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Recorded at request of SECURITY TITLE COMPANY Order No. 67452 Fee Paid 17.00
Date MAR 19 1979 at 9⁰⁴ A.M. CAROL DEAN PAGE Recorder Davis County
By _____ Deputy Book 158 Page 83

525712 SUPPLEMENT TO DECLARATION 8½-17-47-1W

THIS SUPPLEMENT TO that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS LAYTON HILLS MALL, DAVIS COUNTY, UTAH, recorded as Entry No. 520506, in Book 749, at Page 347 of the records of the Davis County Recorder on January 17, 1979, is hereby made pursuant to paragraph 21 thereof to accord Pay 'N Save Corporation, a Washington Corporation, Ernst Home Center Division, the right to be a necessary party to any amendment of that instrument. In accordance with paragraph 21 of the Declaration, the following information is supplied:

A. The Owner executing this supplement is Owner of all of the parcels covered by the Declaration.

B. The party designated above (Pay 'N Save Corporation, a Washington Corporation, Ernst Home Center Division) has an interest in Parcel E.

C. The nature of the interest of Pay 'N Save Corporation is that of a tenant under a certain lease executed February 27, 1979.

D. The property covered by said Declaration is described on Exhibit "B" attached hereto and incorporated herein by reference.

EXECUTED on this ___5ᵗʰ___ day of ___March___, 1979.

HOMCO INVESTMENT COMPANY, a
Utah Partnership

By _____
David M. Horne

By _____
Layton P. Ott

By _____
Paul W. Mendenhall

By _____
Robert L. Mendenhall

STATE OF UTAH   )
                     : ss
COUNTY OF SALT LAKE)

On the 5ᵗʰ day of ___March___, 1979, personally appeared

EXHIBIT "B"

I.   LEGAL DESCRIPTION OF THE ENTIRE PARCEL

Beginning at a point that is South 89° 54' 50" West 1371.679 feet and North 0° 08' 08" East 501.129 feet from the Southeast Corner of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; said point being on the West right-of-way line of the Hillfield Road (2400 West); thence North 0° 08' 08" East 1647.867 feet along said West right-of-way line; thence South 89° 54' 50" West 2394.474 feet to the Interstate 15 right-of-way fence; thence South 34° 57' 09" East 1195.886 feet; thence South 38° 47' 31" East 552.882 feet to a point of a 1085.92 foot radius curve to the left (bearing to center of curve bears North 53° 24' 29" East); thence South-easterly along the arc of said curve 264.387 feet; thence South 50° 17' 28" East 600.130 feet; thence South 34° 49' 00" East 201.836 feet; thence North 56° 17' 59" East 470.449 feet to a Department of Transportation right-of-way marker which represents a point of a 420.00 foot radius curve to the left (bearing to center of curve bears North 33° 42' 01" West); thence Northeasterly 252.481 feet along the arc of said curve; thence North 88° 43' 02" East 36.619 feet to a point of a 453.901 foot radius curve to the left (bearing to the center of curve bears North 69° 57' 36" West); thence Northeasterly 54.532 feet along the arc of said curve to the point of beginning.

II.   DOMINANT PARCEL

A.   PARCEL A

Beginning at a point that is South 0° 09' 50" West 807.779 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; said point is on the South right-of-way of a proposed road; thence North 75° 09' 32" West 219.279 feet to a point of a 248.764 foot radius curve to the left (bearing to center of curve bears South 14° 50' 28" West); thence Southwesterly along the arc of said curve 370.931 feet to a point of tangency; thence South 19° 24' 28" West 130.768 feet to a point of a 270.118 foot radius curve to the left (bearing to center of curve bears South 70° 35' 32" East); thence Southwesterly along the arc of said curve 256.279 feet to a point of tangency; thence South 34° 57' 09" East 113.733 feet to a point of a 2932.591 foot radius curve to the left (bearing to the center of curve bears North 55° 02' 51" East); thence Southeasterly along the arc of said curve 198.435 feet to a point of tangency; thence South 38° 49' 46" East 220.587 feet to a point of a 329.486 foot radius curve to the left (bearing to center of curve bears North 51° 10' 14" East); thence Southeasterly along the arc of said curve 182.656 feet to a point of tangency; thence South 70° 35' 32" East 520.940 feet to a a point of a 468 foot radius curve to the left (bearing to center of curve bears North 19° 24' 28" East); thence Northeasterly along the arc of said curve 892.551 feet to a point of tangency; thence North 0° 08' 08" East 324.891 feet to a point of a 159.484 foot radius curve to the left (bearing to center of curve bears North 89° 51' 52" West); thence Northwesterly along the arc of said curve 209.584 feet to a point of tangency; thence North 75° 09' 32" West 979.006 feet to the point of beginning.

B.   COMMON ACCESS ROADS

   1.   Northwest Entrance Road

   Beginning at a point South 64° 59' 41" West 1174.819 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 34° 57' 09" East 688.309 feet to the point of an 80.00 foot radius curve to the left (bearing to center of curve bears North 55° 02' 51" East); thence Southeasterly along the arc of said curve 67.480 feet to a point on a 314.118 foot radius curve to the left (bearing to center of curve bears North 84° 51' 40" East); thence Southerly along the arc of said curve 44.175 feet to a point of a 124 foot radius curve to the right (bearing to center of curve bears North 6° 43' 06" East); thence Northwesterly along the arc of said curve 108.908 feet; thence North 34° 57' 09" West 718.965 feet; thence North 89° 54' 50" East 53.626 feet to the point of beginning.

   2.   North Entrance Road

   Beginning at a point that is South 24° 06' 36" East 541.940 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence North 89° 54' 50" East 30.00 feet; thence South 0° 09' 50" West 334.608 feet; thence North 75° 09' 32" West 31.012 feet; thence North 0° 09' 50" East 326.619 feet to the point of beginning.

   3.   Northeast Entrance Road

   Beginning at a point on the West right-of-way line of Hill Field Road, said point being South 54° 01' 25" East 1563.632 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 08' 08" West 30.00 feet; thence North 89° 51' 52" West 180.019 feet to a point of a 125 foot radius curve to the left (bearing to center of curve bears South 0° 08' 08" West); thence Southwesterly along the arc of said curve 142.859 feet to a point on a 203.484 foot radius curve to the left (bearing to center of curve bears South 19° 35' 06" West); thence Northwesterly along the arc of said curve 16.848 feet; thence North 75° 09' 32" West 13.431 feet to a point on a 155 foot radius curve to the right (bearing to center of curve bears South 66° 59' 57" East); thence Northeasterly along the arc of said curve 181.617 feet; thence South 89° 51' 52" East 180.019 feet to the point of beginning.

   4.   East Entrance Road

   Beginning at a point that is South 42° 03' 04" East 1887.509 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 08' 08" West 90.00 feet; thence North 89° 51' 52" West 158.019 feet; thence North 0° 08' 08" East 90.00 feet; thence South 89° 51' 52" East 158.019 feet to the point of beginning.

5. South Entrance Road

Beginning at a point that is North 77° 50' 01" East 1021.653 feet from the South One Quarter Corner of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence North 33° 42' 01" West 105.411 feet to the point of a 130 foot radius curve to the left (bearing to center of curve bears South 56° 17' 59" West); thence Northwesterly along the arc of said curve 127.740 feet; thence West 314.086 feet to the point of a 520 foot radius curve to the right (bearing to center of curve bears North); thence Northwesterly along the arc of said curve 360.386 feet; thence North 50° 17' 28" East 187.926 feet to the point of a 161.671 foot radius curve to the right (bearing to center of curve bears North 39° 42' 32" East); thence Northerly along the arc of said curve 196.669 feet; thence North 19° 24' 28" East 164.00 feet; thence South 70° 35' 32" East 50.00 feet; thence South 19° 24' 28" West 164.00 feet to the point of a 111.671 foot radius curve to the left (bearing to center of curve bears South 70° 35' 32" East); thence Southerly along the arc of said curve 135.845 feet; thence South 50° 17' 28" East 187.926 feet to the point of a 470 foot radius curve to the left (bearing to center of curve bears North 39° 42' 32" East); thence Southeasterly along the arc of said curve 325.734 feet; thence East 314.086 feet to the point of a 180 foot radius curve to the right (bearing to center of curve bears South); thence Southeasterly along the arc of said curve 176.871 feet; thence South 33° 42' 01" East 105.411 feet; thence South 56° 17' 59" West 50.00 feet to the point of beginning.

6. Ring Road

The Layton Hills Mall Ring Road is described as that 44.0 foot property lying between and bounded by the two following described lines:

NUMBER 1

Beginning at a point that is South 0° 09' 50" West 763.037 feet from the Center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; said point is on the North right-of-way of a proposed road; thence North 75° 09' 32" West 207.944 feet to a point of a 292.764 foot radius curve to the left (bearing to center of curve bears South 14° 50' 28" West); thence Southwesterly along the arc of said curve 436.538 feet to a point of tangency; thence South 19° 24' 28" West 130.768 feet to a point of a 314.118 foot radius curve to the left (bearing to center of curve bears South 70° 35' 32" East); thence Southwesterly along the arc of said curve 298.024 feet to a point of tangency; thence South 34° 57' 09" East 113.733 feet to a point of a 639.538 foot radius curve to the left (bearing to the center of curve bears North 55° 02' 51" East); thence Southeasterly along the arc of said curve 397.812 feet to the point of tangency; thence South 70° 35' 32" East 816.369 feet to the point of a 388.697 foot radius curve to the left (bearing to the center of curve bears North 19° 24' 28" East); thence Northeasterly along the arc of said curve 741.307 feet to the point of tangency; thence North 0° 08' 08" East 324.891 feet to a point of a 205.484 foot radius curve to the left (bearing to center of curve bears North 89° 51' 52" West); thence Northwesterly along the arc of said curve 267.406 feet to a point of tangency; thence North 75° 09' 32" West 990.341 feet to the point of beginning.

NUMBER 2

Beginning at a point that is South 0° 09' 50" West 807.779 feet from the center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; said point is on the South right-of-way of a proposed road; thence North 75° 09' 32" West 219.279 feet to a point of a 248.764 foot radius curve to the left (bearing to center of curve bears South 14° 50' 28" West); thence Southwesterly along the arc of said curve 370.931 feet to a point of tangency; thence South 19° 24' 28" West 130.768 feet to a point of a 270.118 foot radius curve to the left (bearing to center of curve bears South 70° 35' 32" East); thence Southwesterly along the arc of said curve 256.279 feet to a point of tangency; thence South 34° 57' 09" East 113.733 feet to a point of a 595.538 foot radius curve to the left (bearing to the center of curve bears North 55° 02' 51" East); thence Southeasterly along the arc of said curve 370.443 feet to the point of tangency; thence South 70° 35' 32" East 816.369 feet to the point of a 344.697 foot radius curve to the left (bearing to center of curve bears North 19° 24' 28" East); thence Northeasterly along the arc of said curve 657.393 feet to the point of tangency; thence North 0° 08' 08" East 324.891 feet to a point of a 159.484 foot radius curve to the left (bearing to center bears North 89° 51' 52" West); thence Northwesterly along the arc of said curve 209.584 feet to a point of tangency; thence North 75° 09' 32" West 979.006 feet to a point of beginning.

7.   Future Road

PHASE II PORTION OF RING ROAD

Beginning at a point on the Southwesterly right-of-way line of a proposed road, said point being 1248.305 feet North of, and 486.045 feet West of the South Quarter Corner of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; said point being the point of a 639.538 foot radius curve to the left (whose radius point bears North 55° 02' 51" East); thence Southeasterly along the arc of said curve 266.757 feet; thence South 38° 49' 46" East, 159.640 feet; thence along the arc of a 329.486 foot radius curve to the left (whose radius point bears North 51° 10' 14" East) for a distance of 182.656 feet; thence South 70° 35' 32" East, 520.940 feet; thence along the arc of a 468.00 foot radius curve to the left (whose radius point bears North 19° 24' 28" East) for a distance of 533.865 feet to a point on a 388.697 foot radius curve to the left (whose radius point bears North 33° 14' 32" West); thence along the arc of said curve 384.128 feet; thence Southwesterly along the arc of a 512.00 foot radius curve to the right (whose radius point bears North 89° 51' 52" West) for a distance of 976.466 feet; thence North 70° 35' 32" West, 520.940 feet; thence along the arc of a 373.486 foot radius curve to the right (whose radius point bears North 19° 24' 28" East) for a distance of 207.048 feet; thence North 38° 49' 46" West, 220.587 feet; thence along the arc of a 2976.591 foot radius curve to the right (whose radius point bears North 51° 10' 14" East) for a distance of 201.412 feet to the point of beginning.

III. SUBPARCELS

1. Subparcel B

Beginning at a point on the Northwesterly right-of-way line of Hill Field Road where it is intersected by the Southwesterly line of the South entrance road into the Layton Hills Mall, said point being North 77° 50' 01" East 1021.653 feet from the South One Quarter Corner of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 56° 17' 59" West 395.449 feet; thence North 34° 49' West 201.836 feet; thence North 50° 17' 28" West 600.130 feet to a point on a 1085.92 foot radius curve to the right whose radius point bears North 39° 27' 30" East; thence Northwesterly along the arc of said curve 264.387 feet; thence North 38° 47' 31" West 552.882 feet; thence North 34° 57' 09" West 1195.886 feet; thence North 89° 54' 50" East 9.750 feet to the Southwesterly right-of-way line of the Northwest entrance road into the Layton Hills Mall; thence South 34° 57' 09" East 718.965 feet to the point of a 124.00 foot radius curve to the left whose radius point bears North 55° 02' 51" East; thence Southeasterly along the arc of said curve 108.908 feet to a point on a 314.118 foot radius curve to the left whose radius point bears North 87° 04' 54" East; thence Southerly along the arc of said curve 175.624 feet; thence South 34° 57' 09" East 113.733 feet to the point of a 2976.591 foot radius curve to the left whose radius point bears North 55° 02' 51" East; thence Southeasterly along the arc of said curve 201.412 feet; thence South 38° 49' 46" East 220.587 feet to the point of a 373.486 foot radius curve to the left whose radius point bears North 51° 10' 14" East; thence Southeasterly along the arc of said curve 207.048 feet; thence South 70° 35' 32" East 55.132 feet to the point of a 161.671 foot radius curve to the left whose radius point bears South 70° 35' 32" East; thence Southerly along the arc of said curve 196.669 feet; thence South 50° 17' 28" East 187.926 feet to the point of a 520.00 foot radius curve to the left whose radius point bears North 39° 42' 32" East; thence Easterly along the arc of said curve 360.386 feet; thence East 314.086 feet to the point of a 130.00 foot radius curve to the right whose radius point bears South; thence Southeasterly along the arc of said curve 127.740 feet; thence South 33° 42' 01" East 105.411 feet to the point of beginning.

2. Subparcel C

Beginning at a point on the West right-of-way line of Hill Field Road where it is intersected by the South right-of-way line of the East entrance road into the Layton Hills Mall, said point being South 40° 16' 47" East 1955.130 feet from the Center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 08' 08" West 649.393 feet to a point on a 453.901 foot radius curve to the right whose radius point bears North 76° 51' 37" West; thence Southerly along the arc of said curve 54.532 feet; thence South 88° 43' 02" West 36.619 feet to a point on a 420.00 foot radius curve to the right whose radius point bears North 68° 08' 36" West;

thence Southwesterly along the arc of said curve 252.481 feet; thence South 56° 17' 59" West 25.002 feet to the Northeasterly right-of-way line of the South entrance road into the Layton Hills Mall; thence North 33° 42' 01" West 105.411 feet to the point of a 180.00 foot radius curve to the left whose radius point bears South 56° 17' 59" West; thence Northwesterly along the arc of said curve 176.871 feet; thence West 314.086 feet to the point of a 470.00 foot radius curve to the right whose radius point bears North; thence Northwesterly along the arc of said curve 325.734 feet; thence North 50° 17' 28" West 187.926 feet to the point of a 111.671 foot radius curve to the right whose radius point bears North 39° 42' 32" East; thence Northerly along the arc of said curve 135.845 feet; thence South 70° 35' 32" East 415.808 feet to the point of a 512.00 foot radius curve to the left whose radius point bears North 19° 24' 28" East; thence Southeasterly and North-easterly along the arc of said curve 976.466 feet; thence North 0° 08' 08" East 46.882 feet; thence South 89° 51' 52" East 158.019 feet to the point of beginning.

3. Subparcel D

Beginning at a point on the West right-of-way line of Hill Field Road where it is intersected by the South right-of-way line of the Northeast entrance road into the Layton Hills Mall said point being South 53° 08' 33" East 1581.385 feet from the Center cf Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 08' 08" West 453.009 feet; thence North 89° 51' 52" West 158.019 feet; thence North 0° 08' 08" East 188.009 feet to the point of a 203.484 foot radius curve to the left whose radius point bears North 89° 51' 52" West; thence Northwesterly along the arc of said curve 250.558 feet to a point on a 125.00 foot radius curve to the right whose radius point bears South 65° 20' 47" East; thence Northeasterly along the arc of said curve 142.859 feet; thence South 89° 51' 42" East 180.019 feet to the point of beginning.

4. Subparcel E

Beginning at a point on the West right-of-way line of Hill Field Road where it is intersected by the North property line of the Layton Hills Mall property, said point being South 68° 43' 32" East 1359.003 feet from the Center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 08' 08" West 425.465 feet; thence North 89° 51' 52" West 180.019 feet to the point of a 155.00 foot radius curve to the left whose radius point bears South 0° 08' 08" West; thence Southwesterly along the arc of said curve 181.617 feet; thence North 75° 09' 32" West 715.782 feet; thence North 0° 09' 50" East 334.608 feet; thence North 89° 54' 50" East 1015.017 feet to the point of beginning.

5.   Subparcel F

Beginning at the point of intersection of the West right-of-way line of the North entrance road into the Layton Hills Mall with the North property line of the Layton Hills Mall property, said point being South 24° 06' 36" East 541.940 feet from the Center of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence South 0° 09' 50" West 326.619 feet; thence North 75° 09' 32" West 438.060 feet to the pont of a 292.764 foot radius curve to the left whose radius point bears South 14° 50' 28" West; thence Northwesterly and Southwesterly along the arc of said curve 436.538 feet; thence South 19° 24' 28" West 130.768 feet to the point of a 314.118 foot radius curve to the left whose radius point bears South 70° 35' 32" East; thence Southerly along the arc of said curve 78.228 feet to a point on an 80.00 foot radius curve to the right whose radius point bears North 6° 43' 06" East; thence Northwesterly along the arc of said curve 67.480 feet; thence North 34" 57' 09" West 688.309 feet; thence North 89° 54' 50" East 1286.079 feet to the point of beginning.