

15 Units
12 pg

Return When Recorded to:
McArthur Homes, LC
c/o Don McArthur
9948 South Redwood Road
South Jordan, Utah 84095

7721520
09/19/2000 02:04 PM 47.00
Book - 8388 Pg - 5386-5397
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MCARTHUR HOMES LC
9948 S REDWOOD RD
SOUTH JORDAN UT 84095
BY: RDJ, DEPUTY - WI 12 P.

[Parcel No. 21-30-103-001]

7721520

AMENDMENT NO. THIRTEEN
TO AMENDED AND RESTATED DECLARATION
AND DECLARATION OF ANNEXATION FOR
BRITTANY CONDOMINIUMS

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION of Covenants Conditions and Restrictions for Brittany Condominiums is made pursuant to the Utah Condominium Act, Utah Code Ann. §57-8-13.6, and executed this 18 day of September, 2000, AND AMENDS THE AMENDED AND RESTATED DECLARATION FOR BRITTANY CONDOMINIUMS ("Declaration"), an expandable condominium Project, recorded June 5, 2000, as Entry No. 7653288, in Book 8366, at Pages 1625 through 1677, of the records of the Salt Lake County Recorder.

AMENDMENT

This is a Declaration of Annexation prepared pursuant to Article III of the Declaration which created an expandable residential condominium Project consisting of twelve (12) Units and additional property available for the expansion of a maximum number of two-hundred and seventy (270) additional Units for a total number of two-hundred and eighty-two (282) Units. The Declaration has subsequently been amended by AMENDMENT NO. ONE, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. TWO, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. THREE, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. FOUR, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. FIVE, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. SIX, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. SEVEN, recorded the ___ day of ___, 2000, as Entry No. ___, in Book ___, at Pages ___ et seq., of the records of the Salt

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Lake County Recorder; AMENDMENT NO. EIGHT, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. NINE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. TEN, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; AMENDMENT NO. ELEVEN, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; and AMENDMENT NO. TWELVE, recorded the ___ day of _____, 2000, as Entry No. _____, in Book _____, at Pages _____ et seq., of the records of the Salt Lake County Recorder; to include an additional one-hundred and thirty-two (132) Units for a total of one-hundred and forty-four (144) Units with additional property available for the expansion of a maximum number of one-hundred and thirty-eight (138) additional Units for a total number of two-hundred and eighty-two (282) Units.

From the Property identified in the Declaration at Exhibit E, Declarant hereby annexes the parcels of Property described in Exhibit A attached hereto as a part hereof and known as Phase 13 ("Phase 13 Property"), and declares its intention that the Phase 13 Property shall be subject to the Declaration, and any amendments thereto.

Declarant hereby adds to the existing Project a total of fifteen (15) additional Units pursuant to the Declaration and any Amendments thereto. The maximum number of Units within the existing Project will be one-hundred and fifty-nine (159) with one-hundred and twenty-three (123) Units being reserved in the expandable area.

NOW THEREFORE, in pursuance of the foregoing, Declarant declares and certifies as follows:

1. Phase 13 Expansion: Declarant hereby submits the Phase 13 Property more particularly described at Exhibit A to the provisions of the Utah Condominium Ownership Act. Declarant is the sole owner of the Phase 13 Property and said Property shall be known as the Brittany Condominiums, Phase 13, and shall be subject to the provisions of the Declaration and Amendments thereto. The maximum number of Units to be contained within the Phase 13 Property improvements shall be fifteen (15), the proposed configuration of which is described in the Plat Map attached hereto at Exhibit B.

2. Improvements: The improvements to be built on the Phase 13 Property shall be architecturally compatible with the existing Units and shall be of similar quality. However, the Declarant makes no assurances that any Units constructed on any additional properties annexed hereto by the Declarant will be without variance with the Units depicted in the plat.

3. Allocated Interests: As specified in Article III of the Declaration, the undivided interest of each Unit Owner to all Common Area following the expansion created herein is

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1/159th. Likewise, pursuant to paragraph 4 of Article IV of the Declaration the par value of each ownership interest shall be 1/159th as shown in the Table attached hereto as Exhibit C.


4. Additional Land: With the annexation of the Phase 13 Property, the remaining land available for expansion, being more particularly described at Exhibit D, consists of the original expandable land less the Phase 2 Property, the Phase 3 Property, the Phase 4 Property, the Phase 5 Property, the Phase 6 Property, the Phase 7 Property, the Phase 8 Property, the Phase 9 Property, the Phase 10 Property, the Phase 11 Property, the Phase 12 Property, and the Phase 13 Property.

Any required approvals have been given. This Amendment to Declaration for Brittany Condominiums, shall take effect upon recording in the office of the County Recorder of Salt Lake County, Utah by McARTHUR HOMES AT BRITTANY, LC.

IN WITNESS WHEREOF, the undersigned being the Declarant, has caused this instrument to be executed and its seal be affixed hereto on the day and year first above written.

McARTHUR HOMES AT BRITTANY, LC
a Utah Limited Liability Company

By: McARTHUR HOMES, INC.
a Utah Corporation, it's Manager

By: 
Donald R. McARTHUR, President

RECORDED
BY
COUNTY RECORDER
SALT LAKE COUNTY
UTAH

BK 8388 PG 5388

STATE OF UTAH }
 } ss.
COUNTY OF SALT LAKE }

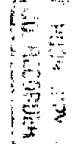
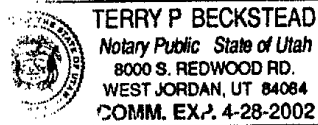
On the 18 day of SEPTEMBER, 2000, personally appeared before me Donald R. McArthur, who being by me duly sworn, did say that he is the President of McArthur Homes, Inc., which is the Manager of McArthur Homes at Brittany, I.C. and that said instrument was acknowledged on behalf of said McArthur Homes at Brittany, LC, by authority, and said Donald R. McArthur duly acknowledged to me that he is the President of and executed the same on behalf of McArthur Homes, Inc. the Manager of McArthur Homes at Brittany, LC.

Terry P. Beckstead
NOTARY PUBLIC

My Commission Expires:

4/28/2002

Residing at: _____



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EXHIBIT A

REAL PROPERTY DESCRIPTION OF
BRITTANY CONDOMINIUMS PHASE 13

PROPERTY DESCRIPTION:

Beginning at a point which is N00°08'29"W along the Section Line, 1570.355 feet and N89°51'31"E, 191.708 feet from West Quarter Corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base Meridian; and running thence East, 195.596 feet; thence Northeasterly along the arc of a 312.00 foot radius non-tangent curve to the left, (chord bears N08°32'43"E, 87.274 feet); thence N85°10'48"E, 192.253 feet; thence S00°08'29"E, 291.700 feet; thence S83°02'27"W, 158.712 feet; thence North, 8.300 feet; thence Northwesterly 66.873 feet along the arc of a 100.00 foot radius curve to the left, (chord bears N19°09'28"W, 65.634 feet); thence S51°41'05"W, 38.000 feet; thence Northwesterly 23.175 feet along the arc of a 62.00 foot radius curve to the left, (chord bears N49°01'26"W, 23.041 feet); thence Southwesterly 22.034 feet along the arc of a 15.00 foot radius curve to the left, (chord bears S78°11'10"W, 20.106 feet); thence S36°06'15"W, 91.704 feet; thence Northwesterly 200.334 feet along the arc of a 181.00 foot radius non-tangent curve to the right, (chord bears N31°50'57"W, 190.263 feet); thence N00°24'23"W, 63.214 feet to the point of beginning.

Contains 2.10 acres or 91,270 Square feet.

APR 11 2004
CIVIL ENGINEER

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EXHIBIT B

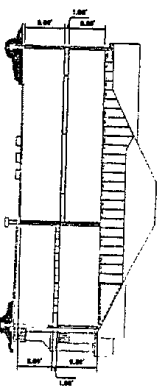
BRITTANY CONDOMINIUMS PHASE 13 MAP

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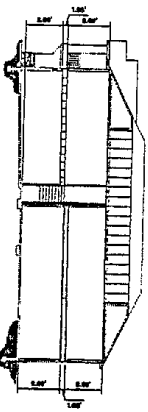
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BRITANNY CONDOMINIUMS PHASE 13

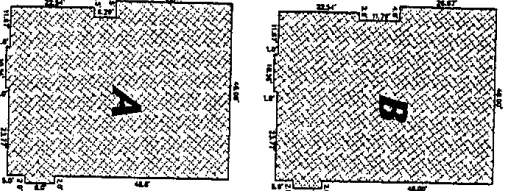


BUILDING A

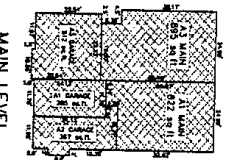


BUILDING B

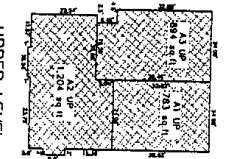
FOR FLOOR ELEVATIONS
SEE TABLES THIS SHEET



**GROUND LEVEL
DIMENSIONS**
(not to scale)

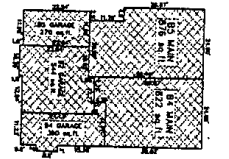


MAIN LEVEL

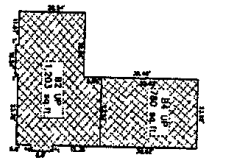


UPPER LEVEL

BUILDING A
(not to scale)



MAIN LEVEL



UPPER LEVEL

BUILDING B
(not to scale)

UNIT TYPE	PLAN MARK
A-1	BARBER
A-2	LANE
B-2	WOODEN
B-3	ASBEST
B-5	OWNER

LEGEND
PRIVATE AREA



UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B	B-2	4478 SO	4488 SO	7187 SO BRILLIANT TOWN DRIVE
C	B-2	4478 SO	4488 SO	7187 SO BRILLIANT TOWN DRIVE
A	B-3	4478 SO	4488 SO	7183 SO BRILLIANT TOWN DRIVE

BUILDING 220

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
C	A-2	4478 SO	4488 SO	7179 SO BRILLIANT TOWN DRIVE
B	A-2	4478 SO	4488 SO	7177 SO BRILLIANT TOWN DRIVE
A	A-3	4478 SO	4488 SO	7173 SO BRILLIANT TOWN DRIVE

BUILDING 221

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
B	A-1	4471 SO	4481 SO	7181 SO BRILLIANT TOWN DRIVE
C	A-2	4471 SO	4481 SO	7181 SO BRILLIANT TOWN DRIVE
A	A-3	4471 SO	4481 SO	7183 SO BRILLIANT TOWN DRIVE

BUILDING 228

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
A	A-1	4471 SO	4481 SO	7187 SO BRILLIANT TOWN DRIVE
B	A-2	4471 SO	4481 SO	7183 SO BRILLIANT TOWN DRIVE

BUILDING 229

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
C	A-1	4471 SO	4481 SO	7182 SO BRILLIANT TOWN DRIVE
B	A-2	4471 SO	4481 SO	7188 SO BRILLIANT TOWN DRIVE
A	A-3	4471 SO	4481 SO	7171 SO BRILLIANT TOWN DRIVE

BUILDING 230

UNIT NO.	UNIT TYPE	MAIN FLOOR ELEVATION	UPPER FLOOR ELEVATION	ADDRESS
2	A-1	4471 SO	4481 SO	7181 SO BRILLIANT TOWN DRIVE
2	A-2	4471 SO	4481 SO	7181 SO BRILLIANT TOWN DRIVE



Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
6		B-4	1/159th or .6289%
6		B-5	1/159th or .6289%
6	1-18	A-1	1/159th or .6289%
6		A-2	1/159th or .6289%
6		A-3	1/159th or .6289%
6	1-19	B-2	1/159th or .6289%
6		B-4	1/159th or .6289%
6		B-5	1/159th or .6289%
6	1-24	A-1	1/159th or .6289%
6		A-2	1/159th or .6289%
6		A-3	1/159th or .6289%
6	1-25	B-2	1/159th or .6289%
6		B-4	1/159th or .6289%
6		B-5	1/159th or .6289%
6	1-26	A-1	1/159th or .6289%
6		A-2	1/159th or .6289%
6		A-3	1/159th or .6289%
7	1-15	A-1	1/159th or .6289%
7		A-2	1/159th or .6289%
7		A-3	1/159th or .6289%
7	1-16	B-2	1/159th or .6289%
7		B-4	1/159th or .6289%
7		B-5	1/159th or .6289%
7	1-27	B-2	1/159th or .6289%
7		B-4	1/159th or .6289%
7		B-5	1/159th or .6289%
7	1-28	A-1	1/159th or .6289%
7		A-2	1/159th or .6289%
7		A-3	1/159th or .6289%
7	1-29	B-2	1/159th or .6289%

Phase	Bldg No.	Unit Type	Unit Par Value Percent of Undivided Interest in Common Area
7		B-4	1/159th or .6289%
7		B-5	1/159th or .6289%
8	Club House		No Additional Units
9	201	B-2	1/159th or .6289%
9		B-4	1/159th or .6289%
9		B-5	1/159th or .6289%
9	202	B-2	1/159th or .6289%
9		B-4	1/159th or .6289%
9		B-5	1/159th or .6289%
9	203	A-1	1/159th or .6289%
9		A-2	1/159th or .6289%
9		A-3	1/159th or .6289%
9	204	B-2	1/159th or .6289%
9		B-4	1/159th or .6289%
9		B-5	1/159th or .6289%
9	205	A-1	1/159th or .6289%
9		A-2	1/159th or .6289%
9		A-3	1/159th or .6289%
10	206	A-1	1/159th or .6289%
10		A-2	1/159th or .6289%
10		A-3	1/159th or .6289%
10	207	B-2	1/159th or .6289%
10		B-4	1/159th or .6289%
10		B-5	1/159th or .6289%
10	208	B-2	1/159th or .6289%
10		B-4	1/159th or .6289%
10		B-5	1/159th or .6289%
10	218	A-1	1/159th or .6289%
10		A-2	1/159th or .6289%
10		A-3	1/159th or .6289%

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EXHIBIT D

BRITTANY CONDOMINIUMS - EXPANDABLE AREA

PROPERTY DESCRIPTION:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N.00°08'29"W. 2,319.69 FEET ALONG THE WEST LINE OF SAID SECTION 30; THENCE S.89°57'09"E. 592.10 FEET; THENCE S.00°08'29"E. 2,319.65 FEET TO A POINT ON THE QUARTER-SECTION LINE; THENCE NORTH 89°57'23"W. 592.10 FEET ALONG SAID QUARTER-SECTION LINE TO THE POINT OF BEGINNING.

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CO. RECORDER

LESS THE PROPERTY INCLUDED IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SEVEN AND PHASE 8 AS STATED IN EXHIBIT "A" TO AMENDMENT EIGHT AND PHASE 9 AS STATED IN EXHIBIT "A" TO AMENDMENT NINE AND PHASE 10 AS STATED IN EXHIBIT "A" TO AMENDMENT TEN AND PHASE 11 AS STATED IN EXHIBIT "A" TO AMENDMENT ELEVEN AND PHASE 12 AS STATED IN EXHIBIT "A" TO AMENDMENT TWELVE AND PHASE 13 AS STATED IN EXHIBIT "A" HERETO.

CONTAINS 29.35 ACRES LESS 1.13 ACRES IN PHASE 1 AS STATED IN EXHIBIT "A" TO THE DECLARATION AND LESS 1.41 ACRES IN PHASE 2 AS STATED IN EXHIBIT "A" TO AMENDMENT TWO AND LESS 1.04 ACRES IN PHASE 3 AS STATED IN EXHIBIT "A" TO AMENDMENT THREE AND LESS 0.19 ACRES IN PHASE 4 AS STATED IN EXHIBIT "A" TO AMENDMENT FOUR AND LESS 1.35 ACRES IN PHASE 5 AS STATED IN EXHIBIT "A" TO AMENDMENT FIVE AND LESS 1.46 ACRES IN PHASE 6 AS STATED IN EXHIBIT "A" TO AMENDMENT SIX AND LESS 1.32 ACRES IN PHASE 7 AS STATED IN EXHIBIT "A" TO AMENDMENT SEVEN AND LESS 0.8371 ACRES IN PHASE 8 AS STATED IN EXHIBIT "A" TO AMENDMENT EIGHT AND LESS 1.37 ACRES IN PHASE 9 AS STATED IN EXHIBIT "A" TO AMENDMENT NINE AND LESS 1.13 ACRES IN PHASE 10 AS STATED IN EXHIBIT "A" TO AMENDMENT TEN AND LESS 1.03 ACRES IN PHASE 11 AS STATED IN EXHIBIT "A" TO AMENDMENT ELEVEN AND LESS 1.61 ACRES IN PHASE 12 AS STATED IN EXHIBIT "A" TO AMENDMENT TWELVE AND LESS 2.10 ACRES IN PHASE 13 AS STATED IN EXHIBIT "A" HERETO.

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