

**WHEN RECORDED, MAIL TO:**

IHC Health Services, Inc.  
36 South State Street, 23<sup>rd</sup> Floor  
Salt Lake City, Utah 84111  
Attn: Corporate Real Estate Director

Parcel Nos. 11-856-0001, 11-856-0002, 11-856-0003, 11-856-0004 and 11-856-0007

**FIRST AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS**

IHC HEALTH SERVICES, INC., a Utah nonprofit corporation (“Declarant”) makes this FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS (this “First Amendment”) on April 30, 2020.

**Background**

- A. Declarant is the fee simple owner of certain real property located in Layton, Davis County, Utah, as described in Exhibit A (the “Property”).
- B. Declarant executed that certain Declaration of Covenants, Conditions, Restrictions and Easements dated March 9, 2020, and that was recorded on March 10, 2020, as Entry No. 3232859, in Book 7466, at Pages 1048–1060 of the official records of the Davis County Recorder (the “Declaration”).
- C. Declarant now desires to amend the Declaration as provided for herein.
- D. Declarant is the sole Owner of the Property.

**Terms**

Declarant amends the Declaration as follows:

1. **Definitions.** Section 1 of the Declaration is amended to include the following additional definition:
  - (m) “Parcel A” means that certain real property described on Exhibit D on which Declarant will construct a detention pond that serves the Project. In no event will Parcel A be defined to be a “Parcel” as defined and used in the Declaration, or be subject to the terms and conditions of the Declaration other than for the sole purpose of maintenance of the Main Access Road as provided for in Section 4, which maintenance the owner of Parcel A will perform in conjunction with its conditional maintenance obligations under a separate Declaration of Drainage and Detention Easement related to certain drainage and detention improvements to be constructed in the Project.
2. **Maintenance of the Main Access Road.** Sections 4(d), 4(e)(ii), and 6(a) of the Declaration are amended to replace reference in these Sections to “Parcel 3 Owner” with “the owner of Parcel A”. For the avoidance of doubt, the express intent of this amendment is that the owner of Parcel A will

be responsible for maintaining the Main Access Road as provided for in Section 4 after Declarant no longer owns any Parcel.

3. Exhibits. The Declaration is amended to include Exhibit D attached to this First Amendment.
4. Miscellaneous. The recitals are incorporated into this First Amendment as though set forth in full herein. Capitalized terms not defined in this First Amendment have the meanings in the Declaration. To the extent the provisions of this First Amendment are inconsistent with the provisions of the Declaration, the provisions of this First Amendment will control and the Declaration is modified accordingly. Except as amended in this First Amendment, the terms and conditions of the Declaration remain the same and are in full force and effect. This First Amendment becomes effective upon recording in the office of the Davis County Recorder.

*[Signatures and Acknowledgments on Following Page]*

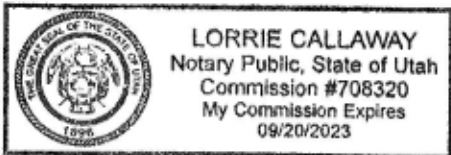
DATED to be effective as of the date first written above.

IHC HEALTH SERVICES, INC.,  
a Utah nonprofit corporation

By: *Clay Ashdown*  
Print Name: Clay L. Ashdown  
Title: Vice President

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE        )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of April, 2020, by Clay L. Ashdown, the Vice President of IHC HEALTH SERVICES, INC., a Utah nonprofit corporation.



*Lorrie Callaway*  
NOTARY SIGNATURE AND SEAL

**Exhibit A**

**Description of the Property**

Real property located in Davis County, Utah, more particularly described as follows:

Lots 1, 2, 3 and 4 of Layton Parkway North Subdivision.

Also described as follows:

A part of the Northeast Quarter of Section 29 and the Northwest Quarter of Section 28 Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, Layton City, Davis County, Utah:

Beginning at the Southeasterly Corner of the Dajany Property (Davis County Recorder's Office Entry #93497), said point being 738.05 feet North 0°04'16" East along the Section Line and 33.73 feet South 89°55'44" East from the East Quarter Corner of said Section 29; and running thence North 36°47'44" West 3.42 feet; thence North 42°29'59" West 540.21 feet to the Southerly Line of the Layton City Property; thence North 53°24'30" East 359.91 feet; thence North 00°04'16" East 64.34 feet; thence North 69°02'00" East 102.12 feet; thence North 31°48'10" East 94.96 feet; thence North 64°40'44" East 181.33 feet to the West property line of the Doyle Property (Davis County Parcel #11-061-0010); thence two (2) course along the West and South Boundary of said Doyle Property as follows: (1) South 00°04'16" West 8.24 feet; and (2) North 47°59'16" East 98.38 feet; thence North 63°00'00" East 151.33 feet to the South Line of said Doyle Property; thence two (2) courses along said South Boundary line as follows: (1) South 70°25'44" East 102.00 feet; and (2) North 48°29'16" East 17.15 feet to a point on non-tangent curve, said point being on the Westerly right of way line of the Union Pacific Railroad Property; of which the radius point lies South 43°20'19" West; thence Southeasterly along the arc of a 5,630.00 foot radius curve to the right a distance of 798.14 feet (Central Angle equals 08°07'21" and Long Chord bears South 42°36'00" East 797.47 feet) along said Westerly right of way line to the Northerly Line of Layton Parkway; thence South 66°09'10" West 304.17 feet along said Northerly Line; thence South 33°09'51" East 53.79 feet; thence Easterly along the arc of a 36.00 foot radius curve to the left a distance of 48.54 feet (Central Angle equals 77°15'11" and Long Chord bears South 71°47'27" East 44.95 feet) to said Northerly Line; thence South 65°56'29" West 127.10 feet along said Northerly line to a point on a non-tangent curve to the left, of which the radius point lies North 25°27'06" West; thence Northerly along the arc of a 38.30 foot radius curve to the left a distance of 61.13 feet (Central Angle equals 91°26'08" and Long Chord bears North 18°49'50" East 54.84 feet); thence South 56°50'09" West 561.02 feet to a point on a non-tangent curve of which the radius point lies North 05°02'19" East said point being on the Easterly right of way of 100 West Street; thence along said Easterly and Northerly right of way lines the following three (3) courses: (1) Northwesterly along the arc of a 25.00 foot radius curve to the right a distance of 22.02 feet (Central Angle equals 50°28'07" and Long Chord bears North 59°43'37" West 21.32 feet); (2) North 34°29'34" West 261.45 feet; and (3) South 48°54'49" West 195.66 feet to the POINT OF BEGINNING.

Contains 19.834 Acres, more or less

**Exhibit D**

**Description of Parcel A**

Real property located in Davis County, Utah, more particularly described as follows:

Lot A of Layton Parkway North Subdivision