

When Recorded, Mail To:
Harbor Village @ Bear Lake
c/o Dennis Bullock
460 Edgchill Drive
Providence, UT 84332

Recorded SEP 20 1996
Filing No. 49280
At 4:50 PM
Fee 21.00
Requested By Town of Gordon City

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
INN CONDOMINIUMS @ HARBOR VILLAGE
A UTAH CONDOMINIUM PROJECT

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM ("First Amendment") is made and executed this 20 day of August, 1996, by THE INN @ HARBOR VILLAGE, INC., a Utah corporation, hereinafter referred to as the "Declarant" in contemplation of the following facts and circumstances:

A. Declarant caused to be recorded that certain Declaration of Condominium of the Inn Condominiums @ Harbor Village dated May 15, 1993, and recorded in the office of the Rich County Recorder on November 17, 1993 as Filing No. 44755 in Book T6 beginning at Page 053 (the "Declaration").

B. Concurrent with the recording of the Declaration, Declarant caused to be recorded a record of survey map entitled the "Inn Condominiums - Harbor Village," which map was recorded in the office of the Rich County Recorder on November 17, 1993, as Filing No. 44754 in Book T6 beginning at Page 052 (the "Map").

C. The Declaration expressly reserved in Declarant the right to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, which right to expand is permitted by law pursuant to the Condominium Ownership Act, Utah Code Annotated, Section 57-8-13.6 (1994).

D. Declarant now desires to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, to include additional real property and condominium units.

NOW THEREFORE, pursuant to the foregoing, Declarant hereby makes the following First Amendment:

1. Definitions. Unless the context clearly indicates otherwise, any and all terms used in this First Amendment shall have the meaning set forth in the Declaration.



2. Supplemental Map. Recorded concurrently herewith is a supplemental record of survey map entitled "Inn Condominiums - Harbor Village @ Bear Lake Phase 2," (the "Phase 2 Map"). The Phase 2 Map is recorded in compliance with Article XVI of the Declaration. The Phase 2 Map shall be deemed a part of the Map as defined in Section 1.20 of the Declaration and any reference to the Map shall hereafter be deemed to include the Phase 2 Map.

3. Description of Land. The following-described portions of the Additional Land ("First Amendment Land") are hereby added to the description of Land in the Declaration, and hereby deemed incorporated into the Project, to wit:

Part of the N.E. 1/4 of Section 17, Township 14 North, Range 5 East, Salt Lake Base and Meridian, in Garden City, Rich County, Utah as follows:

Parcel 1:

Beginning at a point that is West 396.93 feet, and South 414.68 feet from the N.E. Corner of Section 17, and running thence South 6°20'19" East 233.50 feet, thence South 83°39'41" West 80.00 feet, thence North 6°20'19" West 233.50 feet, thence North 83°39'41" East 80.00 feet, to the point of beginning.

Parcel 2:

Beginning at a point that is West 396.93 feet and South 414.68 feet from the N.E. Corner of Section 17, and running thence South 83°39'41" West 80 feet, thence North 150.00 feet, thence North 83°39'41" East 80 feet, thence South 150.00 feet to the point of beginning.

Both Parcels being together with, and subject to, a non-exclusive easement for access and utilities as shown as "Access and Utilities Easement" on the plat entitled Inn Condominiums - Harbor Village @ Bear Lake Phase 2 as recorded in the office of the Rich County Recorder.

4. Submission to Condominium Act. The Declarant hereby submits to the provisions of the Condominium Act, the First Amendment Land, the Buildings, including specifically "Inn Condos Phase 2" as shown on the Phase 2 Map, and all other improvements now or hereafter made in or upon the First Amendment Land. All of the First Amendment Land and Buildings shall hereafter be held, conveyed, hypothecated, encumbered, leased, rented, used, and improved as part of the Inn Condominiums @ Harbor Village, a Utah Condominium Project.

5. Limited Common Area. The exterior stairways which provide ingress and egress to units located upon the second level of the Building shown on the Phase 2 Map shall be limited common area reserved for the exclusive use of the occupants of the unit to which each respective stairway is attached.

*Inn Condo @ Harbor Village (P2)
+ 30m, PKing*

6. Rights and Benefits; Covenants and Restrictions. The First Amendment Land shall be entitled to all of the rights, benefits, easements, privileges and licenses, and subject to all the covenants, conditions, restrictions, uses, limitations, obligations and responsibilities placed upon the Land or any Owner thereof, all as set forth in the Declaration or as provided by law. Each and every provision of the Declaration shall be deemed to run with the First Amendment Land and shall be a burden and a benefit on the First Amendment Land and shall be binding upon the Declarant, its successors and assigns, and to any person acquiring, leasing, or owning an interest in the real property and improvements comprising the Project, and to their respective personal representatives, heirs, successors and assigns.

7. Right of Way and Utilities Easement. Declarant does hereby grant to each Owner and their respective personal representatives, heirs, successors, and assigns, a non-exclusive easement for ingress and egress of pedestrian and vehicular traffic and for the construction and/or maintenance of underground utility systems over, across, and under those portions of the Land, as amended hereby with the addition of the First Amendment Land, as shall be designated on the Map as an "Access & Utilities Easement," as said Map shall be amended by the inclusion of the Phase 2 Map.

8. Description of Units. The Phase 2 Map contains the unit number, location and dimensions of each Unit to be added to the Project by this First Amendment and all other information necessary to identify each such Unit.

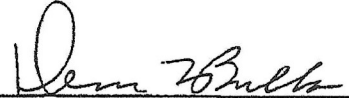
9. Interest in Common Areas. The undivided interest in the Common Areas appurtenant to each Unit in the Project as set forth in Section 4.05 of the Declaration is hereby amended and shall be as set forth in Exhibit "A" to this First Amendment, attached hereto and incorporated herein by this reference. Exhibit "A" attached to the Declaration at Page 35 is hereby deleted for all purposes under the Declaration from the date of the recordation of this Second Amendment, and Exhibit "A" attached hereto shall be used for all purposes in lieu thereof.

10. Number of Votes. The number of votes appurtenant to each respective Condominium as set forth in Section 7.04 of the Declaration is hereby amended and shall be as set forth in Exhibit "A" which is attached hereto.

11. Scenic Easement. The scenic easement granted pursuant to Section 5.08 of the Declaration shall not be applicable to any unit annexed into the Project by this First Amendment.

IN WITNESS WHEREOF, the undersigned declarant has executed this Declaration the day and year first above written.

DECLARANT: THE INN @ HARBOR VILLAGE, INC., a
Utah corporation

By: 
Dennis F. Bullock, President

[Notary Acknowledgement on following page]

EXHIBIT "A"

to

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF THE
INN CONDOMINIUMS @ HARBOR VILLAGE

<u>Unit No.</u>	<u>Square Feet</u>	<u>Undivided Ownership Interest in Common</u>	
		<u>Area Percentage</u>	<u>Votes</u>
101	615	0.0200	2.000
102	615	0.0200	2.000
103	615	0.0200	2.000
104	615	0.0200	2.000
105	615	0.0200	2.000
106	615	0.0200	2.000
107	615	0.0200	2.000
108	615	0.0200	2.000
109	615	0.0200	2.000
110	615	0.0200	2.000
111	615	0.0200	2.000
112	615	0.0200	2.000
113	615	0.0200	2.000
114	615	0.0200	2.000
115	1,220	0.0400	4.000
116	1,220	0.0400	4.000
117	1,220	0.0400	4.000
118	1,220	0.0400	4.000
119	1,220	0.0400	4.000

120	615	0.0200	2.000
201	615	0.0200	2.000
202	615	0.0200	2.000
203	615	0.0200	2.000
204	615	0.0200	2.000
205	615	0.0200	2.000
206	615	0.0200	2.000
207	615	0.0200	2.000
208	615	0.0200	2.000
209	615	0.0200	2.000
210	615	0.0200	2.000
211	615	0.0200	2.000
212	615	0.0200	2.000
213	615	0.0200	2.000
214	615	0.0200	2.000
215	1,220	0.0400	4.000
216	1,220	0.0400	4.000
217	1,220	0.0400	4.000
218	1,220	0.0400	4.000
219	1,220	0.0400	4.000
220	615	0.0200	<u>2.000</u>

Total Votes of the Association 100.000

W 03216C0003CRRHINN1 EX107-08-96

When Recorded, Mail To:
Harbor Village @ Bear Lake
c/o Dennis Bullock
460 Edgehill Drive
Providence, UT 84332

Recorded SEP 02 1997 Filing No. 50899
R 4:46 PM in Book T7 Page 059
Fee 22.00 Debra L. Ames, Rich County Recorder
Requested By: *Jain of Harbor Village*
Dennis Bullock TU

SECOND AMENDMENT

TO

DECLARATION OF CONDOMINIUM

OF THE

INN CONDOMINIUMS @ HARBOR VILLAGE

A UTAH CONDOMINIUM PROJECT

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM ("Second Amendment") is made and executed this 22 day of SEP 1997, by THE INN @ HARBOR VILLAGE, INC., a Utah corporation, hereinafter referred to as the "Declarant" in contemplation of the following facts and circumstances:

A. Declarant caused to be recorded that certain Declaration of Condominium of the Inn Condominiums @ Harbor Village dated May 15, 1993, and recorded in the office of the Rich County Recorder on November 17, 1993 as Filing No. 44755 in Book T6 beginning at Page 053 (the "Declaration").

B. Concurrent with the recording of the Declaration, Declarant caused to be recorded a record of survey map entitled the "Inn Condominiums - Harbor Village," which map was recorded in the office of the Rich County Recorder on November 17, 1993, as Filing No. 44754 in Book T6 beginning at Page 052 (the "Map").

C. The Declaration expressly reserved in Declarant the right to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, which right to expand is permitted by law pursuant to the Condominium Ownership Act, Utah Code Annotated, Section 57-8-13.6 (1994).

D. Declarant caused to be recorded that certain First Amendment to Declaration of Condominium of the Inn Condominiums @ Harbor Village dated August 20, 1996, and recorded in the office of the Rich County Recorder on September 20, 1996 as Filing No. 49280 in Book M7 beginning at Page 113 (the "First Amendment"). Concurrent with the recording of the First Amendment, Declarant caused to be recorded a survey map entitled the "Inn Condominiums - Harbor Village @ Bear Lake Phase 2," which map was recorded in the office of the Rich County Recorder on September 20, 1996 as Filing No. 49279 in Book M7 beginning at Page 112 (the "Phase 2 Map").

E. The term "Declaration" shall refer to the Declaration as amended by said amendments.

F. Declarant now desires to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, to include additional real property and condominium units.

NOW THEREFORE, pursuant to the foregoing, Declarant hereby makes the following Second Amendment:

1. Definitions. Unless the context clearly indicates otherwise, any and all terms used in this Second Amendment shall have the meaning set forth in the Declaration.

2. Supplemental Map. Recorded concurrently herewith is a supplemental record of survey map entitled "Inn Condominiums @ Harbor Village, Expansion Phase 3, Tennis Building" (the "Expansion Phase 3 Map"). The Expansion Phase 3 Map is recorded in compliance with Article XVI of the Declaration. The Expansion Phase 3 Map shall be deemed a part of the Map as defined in Section 1.20 of the Declaration and any reference to the Map shall hereafter be deemed to include the Expansion Phase 3 Map.

3. Description of Land. The following-described portions of the Additional Land ("Second Amendment Land") are hereby added to the description of Land in the Declaration, and hereby deemed incorporated into the Project, to wit:

Part of the N.E. 1/4 of Section 17, Township 14 North, Range 5 East, Salt Lake Base and Meridian, located in Garden City, Rich County, Utah as follows:

Beginning at a point that is 1253.54 feet South and 492.21 feet West from said N.E. Corner of Section 17, said Point being the S.E. Corner of Lot 1 Raspberry Patch Estates Unit No. 1, and running thence North 150 feet to the N.E. Corner of said Lot 1, thence North 87°11'00" West 152.95 feet, thence North 103.53 feet, thence East 245.14 feet, thence South 265.60 feet to the North line of Raspberry Patch Road, thence North 87°11'00" West 92.49 feet to the point of beginning.

Together with, and subject to, a non-exclusive easement for access and utilities as shown as "Access and Utilities Easement" on the plat entitled "Inn Condominiums @ Harbor Village, Expansion Phase 3, Tennis Building" as recorded in the office of the Rich County Recorder.

4. Submission to Condominium Act. The Declarant hereby submits to the provisions of the Condominium Act, the Second Amendment Land, the Buildings, including specifically the Tennis Building and Parking as shown on the Expansion Phase 3 Map, and all other improvements now or hereafter made in or upon the Second Amendment Land. All of the Second Amendment Land and Buildings shall hereafter be held, conveyed, hypothecated, encumbered, leased, rented, used, and improved as part of the Inn Condominiums @ Harbor Village, a Utah Condominium Project.

5. Limited Common Area. The exterior stairways which provide ingress and egress to units located upon the second level of the Building shown on the Expansion Phase 3 Map shall be limited common area reserved for the exclusive use of the occupants of the unit to which each respective stairway is attached.

6. Rights and Benefits: Covenants and Restrictions. The Second Amendment Land shall be entitled to all of the rights, benefits, easements, privileges and licenses, and subject to all the covenants, conditions, restrictions, uses, limitations, obligations and responsibilities placed upon the Land or any Owner thereof, all as set forth in the Declaration or as provided by law. Each and every provision of the Declaration shall be deemed to run with the Second Amendment Land and shall be a burden and a benefit on the Second Amendment Land and shall be binding upon the Declarant, its successors and assigns, and to any person acquiring, leasing, or owning an interest in the real property and improvements comprising the Project, and to their respective personal representatives, heirs, successors and assigns.

7. Right of Way and Utilities Easement. Declarant does hereby grant to each Owner and their respective personal representatives, heirs, successors, and assigns, a non-exclusive easement for ingress and egress of pedestrian and vehicular traffic and for the construction and/or maintenance of underground utility systems over, across, and under those portions of the Land, as amended hereby with the addition of the Second Amendment Land, as shall be designated on the Map as an "Access & Utilities Easement," as said Map shall be amended by the inclusion of the Expansion Phase 3 Map.

8. Description of Units. The Expansion Phase 3 Map contains the unit number, location and dimensions of each Unit to be added to the Project by this Second Amendment and all other information necessary to identify each such Unit.

9. Interest in Common Areas. The undivided interest in the Common Areas appurtenant to each Unit in the Project as set forth in Section 4.05 of the Declaration is hereby amended and shall be as set forth in Exhibit "A" to this Second Amendment, attached hereto and incorporated herein by this reference. Exhibit "A" attached to the Declaration at Page 35 and Exhibit "A" attached to the First Amendment are hereby deleted for all purposes under the Declaration from the date of the recordation of this Second Amendment, and Exhibit "A" attached hereto shall be used for all purposes in lieu thereof.

10. Number of Votes. The number of votes appurtenant to each respective Condominium as set forth in Section 7.04 of the Declaration or any amendment prior to the date hereof is hereby amended and shall be as set forth in Exhibit "A" which is attached hereto.

11. Scenic Easement. The scenic easement granted pursuant to Section 5.08 of the Declaration shall not be applicable to any unit annexed into the Project by this Second Amendment.

IN WITNESS WHEREOF, the undersigned declarant and record owner of the real property described above have executed this Declaration the day and year first above written.

DECLARANT: THE INN @ HARBOR VILLAGE, INC., a Utah corporation.

By: *Dennis F. Bullock*
Dennis F. Bullock, President

OWNER: HARBOR VILLAGE @ BEAR LAKE CORP., a Utah corporation

By: *Dennis F. Bullock*
Dennis F. Bullock, President

STATE OF UTAH)
)ss
COUNTY OF RICH)

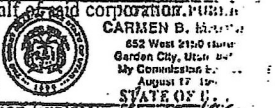
On the 22 day of July, 1997, personally appeared before me Dennis F. Bullock, who, being by me duly sworn, did say that he is the President of THE INN @ HARBOR VILLAGE INC., a Utah corporation, and that this Second Amendment to Declaration of Condominium was signed in behalf of said corporation.



My Commission Expires: Aug 17, 1999

Carmen B. Madsen
Notary Public
Residing at: Garden City, Utah

On the 22 day of July, 1997, personally appeared before me Dennis F. Bullock, who, being by me duly sworn, did say that he is the President of HARBOR VILLAGE @ BEAR LAKE, CORP., a Utah corporation, and that this Second Amendment to Declaration of Condominium was signed in behalf of said corporation.



My Commission Expires: Aug 17, 1999

Carmen B. Madsen
Notary Public
Residing at: Garden City, Utah

EXHIBIT "A"

to

SECOND AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF THE
INN CONDOMINIUMS @ HARBOR VILLAGE

<u>Unit No.</u>	<u>Square Feet</u>	<u>Undivided Ownership Interest in Common</u>	
		<u>Area Percentage</u>	<u>Votes</u>
101	615	0.0136	1.360
102	615	0.0136	1.360
103	615	0.0136	1.360
104	615	0.0136	1.360
105	615	0.0136	1.360
106	615	0.0136	1.360
107	615	0.0136	1.360
108	615	0.0136	1.360
109	615	0.0136	1.360
110	615	0.0136	1.360
111	615	0.0136	1.360
112	615	0.0136	1.360
113	615	0.0136	1.360
114	615	0.0136	1.360
115	1,220	0.0269	2.690
116	1,220	0.0269	2.690
117	1,220	0.0269	2.690
118	1,220	0.0269	2.690

EXHIBIT "A"
(CONTINUED)

119	1,220	0.0269	2.690
120	615	0.0136	1.360
201	615	0.0136	1.360
202	615	0.0136	1.360
203	615	0.0136	1.360
204	615	0.0136	1.360
205	615	0.0136	1.360
206	615	0.0136	1.360
207	615	0.0136	1.360
208	615	0.0136	1.360
209	615	0.0136	1.360
210	615	0.0136	1.360
211	615	0.0136	1.360
212	615	0.0136	1.360
213	615	0.0136	1.360
214	615	0.0136	1.360
215	1,220	0.0269	2.690
216	1,220	0.0269	2.690
217	1,220	0.0269	2.690
218	1,220	0.0269	2.690
219	1,220	0.0269	2.690
220	615	0.0136	1.360
06-101	1,220	0.0269	2.690
06-102	1,220	0.0269	2.690
06-103	1,220	0.0269	2.690

EXHIBIT "A"
(CONTINUED)

06-104	1,220	0.0269	2.690
06-105	1,220	0.0269	2.690
06-106	1,220	0.0269	2.690
06-201	1,220	0.0269	2.690
06-202	1,220	0.0269	2.690
06-203	1,220	0.0269	2.690
06-204	1,220	0.0269	2.690
06-205	1,220	0.0269	2.690
06-206	1,220	0.0269	<u>2.690</u>

Total Votes of the Association 99.980

W:\0210\0003\CMRKINN2.EXH.sp007-08-96

Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).

THIS DOCUMENT IS BEING RE-RECORDED TO ADD EXHIBIT "B".

When Recorded, Mail To:
Harbor Village @ Bear Lake
c/o Dennis Bullock
460 Edgehill Drive
Providence, UT 84332

SECOND AMENDMENT

TO

DECLARATION OF CONDOMINIUM

OF THE

INN CONDOMINIUMS @ HARBOR VILLAGE

A UTAH CONDOMINIUM PROJECT

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM ("Second Amendment") is made and executed this ___ Day of ___ 19___, by THE INN @ HARBOR VILLAGE, INC., a Utah corporation, hereinafter referred to as the "Declarant" in contemplation of the following facts and circumstances:

A. Declarant caused to be recorded that certain Declaration of Condominium of the Inn Condominiums @ Harbor Village dated May 15, 1993, and recorded in the office of the Rich County Recorder on November 17, 1993 as Filing No. 44755 in Book T6 beginning at Page 053 (the "Declaration").

B. Concurrent with the recording of the Declaration, Declarant caused to be recorded a record of survey map entitled the "Inn Condominiums - Harbor Village," which map was recorded in the office of the Rich County Recorder on November 17, 1993, as Filing No. 44754 in Book T6 beginning at Page 052 (the "Map").

C. The Declaration expressly reserved in Declarant the right to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, which right to expand is permitted by law pursuant to the Condominium Ownership Act, Utah Code Annotated, Section 75-8-13.6 (1994).

D. Declarant caused to be recorded that certain First Amendment to Declaration of Condominium of the Inn Condominiums @ Harbor Village dated August 20, 1996, and recorded in the office of the Rich County Recorder on September 20, 1996 as Filing No. 49280 in Book M7 beginning at Page 113 (the "First Amendment"). Concurrent with the recording of the First Amendment, Declarant caused to be recorded a survey map entitled the "Inn Condominiums - Harbor Village @ Bear Lake Phase 2, which map was recorded in the office of the Rich County Recorder on September 20, 1996 as Filing No. 49279 in Book M7 beginning at Page 112 (the "Phase 2 Map").

Recorded APR 12 1999 Filing No. 53763

At 2:05 AM/PM in Book EB Page 461

Fee 19.00 Debra L. Ames, Rich County Recorder

Requested by Harbor Village @ Bear Lake - Dennis Bullock

*Inn condos @ Harbor Village Ten (exp 3)
*
Came **

Exhibit "B"

**Owners and Occupants Usage
Condominium Numbers & Garage and Parking Assignments**

Garage and Parking
 Garage = G
 Uncovered Parking = P

Note: By agreement the Declarant makes the assignment of the use of garage and parking spaces for the 12 condominium units located in Building No. 06 Expansion Phase III, Tennis Building. The assignment of use is made as set forth in the Exhibit "A" attached here to and made a part hereof.

06-201P	06-201P
06-101P	06-101P
06-202P	06-202P
06-102P	06-102P
06-203P	06-203P
06-103P	06-103P
06-105P	06-105P
06-104P	06-104P
06-205G	06-205P
06-204G	06-204P
06-206G	06-206P
06-106G	06-106P

North →

Upper Level	Unit 06-201	Unit 06-202	Unit 06-203	Unit 06-204	Unit 06-205	Unit 06-206
Lower Level	Unit 06-101	Unit 06-102	Unit 06-103	Unit 06-104	Unit 06-105	Unit 06-106

By Agreement, declarant hereby grants the following scenic easement to Inn Condominiums @ Harbor Village Expansion, Phase III, Tennis Building filed September 2, 1997 as Filing No. 50898 in Book T7, Page 58 of the Rich County Recorders Office, further described as units 06-101, 06-102, 06-103, 06-104, 06-105, 06-106, 06-201, 06-202, 06-203, 06-204, 06-205, 06-206.

Not allowed within the below described scenic easement:

A. Buildings of any kind.

Allowed within the below described scenic easement, are:

A. Trees

B. Present Tennis courts, with fencing of a open chain link type, painted Black.

C. Sports courts, without fencing but with poles for nets or basket ball standards, all uprights to be painted black

D. Fencing along the boundary of State Road 89 and the scenic easement, not to exceed four feet in height, with the horizontal sections not exceeding three inches in diameter, the number of sections not to exceed three in number.

E. The Flag poles, and Masonry entrance way that fall within the easement are to remain in their present location shape and size.

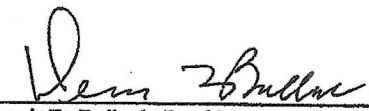
The scenic easement is further described by the paragraphs as follows.

Part of the Northeast Quarter of Section 17, Township 14 North, Range 5 East, Salt Lake Base and Meridian, located in Garden City, Rich County, Utah.

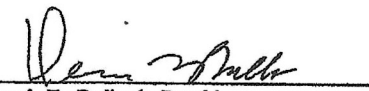
Beginning at a point that is 1253.54 feet South and 492.21 feet West from the Northeast Corner of said Section 17, said point being the Southeast Corner of Lot 1, RASPBERRY PATCH ESTATES, UNIT NO. 1, and running thence South $87^{\circ}11'00''$ East 92.49 feet to the Southeast Corner of Inn Condominiums @ Harbor Village Expansion, Phase III, Tennis Building filed September 2, 1997 as Filing No. 50898 in Book T7, Page 58 of the Rich County Recorders Office, to the true point of beginning; thence 265.6 feet along the East line of said Inn Condominiums @ Harbor Village Expansion, Phase III; thence North $39^{\circ}30'00''$ East 430 feet; thence South $87^{\circ}11'00''$ East 110 feet, more or less to the West side of State Highway 89; thence Southwesterly along the West line of Said Highway 89, 630 feet, more or less to its intersection with the North line of Raspberry Patch Road; thence North $87^{\circ}11'00''$ West along the North line of said Raspberry Patch Road 223 feet, more or less to the point of beginning.

IN WITNESS THEREOF, the undersigned declarant and record owner of the real property described above have executed this Declaration the day and year first above written.

DECLARANT: THE INN @ HARBOR VILLAGE, INC., a
Utah corporation

By: 
Dennis F. Bullock, President

OWNER: HARBOR VILLAGE A BEAR LAKE
CORP., a Utah corporation

By: 
Dennis F. Bullock, President

2 sides

When Recorded Mail To:
Harbor Village @ Bear Lake
c/o Dennis Bullock
460 Edgehill Drive
Providence, UT 84332

Recorded NOV 01 1999 Filing No. 54848
At 10:15 AM/PM in Book KB Page 129
Fee 85⁰⁰ Debra L. Ames Rich County Recorder
Requested by Town of Garden City

THIRD AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF THE
INN CONDOMINIUMS @ HARBOR VILLAGE
A UTAH CONDOMINIUM PROJECT

THIS THE THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM ("Third Amendment) is made and executed this 20 day of October, 1999, by THE INN @HARBOR VILLAGE, INC., a Utah Corporation, hereinafter referred to as the "Declarant" in contemplation of the following facts and circumstances.

- A. Declarant caused to be recorded that certain Declaration of Condominium of the Inn Condominiums @ Harbor Village dated May 15, 1993, and recorded in the office of Rich County Recorder on November 17, 1993 as filing Number 44755 in Book T6 beginning a page 053 (the "Declaration").
- B. Concurrent with the recording of the Declaration, Declarant caused to be recorded a survey map entitled the "Inn Condominiums - Harbor Village" which map was recorded in the office of Rich county Recorder on November 17, 1993 as Filing Number 44754 in Book T6 beginning at Page 052 (the "Map").
- C. The Declaration expressly reserved in Declarant the right to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, which right to expand is permitted by law pursuant to the Condominium Ownership Act, Utah Annotated Code Section 75-8-13.6 (1994).

D. Declarant caused to be recorded that certain Second Amendment to Declaration of Condominium of the Inn Condominiums @ Harbor Village dated August 22, 1997 and recorded in the office of the Rich county Recorder on April 12, 1999 as Filing No. 53763 in Book F8 beginning at Page 461 (the "Second Amendment"). Concurrent with the recording of the Second amendment, Declarant caused to be recorded a survey map entitled "Inn Condominiums - Harbor village @ Bear Lake Phase 3, which a map which was recorded in the office of the Rich County Recorder on September 2, 1997 as filing No. 50899 in Book T7 Beginning at Page 59 (the "Phase 3" Map").

E. The term "Declaration" shall refer to the Declaration as amended by said amendments.

F. Declarant now desires to expand the Inn Condominiums @ Harbor Village, a Utah Condominium Project, to include additional real property and condominium units.

NOW THEREFORE, pursuant to the foregoing, Declarant hereby makes the following Third Amendment:

1. Definitions. Unless the context clearly indicates otherwise, any and all terms used in this Third Amendment shall have the meaning set for in the Declaration.

2. Supplemental Map. Recorded concurrently herewith is a supplemental record of survey amp entitled "Inn Condominiums @ Harbor Village, Expansion Phase IV. The Expansion Phase IV Map is recorded in compliance with Article XVI of the Declaration. Expansion Phase IV Map shall be deemed a part of the Map defined in Section 1.20 of the Declaration and any references to the Map shall hereafter be deemed to include the Expansion Phase IV Map.

3. Description of Land. The following described portions of the Additional Land ("Third Amendment Land") are hereby added to the description of Land in the Declaration, and hereby deemed incorporated into the Project, to wit:

Part of the NE 1/4 of Section 17, Township 14 North, Range 5 East, Salt Lake Base and Meridian, located in Garden City, Rich County, Utah as follows:

Beginning at a point N88°32'48"W 275.39 feet of the northeast corner of Section 17, Township 14 north, Range 5 east, of the Salt Lake Base and Meridian said point being on the north line of said Section 17, and running thence S08°19'13"W 207.02 feet; thence N85°23'48"W 75.29 feet; thence N09°49'48"E 114.91 feet; thence North 87.75 feet to the north line of said Section 17; to the pint of beginning. Containing 0.36 acres, more or less.

Together with easements for access and utilities as shown on the plat.

4. Submission to the Condominium Act. The Declarant hereby submits to the

Inn condo
PH IV
✱

provisions of the Condominium Act, the Third Amendment Land, the Buildings and all other improvements now or hereafter made in or upon the Third Amendment Land. All of the Third Amendment Land and Buildings shall hereafter be held, conveyed, hypothecated, encumbered, leased, rented, used, and improved as part of the Inn Condominiums @ Harbor Village, a Utah Condominium Project.

5. Limited Common Area. The exterior stairways which provide ingress and egress to units located upon the second level of the Building shown on Expansion Phase IV Map shall be limited common area reserved for the exclusive use of the occupants of the unit to which each respective stairway is attached.

6. Right and Benefits: Covenants and Restrictions. The Third Amendment Land shall be entitled to all of the rights, benefits, easements, privileges and licenses, and subject to all of the covenants, conditions, restrictions, uses, limitations, obligations and responsibilities placed upon the Land or any Owner thereof, all as set forth in the Declaration or as provided by law. Each and every provision of the Declaration shall be deemed to run with the Third Amendment Land and shall be a burden and benefit on the Third Amendment Land and shall be binding upon the Declarant, its successors and assigns, and to any person acquiring, leasing or owing an interest in the real property and improvements comprising the Project, and to their respective personal representatives, heirs, successors and assigns.

7. Right of Way and Utility Easement. Declarant does hereby grant to each Owner and their respective personal representatives, heirs, successors and assigns, a non-exclusive easement for ingress and egress of pedestrian and vehicular traffic and for the construction and/or maintenance of underground utility systems over, across and under those portions of the Land, as amended hereby with the addition of the Third Amendment Land, and shall be designated on the Map as "Access and Utilities Easement," as said Map shall be amended by the inclusion of the Expansion Phase IV Map.

8. Description of Units. The Expansion Phase IV Map contains the unit number, location and dimensions of each Unit to be added to the Project by this Third Amendment and all other information necessary to identify each such Unit.

9. Interest in common Areas. The undivided interest in the common areas appurtenant to each Unit in the Project as set forth in Section 4.05 of the Declaration is hereby amended and shall be set forth in Exhibit "A" to this Third Amendment, attached hereto and incorporated herein by this reference. Exhibit "A" attached to the Declaration at Page 35, Exhibit "A" attached to the First Amendment and Exhibit "A" attached to the Second Amendment are hereby deleted for all purposes under the Declaration from the date of recordation of this Third Amendment, and Exhibit "A" attached hereto shall be used for all purposes in lieu thereof.

10. Number of Votes. The number of votes appurtenant to each respective Condominium as set forth in Section 7.04 of the Declaration or and amendment prior to the date hereof is hereby amended and shall be set forth in Exhibit "A" which is attached hereto.

11. Scenic Easement. The scenic easement granted pursuant to Section 5.08 of the Declaration shall not be applicable to any unit annexed into the Project by this Third Amendment.

IN WITNESS WHEREOF, the undersigned declarant and record owner of the real property described above have executed this Declaration the day and year first above written.

DECLARANT: THE INN @ HARBOR VILLAGE, INC. a Utah corporation

By: Dennis Bullock
Dennis Bullock, President

OWNER: HARBOR VILLAGE @ BEAR LAKE CORP., a Utah corporation

By: Dennis Bullock

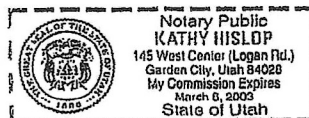
STATE OF UTAH)
)SS
COUNTY OF RICH)

On the 20th day of October, 1999, personally appeared before me Dennis F. Bullock, who, being by me sworn, did say that he is the President of THE INN @ HARBOR VILLAGE, INC., a Utah corporation, and that this is the Third Amendment to the Declaration of Condominium was signed in behalf of said corporation.



Kathy Hislop
Notary Public
Residing at: Garden City, Utah

On the 20th day of October, 1999, personally appeared before me Dennis F. Bullock, who, being by me sworn, did say that he is the President of HARBOR VILLAGE @ BEAR LAKE, INC., a Utah corporation, and that this is the Third Amendment to the Declaration of Condominium was signed in behalf of said corporation.



Kathy Hislop
Notary Public
Residing at: Garden City, Utah

EXHIBIT "A"

to

THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF THE
INN CONDOMINIUMS @HARBOR VILLAGE

Undivided Ownership
Interest in Common

<u>Unit No.</u>	<u>Square Feet</u>	<u>Area Percentage</u>	<u>Votes</u>
101	615	0.0103	1.03
102	615	0.0103	1.03
103	615	0.0103	1.03
104	615	0.0103	1.03
105	615	0.0103	1.03
106	615	0.0103	1.03
107	615	0.0103	1.03
108	615	0.0103	1.03
109	615	0.0103	1.03
110	615	0.0103	1.03
111	615	0.0103	1.03
112	615	0.0103	1.03
113	615	0.0103	1.03
114	615	0.0103	1.03
115	1220	0.0203	2.03
116	1220	0.0203	2.03
117	1220	0.0203	2.03
118	1220	0.0203	2.03
119	1220	0.0203	2.03
120	615	0.0103	1.03
201	615	0.0103	1.03
202	615	0.0103	1.03
203	615	0.0103	1.03
204	615	0.0103	1.03
205	615	0.0103	1.03

EXHIBIT "A"
(CONTINUED)

206	615	0.0103	1.03
207	615	0.0103	1.03
208	615	0.0103	1.03
209	615	0.0103	1.03
210	615	0.0103	1.03
211	615	0.0103	1.03
212	615	0.0103	1.03
213	615	0.0103	1.03
214	615	0.0103	1.03
215	1220	0.0203	2.03
216	1220	0.0203	2.03
217	1220	0.0203	2.03
218	1220	0.0203	2.03
219	1220	0.0203	2.03
220	615	0.0103	1.03
06-101	1220	0.0203	2.03
06-102	1220	0.0203	2.03
06-103	1220	0.0203	2.03
06-104	1220	0.0203	2.03
06-105	1220	0.0203	2.03
06-106	1220	0.0203	2.03
06-201	1220	0.0203	2.03
06-202	1220	0.0203	2.03
06-203	1220	0.0203	2.03
06-204	1220	0.0203	2.03
06-205	1220	0.0203	2.03
06-206	1220	0.0203	2.03
IV-1	1220	0.0203	2.03
IV-2	1220	0.0203	2.03
IV-3	1220	0.0203	2.03
IV-4	1220	0.0203	2.03
IV-5	1220	0.0203	2.03
IV-6	1220	0.0203	2.03
IV-7	1220	0.0203	2.03
IV-8	1220	0.0203	2.03
IV-9	1220	0.0203	2.03
IV-10	1220	0.0203	2.03
IV-11	1220	0.0203	2.03
IV-12	1220	0.0203	2.03

Total Votes of the Association 99.9