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RECORDER, SALT LAKE COUNTY, UTAH
KIMBALL PARR WADDOUNS
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FIRST AMENDMENT TO DECLARATION
OF
EASEMENTS, COVENANTS AND RESTRICTIONS

[Amending the Declaration of Easements, Covenants and Restrictions, dated September 11, 1989, recorded September 11, 1989 as Entry No. 4821465 in Book 6158 at Page 242 of the official records of the Salt Lake County Recorder, and re-recorded September 12, 1989 as Entry No. 4822068 in Book 6158 at Page 1288 of the official records of the Salt Lake County Recorder.]

THIS AMENDMENT (this "Amendment") is executed as of the ~~22ND~~ day of May, 1991, by UNION PARK ASSOCIATES, a Utah limited partnership ("Union Associates"), whose address is 6925 Union Park Center, Suite 500, Midvale, Utah 84047, UNION PARK CENTER ASSOCIATES, a Utah limited partnership ("Union Center"), whose address is 6925 Union Park Center, Suite 500, Midvale, Utah 84047, and THOMAS M. LLOYD, an individual ("Lloyd"), whose address is 6925 Union Park Center, Suite 500, Midvale, Utah 84047.

FOR THE SUM OF TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the undersigned agree as follows:

1. Definitions. As used in this Amendment, each of the following terms shall have the meaning indicated:

"Common Roadways" means, collectively, the two (2) parcels of land located in Salt Lake County, Utah, more particularly described as follows:

COMMON ROADWAYS PARCEL 1:

Beginning at a point on the West right-of-way line of 1300 East Street, said point of beginning being South 89°52'20" West along the Section line 663.80 feet and South 15°12'00" West 248.11 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence northwesterly 13.92 feet along a 15.00 foot radius curve to the left (the radius point of said curve being South 68°21'05" West from the point of beginning), through a central angle of 53°09'05" to an 89.60 foot radius compound curve; thence westerly 20.96 feet along the arc of said curve through a central angle of 13°24'02";

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thence North 88°12'02" West 311.25 feet; thence North 37°20'06" West 174.81 feet; thence North 37°45'00" West 61.14 feet to a 15.00 foot radius curve to the left; thence westerly along the arc of said curve 18.64 feet through a central angle of 71°10'51" to a 230.83 foot radius compound curve; thence southwesterly along the arc of said curve 111.28 feet through a central angle of 27°37'19" to a 140.00 foot radius reverse curve; thence southwesterly along the arc of said curve 50.54 feet through a central angle of 20°41'05"; thence South 64°06'03" West 24.56 feet; thence South 70°49'31" West 17.48 feet to a 40.00 foot radius curve to the left, the radius point of which curve is South 19°10'29" East; thence along the arc of said curve 15.40 feet through a central angle of 22°03'07" to a point on the West bank of Little Cottonwood Creek; thence along said bank for the following three courses: North 22°22'00" West 21.79 feet; North 05°38'00" West 19.20 feet; North 18°36'00" West 5.28 feet; thence northeasterly 11.71 feet along a non-tangent 95.47 foot radius curve to the right, through a central angle of 07°01'45", the radius point of which is South 26°12'14" East; thence North 70°49'31" East 45.05 feet to a 21.47 foot radius curve to the left; thence northerly along the arc of said curve 53.22 feet through a central angle of 142°02'15"; thence North 71°12'44" West 50.05 feet to a 62.65 foot radius curve to the right; thence northwesterly along the arc of said curve 6.10 feet through a central angle of 05°34'32" to a point on the West bank of Little Cottonwood Creek; thence along said bank North 12°50'00" East 21.34 feet and North 05°10'00" East 10.62 feet; thence South 73°44'38" East 16.33 feet; thence South 66°25'00" East 35.69 feet to an 80.00 foot radius curve to the right, the radius point of which is South 23°35'00" West; thence southeasterly along the arc of said curve 40.02 feet through a central angle of 28°39'52" to a 13.71 foot radius reverse curve, the radius point of which is North 52°14'52" East; thence easterly along the arc of said curve 21.62 feet through a central angle of 90°20'01" to a 270.83 foot radius reverse curve, the radius point of which is South 38°05'09" East; thence northeasterly along the arc of said curve 90.54 feet through a central angle of 19°09'18"; thence North 71°04'09" East 23.90 feet to a 15.00 foot radius curve to the left, the radius point of which is North 18°55'51" West; thence along the arc of said curve 14.56 feet through a central angle of 55°36'01"; thence North 15°28'08" East 78.30 feet to a 55.00 foot radius curve to the right, the radius point of which is South 74°31'52" East; thence northerly along the arc of said curve 35.31 feet through a central angle of 36°46'52"; thence North 52°15'00" East 213.06 feet to a 55.00 foot radius curve to the right, the radius point

of which is South 37°45'00" East; thence easterly along the arc of said curve 37.96 feet through a central angle of 39°32'58"; thence South 88°12'02" East 314.25 feet to a 159.12 foot radius curve to the right, the radius point of which is South 01°47'58" West; thence easterly along the arc of said curve 27.17 feet through a central angle of 09°47'02" to a 15.00 foot radius reverse curve, the radius point of which is North 11°35'00" East; thence northeasterly along the arc of said curve 18.05 feet through a central angle of 68°57'38" to a point on the West right-of-way line of 1300 East Street; thence along said right-of-way line for the following three courses: South 11°35'00" West 24.61 feet; South 78°25'00" East 8.00 feet; South 11°35'00" West 30.21 feet; thence northwesterly along the arc of a 15.00 foot radius curve to the right 22.64 feet, the radius point of which is North 78°25'00" West, through a central angle of 86°29'00" to a 129.12 foot radius compound curve, the radius point of which is South 15°06'00" West; thence westerly along the arc of said curve 29.97 feet through a central angle of 13°19'02"; thence North 88°12'02" West 314.25 feet to a 25.00 foot radius curve to the left, the radius point of which is South 01°47'58" West; thence southwesterly along the arc of said curve 17.26 feet through a central angle of 39°32'58"; thence South 52°15'00" West 213.06 feet to a 25.00 foot radius curve to the left, the radius point of which is South 37°45'00" East; thence southerly along the arc of said curve 16.05 feet through a central angle of 36°46'52"; thence South 15°28'08" West 99.60 feet to a 25.00 foot radius curve to the left, the radius point of which is South 74°31'52" East; thence southerly along the arc of said curve 23.22 feet through a central angle of 53°13'08"; thence South 37°45'00" East 189.08 feet to a 50.00 foot radius curve to the left, the radius point of which is North 52°15'00" East; thence southeasterly along the arc of said curve 44.03 feet through a central angle of 50°27'02"; thence South 88°12'02" East 271.84 feet to a 119.60 foot radius curve to the right, the radius point of which is South 01°47'58" West; thence easterly along the arc of said curve 27.97 feet through a central angle of 13°24'02" to a 15.00 foot radius reverse curve, the radius point of which is North 15°12'00" East; thence easterly along the arc of said curve 4.05 feet through a central angle of 15°28'53" to a point on the West right-of-way line of 1300 East Street; thence along said right-of-way line for the following three courses: South 15°12'00" West 15.54 feet; South 74°48'00" East 8.00 feet; South 15°12'00" West 21.00 feet to the point of beginning.

COMMON ROADWAYS PARCEL 2:

Beginning at a point on the easterly right-of-way line of Union Park Avenue, said point being 1448.17 feet West and 200.78 feet South of the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 53°04'43" West 50.04 feet along said right-of-way to a 132.39 foot radius curve, the radius point of which is North 56°19'58" West; thence northeasterly along the arc of said curve 15.59 feet through a central angle of 06°44'43"; thence North 26°55'19" East 21.20 feet to a 95.47 foot radius curve to the right, the radius point of which is South 63°04'41" East; thence northeasterly along the arc of said curve 61.44 feet through a central angle of 36°52'26" to a point on the West bank of Little Cottonwood Creek; thence along said bank South 18°36'00" East 5.28 feet, South 05°38'00" East 19.20 feet and South 22°22'00" East 21.79 feet to a 40.00 foot radius curve to the left, the radius point of which is South 41°13'36" East; thence along the arc of said curve 21.97 feet through a central angle of 31°28'27" to a 150.87 foot radius reverse curve, the radius point of which is North 72°42'03" West; thence along the arc of said curve 47.23 feet through a central angle of 16°55'41" to the point of beginning.

"Common Trash Facility" means the land located in Salt Lake County, Utah, more particularly described as follows:

Beginning at a point which is West 915.59 feet and North 243.57 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 88°12'02" West 52.89 feet to a 25.00 foot radius curve to the left; thence westerly along the arc of said curve 17.26 feet through a central angle of 39°32'58"; thence South 52°15'00" West 77.89 feet; thence South 37°45'00" East 49.69 feet; thence North 52°15'00" East 126.09 feet; thence North 01°47'58" East 13.35 feet to the point of beginning.

"Declaration" means the Declaration of Easements, Covenants and Restrictions, dated September 11, 1989, recorded September 11, 1989 as Entry No. 4821465 in Book 6158 at Page 242 of the official records of the Salt Lake County Recorder, and re-recorded September 12, 1989 as Entry No. 4822068 in Book 6158 at Page 1288 of the official records of the Salt Lake County Recorder to correct the legal descriptions of Parcel 2 and Common Roadways Parcel 1.

"Entire Tract" means, collectively, the Common Roadways, the Common Trash Facility and the Parcels.

"Mortgage" means a mortgage or a deed of trust recorded in the office of the Salt Lake County Recorder.

"Owner" means the owner of record (in the office of the Salt Lake County Recorder) of a whole or partially undivided fee interest in any portion of the realty concerned.

"Parcels" means, collectively, those four (4) parcels of land located in Salt Lake County, Utah, more particularly described as follows:

PARCEL 1:

Beginning on the southeasterly line of Fort Union Boulevard at a point which is due North 306.470 feet and due West 1704.809 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, thence South 38°38'40" East 35.00 feet; thence North 51°21'20" East parallel with Fort Union Boulevard 94.00 feet; thence South 38°38'40" East 77.50 feet; thence North 51°21'20" East 147.00 feet; thence North 38°38'40" West 110.83 feet to a point on a 1076.92 foot radius curve to the right on the southeasterly line of said Fort Union Boulevard, the center of said curve bears South 35°27'02" East from said point; thence northeasterly along the arc of said curve and southeasterly street line through a central angle of 1°36' for a distance of 30.07 feet; thence South 38°38'40" East 140.23 feet; thence North 51°21'20" East 8.00 feet; thence South 38°38'40" East 13.45 feet; thence North 74°42'25" East 112.95 feet; thence North 20°00' West 180.00 feet to a point on a 1076.92 foot radius curve to the right on the southerly line of said Fort Union Boulevard, the center of said curve bears South 24°42'54" East from said point; thence northeasterly along the arc of said curve and street line through a central angle of 3°39'20" for a distance of 68.71 feet; thence South 20°00' West 70.19 feet; thence South 20°00' East 140.00 feet; thence South 10°00' West 164.36 feet; thence West 40.657 feet; thence South 31°30' West 53.42 feet; thence South 88°45' East 3.20 feet to a point on the West bank of Little Cottonwood Creek; thence along the West bank of said creek for fifteen courses as follows: South 29°03' West 41.6 feet; South 30°11' West 52.7 feet; South 27°12' West 22.8 feet; South 21°54' West 38.7 feet; South 5°10' West 37.3 feet; South 12°50' West 33.6 feet; South 22°38' West 18.9 feet; South 4°49' East 26.3 feet; South 18°36' East 29.2 feet; South 5°38' East 19.2 feet; South 22°22' East 35.8 feet; South 34°55' East 47.7 feet; South 26°59' East 39.0 feet; South 33°32' East 40.0 feet; and South 16°33' East 25.65 feet to the

northeasterly line of Parcel No. 126 U:A of Utah Highway Project No. 1-415-9(4) 297 according to the official documentation thereof on file in the office of the Utah Department of Transportation; thence North $53^{\circ}04'43''$ West along said northeasterly line 411.31 feet to a point of a 753.51 foot radius curve to the right; thence northwesterly along the arc of said curve and northeasterly line through a central angle of $16^{\circ}04'43''$ a distance of 211.45 feet to a point of tangency; thence North $37^{\circ}00'$ West along said northeasterly line 50.40 feet to a point of a 35.00 foot radius curve to the right; thence northerly along the arc of said curve through a central angle of $88^{\circ}21'20''$ a distance of 53.97 feet to a point of tangency on the southeasterly line of Fort Union Boulevard at a point 69.00 feet perpendicularly distant southeasterly from the control line of Fort Union Boulevard at Engineer's Station 38+43.84; thence North $51^{\circ}21'20''$ East along said southeasterly line of Fort Union Boulevard 170.97 feet to the point of beginning.

EXCEPTING from Parcel 1 the following two parcels:

Exception Parcel 1:

Beginning at a point which is due North 306.470 feet, and due West 1704.809 feet, and South $38^{\circ}38'40''$ East 60.00 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence North $51^{\circ}21'20''$ East (parallel with Fort Union Boulevard) 69.00 feet; thence South $38^{\circ}38'40''$ East 40.00 feet; thence South $51^{\circ}21'20''$ West 69.00 feet; thence North $38^{\circ}38'40''$ West 40.00 feet to the point of beginning.

Exception Parcel 2:

Beginning at a point which is due North 306.470 feet, and due West 1704.809 feet, and South $38^{\circ}38'40''$ East 125.00 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence North $51^{\circ}21'20''$ East (parallel with Fort Union Boulevard) 69.00 feet; thence South $38^{\circ}38'40''$ East 20.00 feet; thence South $51^{\circ}21'20''$ West 69.00 feet; thence North $38^{\circ}38'40''$ West 20.00 feet to the point of beginning.

PARCEL 2 (comprised of three (3) parcels):

Parcel 2A (Existing Building):

Beginning at a point 219.11 feet South and 1070.63 feet West of the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South $01^{\circ}47'58''$ West 69.71 feet; thence South $52^{\circ}14'40''$ West 160.86 feet to the northeasterly right-of-way line of Union Park Avenue; thence along said right-of-way North $53^{\circ}04'43''$ West 170.30 feet to a point on the westerly bank of Little Cottonwood Creek; thence along said West bank for five courses as follows: North $16^{\circ}33'00''$ West 25.65 feet; North $33^{\circ}32'00''$ West 40.00 feet; North $26^{\circ}59'00''$ West 39.00 feet; North $34^{\circ}55'00''$ West 47.70 feet; North $22^{\circ}22'00''$ West 14.00 feet to a non-tangent 40.00 foot radius curve to the right, the radius point of which is South $41^{\circ}13'36''$ East; thence northeasterly 15.40 feet along the arc of said curve through a central angle of $22^{\circ}03'07''$; thence North $70^{\circ}49'31''$ East 17.48 feet; thence North $64^{\circ}08'03''$ East 24.56 feet to a 140 foot radius curve to the left, the radius point of which is North $25^{\circ}51'57''$ West; thence 50.54 feet northeasterly along the arc of said curve through a central angle of $20^{\circ}41'05''$ to a reverse 230.83 foot curve; thence 111.28 feet northeasterly along the arc of said curve through a central angle of $27^{\circ}37'19''$ to a 15.00 foot radius compound curve to the right, the radius of which is South $18^{\circ}55'51''$ East; thence 18.64 feet easterly along the arc of said curve through a central angle of $71^{\circ}10'51''$; thence South $37^{\circ}45'00''$ East 61.14 feet; thence South $37^{\circ}20'06''$ East 174.81 feet to the point of beginning.

Parcel 2B (Existing Parking Terrace):

Beginning at a point 888.16 feet West and 194.82 feet South from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North $83^{\circ}12'02''$ West 142.20 feet to a 50.00 foot radius curve to the right, the radius point of which is North $01^{\circ}47'58''$ East; thence northwesterly 44.03 feet along the arc of said curve through a central angle of $50^{\circ}27'02''$; thence North $37^{\circ}45'00''$ West 189.08 feet to a 25.00 foot radius curve to the right the radius point of which is North $52^{\circ}15'00''$ East; thence northerly 23.22 feet along the arc of said curve through a central angle of $53^{\circ}13'08''$; thence North $15^{\circ}28'08''$ East 99.60 feet to a 25.00 foot radius curve to the right, the radius of which is South $74^{\circ}31'52''$ East; thence northeasterly 16.05 feet along the arc of said curve through a central angle of $36^{\circ}46'52''$; thence

North 52°15'00" East 78.09 feet; thence South 37°45'00" East 15.00 feet; thence North 52°15'00" East 20.08 feet; thence South 37°45'00" East 296.83 feet; thence South 01°47'58" West 118.00 feet to the point of beginning.

Parcel 2C (Triangular Parcel):

Beginning at a point on the West bank of Little Cottonwood Creek, said point being 1427.75 feet West and 95.95 feet South from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence along the arc of a 95.47 foot radius curve to the right, the radius point of which is South 26°12'14" East, a distance of 11.71 feet through a central angle of 07°01'45"; thence North 70°49'31" East 45.05 feet to a 21.47 foot radius curve to the left, the radius point of which is North 19°10'29" West; thence along the arc of said curve 53.22 feet through a central angle of 142°02'15"; thence North 71°12'44" West 50.05 feet to a 62.65 foot radius curve to the right, the radius point of which is North 18°47'16" East; thence along the arc of said curve 6.10 feet through a central angle of 05°34'32" to a point on the West bank of Little Cottonwood Creek; thence along said bank for the following four courses: South 12°50'00" West 12.26 feet; South 22°38'00" West 18.90 feet; South 04°49'00" East 26.30 feet; South 18°36'00" East 23.92 feet to the point of beginning.

PARCEL 3:

Beginning at a point on the West right-of-way line of 1300 East Street, said point of beginning being South 89°52'20" West along the Section line 663.80 feet and South 15°12'00" West 248.11 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 15°12'00" West 14.87 feet to a 749.95 foot radius curve to the left; thence southerly 267.02 feet along the arc of said curve through a central angle of 20°24'00"; thence South 5°12'00" East 17.67 feet; thence South 88°00'00" West 210.11 feet; thence South 70°00'00" West 18.70 feet to the northeasterly right-of-way line of Union Park Avenue, being the northeasterly right-of-way line of U.D.O.T. Project No. 415-9 which is 65.00 feet perpendicularly distant northeasterly from the centerline of said project (known as "E" line); thence North 53°04'43" West 272.87 feet along said northeasterly right-of-way line; thence North 52°14'40" East 160.86 feet; thence North 01°47'58" East 69.71 feet; thence South 88°12'02" East 311.25 feet to an 89.60 foot radius curve to the right; thence easterly 20.96 feet along the

arc of said curve through a central angle of 13°24'02" to a point of a compound curve to the right, the radius point of which is South 15°12'00" West 15.00 feet; thence southeasterly 13.92 feet along the arc of said curve through a central angle of 53°09'05" to the point of beginning.

PARCEL 4:

Beginning at a point on the West right-of-way line of 1300 East Street, said point of beginning being South 89°52'20" West along the Section line 663.80 feet and North 15°12'00" East 89.47 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence along said West right-of-way line for the following three courses: South 15°12'00" West 128.56 feet; South 20°54'38" West 80.40 feet; South 15°12'00" West 92.48 feet to a 15.00 foot radius non-tangent curve to the right, the radius of which is North 00°16'53" West; thence 4.05 feet westerly along the arc of said curve through a central angle of 15°28'53" to a 119.60 foot radius reverse curve; thence 27.97 feet westerly along the arc of said curve through a central angle of 13°24'02"; thence North 88°12'02" West 129.64 feet; thence North 01°47'58" East 118.00 feet; thence North 37°45'00" West 296.83 feet; thence South 52°15'00" West 20.08 feet; thence North 37°45'00" West 15.00 feet; thence North 52°15'00" East 57.08 feet; thence South 37°45'00" East 49.69 feet; thence North 52°15'00" East 126.09 feet; thence North 01°47'58" East 13.35 feet; thence South 88°12'02" East 261.36 feet to a 129.12 foot radius curve to the right, the radius of which is South 01°47'58" West; thence 29.97 feet easterly along the arc of said curve through a central angle of 13°18'02" to a 15.00 foot radius compound curve; thence 22.64 feet southeasterly along the arc of said curve through a central angle of 86°29'00" to the westerly right-of-way line of 1300 East Street; thence along said right-of-way line South 11°35'00" West 131.29 feet to the point of beginning.

2. Purpose of Amendment. The undersigned desire to (a) alter the descriptions of "Parcel 2A" and "Parcel 3," as set forth in the Declaration, in order to adjust a common boundary line of the two Parcels, which is the Southeast line of Parcel 2A and the Northwest line of Parcel 3; (b) correct a typographical error in the description of "Common Roadways Parcel 2," as set forth in the Declaration; and (c) amend Paragraph 20 of the Declaration. (The descriptions of Parcel 2A, Parcel 3 and Common Roadways Parcel 2 set forth in Paragraph 1 of this Amendment have been modified to reflect the changes made pursuant to this Amendment.) Union Associates is the Owner of Parcel 1, Union Center is the Owner of

the remainder of the Entire Tract and Lloyd is the Developer.

3. Parcel 2A. The legal description of Parcel 2A set forth in Paragraph 1 of the Declaration is deleted in its entirety, and is replaced with the following new legal description (the changes made by this Amendment have been underlined):

Parcel 2A (Existing Building):

Beginning at a point 219.11 feet South and 1070.63 feet West of the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South $01^{\circ}47'58''$ West 69.71 feet; thence South $52^{\circ}14'40''$ West 160.86 feet to the northeasterly right-of-way line of Union Park Avenue; thence along said right-of-way North $53^{\circ}04'43''$ West 170.30 feet to a point on the westerly bank of Little Cottonwood Creek; thence along said West bank for five courses as follows: North $16^{\circ}33'00''$ West 25.65 feet; North $33^{\circ}32'00''$ West 40.00 feet; North $26^{\circ}59'00''$ West 39.00 feet; North $34^{\circ}55'00''$ West 47.70 feet; North $22^{\circ}22'00''$ West 14.00 feet to a non-tangent 40.00 foot radius curve to the right, the radius point of which is South $41^{\circ}13'36''$ East; thence northeasterly 15.40 feet along the arc of said curve through a central angle of $22^{\circ}03'07''$; thence North $70^{\circ}49'31''$ East 17.48 feet; thence North $64^{\circ}08'03''$ East 24.56 feet to a 140 foot radius curve to the left, the radius point of which is North $25^{\circ}51'57''$ West; thence 50.54 feet northeasterly along the arc of said curve through a central angle of $20^{\circ}41'05''$ to a reverse 230.83 foot curve; thence 111.28 feet northeasterly along the arc of said curve through a central angle of $27^{\circ}37'19''$ to a 15.00 foot radius compound curve to the right, the radius of which is South $18^{\circ}55'51''$ East; thence 18.64 feet easterly along the arc of said curve through a central angle of $71^{\circ}10'51''$; thence South $37^{\circ}45'00''$ East 61.14 feet; thence South $37^{\circ}20'06''$ East 174.81 feet to the point of beginning.

4. Parcel 3. The legal description of Parcel 3 set forth in Paragraph 1 of the Declaration is deleted in its entirety, and is replaced with the following new legal description (the changes made by this Amendment have been underlined):

PARCEL 3:

Beginning at a point on the West right-of-way line of 1300 East Street, said point of beginning being South $89^{\circ}52'20''$ West along the Section line 663.80 feet and South $15^{\circ}12'00''$ West 248.11 feet from the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South

15°12'00" West 14.87 feet to a 749.95 foot radius curve to the left; thence southerly 267.02 feet along the arc of said curve through a central angle of 20°24'00"; thence South 5°12'00" East 17.67 feet; thence South 68°00'00" West 210.11 feet; thence South 70°00'00" West 18.70 feet to the northeasterly right-of-way line of Union Park Avenue, being the northeasterly right-of-way line of U.D.O.T. Project No. 415-9 which is 65.00 feet perpendicularly distant northeasterly from the centerline of said project (known as "B" line); thence North 53°04'43" West 272.87 feet along said northeasterly right-of-way line; thence North 52°14'40" East 160.86 feet; thence North 01°47'58" East 69.71 feet; thence South 38°12'02" East 311.25 feet to an 79.60 foot radius curve to the right; thence easterly 20.96 feet along the arc of said curve through a central angle of 13°24'02" to a point of a compound curve to the right, the radius point of which is South 15°12'00" West 15.00 feet; thence southeasterly 13.92 feet along the arc of said curve through a central angle of 53°09'05" to the point of beginning.

5. Common Roadways Parcel 2. The legal description of Common Roadways Parcel 2 set forth in Paragraph 1 of the Declaration is deleted in its entirety, and is replaced with the following new legal description (the change made by this Amendment has been underlined):

COMMON ROADWAYS PARCEL 2:

Beginning at a point on the easterly right-of-way line of Union Park Avenue, said point being 1448.17 feet West and 200.78 feet South of the Southeast corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 53°04'43" West 50.04 feet along said right-of-way to a 132.39 foot radius curve, the radius point of which is North 56°19'58" West; thence northeasterly along the arc of said curve 15.59 feet through a central angle of 06°44'43"; thence North 26°55'19" East 21.20 feet to a 95.47 foot radius curve to the right, the radius point of which is South 63°04'41" East; thence northeasterly along the arc of said curve 61.44 feet through a central angle of 36°52'26" to a point on the West bank of Little Cottonwood Creek; thence along said bank South 18°36'00" East 5.28 feet, South 05°38'00" East 19.20 feet and South 22°22'00" East 21.79 feet to a 40.00 foot radius curve to the left, the radius point of which is South 41°13'36" East; thence along the arc of said curve 21.97 feet through a central angle of 31°28'27" to a 159.87 foot radius reverse curve, the radius point of which is North 72°42'03" West; thence along the arc of said curve 47.23

feet through a central angle of 16°55'41" to the point of beginning.

6. Amendment. Paragraph 20 of the Declaration is deleted in its entirety and is replaced with the following new Paragraph 20:

20. Amendment. Any provision contained in this Declaration may be amended by an instrument filed for record in the office of the Salt Lake County Recorder which is executed by the Owner of each portion of the Entire Tract; provided, however, that the following shall apply:

(a) Any amendment to this Declaration which changes the metes and bounds description of any of the Parcels, the Common Roadways or the Common Trash Facility, but which does not change the perimeter description of the Entire Tract, only needs to be executed by the Developer and the Owner(s) of the realty involved in the metes and bounds description change, and shall set forth a metes and bounds description of the affected Parcels, or the affected portions of the Common Roadways or the Common Trash Facility, as the case may be.

(b) Any amendment to this Declaration which defines as an additional Parcel, or an additional part of the Common Roadways or the Common Trash Facility, any part of the Entire Tract, only needs to be executed by the Developer and the Owner(s) of the realty, being so defined, and shall set forth a metes and bounds description of such additional Parcel, or such additional part of the Common Roadways or the Common Trash Facility, as the case may be.

(c) Any amendment to this Declaration which expands the Entire Tract to include any other real property (including, without limitation, all or part of the Expansion Area), only needs to be executed by the Developer and the Owner(s) of such other real property, and shall set forth a metes and bounds description of such other real property.

(d) Any amendment to this Declaration which changes the Parcel that is to be the Master Parcel only needs to be executed by the Developer and the Owner(s) of the Parcel that previously was the Master Parcel and the Parcel that is to become the Master Parcel, and shall set forth a metes and bounds description of both such Parcels.

The Developer shall give written notice to each Parcel Owner following any amendment made pursuant to Paragraphs 20 (a), (b), (c) or (d).

Notwithstanding the foregoing provisions of this Paragraph 20, no amendment to this Declaration shall affect the rights of any Mortgagee holding a Mortgage constituting a lien on the realty involved unless such Mortgagee consents to the same in writing. Unless under the foregoing provisions of this Paragraph 20 it is a necessary party to the amendment in question, no other party which has, acquires or comes to have an interest in any portion of the Entire Tract, nor any party which occupies or comes to occupy any portion of the Entire Tract, need execute an amendment to this Declaration in order to make such amendment in all respects effective, valid, binding and enforceable against all of the parties and interests described in Paragraph 18.

7. General Provisions. Except as set forth in this Amendment, the Declaration and each provision of the Declaration are ratified and affirmed in their entirety. This Amendment shall be governed by, and construed and interpreted in accordance with, the laws (excluding the choice of laws rules) of the State of Utah.

UNION PARK ASSOCIATES has executed this Amendment on the date set forth below, to be effective as of the date first set forth above.

UNION PARK ASSOCIATES

By Thomas M. Lloyd
Thomas M. Lloyd
General Partner

Date 5-23-91

The undersigned, appearing before the person taking this acknowledgment, acknowledges that he executed the foregoing document, that he signed such document on behalf of Union Park Associates (the "partnership") by proper authority and that he executed such document as the act of the partnership for the purposes stated in it, and affirms that he had the proper authority to execute such document.

Thomas M. Lloyd
THOMAS M. LLC

State of Utah)
County of Salt Lake) ss.

The foregoing instrument was acknowledged before me this 22nd day of May, 1991, by Thomas M. Lloyd, general partner of Union Park Associates.

(Seal)

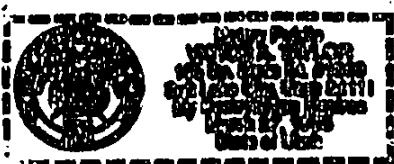
[Signature]
Notary Public

My Commission Expires:

3-27-93

Residing at:

Davis County, Utah



UNION PARK CENTER ASSOCIATES has executed this Amendment on the date set forth below, to be effective as of the date first set forth above.

UNION PARK CENTER ASSOCIATES

By Thomas M. Lloyd
Thomas M. Lloyd
General Partner

Date 5-23-91

The undersigned, appearing before the person taking this acknowledgment, acknowledges that he executed the foregoing document, that he signed such document on behalf of Union Park Center Associates (the "partnership") by proper authority and that he executed such document as the act of the partnership for the purposes stated in it, and affirms that he had the proper authority to execute such document.

Thomas M. Lloyd
THOMAS M. LLOYD

State of Utah)
County of Salt Lake) ss.

The foregoing instrument was acknowledged before me this 23rd day of May, 1991, by Thomas M. Lloyd, general partner of Union Park Center Associates.

(Seal)

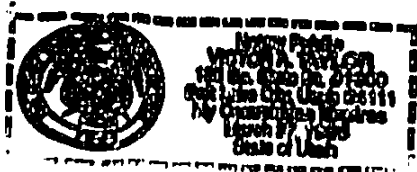
[Signature]
Notary Public

My Commission Expires:

3-27-93

Residing at:

[Signature]



THOMAS M. LLOYD has executed this Amendment on the date set forth below, to be effective as of the date first set forth above.

Thomas M. Lloyd
THOMAS M. LLOYD
Date 5-23-91

The undersigned, appearing before the person taking this acknowledgment, acknowledges that he executed the foregoing document for the purposes stated in it.

Thomas M. Lloyd
THOMAS M. LLOYD

State of Utah)
County of Salt Lake) ss.

The foregoing instrument was acknowledged before me this 22nd day of May, 1991, by Thomas M. Lloyd.

(Seal)

[Signature]
Notary Public

My Commission Expires:
3-27-93

Residing at:
Davis County, Utah

