RICHARDS COURT CONDOMINIUMS, A UTAH LEASEHOLD CONDOMINIUM PROJECT

A PART OF BLOCK 76, PLAT "A", SALT LAKE CITY SURVEY LYING AND SITUATE IN THE NORTHEAST QUARTER OF SECTION 1. TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,

SALT LAKE CITY, SALT LAKE COUNTY, UTAH

PLAT NOTES:

1. The condominium project and regime (the "Regime") created pursuant to this Condominium Plat (this "Plat"), and the Declaration of Condominium of the Richards Court Condominiums recorded concurrently herewith (the 'Declaration'), is a 'Leasehold Condominium' as more fully described in the Utah Condominium Ownership Act, Utah Code Sections 57-8-1 through 57-8-38 inclusive, as the same may be amended from time to time (the "Condominium Act"). As a "Leasehold Condominium",

- 2. In addition to the Lease, the Regime is subject and subordinate to that certain City Creek 2.0 to Center Amended and Restated Master Declaration of Easements, recorded on ANGRY 12, 2009, as Entry No. 10877609, in Book 9796, beginning on Page _____, in the official records of the Salt Lake County Recorder (as more fully described in the Declaration, the "Master Declaration"). Because the rights and obligations of all parties having or acquiring an ownership interest in any portion of the Regime described by this Plat shall be governed by the Lease, the Master Declaration, the Declaration and this Plat. anv potential purchase or transferee of any portion of, or unit within, the Regime is advised to review in detail all of the notes, information, limitations, restrictions, covenants, conditions, easements, terms, and provisions of
- 3. The airspace and other property leased under the terms of the Lease (the 'Leased Property') have been leased for a set term of years. Upon the termination, cancellation or expiration of the term of the Lease, or any portion thereof, any ownership interests of any third parties (the "Third Party Interests") in all or any portion of the Regime or the improvements related thereto (including, without limitation, the ownership interests of any owners of any condominium units (the "Units") within the Regime), shall be automatically terminated and cancelled. Upon such termination and/or cancellation, all Third Party Interests shall automatically and immediately revert back to the Airspace Lessor (as such term is defined in the Declaration) who shall own all portions of the Leased Property in fee simple, which ownership shall not thereafter be subject to any leasehold or other interests. The terms and provisions of this termination and reversion of rights are more fully described in the Lease
- 4. All dimensions, square footages, and sizes shown on this Plat are calculated in accordance with the Condominium Act. Such calculations typically differ from the dimensions, square footages, and sizes determined by the architect and others who use methods of determining the size of the Units which are different than those imposed by the Condominium Act. Consequently, there may be differences in the dimensions, square footages, and sizes in the different documents relating to the Units and the Regime. In addition, changes or variations will likely occur during construction. In all events, the dimensions, square footages, and sizes set forth on this Plat, and in other current imentation relating to the Units and the Regime, are approximate and, notwithstanding anything to the contrary herein or therein, the dimensions, square footages, and sizes of the Units and other portions of the Regime as ultimately constructed shall be deemed the actual dimensions, square footages, and sizes for all purposes under the Regime.
- 5. Certain ceilings in the Units and/or "Common Areas" (as such term is defined in the Declaration) have variations, insets, enclosed duct work, and other similar architectural features resulting in the ceilings having many different elevation measurements that are difficult to depict on this Plat. Consequently, the ceilings as depicted hereon are shown to the bottom of the concrete slab of the floor above. However, notwithstanding the ceiling measurements and elevations on this Plat, or anything else to the contrary herein, the interior finishes of the ceiling designs and elevations as actually and originally constructed shall be deemed the actual elevations and upper limits of the Units for all purposes under the Regime. As more fully set forth in the Declaration, all spaces and areas between the interior finishes of the ceiling, as originally constructed, of any one Unit, and the interior finishes of the floor, as originally constructed, of the Unit(s) directly above such first Unit, shall be
- 6. The address for a Unit in the East Tower shall be 45 West South Temple plus the applicable Unit number/designation (along with other applicable city and zip code information). 7. The address for a Unit in the West Tower shall be 55 West South Temple plus the applicable
- Unit number/designation (along with other applicable city and zip code information). 8. The following parking rights are available to the Regime. All parking for owners and occupants of the Units shall be provided by private agreement (the "Private Parking Agreements") between each individual owner or occupant of a Unit and an affiliate of City Creek Living, LLC ("Affiliate"), which Affiliate owns and/or is currently constructing a parking garage and related parking facilities under, near, adjacent to, or around the buildings and/or other improvements contained within the Regime (collectively, the "Parking Garage"). Notwithstanding the foregoing, at all times that the Regime is in existence, City Creek Living, LLC will always provide and make available at least forty—five (45) parking stalls to the owners and/or occupants o the Units through the Private Parking Agreements, which parking stalls shall be within the portion of the Parking Garage located within or under "Block 76" (as such term is defined in the Master Declaration). At any time upon reasonable notice from Salt Lake City ("City"), City Creek Living, LLC shall (i) provide to City such documents or other information as are reasonably necessary to evidence the satisfaction of this requirement to designate and/or allocate at least forty-five (45) parking stalls for use by the Regime, or (ii) allow an inspection of the parking areas to verify same. The commitment of City Creek Living, LLC and the Affiliate to provide the parking described in this Note 8 is set forth in that certain Master Parking Agreement dated ..., 2009, between City Creek Living, LLC, the Affiliate owning the Parking Garage, and the owners association for the Regime (a notice of which Master Parking Agreement was recorded with the Salt Lake County Recorder on January 12 , 2009 as Entry No. 10877789).

CITY PLANNING DIRECTOR

DAY OF

DATE

APPROVED THIS 2 DAY OF Notice 2009 BY THE SALT

AKE CITY PLANNING COMMISSION.

CITY BUILDING DEPARTMENT APPROVED THIS 575 ___DAY OF The SALT LAKE CITY BUILDING DEPARTMENT. BUILDING OFFICIAL

SALT LAKE VALLEY

HEALTH DEPARTMENT

DIRECTOR SALT LAKE VALLEY

HEALTH DEPARTMENT

PPROVED THIS 14 DAY OF

20.09 ,20.09

LEGAL DESCRIPTION WEST TOWER:

An airspace lease parcel lying and situate in the Northeast Quarter of Section 1, Township 1 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake City, Salt Lake County, Utah, being a part of Lot 6, Block 76, Plat "A", Salt Lake City Survey. Basis of bearing fo subject parcel being North 00°00'58" West 791.94 feet coincident with the monument line of West Temple Street from the brass cap well monument monumentalizing the center of intersection of 100 South Street and said West Temple Street and a four inch brass cap monument set flush with concrete at the intersection of West Temple and South Temple Streets, stamped "Salt Lake City, REDCON LS#8498, 12—1998". Project Benchmark being the Salt Lake Initial Point Sand Stone Monument, located at the northwest corner of South emple and Main Streets, at the southeast corner of the Temple Square Wall, elevation 4330.83 feet, North American Vertical Datum 1929, on the top of said sand stone monument (twelve inches square at the base, ten inches square at the top tapering the last six inches to a pyramidal point, with "Great Salt Lake Base and Meridian" chiseled on the side), elevation at the base of the monument being 4327.62 feet. Subject parcel being more particularly described as follows:

Commencing at said point of intersection of 100 South and West Temple Streets, thence North 00°00'58" West 723.90 feet coincident with the monument line of said West Temple Street; Thence North 89°59'41" East 68.76 feet to the Northwest corner of said Block 76; Thence North 89°59'41" East 234.30 feet coincident with the north boundary of said Block 76; Thence vertical up to elevation 4336.75 and the TRUE POINT OF BEGINNING of a parcel comprising the air space between elevations 4336.75 and 4361.08; Thence North 89°59'41" East 39.73 feet coincident with the north line of said Block 76 at said elevations; Thence South 28'38'10" East 25.99 feet; Thence SOUTH 3.08 feet; Thence EAST 8.95 feet; Thence SOUTH 118.39 feet; Thence WEST 125.72 feet; Thence NORTH 30.05 feet; Thence EAST 56.84 feet; Thence NORTH 9.74 feet; Thence EAST 2.66 feet; Thence NORTH 5.59 feet; Thence EAST 5.08 feet; Thence NORTH 98.89 feet to the point of beginning. Thence vertical up to elevation 4361.08 feet and the TRUE POINT OF BEGINNING of a parcel comprising the air space between said elevation 4361.08 and up; Thence North 89'59'41" East 39.73 feet coincident with the north line of said Block 76 at said elevations; Thence South 28'38'10" East 25.99 feet; Thence SOUTH 3.08 feet; Thence EAST 8.95 feet; Thence SOUTH 118.39 feet; Thence WEST 61.14 feet; Thence NORTH 144.28 feet

Together with the following described Main Floor (Level 1) Air Space Easements:

Commencing at the Salt Lake City brass cap well monument monumentalizing the point of intersection of 100 South and West Temple Streets, thence North 00°00'58" West 723.90 feet coincident with the monument line of said West Temple Street; Thence North 89°59'41" East 68.76 feet to the Northwest corner of said Block 76: Thence North 89'59'41" East 234.30 feet coincident with the north boundary of said Block 76: Thence vertical up to elevation 4315.72 feet and the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4315.72 and 4336.75 (Parcel 1); Thence North 89'59'41" East 27.78 feet coincident with the north line of said Block 76 at said elevations; Thence SOUTH 30.10 feet; Thence EAST 1.52 feet; Thence SOUTH 24.21 feet; Thence WEST 5.73 feet; Thence SOUTH 21.16 feet; Thence WEST 16.48 feet to a vertical step up to elevation 4318.58 and the TRUE POINT OF BEGINNING of a parcel comprising the air space between elevations 4318.58 and 4336.75 (Parcel 2); Thence SOUTH 7.10 feet; Thence WEST 4.70 feet; Thence SOUTH 6.71 feet; Thence EAST 21.09 feet; Thence SOUTH 9.69 feet; Thence WEST 21.89 feet; Thence SOUTH 14.70 feet Thence WEST 3.01; Thence SOUTH 30.61 feet; Thence WEST 17.80 feet; Thence NORTH 12.14 feet; Thence EAST 7.90 feet; Thence NORTH 15.86 feet; Thence EAST 4.45 feet; Thence NORTH 11.80 feet; Thence EAST 2.30 feet; Thence NORTH 15.58 feet; Thence EAST 4.57 feet; Thence NORTH 13.44 feet to a vertical step down to elevation 4315.72 feet to a point on said parcel 1; Thence NORTH 75.46 feet to the point of beginning of said Parcel 1;

Commencing at the Salt Lake City brass cap well monument monumentalizing the point of intersection of 100 South and West Temple Streets, thence North 00°00'58" West 723.90 feet coincident with the monument line of said West Temple Street; Thence North 89'59'41" East 68.76 feet to the Northwest corner of said Block 76; Thence North 89°59'41" East 234.30 feet coincident with the north boundary of said Block 76; Thence North 89°59'41" East 27.78 feet coincident with the north line of said Block 76; Thence SOUTH 30.10 feet: Thence FAST 1.52 feet: Thence SOUTH 24.21 feet: Thence WEST 5.73 feet; Thence SOUTH 21.16 feet; Thence WEST 16.48 feet; Thence SOUTH 7.10 feet; Thence WEST 0.70 feet; Thence vertical up to elevation 4332.75 and the TRUE POINT OF BEGINNING of a parcel comprising the air space between elevations 4332.75 and 4336.75 (Parcel 3); Thence SOUTH 6.71 feet; Thence WEST 4.00 feet; NORTH 6.71 feet; Thence EAST 4.00 feet to the point of beginning.

> VICINITY Beetive m W 100 S E 100 S Arrow Press Square W 2nd S W 200 S

> > DATE ,

10/20/2009

DATE

CITY PUBLIC UTILITIES DEPT.

APPROVED AS TO SANITARY SEWER AND

SALT/LAKE CITY PUBLIC UTILITIES DIRECTOR

WATER DETAILS THIS ____ DAY OF

LEGAL DESCRIPTION EAST TOWER:

An airspace lease parcel lying and situate in the Northeast Quarter of Section 1, Township 1 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake City, Salt Lake County, Utah, being a part of Lot 7, and Richards Street, a vacated street, Block 76, Plat "A", Salt Lake City Survey. Basis of bearing for subject parcel being North 00'00'58" West 791.94 feet coincident with the monument line of West Temple Street from the brass cap well monument monumentalizing the center of intersection of 100 South Street and said West Temple Street and a four inch brass cap monument set flush with concrete at the intersection of West Temple and South Temple Streets, stamped "Salt Lake City, REDCON LS#8498, 12–1998". Project Benchmark being the Salt Lake Initial Point Sand Stone Monument, located at the northwest corner of South Temple and Main Streets, at the southeast corner of the Temple Square Wall, elevation 4330.83 feet, North American Vertical Datum 1929, on the top of said sand stone monument (twelve inches square at the base, ten inches square at the top tapering the last six inches to a pyramidal point, with "Great Salt Lake Base and Meridian" chiseled on the side), elevation at the base of the monument being 4327.62 feet. Subject parcel being more particularly described as follows:

Commencing at said point of intersection of 100 South and West Temple Streets, thence North 00°00'58" West 723.90 feet coincident with the monument line of said West Temple Street: Thence North 89'59'41" East 68.76 feet to the Northwest corner of said Block 76; Thence North 89'59'41" East 384.18 feet coincident with the north boundary of said Block 76; Thence vertical up to elevation 4337.66 to the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4337.66 and 4393.30; Thence North 89'59'41" East 107.93 feet coincident with the north boundary of said Block 76 at said elevations; Thence SOUTH 144.30 feet; Thence WEST 129.34 feet; Thence NORTH 118.39 feet: Thence EAST 8.95 feet; Thence NORTH 3.08 feet; Thence North 28'38'10" East 26.00 feet to the point of beginning. Thence vertical up to elevation 4393.30 to the TRUE POIN OF BEGINNING of an parcel comprising the air space contained between elevations 4393.30 and up; Thence North 89°59'41" East 52.26 feet coincident with the north boundary of said Block 76 at said elevations; Thence SOUTH 7.51 feet; Thence EAST 11.67 feet; Thence SOUTH 12.03 feet; Thence WEST 9.67 feet; Thence SOUTH 124.75 feet; Thence WEST 75.67 feet; Thence NORTH 118.39 feet; Thence EAST 8.95 feet; Thence NORTH 3.08 feet; Thence North 28°38'10" Fast 26.00 feet to the point of beginning

Less and Excepting therefrom the following described Air Space:

Commencing at the Salt Lake City brass cap well monument monumentalizing the point of intersection of 100 South and West Temple Streets, thence North 00'00'58" West 723.90 feet coincident with the monument line of said West Temple Street; Thence North 89'59'41" East 68.76 feet to the Northwest corner of said Block 76; Thence North 89 59 41" East 384.18 feet coincident with the north boundary of said Block 76; Thence South 28'38'10" West 26.00 feet; Thence SOUTH 3.08 feet; Thence WEST 8.95 feet; Thence SOUTH 73.68 Thence EAST 49.99 feet; Thence vertical up to elevation 4337.66 to the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4337.66 and 4354.00 (Parcel 7); Thence EAST 10.59 feet; Thence SOUTH 9.30 feet; Thence WEST 10.59 feet; Thence NORTH 9.30 feet to the point of beginning of said Parcel 7; Thence SOUTH 9.30 feet; Thence EAST 10.59 feet; Thence North 78'40'50" East 7.52 feet to the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4337.66 and 4354.00 (Parcel 8); Thence EAST 5.36 feet; Thence SOUTH 6.32 feet; Thence EAST 11.62 feet; Thence NORTH 6.04 feet; Thence EAST 19.46 feet; Thence NORTH 57.33 feet; Thence EAST 16.44 feet; Thence SOUTH 21.74 feet; Thence EAST 8.50 feet; Thence SOUTH 72.17 feet; Thence WEST 61.38 feet; Thence NORTH 36.88 feet to the

Together with the following described Main Floor (Level 1) Air Space Easements:

Commencing at the Salt Lake City brass cap well monument monumentalizing the point of intersection of 100 South and West Temple Streets, thence North 00°00'58" West 723.90 feet coincident with the monument line of said West Temple Street; Thence North 89°59'41" East 68.76 feet to the Northwest corner of said Block 76; Thence North 89°59'41" East 402.25 feet coincident with the north boundary of said Block 76: Thence vertical up to elevation 4319.66 feet and the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4319.66 and 4337.66 (Parcel 4); Thence North 89'59'41" East 31.71 feet coincident with the north boundary of said Block 76 at said elevations; Thence SOUTH 27.78; Thence WEST 0.50 feet; Thence SOUTH 9.67 feet; Thence EAST 1.42 feet; Thence SOUTH 13.19 feet; Thence WEST 1.42 feet; Thence SOUTH 30.65 feet; Thence WEST 10.77 feet; Thence NORTH 2.04 feet; Thence WEST 11.25 feet; Thence SOUTH 10.06 feet; Thence EAST 11.25 feet; Thence SOUTH 10.30 feet; Thence WEST 9.93 feet; Thence NORTH 0.62 feet; Thence WEST 11.74 feet; Thence NORTH 39.75 feet; Thence EAST 4.19 feet; Thence NORTH 30.24 feet; Thence WEST 2.96 feet; Thence North 28.97 feet to the point of beginning of said Parcel 4; Thence North 89'59'41" East 79.61 feet coincident with the north boundary of said Block 76; Thence vertical up to elevation 4321.89 to the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4321.89 and 4337.66 (Parcel 5); Thence North 89'59'41" East 0.25 feet coincident with the north boundary of said Block 76 at said elevations; Thence SOUTH 30.83 feet; Thence WEST 8.06 feet; Thence NORTH 16.09 feet; Thence WEST 2.19 feet; Thence NORTH 14.74 feet to the point of beginning of said Parcel 5; Thence North 89'59'41" East 10.25 feet coincident with the north boundary of said Block 76; nce SOUTH 144.30 feet; Thence WEST 129.34 feet; Thence vertical down to elevation 4319.66 and the TRUE POINT OF BEGINNING of a parcel comprising the air space contained between elevations 4319.66 and 4337.66 (Parcel 6); Thence NORTH 8.20 feet; Thence EAST 17.69 feet; Thence SOUTH 1.08 feet; Thence EAST 17.83 feet; Thence NORTH 4.07 feet Thence EAST 25.15 feet; Thence SOUTH 4.13 feet; Thence WEST 18.59 feet; Thence SOUTH 7.05 feet; Thence WEST 42.07 feet to the point of beginning of said Parcel 6;

SURVEYOR'S CERTIFICATE:

l, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 356548 in accordance with Utah Code Annotated Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, and that a survey of the described tract of land has been completed by me in accordance with Utah Code Annotated 17-23-17, and that I have verified all measurements and have placed monuments as shown hereon. I further certify that this Condominium Plat complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act,



LEASEHOLD OWNER'S CONSENT TO RECORD

Know all men by these presents, that City Creek Living, LLC, a Utah limited liability company, the current owner of a leasehold interest in the hereon described land, has caused a survey to be made, and this Condominium Plat of the RICHARDS COURT CONDOMINIUMS, a Utah leasehold condominium project, to be prepared, and does hereby consent to the recordation of this Condominium Plat in accordance with the Utah Condominium Ownership Act.

In witness hereof, the undersigned set his hand this 9th day of

CITY CREEK LIVING, LLC, a Utah limited liability company Mul 1/12

OCT 0 3 200

ACKNOWLEDGMENT

Title: Manager

Name: Mark B. Gibbons

On this <u>4th</u> day of <u>October</u>, 2009, personally appeared before me Mark B. Gibbons known or satisfactorily proved to me to be the Manager of City Creek Living, LLC, a Utah limited liability company, who acknowledged to me that he signed the foregoing instrument in his capacity as Manager for and in behalf of said limited liability company.

Notary Public for Utah

FEE OWNER'S CONSENT TO RECORD

Know all men by these presents, that City Creek Reserve, Inc., a Utah corporation, the fee owner of the hereon described land, does hereby consent to the recordation of this Condominium Plat in accordance with the Utah Condominium Ownership Act; provided, however, that in providing such consent, said fee owner does not subject any of its fee interest in the described land to this Condominium Plat or to the Condominium Regime. Leasehold owner's leasehold interest is the only property interest subject to the Condominium Plat and the Condominium Regime.

n witness hereof, the undersigned set his hand this 9m day of

CITY CREEK RESERVE, INC.,

Name: Mark B. Gibbons Title: President

ACKNOWLEDGMENT

On this 4th day of October ______, 2009, personally appeared before me Mark B. Gibbons known or satisfactorily proved to me to be the President of City Creek Reserve, Inc., a Utah nonprofit corporation who acknowledged to me that he signed the foregoing instrument in his capacity as President for and in behalf of said corporation.

> Sanlij D. Soperinez Notary Public for Utah





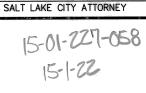
SALT LAKE COUNTY RECORDER #/0878445 CITY ATTORNEY CITY APPROVAL STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT APPROVED AS TO FORM THIS 12 TO DAY OF 2001. THE REQUEST OF KITTON & McConkie

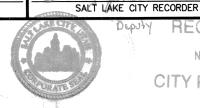
SALT LAKE CITY MAYOR

SHEET 1 OF 16

DATE: <u>//*13/2610* TIME: 3:36*M*/</u>BOOK: <u>2010/</u>PAGE: <u>10</u> \$571.00 CHIEF DEPUTY: SALT LAKE COUNTY RECORDER

NUMBER ACCOUNT__ F_____SHEETS







CITY ENGINEERING DIVISION

HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE

AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE.

ACCOUNT

___ SHEETS

