

E 2206426 B 4128 P 2384-2388
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
9/29/2006 3:28:00 PM
FEE \$24.00 Pgs: 5
DEP eCASH REC'D FOR TITLE WEST TITLE CO - SLC

EXHIBIT D
to
Declaration of Easements and Restrictions

THIS DOCUMENT
WAS PREPARED
BY AND AFTER
RECORDING
RETURN TO:

Holrob Syracuse
6230 Ravin Dr.
Knoxville, TN 37919

Above space for recorder's use

TAX ID# 12-643-0003

SUPPLEMENT TO DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS
AND RESTRICTIONS

THIS SUPPLEMENT TO DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS (this "Supplement") dated this 29 day of September
2006 is executed by the undersigned pursuant to the terms of the Declaration of Easements
Covenants, Conditions and Restrictions identified herein.

WITNESSETH:

WHEREAS, Holrob Syracuse, LLC, a Utah limited liability company executed that
certain Declaration of Easements, Covenants, Conditions and Restrictions ("Declaration") dated
June 7, 2006, and recorded June 15, 2006, as Document No. 2181002
affecting that certain real property located in the City of Syracuse, County of Davis, State of
Utah, and legally described on Schedule A attached hereto; and

WHEREAS, the Declaration provides that any entity acquiring a Parcel or a portion of a
Parcel must execute this Supplement to acknowledge that such acquiring entity has, by virtue of
such acquisition, become an "Owner" under the Declaration as to such Parcel or applicable
portion thereof; and

WHEREAS, the undersigned has acquired the real property (the "Acquired Land")
described in Schedule B attached hereto;

NOW, THEREFORE, pursuant to and in compliance with the terms of the Declaration,
the undersigned hereby acknowledges and agrees that: (a) it is an Owner under the terms of the
Declaration; (b) the Acquired Land shall be the undersigned's "Parcel" for purposes of the
Declaration; (c) the undersigned and the Acquired Land are subject to and bound by the terms of
the Declaration and shall fully comply with the terms of the Declaration; and (d) it will be
responsible from the date of this Supplement for the obligations of the Owner of the Acquired
Land as set forth in the Declaration.

June 7, 2006
Holrob Syracuse, UT Declaration

Tax ID: 12-643-0003, 0001, 0002, 0004, 0005, 0006, 0007
12-606-0003

TWABTEB

Pursuant to Article 10.9 of the Declaration, the undersigned hereby states that notices and other communications issued under the Declaration to the undersigned should be sent as follows (telephone and fax numbers are shown for informational purposes and do not amend the manner in which Notice shall be given):

Entity Name: _____

Entity Address: _____

Attn/Contact Person:

Telephone No.

Fax No.

with a copy to: _____

Attn/Contact Person:

Telephone No.

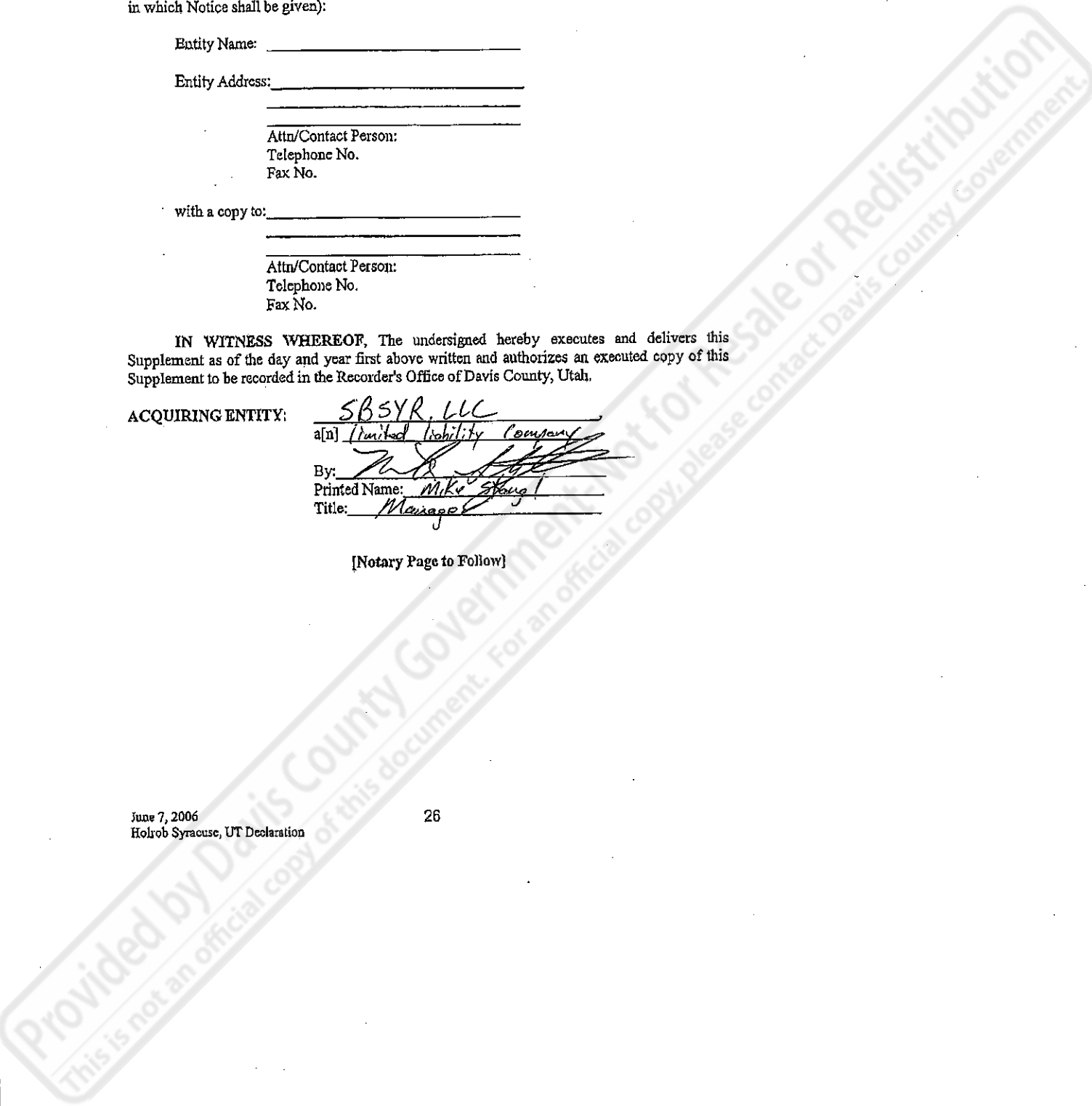
Fax No.

IN WITNESS WHEREOF, The undersigned hereby executes and delivers this Supplement as of the day and year first above written and authorizes an executed copy of this Supplement to be recorded in the Recorder's Office of Davis County, Utah.

ACQUIRING ENTITY:

SBSYR, LLC
a[n] limited liability company
By: [Signature]
Printed Name: Mike Stangl
Title: Manager

[Notary Page to Follow]



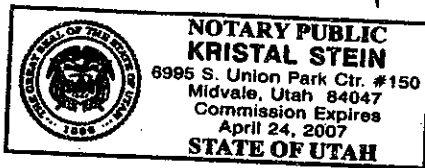
BK 4128 PG 2386

STATE OF Utah)
COUNTY OR Salt Lake) ss:

I, Kristal Stein, a Notary Public in and for said County, in the State aforesaid,
DO HEREBY CERTIFY that Mike Starni, a Manager
of SPV, LLC, aka Utah Limited Liability Co. personally
known to me to be the same person whose name is subscribed to the foregoing instrument,
appeared before me this day in person and acknowledged that he/she signed, sealed and
delivered said instrument, on behalf of said _____ as his/her free and voluntary
act, and as the free and voluntary act of said _____, for the uses and purposes
therein set forth.

Given under my hand and seal this 29 day of September 2006

Kristal Stein
Notary Public



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BK 4128 PG 2387

Schedule A

Legal Description of Tracts Subject to Declaration

ALL LOTS 1, 2, 3, 4, 5, 6 AND 7 OF THE SYRACUSE RETAIL SUBDIVISION, AS SHOWN ON A PLAT RECORDED IN BOOK 3845, PAGE 1435 OF OFFICIAL DAVIS COUNTY RECORDS,

17-600-0001, 0002, 0003, 0004, 0005, 0006 & 0007

AND

LOT 3 OF THE SYRACUSE WAL-MART SUBDIVISION, A SUBDIVISION OF DAVIS COUNTY RECORDS.

WALMART 17-606-0003

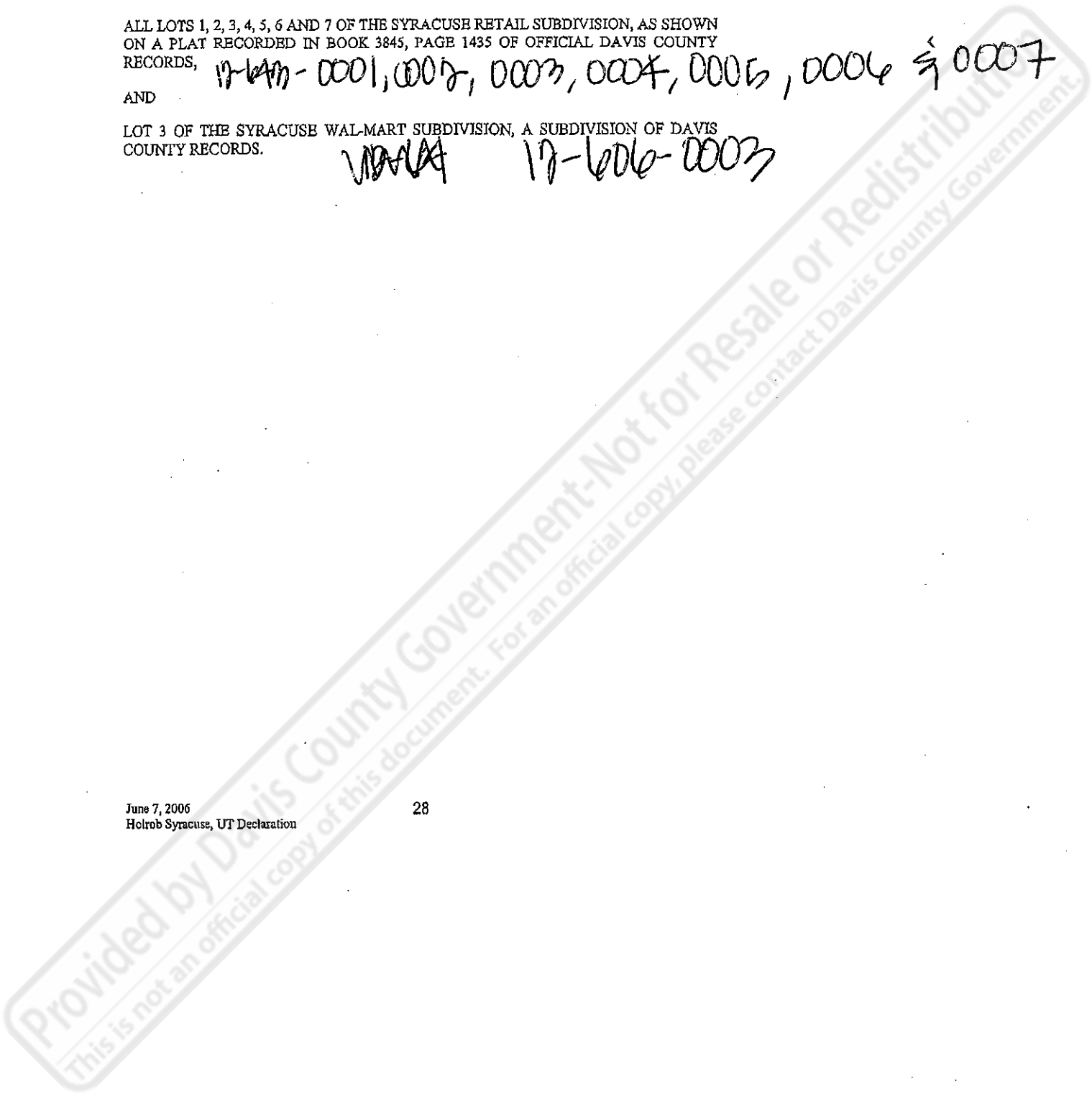


EXHIBIT "B"

Acquired Land

Parcel 1:

Lot 3, of SYRACUSE RETAIL SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Davis County Recorder.

Parcel 2:

Rights of way and easements for ingress and egress as created by that Easement with Covenants and Restrictions Affecting Land ("ECR"), recorded August 9, 2005 as Entry No. 2095439 in Book 3845 at Page 1435.

Less and excepting therefrom any and all mineral rights as reserved in the Special Warranty Deed dated August 8, 2005, and recorded August 9, 2005, as Entry No. 2095436, in Book 3845, at page 1426, of Official Records.

The following is shown for information purposes only: Tax ID No. 12-643-0003

