

13314863
6/30/2020 3:21:00 PM \$40.00
Book - 10971 Pg - 2551-2558
RASHELLE HOBBS
Recorder, Salt Lake County, UT
MERIDIAN TITLE
BY: eCASH, DEPUTY - EF 8 P.

When Recorded Please Return to:

Anthem Center, LLC
126 Sego Lily Drive, Suite 275
Sandy, Utah 84070
Attn: Cory Gust

Affects Tax Parcel Nos.: **26251280050000**

SUPPLEMENT TO DECLARATION OF EASEMENTS AND CONDITIONS

THIS SUPPLEMENT TO DECLARATION OF EASEMENTS AND CONDITIONS (this "Supplement") is executed as of the 30 day of June, 2020, by ANTHEM CENTER, LLC, a Utah limited liability company ("Anthem").

RECITALS:

A. Anthem and WINCO FOODS, LLC, a Delaware limited liability company ("WinCo") entered into that certain Declaration of Easements and Conditions dated April 23, 2019 and recorded in the Salt Lake County Recorder's Office as Document 12973216 (as amended, restated, supplemented or otherwise modified from time to time, the "DEC"), which encumbers certain real property more particularly described on Exhibit "A" attached hereto and made a part hereof.

B. Pursuant to the DEC, Anthem and WinCo have established the rights to use the Center Signs (as defined in the DEC).

C. Pursuant to Section 3.2 of the DEC, Anthem has the right to use the remaining area on the Center Signs not designated for use by the owner of the WinCo Parcel (as defined in the DEC) and may separately designate the parties and/or Anthem Parcels (as defined in the DEC) entitled to use the remaining area on the Center Signs pursuant to a sign agreement which may be recorded as a supplement to the DEC against the Parcels subject to the Center Signs.

D. Anthem hereby desires to grant the right to the owner of the Anthem Parcel as described on Exhibit "B" attached hereto (the "Designated Parcel") to use a panel on a portion of the Center Signs in the areas shown on Exhibit "C" attached hereto and made a part hereof (the "Sign Location").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Incorporation; Defined Terms. The recitals set forth above are hereby incorporated into this Supplement by reference. Capitalized terms used but not otherwise defined herein shall have their meanings set forth in the DEC.

2. Designation. In accordance with the DEC, Anthem hereby grants to the owner of the Designated Parcel the right to install a sign panel on the Center Signs in the Sign Location. Such owner shall install and maintain such sign panel in accordance with the requirements of the DEC, and shall be responsible for such owner's share of the costs and expenses of operating, repairing, replacing and maintaining the Center Signs on which such owner's sign panel is located in accordance with the requirements of the DEC. The use of any such sign panel shall at all times comply with the requirements of the DEC.

3. Conflict. In the event of a conflict between this Supplement and the DEC, the DEC will control. This Supplement will not amend or modify the DEC, but shall supplement the DEC to the extent permitted by Section 3.2 of the DEC.

4. Counterparts. This Supplement may be executed in counterparts.

5. Applicable Law. This Supplement shall be construed, enforced and interpreted in accordance with the laws of the State of Utah, excluding any choice of law rules that would apply the law of another jurisdiction.


[Signatures commence on following page]

IN WITNESS WHEREOF, the Parties have executed this Supplement on the date first set forth above.

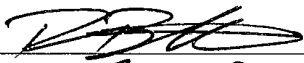
"ANTHEM"

ANTHEM CENTER, LLC,
a Utah limited liability company,
by its Managers

Arbor Commercial Real Estate L.L.C., a Utah limited liability company

By: 
Name: Cory Cox
Title: Member/Manager

Anthem Commercial, LLC, a Utah limited liability company

By: 
Name: Ryan Button
Title: Manager

STATE OF UTAH)
)ss.
County of Salt Lake)

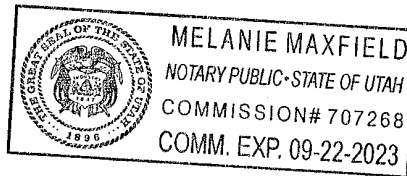
On this 24 day of June, 2020, before me, a Notary Public, personally appeared Cory Gust, known or proved to me to be a manager of Arbor Commercial Real Estate L.L.C., a Utah limited liability company, a manager of Anthem Center, LLC, a Utah limited liability company, the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public

Residing at



STATE OF UTAH)
)ss.
County of Salt Lake)

On this 24 day of June, 2020, before me, a Notary Public, personally appeared Ryan Button, known or proved to me to be a manager of Anthem Commercial, LLC, a Utah limited liability company, a manager of Anthem Center, LLC, a Utah limited liability company, the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public

Residing at

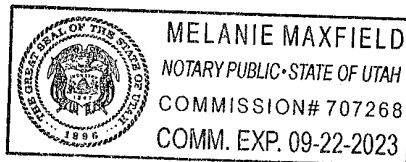


EXHIBIT A

Legal Description

Lots 301, 303, 304, 305, 306, 307, 309, and Parcel A Anthem Commercial 3rd Amended Subdivision, amending Lots 2 through 5 of Anthem Commercial Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder's Office.

401, 402, 403, 404, 405 Anthem Commercial 4th Amended Subdivision, amending Lots 302 and 308 of Anthem Commercial Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder's Office.

Tax Parcel ID Nos.: 26-25-128-002 through -003

26-25-178-004 through -006

26-25-202-001 through -002

26-25-252-002 through -003

26-25-128-005 through -006

26-25-202-003 through -005

EXHIBIT B

Legal Description of Designated Parcel

Lot 403 Anthem Commercial 4th Amended Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder's Office.

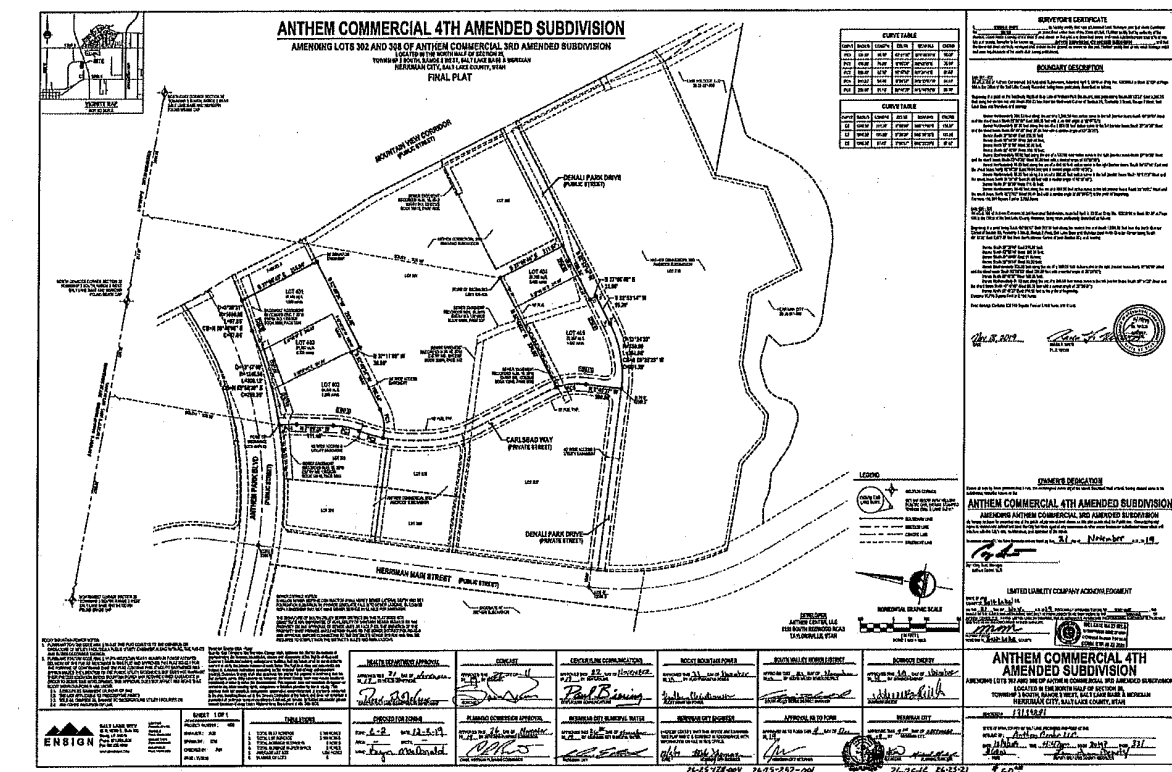
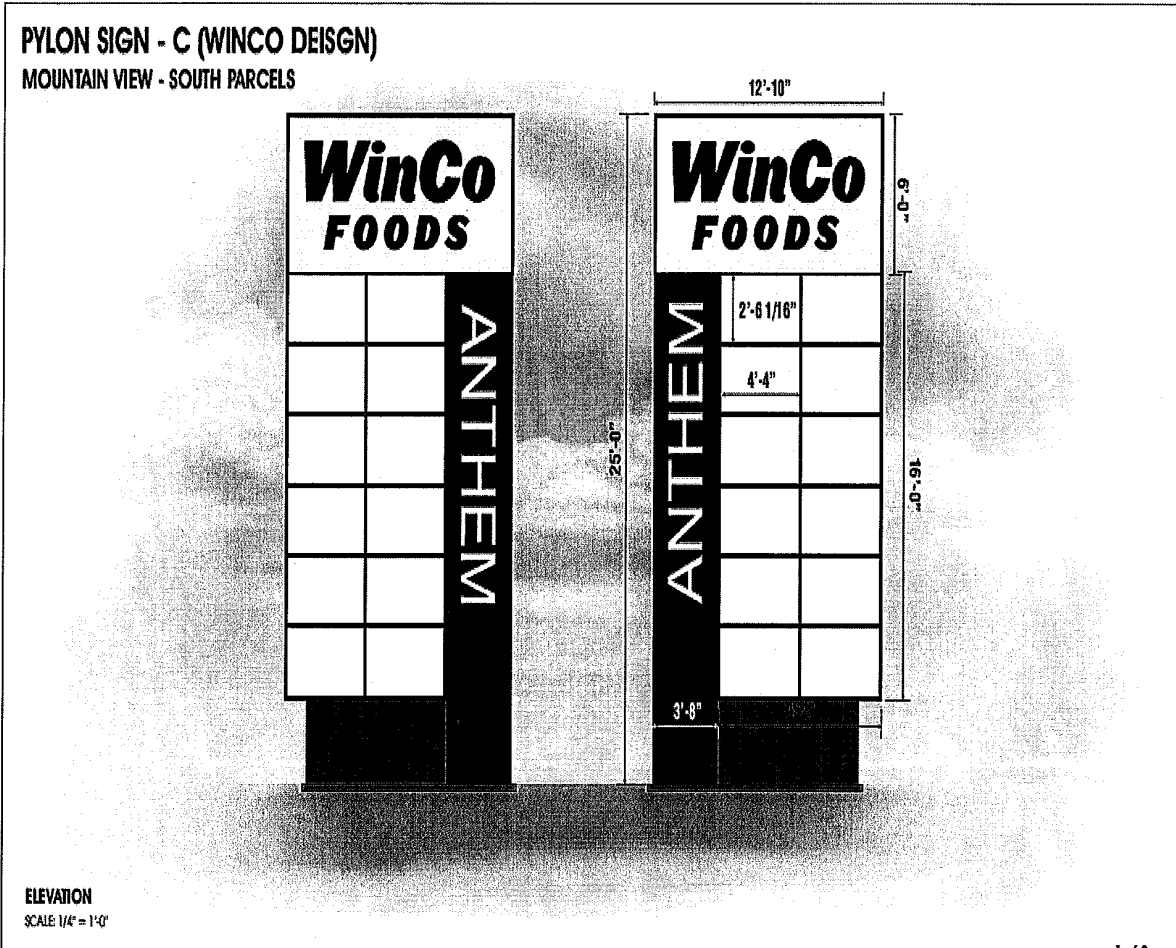


EXHIBIT C
Signage Location



1 of 2

Utah Contacts: 375.809.6301 • Nevada: 694.816 • Colorado: 800.824.7443 • Idaho: 801.299.969 • Wyoming 1-800-451-1111

ALLIED ELECTRIC SIGN & AWNING
SALT LAKE CITY: 1920 S. 900 W. (801) 972-3593 WWW.ALLIED-SIGN.COM

ORDERING STEPS <input type="checkbox"/> QUOTE <input type="checkbox"/> ESTIMATE <input type="checkbox"/> CONTRACT <input type="checkbox"/> ORDER	CLIENT: Anthem Development (Hestman) ADDRESS: Parkman, UT FILE NAME: Anthem Development (Hestman) - Winco Sign Concept - 11-10-18	SALES APPROVAL: Designer: Nix Sales: Montoya	CUSTOMER APPROVAL: NAME: [] DATE: [] INITIAL: [] LANDLORD APPROVAL: NAME: [] DATE: [] INITIAL: []
---	--	---	--

MANUFACTURING FACILITIES IN - HQ SALT LAKE CITY: 1920S 900 W SLC, UT • (801) 972-3593 HORTLEIGH VTAH: 2924 Remey Avenue Ogden, UT • (801) 466-1111 BTAH COUNTY: 1852 N Parkway Court, Springdale, UT • (435) 739-1111 LAS VEGAS: 697 Collection Way, Las Vegas, NV • (702) 739-1111

NWBOC

Anthem South - Sign Exhibit

