

WHEN RECORDED RETURN TO:
Kay M. Voorhees
Price Development Company
35 Century Park-Way
Salt Lake City, Utah 84115

1650
4650835
18 JULY 88 11:30 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SECURITY TITLE
REC BY: JANET WONG , DEPUTY

4650835

FIRST AMENDMENT TO
DEVELOPMENT AGREEMENT

This First Amendment to Development Agreement (the "Amendment") is entered into this 7th day of June, 1988, by and between Price Development Company, a Utah corporation ("Price"); Albertson's, Inc., a Delaware corporation ("Albertson's"); and Shopko Stores, Inc. d/b/a Uvalko/Shopko Stores, Inc. a Minnesota corporation ("Shopko").

RECITALS

A. On the 14th day of May, 1987, Price and Albertson's entered into that certain Development Agreement, a copy of which was recorded May 15, 1987, in the Salt Lake County Recorder's office, State of Utah, as Instrument No. 4458301, Book 5918, Page 2955 (the "Development Agreement").

B. Shopko subsequently acquired a portion of the property owned by Price and by so doing became a successor to Price under the Development Agreement with regard to such portion.

C. The parties now desire to amend the Development Agreement in certain particulars including modifying the boundaries of Parcels 1, 1A, 2 and 3 shown on the site plan attached to the Development Agreement as Exhibit "A".

D. In order to accomplish the above, the parties have entered into this Amendment.

AGREEMENTS

1. The site plan attached hereto as Exhibit "A" and incorporated herein by this reference is hereby substituted for the site plan attached to the Development Agreement as Exhibit "A".

2. The legal descriptions for Parcels 1, 1A, 2 and 3 attached hereto as Schedule I and incorporated herein by this reference are hereby substituted for the legal descriptions for Parcels 1, 1A, 2 and 3 attached to the Development Agreement as a part of Schedule I.

3. The table set forth in Article 10 (Payment of Costs) Section 10.1 representing the proportionate share of the Owner of each Parcel in Phase I for the Phase I Site Work is hereby amended to read as follows:

	<u>Maximum Building Area (Excluding Expansion Area)</u>	<u>Percent</u>
Parcel 1	11,824	15.33
Parcel 1A	4,200	5.45
Parcel 2	41,407	53.71
Parcel 3	<u>19,665</u>	<u>25.51</u>
TOTAL	77,096	100.00

4. The second to the last paragraph of Section 10.1 appearing at the bottom of page 11 of the Development Agreement is hereby amended to read as follows:

In the event the initial construction of all buildings in Shops "F-1", "F-2" or Pad "D" exceeds 15,665, 9,877 or 4,200 square feet, respectively, of total ground floor area (including Expansion Area), the above figures and percentages shall be recalculated based upon any increase in the total ground floor area of Shops "F-1", "F-2" or Pad "D" from 15,665, 9,877 or 4,200 square feet, respectively.

SECURITY TITLE CO.
VJS# 252827

BOOK 6047 PAGE 2305

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 7th day of June, 1988, personally appeared before me Thomas A. Salden known to me to be the Senior Vice President of Albertson's, Inc., a Delaware Corporation, the Corporation that executed the foregoing instrument, and known to me to be the person who executed the within instrument on behalf of said Corporation.

Standa Tschirg
NOTARY PUBLIC

Residing at Meridian, Idaho

My Commission Expires:

5/1/94

STATE OF WISCONSIN)
) ss.
COUNTY OF BROWN)

On this 3rd day of May, 1988, personally appeared before me Henry Shopko known to me to be the Vice President of Shopko Stores, Inc. d/b/a Uvalko Shopko Stores, Inc., a Minnesota Corporation, the Corporation that executed the foregoing instrument, and known to me to be the person who executed the within instrument on behalf of said Corporation.

Joyce L. Running
NOTARY PUBLIC

Residing at Green Bay

My Commission Expires:

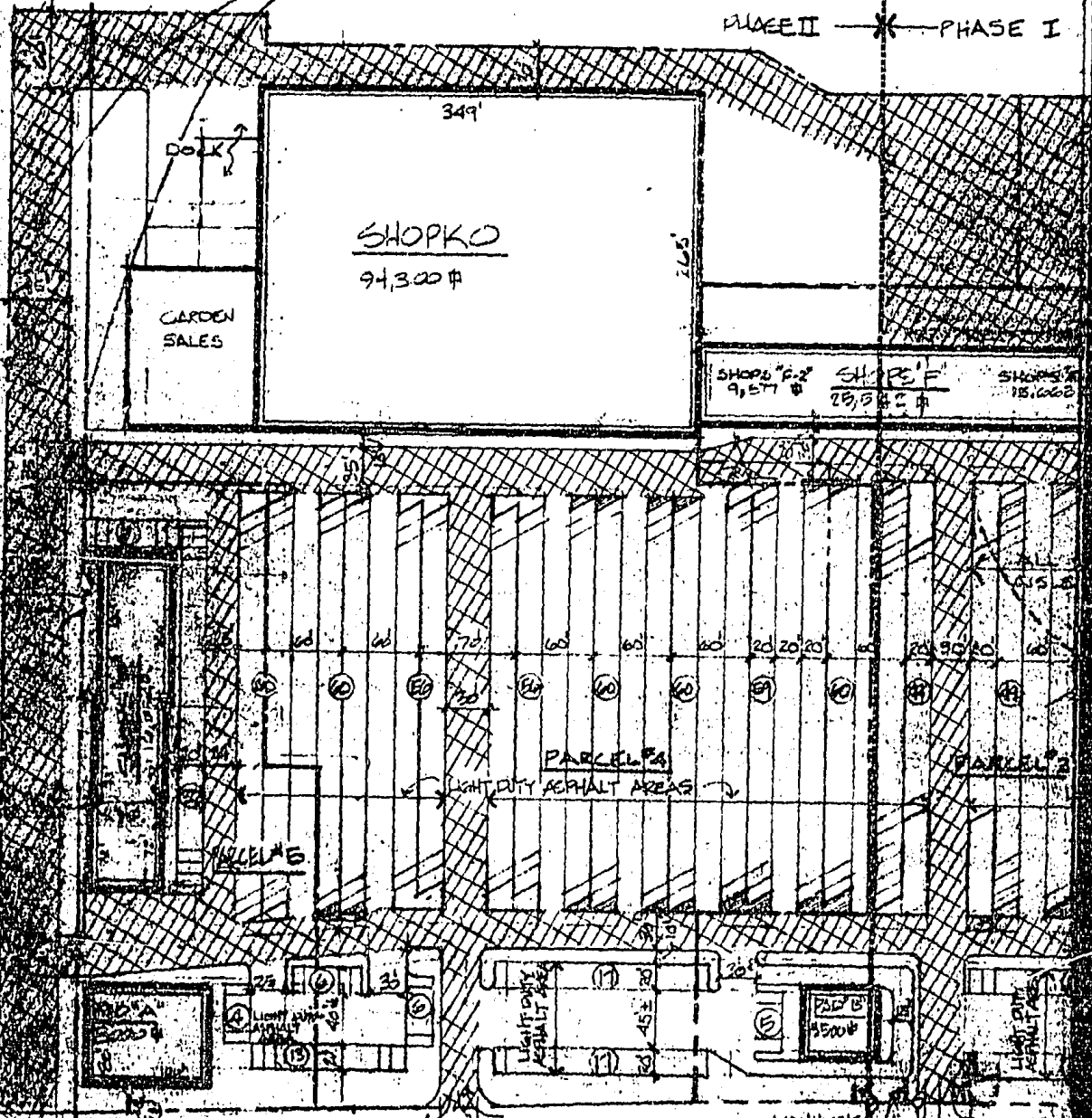
12-23-90

8008 6047 REC 2308

-POOR COPY -
CO. RECORDED

NOT A PART OF SITE WORK

PHASE II ← PHASE I



GENERAL NOTES

- Drawn West Benefit of Survey
- No Treekills, Natural Deck Only
- Parking Requirements
- Building setbacks
- Landscaping Requirements
- 10% OF OPEN SPACE
- Signage Requirements

90TH SOUTH

BOOK 6047 PAGE 2309

LEGEND

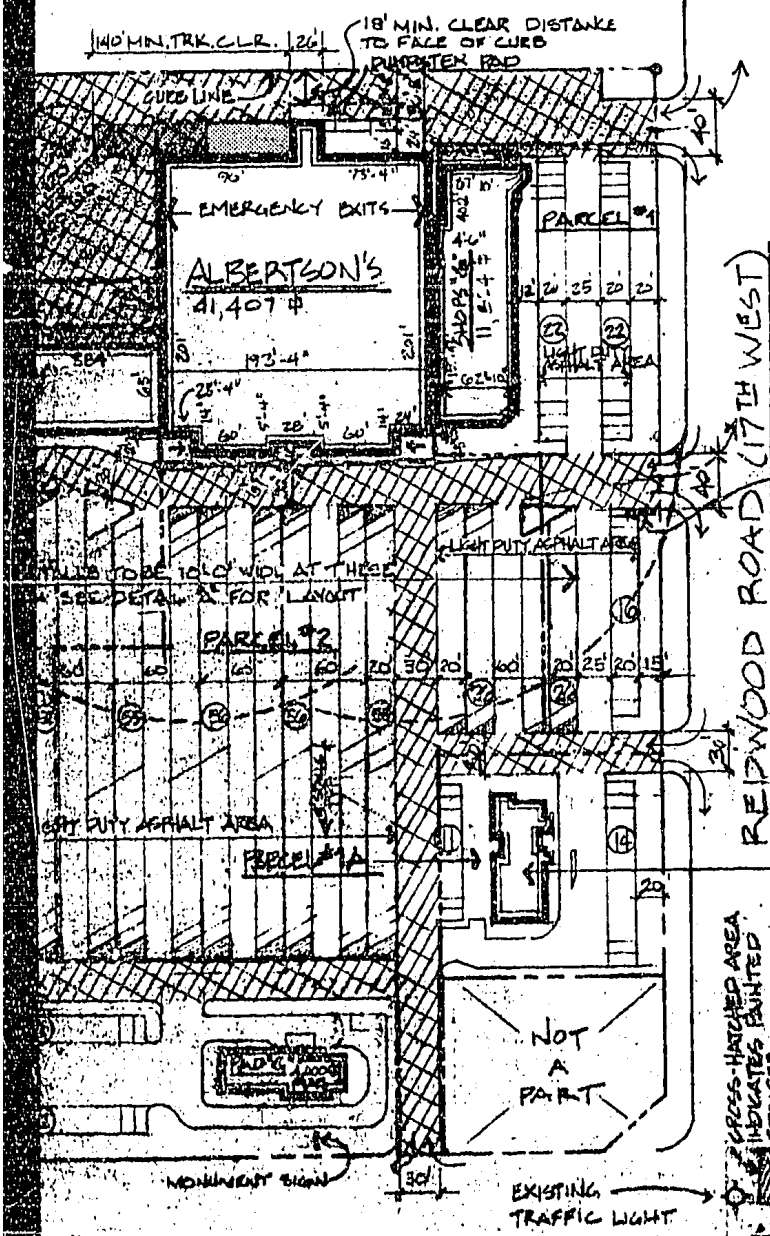
- Property Line
- Parcel Line
- Expansion Limit Line
- Building Area
- LIGHT DUTY ASPHALT
- MEDIUM DUTY ASPHALT AREA



-POOR COPY-
CO. RECORDED

REVISIONS
1. 11-88 REV. PARCEL AREAS
2. 2-89 REV. REV. OF SHOPS E.T., P. 2, C1, 7 E, PER. AND BILT INFO.

REVISIONS
7-25-88 PMS
REVISION PLAN
7-28-88 REV. CHANGING BOTTOM 11' 2"
11-21-88 REV. REV. PARKING SHOPS A.I.P. PAID SHOPS AND PAIR LINES AND PHASE LINES
1-28-89 REV. CURB CUT WIDTHS AND PHASE LINES
1-13-87 REV. REVISED PAD C-1 ADDED DRIVE TURN, CHANGED LOCATION CENTER Pylon SIGN, ADDED TURNING ARROWS, REV. INTERIOR PLANTERS
5-11-87 P.C. REV. REV. PARCELS, PAID, SHIP, CTR. PAID, P.P. 1 SHOPS, CHANGING SIGN, PAID AND SHIP AREA



SITE PLAN



PROJECT
SEC 90TH &
REIPWOOD

BOOK 6047 PAGE 2310

WEST
JULIAN
UT.
STORE NO.
#3002

EXHIBIT #1 SITE PLAN

TOTAL GROSS BUILDING AREA	205,827 SQ. FT. PER
TOTAL CARPARKS REQUIRED	1100
TOTAL CARPARKS PROVIDED	1124 (400)
TOTAL CARPARKS WITH 200' RAD.	109
TOTAL SITE AREA	403,571 SQ. FT.

Parking Detail
11' x 22' (TYPICAL)

APPROVED

DESIGNER	W. J. MULLA
FOR OWNER	W. J. MULLA
DATE	7-25-88
BY ENGINEER	W. J. MULLA
DATE	7-25-88
BY CITY	W. J. MULLA
DATE	7-25-88

Drawn By: W. J. MULLA
Checked By: W. J. MULLA
Date: 7-25-88
Scale: 1/4" = 1'-0"

LIGHT DUTY ASPHALT AREA @ INTERIOR OF PARCELS

LARSEN & MALMQUIST, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA
REVISED PARCEL 1

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South 00°03'25" East 370.48 feet along the Quarter Section line and North 89°53'45" East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°53'45" East 84.61 feet; thence South 00°06'15" East 199.34 feet; thence North 89°53'45" East 75.00 feet; thence South 00°06'15" East 169.00 feet; thence South 89°53'45" West 4.50 feet; thence South 00°06'15" East 52.33 feet; thence South 89°53'45" West 155.46 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 420.67 feet to the POINT OF BEGINNING. Contains 1.1945 acres.

PREPARED FOR: Price Development Co.
35 Century Parkway
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.
L & M No. 01435-86E/S
Nov. 18, 1987

BOOK 6047 PAGE 2311

LARSEN & MALMQUIST, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA
PARCEL 1A
(HARDEE'S PARCEL)

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South $00^{\circ}03'25''$ East 173.01 feet along the Quarter Section line and North $89^{\circ}53'45''$ East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North $89^{\circ}53'45''$ East 160.00 feet; thence South $00^{\circ}03'25''$ East 162.47 feet; thence South $89^{\circ}53'45''$ West 160.00 feet to the East line of Redwood Road; thence North $00^{\circ}03'25''$ West along said East line 162.47 feet to the POINT OF BEGINNING. Contains 0.5968 acres.

PREPARED FOR: Price Development Co.
35 Century Parkway
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.
L & M No. 01435-B6E/S
September 10, 1987

BOOK 6047 PAGE 2312

LARSEN & MALMQUIST, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA
REVISED PARCEL 2

BEGINNING at a point on the South line of 9000 South Street, said point being North 89°53'45" East 213.00 feet along the Quarter Section line and South 00°03'25" East 73.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Case and Meridian, and running thence North 89°53'45" East along said line 35.20 feet; thence South 00°06'15" East 158.82 feet; thence North 89°53'45" East 239.50 feet; thence South 00°06'15" East 207.14 feet; thence South 89°53'45" West 82.00 feet; thence South 00°06'15" East 259.86 feet; thence North 89°53'45" East 150.00 feet; thence South 00°06'15" East 144.66 feet; thence South 89°53'45" West 507.33 feet to East line of Redwood Road (1700 West Street); thence North 00°03'25" West along said East line 52.33 feet; thence North 89°53'45" East 155.46 feet; thence North 00°06'15" West 52.33 feet; thence North 89°53'45" East 4.50 feet; thence North 00°06'15" West 169.00 feet; thence South 89°53'45" West 75.00 feet; thence North 00°06'15" West 199.34 feet; thence South 89°53'45" West 84.61 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 15.00 feet; thence North 89°53'45" East 160.00 feet; thence North 00°03'25" West 282.47 feet to the POINT OF BEGINNING. Contains 4.3258 acres.

PREPARED FOR: Price Development Co.
35 Century Parkway
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.
L & M No. 01435-B6E/S
Nov. 18, 1987

BOOK 6047 PAGE 2313

LARSEN & MALMQUIST, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA
REVISED PARCEL 3

BEGINNING at a point on the South line of 9000 South Street, said point being North $89^{\circ}53'45''$ East 248.14 feet along the Quarter Section line and South $00^{\circ}06'15''$ East 73.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North $89^{\circ}53'45''$ East 329.32 feet along said South line to a point of an 11,512.20 foot radius curve to the left (center bears North $00^{\circ}06'15''$ West 11,512.20 feet of which the central angle is $01^{\circ}03'22''$); thence Northeasterly along the arc of said curve and said South line 212.19 feet; thence South $00^{\circ}06'15''$ East 141.77 feet; thence South $89^{\circ}53'45''$ West 136.00 feet; thence South $00^{\circ}06'15''$ East 331.00 feet; thence North $89^{\circ}53'45''$ East 136.00 feet; thence South $00^{\circ}06'15''$ East 155.00 feet; thence South $89^{\circ}53'45''$ West 384.00 feet; thence North $00^{\circ}06'15''$ West 259.86 feet; thence North $89^{\circ}53'45''$ East 82.00 feet; thence North $00^{\circ}06'15''$ West 207.14 feet; thence South $89^{\circ}53'45''$ West 239.50 feet; thence North $00^{\circ}06'15''$ West 158.82 feet to the POINT OF BEGINNING. Contains 4.6708 acres.

PREPARED FOR: Price Development Co.
35 Century Parkway
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.
L & M No. 01435-86E/S
November 19, 1987

BOOK 6047 PAGE 2314