

**SUPPLEMENTAL DECLARATION OF CONDOMINIUM  
FOR  
HILLSIDE BUSINESS COMPLEX  
(PHASE TWO)**

This Supplemental Declaration and Assignment is made and executed effective the        day of 2-14, 2003, by H & I DEVELOPMENT, LLC, a Wyoming limited liability company, pursuant to the provisions of Declaration of Condominium for Hillside Business Complex.

RECITALS:

A. H & I DEVELOPMENT, LLC was the Declarant under a certain Declaration of Condominium for Hillside Business Complex recorded in the Office of the Clerk of Teton County on December 5, 2001 in Book 442 at pages 609-638 (the "Declaration"), and the Owner who recorded the condominium map for Phase One of the Hillside Business Complex on the same date as Plat No. 1036 (the Map).

B. Under the terms of the said Declaration H & I DEVELOPMENT, LLC reserved the right to annex additional land or buildings within Lot 5 of the Valley View Subdivision without the consent of any Owners or members by recording with the Teton County Clerk a Supplementary Declaration describing the property so annexed.

C. H & I DEVELOPMENT, LLC has developed a second phase to the HILLSIDE BUSINESS COMPLEX, and desires to annex it to the condominium previously established;

D. Under the terms of Section 5.1 of said Declaration, residential use of the Units was permitted if authorized by the Commissioners of Teton County;

E. Under the terms of said Declaration H & I DEVELOPMENT, LLC reserved the right to make amendments to the Declaration during the Declarant Control Period and if required by any governmental agency, and it has been required by Teton County that the Declaration specify which Units are permitted for residential use;

NOW THEREFORE, in consideration of the foregoing recitals, subjects that additional real property described on the attached Exhibit "A" and those condominium units described in plat for **PHASE TWO HILLSIDE BUSINESS COMPLEX CONDOMINIUMS**, recorded contemporaneously herewith in the Office of the Clerk of Teton County as Plat No. 1080, to the terms, conditions and restrictions of the Declaration, thereby making the Owners of each Unit therein members of the Association and making such additional Owner's Units and any Common Areas or Common Elements associated therewith the subject of the responsibility of the Association to provide Common Services. Upon recordation of this instrument and the said plat, the additional Units shall be incorporated into the condominium and shall be subject to the Declaration as if the same were originally described as part of the Building in the Declaration. At such time the percentage of undivided interest in the Common Elements appurtenant to any Unit and the vote of each Unit shall be as set forth in the revised Exhibit "B" which is appended to this instrument.

In addition, Section 5.1 of the Declaration is amended by addition of the following language: **Units 301 through 306 of Phase One and Units 501 through 512 and 601 through 607 of Phase Two are the only Units permitted to be used for residential purposes.**

**WITNESS** our hands effective the day and year written above.

Grantor: H & I DEVELOPMENT LLC  
Grantee: THE PUBLIC  
Doc 0589775 bk 492 pg 828-831 Filed at 4:23 on 02/25/03  
Sherry L Daigle, Teton County Clerk fees: 60.00  
By MARY D ANTROBUS Deputy

**H & I DEVELOPMENT, LLC**  
a Wyoming limited liability company

By:   
Gannett F. Horn, Member / Operating Manager

RELEASED	
INDEXED	
ABSTRACTED	
SCANNED	<input checked="" type="checkbox"/>

*(additional signatures and acknowledgements on following page)*

JOSEPH J. INFANGER LIVING TRUST utd 10/2/87  
Member

By: Joseph J. Infanger  
Joseph J. Infanger, Trustee

By: Elaine E. Infanger  
Elaine E. Infanger, Trustee

ELAINE E. INFANGER LIVING TRUST utd 10/2/87  
Member

By: Joseph J. Infanger  
Joseph J. Infanger, Trustee

By: Elaine E. Infanger  
Elaine E. Infanger, Trustee

STATE OF WYOMING )  
 ) ss.  
COUNTY OF TETON )

On this 18th day of FEBRUARY, 2003, the foregoing instrument was acknowledged before me by Gannett F. Horn, Member/Operating Manager of said Company, under the authority and on behalf of said Company as its free act and deed.

Given under my hand and seal the date first above written.

(Seal) **GEORGE P. PUTNAM - NOTARY PUBLIC**  
County of Teton State of Wyoming  
My Commission Expires Oct. 18, 2004  
My commission expires: 10/18/04

George P. Putnam  
Notary Public

STATE OF WYOMING )  
 ) ss.  
COUNTY OF TETON )

On this 14th day of FEBRUARY, 2003, the foregoing instrument was acknowledged before me by Joseph J. Infanger and Elaine E. Infanger, as Trustees of the Joseph J. Infanger Living Trust, under the authority and on behalf of said Trust as their free act and deed.

Given under my hand and seal the date first above written.

(Seal) **GEORGE P. PUTNAM - NOTARY PUBLIC**  
County of Teton State of Wyoming  
My Commission Expires Oct. 18, 2004  
My commission expires: 10/18/04

George P. Putnam  
Notary Public

STATE OF WYOMING )  
 ) ss.  
COUNTY OF TETON )

On this 14th day of FEBRUARY, 2003, the foregoing instrument was acknowledged before me by Joseph J. Infanger and Elaine E. Infanger, as Trustees of the Elaine E. Infanger Living Trust, under the authority and on behalf of said Trust as their free act and deed.

Given under my hand and seal the date first above written.

(Seal) **GEORGE P. PUTNAM - NOTARY PUBLIC**  
County of Teton State of Wyoming  
My Commission Expires Oct. 18, 2004  
My commission expires: 10/18/04

George P. Putnam  
Notary Public

## EXHIBIT "A"

Legal Description  
for  
Phase Two Hillside Business Complex

That portion of Lot 5 of the Valley View Subdivision, a subdivision of record in the Office of the Clerk of Teton County as Plat No. 167 located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 17, T40N, R116W, 6th P.M., Teton County Wyoming, further described as follows:

BEGINNING at the northeast corner of said Lot 5 which is coincident with the S1/16 corner located on the east line of said Section 17 marked by a 2 1/2" diameter steel pipe with brass cap inscribed "RLS 164";

THENCE S 00°03'00"E, 386.76 feet along said east line of Section 17 which is coincident with the east boundary line of said lot 5 to the intersection with the south boundary line of said Lot 5 to a point marked by a 5/8" diameter steel rebar:

THENCE along said south boundary line of Lot 5 S 89°50'59"W, 159.34 feet to a point marked by a 5/8 inch diameter steel re-bar with cap inscribed "PLS 3831";

THENCE leaving said south boundary line of Lot 5 N 00°03'26"W, 386.71 feet to a point on the north boundary line of said Lot 5 marked by a 5/8 inch diameter steel re-bar with cap inscribed "PLS 3831";

THENCE along the said north boundary line of Lot 5 N 89°49'50"E, 159.38 feet to the POINT OF BEGINNING.

Encompassing an area of 1.42 acres more or less.



# EXHIBIT "B"

REVISED

## HILLSIDE BUSINESS COMPLEX CONDOMINIUMS

(Each Unit's Percentage of Undivided Interest  
in the Common Area and Voting Rights)

<u>Unit Number</u>	<u>Floor Area (sq.ft.)</u>	<u>PHASE ONE</u> <u>Interest In Common Area</u>	<u>Vote</u>
		<b>Commercial Units:</b>	
101	2363	3.6%	2
102	1981	3%	2
103	971	1.5%	1
104	975	1.5%	1
105	975	1.5%	1
106	975	1.5%	1
107	975	1.5%	1
108	971	1.5%	1
109	971	1.5%	1
110	975	1.5%	1
111	1959	3%	2
201	2371	3.7%	2
202	1991	3%	2
203	1991	3%	2
204	1991	3%	2
205	1991	3%	2
206	1991	3%	2
207	1966	3%	2
		<b>Accessory Residential Units:</b>	
301	755	1.2%	1
302	755	1.2%	1
303	755	1.2%	1
304	755	1.2%	1
305	755	1.2%	1
306	745	1.2%	1
		<b>PHASE TWO</b>	
		<b>Commercial Units:</b>	
401	1338	2.1%	2
402	1371	2.1%	2
403	1371	2.1%	2
404	1371	2.1%	2
405	1371	2.1%	2
406	1371	2.1%	2
407	1302	2.1%	2
513	2566	4.0%	2
514	2568	4.0%	2
515	2560	4.0%	2
		<b>Accessory Residential Units:</b>	
501	785	1.2%	1
502	800	1.2%	1
503	790	1.2%	1
504	790	1.2%	1
505	800	1.2%	1
506	790	1.2%	1
507	790	1.2%	1
508	800	1.2%	1
509	790	1.2%	1
510	790	1.2%	1
511	798	1.2%	1
512	790	1.2%	1
601	785	1.2%	1
602	789	1.2%	1
603	789	1.2%	1
604	789	1.2%	1
605	789	1.2%	1
606	789	1.2%	1
607	787	1.2%	1

