SUPPLEMENTARY DECLARATION OF CONVENANTS, CONDITIONS AND RESTRICTIONS OF CANYON PLACE CONDOMINIUM
(Phase Two)

(An Amendment to Declaration of Canyon Place Condominiums Phase One, recorded)

This Declaration is made and executed in Weber County, Utah this _____ day of September, 1997 by MARK and TAMI FERNANDES, dba MTK Development, BRETL. BOGGESS, SHELDON PALMER and JAMES M. SARGENT hereinafter referred to as Declarant pursuant to the provisions of the Utah Condominium Ownership Act.

W I T N E S S E T H

WHEREAS, Declarant are the owner of the real property in Weber County, State of Utah described as Canyon Place Condominiums Phase Two, which Phase Two is a portion of the property heretofore included as a part of an expandable condominium heretofore filed and known as Canyon Place Condominiums Phase One which has heretofore been filed with the County Recorder's Office, Weber County, Utah which is located *in* the Northeast Quarter of Section 21, Township 6 North, Range 1 West, SLB&M.

WHEREAS, the Declarants have heretofore in the filing of Canyon Place Condominiums Phase One declared that the Condominium is an expandable Condominium and,

WHEREAS, the Declarant has deemed it desirable to expand the condominium and to impose a general plan for the improvement and development of all the property described therein and the adoption and establishment of Covenants, Conditions, and Restrictions upon said real property that each and every unit and portion thereof together with the use, occupancy and enjoyment thereof shall be for the purpose of enhancing and protecting the value, desirability and attractiveness of said tract and,

WHEREAS, Declarant will convey title to Units 5 through 12 of the attached record of Survey Map, Canyon Place Condominiums, Phase Two, which condominium shall be subject to those protective covenants, conditions and restrictions as set forth in the original Declaration of Covenants, Conditions and Restrictions heretofore filed with the Weber County Recorder's Office, Weber County, Utah and

WHEREAS, the following real property was included within the real property for possible expansion by Canyon Place Condominium Declaration as originally filed with the Weber County

H 1505174 BK:L892 PG853
DOUG CROFTS, WEBER COUNTY RECORDER
19-HOV-97 1118 An FEE $31.00 OEP ns
REC: FOR: 11AAK.FERNANOES

13-211-001 TO 0008

Recorder's Office and that said real property is to be subject to the general plan of improvement for the benefit of all of said condominiums and owners thereof. said Units 5 through 12 are described on the attached Appendix A.

WHEREAS, the expansion of the Canyon Place Condominiums Project is expanded as provided in Sections 57-8-13.6, Utah Condominium Ownership Act, 1953 as amended and enacted by the laws of the State of Utah, 1975, Chapter 173, Section 8. Such expansion shall be deemed to have occurred at the time of the recordation of the record of Survey Map as originally filed with the Weber County Recorder's Office and that by this filing the undivided interest in the common areas and facilities shall be reallocated in accordance with Subsection 57-8-13.10 (2) Utah Code Annotated.

NOW THEREFORE, Declarant do hereby publicly declare that all the property described in this Supplemental Declaration is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and approved subject to the covenants, conditions, restrictions, uses, limitations and obligations, all of which were declared and set forth in the original Declaration of Covenant, Conditions and Restrictions of the Canyon Place Condominium and that the Condominium is expanded to include Units 5 through 12 and that all convenant, conditions, restrictions and easements are hereby declared to be for the benefit of the whole tract and all other property described *in* Phase One and Phase Two and the owners thereof, their successors and assigns, The covenants, conditions, restrictions and easements shall run with the said real property and shall be binding on all parties having or acquiring any right, title or interest in the described real property or any part thereof, and shall inure to the benefit of each owner thereof, as a servitude in favor of each and every parcel thereof as the dominant tenant or tenements. The covenants as wherein mentioned shall be as binding on all units of the Canyon Place Condominium as on all other units of the Canyon Place Condominium included herein. Said Canyon Place Condominium, Phase two shall have all right and/or access including right of ways as enjoyed by Phase 1.

IN WITNESS WHEREOF, Declarant have executed this **instrument this _____ day of September, 1997.**

MARK FERNANDES

TAMI FERNANDES

BRET L. BOGGESS

SHELDON PALMER

JAMES M. SARGENT

STATE OF UTAH)
: S
COUNTY OF WEBER)

MARK FERNANDES, TAMI FERNANDES, BRET L. ,60GGESS, SHELDON PALMER and JAMES M. SARGENT personally appeared before me this 12th day of September, 1997 as the signers of the above and foregoing instrument, who duly acknowledged to me that that they executed the same.

NOTARY PUBUC
DEANN WALLWORK
2484 Washington Blvd #300
MyCommlssIon Expires
March 14th, 1998 STATE
OF UTAH

Notary Public

Et 1505174 BK:1892 PG855

APPENDIX A

LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, LT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH BEARS N.00°44'07"E. 481.80 FEET ORTH 7.3 CHAINS) AND S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS) FROM THE UTHWEST CORNER OF SAID QUARTER SECTION;

D RUNNING THENCE S.0°44'07"W. 107.98 FEET, THENCE N.76°58'00"E. 147.31 FEET, ENCE S.30°15'35"E. 39.39 FEET, THENCE N76°58'00"E. 66.81 FEET TO A POINT ON A CURVE, ENCE ALONG THE ARC OF A 1.50 FOOT RADIUS CURVE TO THE LEFT 1.47 FEET, THENCE ALONG THE C OF A 3.00 FOOT RADIUS CURVE TO THE RIGHT 2.95 FEET, THENCE N.76°58'00"E. 17.00 FEET TO WEST LINE OF MONROE BLVD., THENCE N.13°02'00"W. 25.00 FEET ALONG SAID MONROE BLVD. NCE S.76°58'00"W. 17.00 FEET TO A POINT OF CURVE, THENCE ALONG THE ARC OF A 3.00 FOOT DIUS CURVE TO THE RIGHT 4.71 FEET, THENCE N.13°02'00"W. 20.00 FEET, THENCE 6°58'00"W. 68.00 FEET, THENCE N.13°02'00"W. 39.95 FEET, THENCE N.89°15'53"W. 4.76 FEET TO THE POINT OF BEGINNING.

TAINING 17,224 SQ. FT./ 0.40 ACRE, MORE OR LESS.

Adding the following

LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH BEAR N.00°44'07"E. 481.80 FEET (NORTH 7.3 CHAINS), S.89°15'53"E. 980.10 FEET (EAST 14.85 CHAINS) AND S.0°44'07"W. 107.98 FEET FROM THE SOUTH EST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE N.76°58'00"E. 147.31 FEE THENCE S.30°15'35"E. 39.39 FEET, THENCE N.76°58'00"E. 10.41 FEET, THENCE S.13°02'00"E. 15.66 FEET, THENCE N.77°42'02"E. 18.00 FEET, THENCE S.13°02'00"E. 76.0 FEET, THENCE N.77°42'02"E. 22.60 FEET, THENCE S.13°02'00"E. 45.00 FEET, THENCE S.77°42'02"W. 17.00 FEET TO A POINT OF CURVE. THENCE 4.71 FEET ALONG THE ARC OF A 3.00 FOOT RADIUS CURVE TO THE LEFT (L G CHORD BEARS S.32°42'03"W. 4.24 FEET), THENCE S.13°02'00"E. 1.59 FEET TO A POINT OF CURVE, THENCE 4.66 FEET ALONG THE ARC OF A 5.00 FOOT RADI CURVE TO THE LEFT (LONG CHORD BEARS S.39°45'03"E. 4.50 FEET), THENCE 25.32 EET ALONG THE ARC OF A 49.42 FOOT RADIUS CURVE TO THE RIGHT (LONG CHO D BEARS S.51°47'29"E. 25.04 FEET), THENCE S.79°45'57"W. 164.02 FEET MORE OR LESS TO THE WESTERLY BANK OF MILL CREEK, THENCE FOUR COURSES ALO SAID BANK AS FOLLOWS: N.35°36'42"W. 10.20 FEET, N.34°34'18"W. 50.74 FEET, N.62°57'37"W. 26.59 FEET AND S.83°42'58"W. 24.09 FEET, THENCE N.0°44'07"E. 112.03 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.83 ACRES, MORE OR LESS, (36,060 Sq. Ft.).

APPENDIX B

A PART OF THE NORTHEAST QUARTER OF SEC'TION 21, TOWNSHIP 6 NORTH, RANGE 1 'NEST, SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT WHICH BEARS N.OOO·ore. 481.80 FEET {NORTH 7.3 CHAINS} ANO S.89°15'53"E. 860.10 FEET (EAST **14.85** FEET} FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION; AND,RUNNING THENCE S.oo"44•orw. 220.01 FEET {SOUTH 228.9 FEET}, MORE OR LESS TO THE SOUTH BANK OF MILL CREEK, THENCE EIGHT COURSES ALONG SAID SOUTH BANK AS FOLLOWS: N.83°42'5TE. 24.09 FEET. S.62°5T:JrE. :W,59 FEET. S.34°34"1rE. 50.74 FEET, S.35°36"43"E. 56.76 FEET. S.52°511'50'"E. 15.57 FEET, S.54"00'51"E. 43.76 FEET. S.38°45"49"E. 90.10 FEET AND S.3o<'24'29"E. 25.91 FEET MORE OR LESS TO THE NORTH SIDE OF CANYON ROAD, THENCE S.86°47'00"E. (EAST) 91.72 FEET ALONG SAID ROAD. THENCE N.85°13'01"E. **7.56** FEET ALONG SAID RROAO TO **A** 520.104 FOOT RADIUS CURVE TO THE LEFT, THENCE 50.77 FEET ALONG THE ARC OF SAID CURVE BEING ON THE WEST SIDE OF MONROE BLVD. (LONG CHORD BEARS N.10°14'13"W. 50.75 FEET). THENCE N.13"02'00'W. **415.68** FEET (-412.19 FEET} ALONG SAID MONROE BLVD. TO A POINT INHICH BEARS S.89°15'53"E. {EAST} OF THE *POINT* OF BEGINNING. THENCE **N.89°15'63'W. 226.19** FEET (WEST 222.04 FEET} TO THE POINT OF BEGINNING.

CONTAINING 2.2 ACRES, MORE OR LESS.

APPENDIX C

CANYON PLACE CONDOMINIUMS

Building No.	Unit Number	Percent ownership in Common Area*
1	1	8 1/3%
1	2	8 1/3%
1	3	8 1/3%
1	4	8 1/3%
2	1	8 1/3%
2	2	8 1/3%
2	3	8 1/3%
2	4	8 1/3%
3	1	8 1/3%
3	2	8 1/3%
3	3	8 1/3%
3	4	8 1/3%

FIRST NATIONAL BANK
"SINCE 1905"

To Ogden City:

RE: ***Attached Tax Legal Description*** (incorporated herein as Exhibit "A")

CONSENT TO RECORD

First National Bank of Layton, under that deed of trust, dated July I 5, 1997 recorded in book 1871 at page 1**889,** hereby consents to the recording of this record of survey map. Canyon Place Condominiums Phase II recorded concurrently herewith.

Brent Haacke/ Senior Vice President

ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
COUNTY OF WEBER)

The foregoing instrument was acknowledged before me this 13th day of November, 1997, by Brent Haacke the S.VP of First National Bank

NOTARY PUBLIC

Commission expires: *6-8-99*

NOTARY PUBLIC
STEVEN K. ANDREWS
310 South Mam. Suite 308
Sol.U. Lake City, Utah 04101
My Comm,ss,on Expires
Junes, 1999
STATE OF UTAII

E **1505** :1.74 **BK:1.892 PG859**

P.O. Box 248 Layton. Utah 84041 (80!) 544-424! FAX (801J 546-1254

EXHIBIT "A"

A part of the Northeast Quarter of Section 21, Township 6 North, Range l West, Salt Lake Base and Meridian: Beginning at a point which bears North 00D44'07" East 481.80 feet (North 7.3 chains), South 89D15'53" East 980.10 feet (East 14.85 chains) and South 0D44'07" West 107.98 feet from the Southwest corner of said Quarter Section, and running thence North 76D58'00" East 147.31 feet; thence South 30D15'35" East 39.39 feet; thence North 76D58'00" East 10.41 feet; thence South 13D02'00" East 15.66 feet; thence North 77D42'02" East 18.00 feet; thence South 13D02'00" East 76.0l feet; thence North 77D42'02" East 22.60 feet; thence South 13D02'00" East 45.00 feet; thence South 77D42'02" West 17.00 feet to a point of curve; thence 4.71 feet along the arc of a 3.00 foot radius curve to the left (long chord bears South 32D42'03" West 4.24 feet); thence South 13D02'00" East 1.59 feet to a point of curve; thence 4.66 feet along the arc of a 5.00 foot radius curve to the left (long chord bears South 39D45'03" East 4.50 feet); thence 25.32 feet along the arc of a 49.42 foot radius curve to the right (long chord bears South 51D47'29" East 25.04 feet); thence South 79D45'57" West 164.02 feet more or less to the Westerly bank of Mill Creek; thence four courses along said bank as follows: North 35D36'42" West 10.20 feet, North 34D34'18" West 60.74 feet, North 62D57'37" West 26.S9 feet and South 83D42'58" West 24.09 feet; thence North 0D44'07" East 112.03 feet to the point of beginning. Containing 0.83 acres, more or less (36,060 sqft.).