

When Recorded Mail To:  
Hamilton Partners  
Attn: George Arnold  
222 South Main Street Suite 1760  
Salt Lake City, Utah 84101

13308163  
6/24/2020 3:31:00 PM \$40.00  
Book - 10967 Pg - 2448-2451  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
NELSON CHRISTENSEN  
BY: eCASH, DEPUTY - EF 4 P.

Tax Parcel Nos:  
14-24-402-001  
14-24-426-001  
14-24-426-002

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**FIRST AMENDMENT  
TO  
DECLARATION OF CROSS ACCESS AND  
UTILITIES EASEMENT AGREEMENT**

This FIRST AMENDMENT TO DECLARATION OF CROSS ACCESS AND UTILITIES EASEMENT AGREEMENT (the "**Amendment**") is executed this 24<sup>th</sup> day of June, 2020, by LAKE PARK PHASE I LLC, LAKE PARK PHASE II LLC and LAKE PARK PHASE III LLC (collectively, the "**Parties**").

RECITALS:

A. The Parties to this Amendment are the current owners of the real property (the "**Property**") listed on the attached Exhibit "A".

B. On December 4, 2018, the original Declaration of Cross Access and Utilities Easement Agreement (the "**Easement Agreement**") was executed by the owners of the Property at such time. Such Easement Agreement was recorded with the office of the Salt Lake County Recorder on December 4, 2018 as Entry No. 12897259 in Book 10735 at Page 7580.

C. The Easement Agreement provided that it could be subsequently terminated by future owners of the Property by written and recorded notice of such termination.

D. As current owners of the Property, the undersigned seek to amend the Easement Agreement to delete the ability to terminate the same and to make the Easement Agreement permanent.

NOW, THEREFORE, for good and valuable consideration, the parties hereto agree as follows:

1. Section 5 of the Easement Agreement is hereby deleted and replaced with the following:

**"5. Perpetual Easement.** The easements granted herein are intended to be permanent and perpetual and shall run with the land and be binding upon all future owners and other interest holders of the Property."


2. All other provisions of the Easement Agreement are ratified and continue to be in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Amendment the day, month and year set forth above.

**LAKE PARK PHASE I LLC**, a Delaware limited liability company

By: BRHP OZ JV I LLC, a Delaware limited liability company, its Sole Member

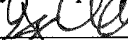
By: HP LAKE PARK I LLC, a Utah limited liability company, its Managing Member

By:   
Name: George Arnold  
Title: Managing Member

**LAKE PARK PHASE II LLC**, a Delaware limited liability company

By: BRHP OZ JV I LLC, a Delaware limited liability company, its Sole Member

By: HP LAKE PARK I LLC, a Utah limited liability company, its Managing Member

By:   
Name: George Arnold  
Title: Managing Member

**LAKE PARK PHASE III LLC**, a Delaware limited liability company

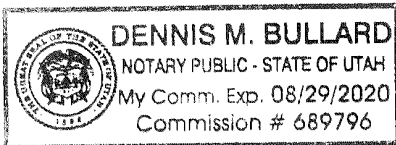
By: BRHP OZ JV I LLC, a Delaware limited liability company, its Sole Member

By: HP LAKE PARK I LLC, a Utah limited liability company, its Managing Member

By:   
Name: George Arnold  
Title: Managing Member

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

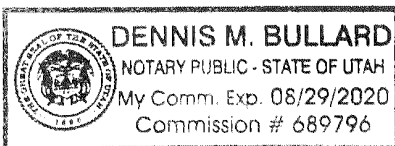
On this 24<sup>th</sup> day of June, 2020, personally appeared before me George Arnold, whose identity is personally known to me and who by me duly sworn/affirmed, did say that he is a Managing Member of HP Lake Park I LLC, a Utah limited liability company, which is the Managing Member of BRHP OZ JV I LLC, a Delaware limited liability company, which is the Sole Member of Lake Park Phase I LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said company.



Dennis M. Bullard  
Notary Public

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

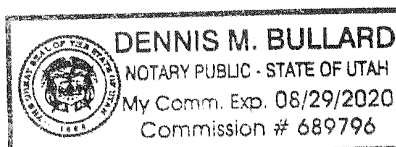
On this 24<sup>th</sup> day of June, 2020, personally appeared before me George Arnold, whose identity is personally known to me and who by me duly sworn/affirmed, did say that he is a Managing Member of HP Lake Park I LLC, a Utah limited liability company, which is the Managing Member of BRHP OZ JV I LLC, a Delaware limited liability company, which is the Sole Member of Lake Park Phase II LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said company.



Dennis M. Bullard  
Notary Public

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

On this 24<sup>th</sup> day of June, 2020, personally appeared before me George Arnold, whose identity is personally known to me and who by me duly sworn/affirmed, did say that he is a Managing Member of HP Lake Park I LLC, a Utah limited liability company, which is the Managing Member of BRHP OZ JV I LLC, a Delaware limited liability company, which is the Sole Member of Lake Park Phase III LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said company.



Dennis M. Bullard  
Notary Public

EXHIBIT "A"

**Lot 1** of Lake Park Commerce Center, according to the plat recorded December 3, 2018, as Entry No. 12896346 in the Official Records of the County Recorder of Salt Lake County, Utah.

APN: 14-24-402-001

**Lot 2** of Lake Park Commerce Center, according to the plat recorded December 3, 2018, as Entry No. 12896346 in the Official Records of the County Recorder of Salt Lake County, Utah.

APN: 14-24-426-001

**Lot 3** of Lake Park Commerce Center, according to the plat recorded December 3, 2018, as Entry No. 12896346 in the Official Records of the County Recorder of Salt Lake County, Utah.

APN: 14-24-426-002