

12-300-0005 thru 0009
12-299-0001 thru 0005

RETURNED

DEC 23 1997

all Falcon Ridge Est

Phase E & Phase F

FIRST AMENDMENT TO DECLARATION

OF

FALCON RIDGE ESTATES

a condominium

E 1364808 B 2210 P 1067
JAMES ASHAWER, DAVIS CNTY RECORDER
1997 DEC 3 8:35 AM FEE 27.00 DEP ENA
REC'D FOR MOUNTAIN VIEW TITLE & ESCROW I

These pages are an addition to the Declaration of Condominium for FALCON RIDGE ESTATES a condominium, which was recorded on 5 Sep 97 under Davis County Auditor's recording number E1345280 B2172 P1056. Records

Pursuant to the provisions of Chapter 8 of Title 57 of the Utah Code Annotated, as amended, known as the Utah Condominium Ownership Act, Christian B. Wheeler, the Declarant, hereby enters into this Amendment to Declaration For the purpose of expanding Falcon Ridge Estates, a condominium, located within the City of Clearfield, Davis County, Utah.

Whereas, the Declarant has executed a Declaration providing for the submission of certain land owned by the Declarant and described in Article II of the Declaration, together with the buildings and improvements erected thereon, to the provisions of the Utah Condominium Ownership Act, Section 57-8-1 et seq., of the Utah Code Annotated as amended, and thereby established the condominium known as Falcon Ridge Estates; and

Whereas, the Declarant has reserved in Article XVII of the Declaration, pursuant to Section 57-8-13.6 of the Utah Condominium Ownership Act, the sole and exclusive right to expand to condominium from time to time by adding thereto all or any portion of the real property (the "Additional Land") described in Article XVII of the Declaration; and

Whereas, the Declarant is the owner of certain real property located within the City of Clearfield, Davis County, Utah, which is a portion of the additional land described in Article XVII of the Declaration, which is more particularly described as follows; to wit:

Phase "E"

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U. S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 00 DEG. 26 MIN. 22 SEC. WEST 246.37 FT. ALONG WEST LINE OF 500 EAST STREET FROM THE CENTER OF SAID SECTION 1; THENCE SOUTH 00 DEG. 26 MIN. 22 SEC. 114.00 FT.; THENCE NORTH 89 DEG. 45 MIN. 34 SEC. WEST 94.06 FT.; THENCE NORTH 14 DEG. 45 MIN. 34 SEC. WEST 118.02 FT.; THENCE SOUTH 89 DEG. 45 MIN. 34 SEC. EAST 125.00 FT. TO THE POINT OF BEGINNING.

CONTAINS 0.29 ACRES

- MICROFILM MEMO -
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UNSATISFACTORY IN THE DOCUMENT
WHEN FILMED.

Christian B. Wheeler
264 S 500 E #E4
0210

Phase "F"

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 00 DEG. 26 MIN. 22 SEC. WEST 246.87 FT. ALONG THE WEST LINE OF 500 EAST STREET AND NORTH 89 DEG. 45 MIN. 34 SEC. WEST 125.00 FT. FROM THE CENTER OF SAID SECTION; THENCE SOUTH 14 DEG. 45 MIN. 34 SEC. EAST 118.02 FT.; THENCE NORTH 89 DEG. 45 MIN. 34 SEC. WEST 132.29 FT.; THENCE NORTH 00 DEG. 14 MIN. 26 SEC. EAST 114.00 FT.; THENCE SOUTH 89 DEG. 45 MIN. 34 SEC. EAST 101.74 FT. TO THE POINT OF BEGINNING.

CONTAINS 0.31 ACRES

and which Declarant subjects to this Amendment of Declaration to Be made part of Falcon Ridge Estates, a condominium; and

Whereas, the Declarant desires to exercise his option and right to expand the condominium, and amend the Declaration to provide for the expansion of the condominium by the submission thereto of a portion of the additional land and the improvements erected thereon as hereinafter provided; and

Whereas, the Declarant has reallocated the undivided interests in the common areas and facilities in accordance with Section 57-8-13.10 of the Utah Condominium Ownership Act and Article XVII, Section 6 of the Declaration; and

Whereas, the improvements and units created on the land hereby submitted to Falcon Ridge Estates condominiums by this Amendment to Declaration are compatible with and substantially identical to the improvements and units on the land previously submitted as Falcon Ridge Estates condominiums; and

Whereas the Declarant has complied with all of the provisions as set forth in Article XVII of the Declaration; and

NOW, THEREFORE and for that purpose, Christian B. Wheeler the Declarant amends the Declaration of Falcon Ridge Estates, a condominium, as follows:

I. Description of Property. Falcon Ridge Estates condominiums consists of six townhome style four-plexes, for a total of 24 units. Each unit has two levels, with a garage in the basement. These buildings are depicted on the attached Record of Survey Map and each unit is identified by a building letter and unit number. The attached Record of

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Survey which shows the location of the buildings and units is identified as phase "E" and phase "F", and is made a part hereof. The condominium as expanded by this Amendment shall be known as Falcon Ridge Estates.

II. Interest in Common Areas Pursuant to the provisions of Section 57-8-13.10 of the Utah Condominium Ownership Act, as amended, and in accordance with Article II, Section 5 of the Declaration, the undivided ownership interest in the common areas and facilities of Falcon Ridge Estates condominiums shall be equal for each unit.

III. As set forth in the Declaration, the Declarant hereby reaffirms the reservation unto himself of certain rights, powers, and authorities, including without limitation the right to further expand the condominium by adding all or any portion of the remaining additional land to the provisions of the Declaration and to include same as part of the condominium.

IV. Each of the words used in this Amendment to the Declaration shall have the meaning given to each term in the Declaration and Bylaws of the condominium.

V. Except as modified by this Amendment, the Declarant ratifies and confirms all of the terms and provisions of the Declaration and Bylaws of Falcon Ridge Estates condominiums.

IN WITNESS WHEREOF, Christian B. Wheeler has caused this Amendment to Declaration to be signed and duly attested, this 24th day of November, 1997.

Christian B. Wheeler

CHRISTIAN B. WHEELER

State of Utah

County of Davis

On the 24th day of November, 1997, before me Christian B. Wheeler,
duly acknowledged that he is the said signer of said document.

Becky Gourley
Notary Public

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FALCON RIDGE ESTATES PHASE E

A CONDOMINIUM

PART OF THE SW 1/4 OF SEC 1, T. 4N., R. 2W., S.1.B. & M., U.S. SURVEY
CLEARFIELD CITY, DAVIS COUNTY, UTAH
OCTOBER, 1997

200 SOUTH STREET

287°15'34"E 2658.29' (MEASURED)
2658.28' (RECORD) (MONUMENT TO MONUMENT)

FOUND WEST 1/4 OF
SECTION 1, T. 4N., R. 2W.
S.1.B. & M., U.S. SURVEY
DAVIS COUNTY BRASS CAP

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MONUMENT

THIS IS TO SHOW THE AREAS AND THEIR DESIGNATIONS FOR USE
CONCERNED TO BE MONUMENTED WITH A 5/8" REBAR AND CAP

CLASS OF BEARINGS

USED FOR THIS PLAT IS THE QUARTER SECTION LINE BETWEEN
THE CENTER AND SOUTH QUARTER OF SECTION 1, TOWNSHIP
T. 4N., R. 2W., S.1.B. & M., U.S. SURVEY, AND IS SHOWN

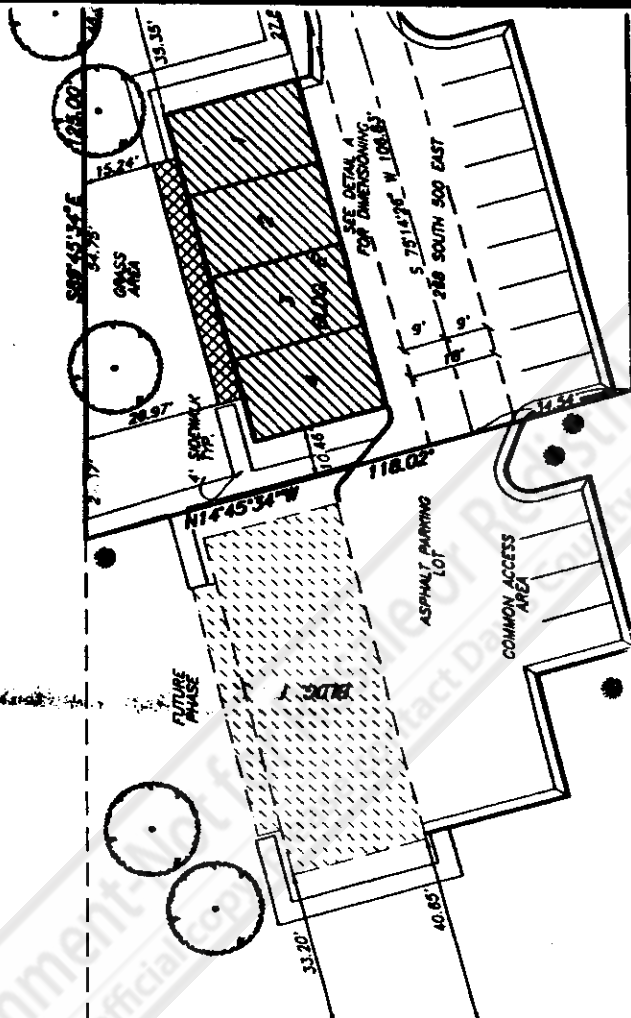
• LEGEND •

- FOUND 5/8" REBAR & CAP

- SECTION CORNER FOUND AS NOTED
HEREON

- UNITS

- LIMITED COMMON AREAS



E 1364808 B 2210 P 1070

FALCON RIDGE ESTATES PHASE I

A CONDOMINIUM

PART OF THE SW 1/4 OF SEC 1, T. 4N., R. 2W., S.1.B. & M., U.S. SURVEY
CLEARFIELD CITY, DAVIS COUNTY, UTAH
OCTOBER, 1987

200 SOUTH STREET

S89°45'34"E 2658.29' (MEASURED)
2658.28' (RECORD) (MONUMENT TO MONUMENT)

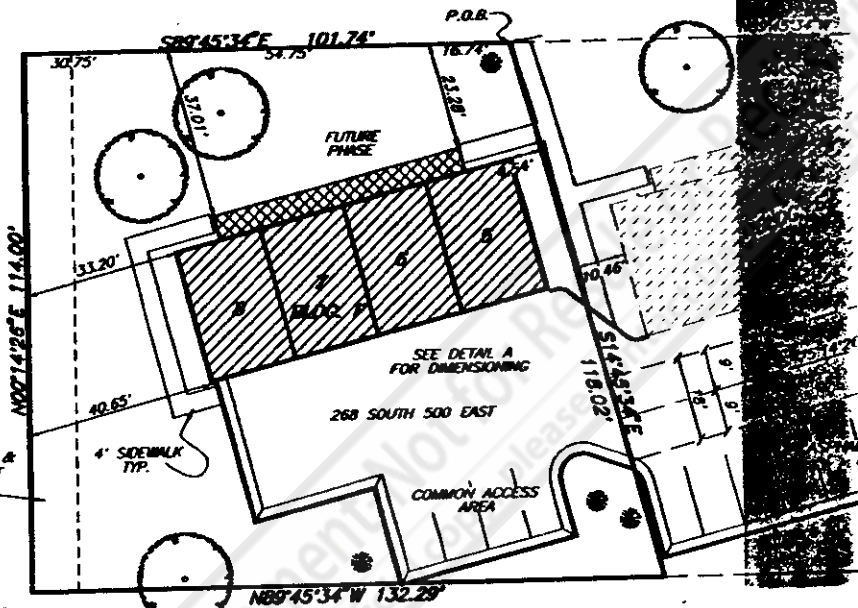
NO. WEST 1/4 OF SECTION
4N., R. 2W., S.1.B. & M. SURVEY
COUNTY BRASSCAP

THESE DESIGNATIONS FOR USE
WITH ALL CITY BRASSCAP

TER. SECTION LINES BETWEEN
TER. OF SECTION 1 TOWNSHIP
U.S. SURVEY AND IS SHOWN

NOTED

FOR PUBLIC UTILITY &
DRAINAGE EASEMENT
(TYPICAL)



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WHEN FILMED.

E 1364808 B 2210 P 1071

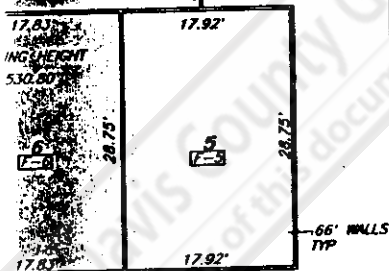
BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 4
NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY,
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S00°26'22"W 246.87 FEET ALONG THE WEST LINE
OF 500 EAST STREET AND N89°45'34"W 125.00 FEET FROM THE CENTER
SAD SECTION 1; THENCE S14°45'34"E 118.02 FEET; THENCE N89°45'14"W 132.29
FEET; THENCE N00°14'26"E 114.00 FEET; THENCE S89°45'34"E 101.74 FEET TO
THE POINT OF BEGINNING.

CONTAINS 0.31 ACRES OR 13340 SQ. FT

TOGETHER WITH AN 18.00 FOOT WIDE RIGHT OF WAY, 9.00 FEET EACH SIDE
OF THE FOLLOWING DESCRIBED CENTER LINE: BEGINNING AT A POINT WHICH IS
299.94 FEET S00°26'22"W FROM THE CENTER OF SAD SECTION 1 (ALONG
THE WEST LINE OF 500 EAST STREET); THENCE S75°14'26"W 108.83 FEET TO THE
EASTERLY LINE OF THE ABOVE DESCRIBED PARCEL; THE SIDE LINES OF SAD STRIP
TO BE SHORTENED OR LENGTHENED TO TERMINATE AT SAD BOUNDARY.



NOTE: ELEVATIONS ARE THE SAME FOR ALL
UNITS.

CLEARFIELD CITY ENGINEER

CLEARFIELD CITY COUNCIL



CLEARFIELD CITY ATTORNEY