

10864245  
12/22/2009 11:06:00 AM \$24.00  
Book - 9790 Pg - 7009-7014  
Gary W. Ott  
Recorder, Salt Lake County, UT  
TITLE WEST  
BY: eCASH, DEPUTY - EF 6 P.

When recorded, return to:

Alma Y. Erekson  
12451 Tithing Ridge Dr.  
Riverton, UT 84065

For Information Only: Tax Parcel Nos. 15-19-476-001, 15-30-126-013, 15-30-226-003, 15-30-101-013

**DECLARATION OF USE RESTRICTIONS**

2/19 THIS DECLARATION OF USE RESTRICTIONS ("Declaration") is made as of the day of December, 2009, by ZIONS SECURITIES CORPORATION, a Utah corporation ("Declarant"), in contemplation of the following facts and circumstances:

A. Declarant is the fee simple owner of certain real property, known as Lots 102-D, 104-C, 103-B, 107-B, and 107-C (the "Seller's Property") which are located in Salt Lake County, State of Utah, and specifically described on Exhibit "A" attached hereto and incorporated herein by this reference.

B. The Seller's Property is located within and are part of Lake Park Corporate Centre (the "Project") which has been developed by Declarant as a commercial office park and related uses.

C. The Project, including the Seller's Property, is subject to the terms and conditions of that certain Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre dated February 1, 1996 and recorded with the Salt Lake County Recorder, State of Utah, on February 6, 1996, as Entry No. 6274549 in Book 7325 beginning at Page 0615, as same may be amended from time to time in accordance with the provisions thereof (the "Master Declaration").

D. Declarant desires to impose certain additional use restrictions on Lots 104-C, 103-B, 107-B, and 107-C (the "Restricted Lots") as set forth herein, which Restricted Lots are more particularly described as set forth on Exhibit "A".

NOW, THEREFORE, Declarant does hereby declare as follows:

1. Use Restrictions. No portion of the Restricted Lots shall be occupied or used, directly or indirectly, for a hotel, motel, bed and breakfast or other similar uses.

2. Master Declaration. The use restrictions set forth in this Declaration shall be in addition to any restrictions set forth in the Master Declaration. The Restricted Lots shall remain subject to all terms and conditions in the Master Declaration.

3. Covenants to Run With Land. This Declaration is intended to and shall run with the land, which is included within the Restricted Lots, for the benefit of current and future owners of all or any portion of Lot 102-D and the provisions hereof shall be binding upon all parties having or acquiring the right, title or interest in and to all or any portion of the Restricted Lots and the respective heirs, successors and assigns of such parties.

4. Compliance. Each element of any portion of the Restricted Lots shall comply strictly with the provisions of this Declaration. Failure to comply with any of the same shall be grounds for enforcement as provided in this Declaration. The enumeration of remedies in this Declaration shall neither waive nor limit for any person or entity mentioned herein the remedies available to such person or entity. The rights and remedies set forth in this Declaration are cumulative and are in addition to and not in lieu of any other right or remedy which any party may have under any other instrument or agreement or at law or in equity.

5. Enforcement. The obligations, provisions, covenants, restrictions and conditions contained in this Declaration shall be enforceable by each party which is an "Owner" of a portion of the Restricted Lots or any portion of Lot 102-D. The term "Owner" as used herein, shall have the meaning set forth in the Master Declaration. Such enforcement may be undertaken in any manner permitted by law including, without limitation, a proceeding for a prohibitive or mandatory injunction or by a suit or action to recover damages incurred. In the event any action, with or without suit, is undertaken by a party to enforce any provision hereof, the prevailing party shall be entitled to its reasonable attorney fees incurred in such action.

6. No Third Party Beneficiary. This Declaration has been executed and recorded for the benefit of the then current Owner(s) of any portion of Lot 102-D. No other party besides the Owner of any portion of Lot 102-D shall be construed to be an intended third party beneficiary of any of the restrictions set forth herein.

7. Duration of Restrictions. The restrictions herein set forth shall survive so long as the Master Declaration shall remain in effect on the Restricted Lots in accordance with the terms and conditions set forth in the Master Declaration.

8. Liberal Interpretation. The provisions of this Declaration shall be liberally construed as a whole to effectuate the purpose of this Declaration.

9. Captions Titles. All captions, titles or headings of the paragraphs in this Declaration are for the purpose of reference and convenience only and are not to be deemed to limit, modify or otherwise affect any of the provisions hereof or to be used in determining the intent or context thereof.

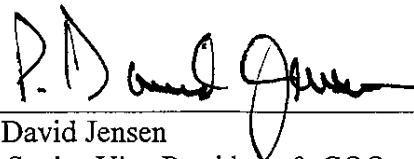
10. Invalidity of Provision. If any provision of this Declaration as applied to any circumstance shall be adjudged by a court of competent jurisdiction to be void or unenforceable for any reason, the same shall in no way affect (to the maximum extent permissible by law) any other provision of this Declaration, the application of any such provision under circumstances different from those adjudicated by the court, or the validity or enforceability of the Declaration as a whole.

11. Exhibits. All exhibits to this Declaration are incorporated herein by this reference.

12. Governing Law. This Declaration and the exhibits attached hereto shall be governed by and construed in accordance with the laws of the State of Utah.

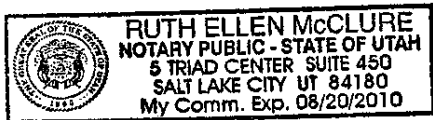
IN WITNESS WHEREOF, the parties hereto have executed this Declaration as of the day and year first written above.

ZIONS SECURITIES CORPORATION,  
a Utah corporation

By:   
P. David Jensen  
Its Senior Vice President & COO

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )

On this 21 day of December, 2009, personally appeared before me P. DAVID JENSEN, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he is the Senior Vice President and COO of ZIONS SECURITIES CORPORATION, a Utah corporation, and that he signed the foregoing instrument on behalf of said corporation, and that said corporation executed the same.



  
Notary Public

EXHIBIT A

Legal Description

Proposed Lot 102D, Lake Park Corporate Centre, being real property located in Salt Lake County, State of Utah, and specifically described as follows:

Beginning at a point North 89°50'50" West 223.026 feet along the quarter section line and South 1569.117 feet from the East Quarter corner of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian; and running thence South 21°38'39" East 631.929 feet; thence North 67°58'02" East 36.122 feet; thence South 21°52'23" East 32.246 feet; thence North 68°21'21" East 119.750 feet; thence South 21°38'39" East 103.066 feet; South 07°01'36" West 60.461 feet to the Northerly right-of-way line of PARKWAY BOULEVARD, a 106 foot wide right-of-way; thence North 82°58'24" West 246.284 feet along said Northerly line; thence Northwesterly 378.894 feet along said Northerly line (a 1277.000 foot radius curve to the right, delta = 17°00'00" and long chord bears North 74°28'24" West 377.505 feet); thence North 65°58'24" West 83.637 feet to the Easterly right-of-way line of LAKE PARK BOULEVARD, a 106 foot wide right-of-way; thence Northeasterly 478.426 feet along said Easterly line (an 833.000 foot radius curve to the left, delta = 32°54'26" and chord bears North 03°29'41" East 471.877 feet); thence North 71°24'25" East 248.241 feet to the point of beginning.

Proposed Lot 104-C, Lake Park Corporate Centre, being real property located in Salt Lake County, State of Utah, and specifically described as follows:

A parcel of land located in the North Half of Section 30 and the Southwest Quarter of Section 19, all of Township 1 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, described as follows:

BEGINNING at a point on the southerly right-of-way line of Lake Park Boulevard, said point being North 89°58'39" East 106.38 feet along the north line of Section 30, Township 1 South, Range 1 West, Salt Lake Base and Meridian, South 140.68 feet to said southerly right-of-way line and a point of non-tangency of a 1,368.00 foot radius curve to the right, of which the radius point bears North 12°46'12" East and Westerly 187.68 feet along said southerly right-of-way line and said curve through a central angle of 07°51'39" and a long chord of North 73°17'59" West 187.54 feet from the North Quarter Corner of said Section 30, and thence South 681.14 feet; thence South 68°42'21" West 59.13 feet; thence South 78°21'40" West 357.34 feet; thence North 24°00'57" West 195.30 feet; thence North 03°25'57" West 320.60 feet; thence North 11°49'13" West 461.26 feet; thence North 17°16'48" West 107.67 feet to said southerly right-of-way line; thence along said southerly right-of-way line the following two courses: South 66°00'00" East 608.42 feet to a point of tangency of a 1,368.00 foot radius curve to the left and Easterly 80.45 feet along said curve through a central angle of

03°22'09" and a long chord of South 67°41'05" East 80.43 feet to the POINT OF BEGINNING.

Proposed Lot 103-B, Lake Park Corporate Centre, being real property located in Salt Lake County, State of Utah, and specifically described as follows:

Beginning at a point South 89°58'39" West 904.599 feet along the Section Line and North 51.440 feet from the Northeast Corner of Section 30, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence Northeasterly 500.857 feet along the southerly line of a widened portion of Lake Park Boulevard, an 844.00 foot radius curve to the left (Delta = 34°00'04" and chord bears North 47°19'06" East 493.540 feet); thence Northeasterly 56.979 feet along a 39.00 foot radius curve to the right (Delta = 83°42'32" and long chord bears North 72°10'20" East 52.04 feet); thence South 65°58'24" East 36.844 feet along a widened portion of Parkway Boulevard; thence Southeasterly 199.863 feet along a 1394.00 foot radius curve to the left (Delta = 08°12'53" and long chord bears South 70°04'51" East 199.692 feet); thence South 81°05'27" East 162.99 feet to the southerly line of Parkway Boulevard, a 106 foot wide right-of-way; thence South 82°58'24" East 412.896 feet along last said southerly line to the westerly boundary of the golf course property described and recorded on Book 7483, beginning on Page 1058 of the official records of the Salt Lake County Recorder's office; thence South 22°36'15" West 444.659 feet; thence along said golf course boundary for the following six courses:

1. South 12°47'56" West 445.249 feet,
2. South 01°21'14" West 174.901 feet
3. North 83°42'35" West 166.108 feet,
4. North 74°18'17" West 230.217 feet,
5. North 83°00'14" West 332.925 feet,
6. North 63°47'22" West 238.209 feet; thence

North 601.574 feet along the east line of the Pacificorp property to the point of beginning.

Lot 107B, Lake Park Corporate Center, as shown on that certain plat for a Subdivision By Metes and Bounds (creating Lots 107A, 107B and 107C) filed with the Salt Lake County Surveyor on December 1, 2005 as Filing No. 2005-12-0813, with said Lot 107B being specifically described as follows:

Beginning At A Point On The Southerly Right Of Way Line Of Lake Park Boulevard, A 106 Foot Wide Right Of Way, Said Point Also Being North 89°59'25" East 1650.98 Feet Along The Section Line And North 312.969 Feet And North 89°29'37" West 989.550 Feet From The Northwest Corner Of Section 30, Township 1 South, Range 1 West, Salt Lake Base And Meridian, And Running Thence North 82°30'00" East 363.563 Feet To The Point Of A 1447.00 Foot Radius Curve To The Right; Thence Easterly Along The Arc Of Said Curve 79.532 Feet Through The Central Angle Of 3°08'57" (Chord Is North 84°04'29" East 79.523 Feet); Thence South 04°45'12" East 447.634 Feet; Thence South 00°24'21" West 217.198 Feet; Thence North 59°44'51" West 432.006 Feet; Thence North

18°44'21" West 265.697 Feet; Thence North 06°49'54" West 139.351 Feet To The Point Of Beginning.

Lot 107C, Lake Park Corporate Center, as shown on that certain plat for a Subdivision By Metes and Bounds (creating Lots 107A, 107B and 107C) filed with the Salt Lake County Surveyor on December 1, 2005 as Filing No. 2005-12-0813, with said Lot 107A being specifically described as follows:

Beginning At A Point On The Westerly Line Of A Golf Course, Said Point Being North 89°59'25" East 1650.980 Feet Along The Section Line And North 312.969 Feet And South 14°04'18" West Along Said Westerly Line 367.499 Feet From The Northwest Corner Of Section 30, Township 1 South, Range 1 West, Salt Lake Base And Meridian And Running Thence Along Said Westerly Line Of A Golf Course The Following Four (4) Courses: 1) South 14°04'18" West 385.667 Feet; 2) South 19°01'44" East 585.320; 3) South 06°45'19" East 38.048 Feet; 4) South 21°57'36" East 184.570 Feet; Thence South 56°21'00" West 34.385 Feet Along A Northerly Line Of A Waterway; Thence Along The Northerly Side Of A Concrete Retaining Wall Forming The Boundary Of Said Waterway For The Following Sixteen (16) Courses: 1) South 64°09'59" West 61.651 Feet; 2) South 74°11'38" West 28.306 Feet; 3) South 63°51'50" West 38.756 Feet; 4) North 85°44'00" West 46.607 Feet; 5) North 88°56'45" West 55.131 Feet; 6) South 80°32'20" West 36.566 Feet; 7) South 72°53'10" West 37.037 Feet; 8) South 89°36'49" West 45.605 Feet; 9) North 85°47'04" West 54.727 Feet; 10) North 69°15'44" West 75.854 Feet; 11) South 83°37'35" West 34.476 Feet; 12) North 77°58'00" West 118.037 Feet; 13) North 64°49'50" West 43.487 Feet; 14) North 57°06'53" West 30.234 Feet; 15) North 46°41'33" West 33.469 Feet; 16) North 74°24'12" West 62.229 Feet; Thence Along An Easterly Boundary Of Said Waterway For The Following Eight (8) Courses: 1) North 79°44'51" West 68.865 Feet; 2) North 22°48'24" West 36.907 Feet; 3) North 58°36'17" West 30.488 Feet; 4) North 15°45'17" West 44.892 Feet; 5) North 19°29'35" East 47.935 Feet; 6) North 02°40'19" East 52.176 Feet; 7) North 35°02'53" East 46.560 Feet; 8) North 14°14'38" East 67.434 Feet; Thence Along An Easterly Boundary Of Said Golf Course For The Following Three (3) Courses: 1) North 29°30'09" East 108.928 Feet; 2) North 19°36'15" West 200.575 Feet; 3) North 18°44'17" West 906.162 Feet To The Southerly Right Of Way Line Of Lake Park Boulevard, A 106 Foot Wide Right Of Way, Thence North 82°30'00" East 82.329 Feet; Thence South 06°49'54" East 139.351 Feet; Thence South 18°44'21" East 265.697 Feet; Thence South 59°44'51" East 432.006 Feet; Thence North 60°18'15" East 489.318 Feet To The Point Of Beginning.