

WHEN RECORDED, RETURN TO:

Susan B. Peterson
Jones, Waldo, Holbrook
& McDonough, P.C.
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101

6-160

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08/02/2017 04:27 PM \$180.00
Book - 10584 Pg - 7647-7652
JULIE DOLE
RECORDER, SALT LAKE COUNTY, UTAH
CRITERIUM LLC
65 E MADSWORTH PARK DR STE 210
DRAPER UT 84020
BY: SRP, DEPUTY - WI 6 P.

**SUPPLEMENT TO
AMENDED AND RESTATED DECLARATION OF CONDOMINIUM AND
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
ROCKWELL SQUARE CONDOMINIUMS**

(EXERCISING OPTION TO WITHDRAW LAND)

THIS SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ROCKWELL SQUARE CONDOMINIUMS (this "**Supplement**") is made as of July 11, 2017, by CRITERIUM, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

- A. Declarant is the current declarant under that certain Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums, dated January 7, 2011 and recorded on January 11, 2011 as Entry No. 11114069, in Book 9897 at Page 4942, in the official records of Salt Lake County, Utah, as subsequently amended (the "**Declaration**"). The Declaration encumbers all the real property described on Exhibit A attached hereto (the "**Project**").
- B. Pursuant to the Declaration, Declarant is granted the option to withdraw certain withdrawable land described on Exhibit B attached hereto (the "**Withdrawable Land**") from the Project by recording a supplement to the Declaration.
- C. Declarant is executing and delivering this Supplement for the purpose of withdrawing the Withdrawable Land from the Project and the Declaration.

NOW, THEREFORE, Declarant hereby declares as follows:

- 1. Declarant hereby withdraws the Withdrawable Land from the Project. Upon the recordation of this Supplement in the official records of Salt Lake County, (a) the Withdrawable Land shall no longer be subject to or governed by the Declaration, and (b) the unconstructed condominium units described on Exhibit C attached hereto shall be terminated and shall no longer exist as condominium units or separate parcels of real property. No covenants, restrictions, limitations, or other terms or provisions of the Declaration shall hereafter be binding as to any portion of the Withdrawable Land.

2. Nothing contained herein shall be deemed or construed to modify or impair the Declaration or any provision thereof as it pertains to the portion of the Project not withdrawn hereby.

IN WITNESS WHEREOF, this Supplement has been executed as of the date first set forth above.

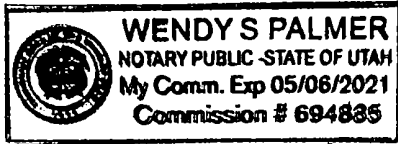
DECLARANT:

CRITERIUM, LLC,
a Utah limited liability company

By: Brian Davis
Brian Davis, President

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 11 day of July, 2017, by Brian Davis, President of Criterium, LLC, a Utah limited liability company.



Wendy S Palmer
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

My commission expires: 5/6/21

EXHIBIT A
Legal Description of Project

The Declaration encumbers the following described property, located in Salt Lake County, Utah:

All the following condominium units contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented), as such condominium units are described in the Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums, dated January 7, 2011 and recorded on January 11, 2011 as Entry No. 11114069, in Book 9897 at Page 4942 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah, together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in such Declaration, as amended and/or supplemented:

Retail Units 1 through 4, inclusive, in Building 1

Parcel I.D. Nos. 34-06-328-163 through 34-06-166, inclusive

Units 20 through 49, inclusive, in Building 1

Parcel I.D. Nos. 34-06-328-003 through 34-06-328-032, inclusive

Retail Units 1 through 4, inclusive, in Building 2

Parcel I.D. Nos. 34-06-328-167 through 170, inclusive

Units 20 through 49, inclusive, in Building 2

Parcel I.D. Nos. 34-06-328-035 through 34-06-328-064, inclusive.

Retail Units 1 through 4, inclusive, in Building 3

Parcel I.D. Nos. 34-06-328-171 through 34-06-328-174, inclusive

Units 20 through 49, inclusive, in Building 3

Parcel I.D. Nos. 34-06-328-067 through 34-06-328-096, inclusive

Retail Units 1 and 2, in Building 4

Parcel I.D. Nos. 34-06-328-097 and 34-06-328-098

Units 20 through 49, inclusive, in Building 4

Parcel I.D. Nos. 34-06-328-099 through 34-06-328-128, inclusive

Retail Units 1 through 4, inclusive, in Building 5

Parcel I.D. Nos. 34-06-328-175 through 34-06-328-178, inclusive

Units 20 through 49, inclusive, in Building 5

Parcel I.D. Nos. 34-06-328-131 through 34-06-328-160, inclusive.

EXHIBIT B
Legal Description of Withdrawable Land

Located in the Southwest Quarter of Section 6;
Township 4 South, Range 1 East,
Salt Lake Base and Meridian.

Beginning at a point on the west line of the Wheadon Preserve said point being West 244.00 feet along the center line of said 13800 South Street and South 353.91 feet from a found Street Monument at the Intersection of 13800 South Street and 300 East Street said monument also being used as the Center of Section 6, Township 4 South, Range 1 East, Salt Lake Base and Meridian in some surveys, and running:

thence South 444.09 feet along the west line to the Southwest Corner of said Wheadon Preserve;
thence East 244.00 feet along the south line of said Wheadon Preserve;
thence South 261.00 feet;
thence West 502.00 feet to the Southeast Corner of the Black Sage Subdivision;
thence North 261.00 feet along the east line to the Northeast Corner of said Black Sage Subdivision;
thence West 8.50 feet along the north line of said Black Sage Subdivision to the to the Southeast Corner of the Rockwell Square Commercial Subdivision;
thence North 246.42 feet along the east line of said Rockwell Square Commercial Subdivision;
thence Northwesterly 31.52 feet along the arc of a 49.50 foot radius curve to the right (center bears North 21°57'08" East and the chord bears North 49°48'19" West 30.99 feet with a central angle of 36°29'05") along the east line of said Rockwell Square Commercial Subdivision;
thence Northwesterly 9.18 feet along the arc of a 9.00 foot radius curve to the left (center bears South 58°26'13" West and the chord bears North 60°46'42" West 8.79 feet with a central angle of 58°25'50") along the east line of said Rockwell Square Commercial Subdivision;
thence North 38.58 feet along the east line of said Rockwell Square Commercial Subdivision;
thence Northeasterly 9.18 feet along the arc of a 9.00 foot radius curve to the left (center bears North 0°00'23" West and the chord bears North 60°46'42" East 8.79 feet with a central angle of 58°25'50") along the east line of said Rockwell Square Commercial Subdivision;
thence Northeasterly 34.61 feet along the arc of a 49.50 foot radius curve to the right (center bears South 58°26'13" East and the chord bears North 51°35'45" East 33.91 feet with a central angle of 40°03'57") along the east line of said Rockwell Square Commercial Subdivision;
thence North 0°57'29" West 146.19 along the east line of said Rockwell Square Commercial Subdivision;
thence North 89°54'32" East 50.69 feet;
thence South 36.81 feet;
thence East 215.35 feet to the point of beginning.

Contains 253,014 square feet. 5.81 acres.

EXHIBIT C
Units Terminated

The following condominium units in the Project are terminated by this Supplement:

Retail Units 1 through 4, inclusive, in Building 2

Parcel I.D. Nos. 34-06-328-167 through 170, inclusive

Units 20 through 49, inclusive, in Building 2

Parcel I.D. Nos. 34-06-328-035 through 34-06-328-064, inclusive.

Retail Units 1 through 4, inclusive, in Building 3

Parcel I.D. Nos. 34-06-328-171 through 34-06-328-174, inclusive

Units 20 through 49, inclusive, in Building 3

Parcel I.D. Nos. 34-06-328-067 through 34-06-328-096, inclusive

Retail Units 1 and 2, in Building 4

Parcel I.D. Nos. 34-06-328-097 and 34-06-328-098

Units 20 through 49, inclusive, in Building 4

Parcel I.D. Nos. 34-06-328-099 through 34-06-328-128, inclusive

Retail Units 1 through 4, inclusive, in Building 5

Parcel I.D. Nos. 34-06-328-175 through 34-06-328-178, inclusive

Units 20 through 49, inclusive, in Building 5

Parcel I.D. Nos. 34-06-328-131 through 34-06-328-160, inclusive