

After recording, return to: Marilyn
at Draper-12441 South 900 East
Draper, Utah 84020

7772391
12/01/2000 03:18 PM 36.00
Book - 8405 Pg - 3991-3996
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
12441 S 900 E
DRAPER UT 84020
BY: ZJM, DEPUTY - WL 4-002

Parcel #: 28-30-179-002

7772391

WHEN RECORDED RETURN TO:
GATES OF COUNTRYSIDE, L.C.
Wayne H. Corbridge
758 South 400 East
Suite 203
Orem, Utah 84058

**SECOND SUPPLEMENT TO THE
DECLARATION OF CONDOMINIUM FOR DRAPER LANDING**
an expandable Utah condominium project

This SECOND SUPPLEMENT to the DECLARATION OF CONDOMINIUM for DRAPER LANDING, an expandable Utah condominium project, is made and executed by THE GATES OF COUNTRYSIDE, L.C., a Utah limited liability company, and THE JACKSON COMPANY, a California General Partnership, of 758 South 400 East, Suite 203, Orem, Utah 84058 (hereinafter jointly referred to as "Declarant").

RECITALS

Whereas, the original Declaration of Condominium for DRAPER LANDING was recorded in the office of the County Recorder of Salt Lake County, Utah on the 1 day of ^{December} ~~November~~, 2000, as Entry No. 7772387 in Book 8405 at Page(s) 3984 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

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

Whereas, the First Supplemental Declaration was recorded on the 1 day of ^{December} ~~November~~, 2000, as Entry No. 777289 in Book No. 8405 at Page No. 3984 of the Official Records of the County Recorder of Salt Lake County, Utah.

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

Whereas, under Article III, Section 43 of the Declaration, Declarant reserved an option, until the seven (7) 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-4" attached hereto and incorporated herein by this reference (the "Phase IV Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right, subject to the approval of the Department of Veterans Affairs, to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

8405 PG 3991

Whereas, Declarant desires to expand the Project by creating on the Phase IV Property a residential condominium development.

Whereas, Declarant now intends that the Phase IV Property shall become subject to the Declaration.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this SECOND SUPPLEMENT to the DECLARATION OF CONDOMINIUM FOR DRAPER LANDING.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. Second Supplemental Declaration shall mean and refer to this SECOND SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR DRAPER LANDING.

B. Second Supplemental or Phase IV Map shall mean and refer to the Supplemental Plat Map of Phase IV of the Project, prepared and certified to by Gary Wier, 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 Second Supplemental Declaration.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property described in Exhibit A-4 is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as supplemented.

3. Annexation. Declarant hereby declares that the Phase IV Property shall be annexed to and become subject to the Declaration, which upon recordation of this Second Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-4 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. Total Number of Units Revised. As shown on the Phase IV Map, a Building and four (4) additional Units are or will be constructed and/or created in the Project on the Phase IV Property. The additional Building and Units are located within a portion of the Additional Land. Upon the recordation of the Phase IV Map and this Second Supplemental Declaration, the total number of Units in the Project will be fourteen (14) The additional Building and Units are substantially similar in construction, design and quality to the Building and Units in the prior Phases.

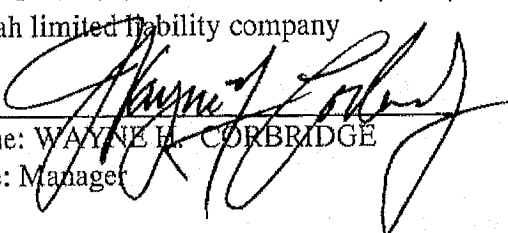
8K8405PG3992

5. Percentage Interest Revised. Pursuant to the Act and the Declaration, Declarant is required, with the additional Units, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities (the "Percentage Interests"). Revised Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Second Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

6. Effective Date. The effective date of this Second Supplemental Declaration and the Phase IV Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

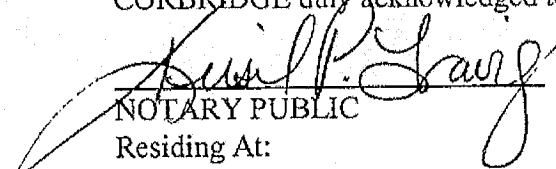
EXECUTED the 30 day of November, 2000.

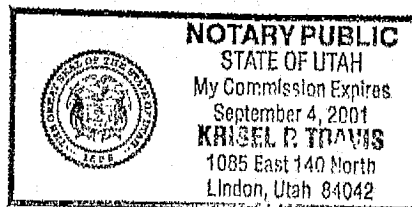
THE GATES OF COUNTRYSIDE, L.C.,
a Utah limited liability company

By: 
Name: WAYNE H. CORBRIDGE
Title: Manager

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

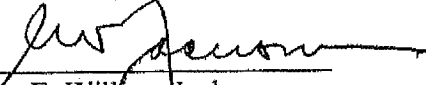
On the 30 day of November, 2000, personally appeared before me WAYNE H. CORBRIDGE, who by me being duly sworn, did say that he is the Manager of THE GATES OF COUNTRYSIDE, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members, and said WAYNE H. CORBRIDGE duly acknowledged to me that said Company executed the same.


NOTARY PUBLIC
Residing At:
Commission Expires:



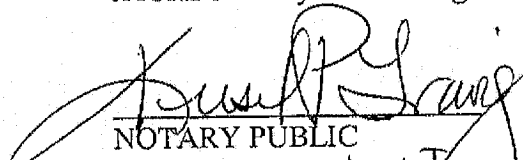
BK8405PG3993

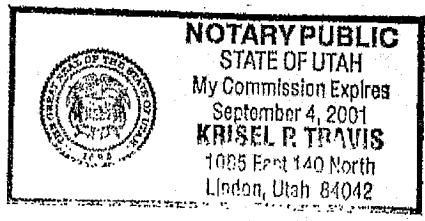
THE JACKSON COMPANY
a California General Partnership

By: 
Name: E. William Jackson
Title: General Partner

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On the 30 day of November, 2000, personally appeared before me E. WILLIAM JACKSON, who by me being duly sworn, did say that he is the General Partner of THE JACKSON COMPANY, a California General Partnership, and that the within and foregoing instrument was signed in behalf of said Partnership by authority of the General Partnership Agreement, and said E. WILLIAM JACKSON duly acknowledged to me that said Partnership executed the same.


NOTARY PUBLIC
Residing At: London, UT
Commission Expires: Sept. 4, 2001



BK8405PG3994

Exhibit "A-4"

**DRAPER LANDING PHASE IV
LEGAL DESCRIPTION**

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

BOUNDARY DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 EAST, S.L.B.&M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE SOUTH 1/4 CORNER OF SAID SECTION 30; THENCE N89°48'40"W ALONG THE SECTION LINE, A DISTANCE OF 1125.70 FEET AND NORTH A DISTANCE OF 3156.94 FEET TO THE REAL POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 20.00 FEET; THENCE N89°59'29"E A DISTANCE OF 4.13 FEET; THENCE N00°00'31"W, A DISTANCE OF 77.00 FEET; THENCE N89°59'29"E A DISTANCE OF 158.22 FEET; THENCE S01°06'47"E A DISTANCE OF 97.02; THENCE S89°59'29"W A DISTANCE OF 164.22 FEET; TO THE REAL POINT OF BEGINNING. CONTAINS 0.356 ACRES OF LAND.

BK 8405 PG 3995

SECOND REVISED EXHIBIT "C"
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

| <u>Phase</u> | <u>Building No.</u> | <u>Unit No.</u> | <u>Percentage of Ownership Interest</u> |
|--------------|---------------------|-----------------|---|
| 1 | A | 1 | 7.14% |
| 1 | A | 2 | 7.14% |
| 1 | A | 3 | 7.14% |
| 1 | A | 4 | 7.14% |
| 3 | N | 1 | 7.14% |
| 3 | N | 2 | 7.14% |
| 3 | N | 3 | 7.14% |
| 3 | N | 4 | 7.14% |
| 3 | N | 5 | 7.14% |
| 3 | N | 6 | 7.14% |
| 4 | M | 1 | 7.14% |
| 4 | M | 2 | 7.14% |
| 4 | M | 3 | 7.14% |
| 4 | M | 4 | 7.14% |
| <hr/> | | | |
| TOTAL: | | | 100.0% |

BK8405PG3996