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

Recorded SEP 20 1996 Filing No. 49280  
At 4:50 PM Book M7 Page 113  
Fee 21.00 Rich County Recorder  
Requested By Town of Garden 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 10 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.

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.

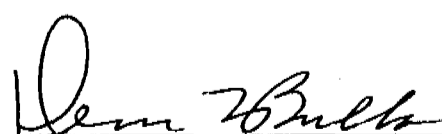
9. Interest in Common Areas. The undivided interest in the Common Areas appurtenant to each Unit in the Project as set forth in Section 4.05 of the Declaration is hereby amended and shall be as set forth in Exhibit "A" to this First Amendment, attached hereto and incorporated herein by this reference. 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]

STATE OF UTAH )  
                  :SS  
COUNTY OF RICH )

On the 21<sup>st</sup> day of August, 1996, 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 First Amendment to Declaration of Condominium was signed in behalf of said corporation.

Kristy Albrechtson  
Notary Public  
Residing at: Logan, Utah

My Commission Expires: 03-07-00

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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 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