;

Thence South 0°14'28" West 21.07 feet along the westerly line of said Adelaide Drive to the point of beginning.

EXHIBIT "D"

(Percentage Ownership of Common Areas  
and Map of the Project - Phases A, B, C and D)

Phase	Unit No.	Percentage of Ownership Interest
A	A-1	0.7042%
A	A-2	0.7042%
A	A-3	0.7042%
A	A-4	0.7042%
A	B-1	0.7042%
A	B-2	0.7042%
A	B-3	0.7042%
A	B-4	0.7042%
A	B-5	0.7042%
A	B-6	0.7042%
A	C-1	0.7042%
A	C-2	0.7042%
A	C-3	0.7042%
A	C-4	0.7042%
A	C-5	0.7042%
A	C-6	0.7042%
A	D-1	0.7042%
A	D-2	0.7042%
A	D-3	0.7042%
A	D-4	0.7042%
A	D-5	0.7042%
A	D-6	0.7042%
A	E-1	0.7042%
A	E-2	0.7042%
A	E-3	0.7042%
A	E-4	0.7042%
A	F-1	0.7042%
A	F-2	0.7042%
A	F-3	0.7042%
A	F-4	0.7042%

A	G-1	0.7042%
A	G-2	0.7042%
A	G-3	0.7042%
A	G-4	0.7042%
A	G-5	0.7042%
A	G-6	0.7042%
A	H-1	0.7042%
A	H-2	0.7042%
A	H-3	0.7042%
A	H-4	0.7042%
A	H-5	0.7042%
A	H-6	0.7042%
B	J-1	0.7042%
B	J-2	0.7042%
B	J-3	0.7042%
B	J-4	0.7042%
B	J-5	0.7042%
B	J-6	0.7042%
B	K-1	0.7042%
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B	M-6	0.7042%

C	N-1	0.7042%
C	N-2	0.7042%
C	N-3	0.7042%
C	N-4	0.7042%
C	N-5	0.7042%
C	N-6	0.7042%
C	O-1	0.7042%
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C	P-1	0.7042%
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C	P-6	0.7042%
C	Q-1	0.7042%
C	Q-2	0.7042%
C	Q-3	0.7042%
C	Q-4	0.7042%
C	Q-5	0.7042%
C	Q-6	0.7042%
C	R-1	0.7042%
C	R-2	0.7042%
C	R-3	0.7042%
C	R-4	0.7042%
C	S-1	0.7042%
C	S-2	0.7042%
C	S-3	0.7042%
C	S-4	0.7042%
D	T-1	0.7042%
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D	U-1	0.7042%
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D	Y-6	0.7042%
D	Z-1	0.7042%
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D	Z-3	0.7042%
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D	Z-5	0.7042%
D	Z-6	0.7042%
D	AA-1	0.7042%
D	AA-2	0.7042%
D	AA-3	0.7042%
D	AA-4	0.7042%

D	BB-1	0.7042%
D	BB-2	0.7042%
D	BB-3	0.7042%
D	BB-4	0.7042%