



FIRST SUPPLEMENTARY DECLARATION

TO THE

DECLARATION OF CONDOMINIUM OF THE PLUMTREE VILLAGE,

A Wyoming Condominium Project

(An Expandable Condominium)

Phase 1B

THIS SUPPLEMENTARY DECLARATION (hereinafter "This First Supplementary Declaration") is made and executed on the 5th day of August, 1982, BY
II
SYNERGETICS/a Utah Limited Partnership (the "Declarant").

RECITALS:

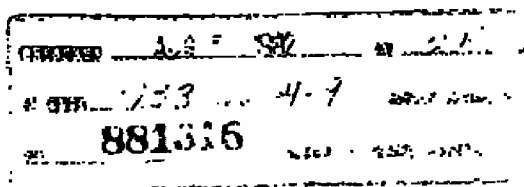
A. On September 8, 1981 Declarant made and executed the "Declaration of Condominium of the Plumtree Village, a Wyoming Condominium Project (an Expandable Condominium), Phase 1A (the "Declaration") as the initial part of a plan for the Plumtree Condominium Project (the "Project"). The Declaration was recorded in the Official Records of Sweetwater County, State of Wyoming, on January 18, 1982 in Book 727 at pages 632-56 as Reception No. 866323. The related Condominium Map entitled "FINAL PLAT OF PHASE ONE PLUMTREE VILLAGE (the "Condominium Map" or the "Map") was recorded on January 18, 1982 in Book of Plats, page 274 a, b, and c as Reception No. 866309. The Declaration and the Map submitted to the provisions of the Act the following described real property situated in Sweetwater County, State of Wyoming, to-wit:

A parcel of land located in Block 5 Mountain View Subdivision, a subdivision located in the West 1/2 of Section 33, Township 19 North, Range 105 West, 6th Principal Meridian, Rock Springs, Sweetwater County, Wyoming and being more particularly described as follows:

Beginning at a point on the Northerly line of said Block 5, said point being South 69°17'33" East 250.00 feet from the most North corner of said Block 5 and running thence South 20°42'27" West 126.00 feet; thence South 69°17'33" East 150.00 feet; thence North 20°42'27" East 126.00 feet to a point on said Northerly line; thence North 69°17'33" West 150.00 feet to the point of beginning.

B. Under the Declaration (Sections 54 through 60 of Article IV) Declarant reserved the right to expand the Project until the sixth anniversary of the recording of the Declaration.

C. Declarant is the record owner of the real property described in Article II (the



"Phase 1B Land") of this First Supplementary Declaration. Phase 1B Land is a portion of the Additional Land described in the Declaration. This First Supplementary Declaration supplements the Declaration. The Condominium Map shows the Phase 1B Land to consist of Buildings 2 and 3 and the Common Elements. This First Supplementary Declaration purports to be the initial expansion of the Project by creating on Phase 1B Land a residential condominium project expanding the Phase 1A Project.

D. It is the intent of the Declarant that the Phase 1B Land shall become subject to the Declaration and the Act. To this end and for the benefit of the Project and the Owners thereof, Declarant makes this First Supplementary Declaration.

E. There currently exist in the Project eight (8) Condominium Units and the Common Elements. This First Supplementary Declaration affecting the Phase 1B Land expands the Project to include sixteen (16) additional Condominium Units and the Common Elements as shown on the Map.

NOW, THEREFORE, for the foregoing purposes, Declarant hereby makes the following First Supplementary Declaration:

I. DEFINITIONS

Except as otherwise defined herein or as may be required by the context, all terms or expressions defined in Article I of the Declaration shall have such defined meanings when used in this First Supplementary Declaration.

II. SUBMISSION

There is hereby submitted to the provisions of the Act, as an additional tract associated with the Project (being a portion of the Additional Land), the following described parcel of real property situated in Sweetwater County, State of Wyoming:

Parcel A (Building 2 and Common Elements):

A parcel of land being a portion of Block 5, Mountain View Subdivision, a subdivision located in the West half of Section 33, Township 19 North, Range 105 West, 6th P.M., Rock Springs, Sweetwater County, Wyoming, being more particularly described as follows:

Beginning at the most northerly corner of Block 5, Mountain View Subdivision, a subdivision located in the west half of Section 33, Township 19 North, Range 105 West of the 6th P.M., as recorded in the office of the Sweetwater County Clerk, Green River, Wyoming and running thence South 69°17'33" East, 250.00 feet along the northerly line of said Block 5; thence South 20°42'27" West, 126.00 feet; thence North 69°17'33" West, 250.00 feet to a

point on the westerly line of said Block 5; thence North 20°42'27" East, 126.00 feet along the westerly line of said Block 5 to the Point of Beginning.

Parcel B (Building 3 and Common Elements):

A parcel of land being a portion of Block 5, Mountain View Subdivision, a subdivision located in the west half of Section 33, Township 19 North, Range 105 West, 6th P.M., Rock Springs, Sweetwater County, Wyoming, being more particularly described as follows:

Beginning at a point on the west line of Block 5, Mountain View Subdivision, a subdivision located in the west half of Section 33, Township 19 North, Range 105 West, 6th P.M., as recorded in the office of the Sweetwater County Clerk, Green River, Wyoming, said point being South 20°42'27" West, 126.00 feet along the west line of said Block 5 from the most northerly corner of said Block 5 and running thence South 69°17'33" East, 400.00 feet; thence North 20°42'27" East, 126.00 feet to a point on the northerly line of said block 5; thence South 69°17'33" East, 19.30 feet on the said northerly line of said Block 5; thence South 20°42'27" West, 20.00 feet to the point of a 50.00 foot radius curve to the right; thence southwesterly 17.41 feet along the arc of said curve through a central angle of 19°56'54" to the point of a 50.00 foot radius reverse curve to the left; thence southwesterly 17.41 feet along the arc of said curve through a central angle of 19°56'54" to the point of tangency; thence South 20°42'27" West, 85.89 feet; thence North 69°17'33" West, 163.30 feet; thence South 20°42'27" West, 105.66 feet; thence North 84°00'04" West, 73.20 feet; thence North 28°44'52" West, 45.00 feet; thence North 69°17'33" West, 145.00 feet to a point on the west line of said Block 5; thence North 20°42'27" East 109.00 feet along the said westerly line of Block 5 to the Point of Beginning.

RESERVED FROM THE FOREGOING SUBMISSION are such easements and rights of ingress and egress over, across, through, and under the above-described tracts and any improvements now or hereafter constructed thereon as may be necessary to develop the entire Project. If pursuant to this reservation, the above-described real property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservation hereby effected shall terminate upon the completion and sale by Declarant of all Units in the Project.

III. COVENANTS, CONDITIONS AND RESTRICTIONS

The foregoing submission is made upon and under the following covenants, conditions and restrictions:

1. Effect of Foregoing Submission. Declarant hereby declares that the parcels of real property described in Article II of this First Supplementary Declaration shall be annexed to and become subject to the Declaration, which upon recordation of the First Supplementary Declaration shall constitute and effectuate the expansion of the initial (Phase 1A) Project, making the real property described in Article II hereof subject to the

functions, powers, rights, duties and jurisdiction of the Homeowners Association. After the effective date of this First Supplementary Declaration, there will be twenty-four (24) Condominium Units and Common Elements in the Project.

2. Description of Improvements. The improvements included within this expansion (hereinafter "this Phase") of the Project are now or will be located upon the Phase 1B Land, and all such improvements are described on the Map. In this Phase, sixteen (16) Units are contained in two Buildings, with each Building containing eight (8) Condominium Units as shown on the Map. Each Building has twelve (12) covered parking spaces as Limited Common Elements, other parking areas and concrete sidewalks or walkways. The location and configuration of the improvements referred to is depicted on the Map. The Project (excluding the part thereof located on or as otherwise associated with the Additional Land) also contains other improvements of a less significant nature such as outdoor lighting and landscaping. The Map shows, inter alia, the basement, the number of stories and the number of Units which are contained in the two Buildings included in this Phase of the Project.

3. Description and Legal Status of Units. The Condominium Map shows the Unit designation of each Unit located within the boundaries of this Phase, its location, dimension from which its Size may be determined, and the Common Elements to which it has immediate access, and other pertinent information.

4. Limited Common Areas. The Limited Common Areas which are contained in this Phase and the respective Units to which the exclusive use of such Limited Common Areas appertain consist of one covered parking space and one balcony with storage space for each Unit, all as shown on the Condominium Map. The balcony adjoining a Unit shall be used only in connection with such Unit to the exclusion of the use thereof by other Owners of Common Elements except by invitation. One parking space in the basement of each Unit identified by the same letter by which the Unit is identified is a Limited Common Element. A Unit may have more than one appurtenant basement parking space if so granted in the instrument conveying the Unit and such additional parking space, if any, shall be indicated in Revised Exhibit "A" to be recorded incident to each and every expansion of the Project.

5. Reallocation of Undivided Interest. The fraction of undivided ownership interest in the Common Elements which, at any point in time, is appurtenant to a Unit shall be equal to the integer one (1) divided by the total number of Units then included in

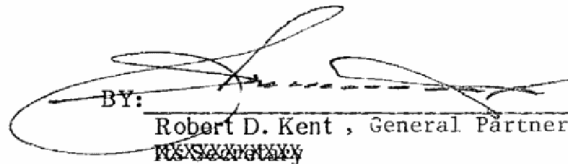
the Project. The fraction of undivided ownership interest which becomes appurtenant with this First Supplementary Declaration has been recomputed in the aforesaid manner and is depicted in the Revised Exhibit "A" hereto attached and made a part hereof applicable to all Units after this Phase of the Project. Upon future expansion(s) of the Project, the fractional ownership interest appurtenant to each Unit then contained in the Project may be recomputed and revised only through use of the formula described at the outset of this Section 5 of Article III.

6. Effective Date. This First Supplementary Declaration shall take effect upon its being filed for record in the office of the County Clerk of Sweetwater County, State of Wyoming.

EXECUTED on the day and year first above written

"DECLARANT"

SYNERGETICS II
(A Utah Limited Partnership)

BY: 
Robert D. Kent, Jr., General Partner
~~Secretary~~

WYOMING
STATE OF ~~UTAH~~)
SWEETWATER : ss.
County of ~~Salt Lake~~)

The foregoing instrument was acknowledged before me this 5th day of August, 1982, by ROBERT D. KENT, JR., ~~the Secretary of Lane Industries, Inc., a Corporation~~ and General Partner of SYNERGETICS II a Utah Limited Partnership, and he acknowledged to me that he executed the same as the General Partner in, and on behalf of, Synergetics II.

Witness my hand and official seal.



My Commission Expires:
June 11, 1983

NOTARY PUBLIC
Residing at: Green River, Wyoming

REVISED EXHIBIT "A"

ANNEXED TO THE FIRST SUPPLEMENTARY DECLARATION
TO THE DECLARATION OF CONDOMINIUM OF THE
PLUMTREE VILLAGE, A WYOMING CONDOMINIUM PROJECT
(An Expandable Condominium)
Phase 1B

<u>Building No.</u>	<u>Unit Designation</u>	<u>Fractional Interest in Common Elements</u>
1	A	1/24
1	B	1/24
* 1	C	1/24
1	D	1/24
1	E	1/24
1	F	1/24
** 1	G	1/24
1	H	1/24
2	A	1/24
2	B	1/24
2	C	1/24
2	D	1/24
2	E	1/24
2	F	1/24
2	G	1/24
2	H	1/24
3	A	1/24
3	B	1/24
3	C	1/24
3	D	1/24
3	E	1/24
3	F	1/24
3	G	1/24
3	H	<u>1/24</u>
		1.00

* Denotes additional basement parking spaces Y and Z

** Denotes additional basement parking spaces X and W