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**CONSENT, APPROVAL AND AGREEMENT REGARDING  
DECLARATION OF RESTRICTIVE COVENANTS**

This Consent, Approval and Agreement Regarding Declaration of Restrictive Covenants (this “**Consent**”) is made and entered into effective this 5<sup>th</sup> day of January, 2023, by and between Blue Spring Business Park, LLC, a Utah limited liability company (hereafter “**Declarant**”), and Costco Wholesale Corporation, a Washington corporation (hereafter “**Costco**”).

RECITALS

**A.** Declarant and Costco entered into that Declaration of Restrictive Covenants dated May 26, 2022, and recorded on May 26, 2022, as Entry No. 1320737, Book 2341 at Page 0511, in the official records of the Cache County Recorder, State of Utah (hereafter referred to as the “**Restrictive Declaration**”).

**B.** Declarant is the owner of certain real property located in the City of Logan, County of Cache, and more particularly described on Exhibit A attached hereto and by reference incorporated herein and referred to herein and in the Restrictive Declaration as the “Restricted Property.”

**C.** Under Section 1(c) of the Restrictive Declaration, no portion of the Restricted Property may be, among other uses, “used or operated as a car wash.”

**D.** Declarant desires to allow the construction and operation of a Quick Quack Car Wash on Lot 4 of the Final, Official Plat of Blue Spring Subdivision (Phase 1), Recorded on May 3, 2022, in the official records of the Cache County Recorder, as Entry No. 1318875, in Book 2022, at Page 3608 (“**Lot 4**”), which is a portion of the Restricted Property.

**E.** Declarant is willing to agree and consent and Costco is willing to consent to the construction and operation of the Quick Quack Car Wash on Lot 4, subject to the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant and Costco agree as follows:

**1.** Notwithstanding the provisions of Section 1(c) of the Restrictive Declaration, Declarant agrees and consents and Costco consents to the construction and operation of a car wash

operating under the trade name "Quick Quack Car Wash" on Lot 4, subject to the following conditions:

- a. Construction is consistent with the layout shown on Exhibit B attached hereto;
- b. Construction and operation comply with applicable codes (including without limitation all parking requirements) and all other requirements under any existing agreements; and
- c. Operations of the car wash commence on or before the date that is two (2) years after the date of this Consent.

2. The following shall be added to the Restrictive Declaration as Section 6:

"6. Notices. Any notices, payments, demands, consents, approvals, offers, or other writings or communications required or permitted to be given by any provision of this Declaration shall be deemed to have been sufficiently given or served for all purposes if sent by (a) personal delivery, (b) delivery by a nationally recognized overnight delivery service, (c) mailing or depositing same in the United States mail, registered or certified, return receipt requested, postage prepaid, or (d) electronic transmission, and in all cases shall be properly addressed at the following addresses:

To Declarant: Blue Spring Business Park, LLC  
Attention: Jason Larsen  
1075 North Main Street, Suite 120  
Logan, Utah 84341  
Phone: (435) 760-7446  
Email: jason@als.com

With a copy to: Brian P. Rosander  
Parsons Behle & Latimer  
201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
Phone: (801) 532-1234  
Email: brosender@parsonsbehle.com

To Costco: Costco Wholesale Corporation  
999 Lake Drive  
Issaquah, WA 98027  
Attn: Legal Dept/Property Management  
Re: #1633 (Logan UT)

Any such notice shall be deemed to be given on the first date on which it is received or receipt thereof is refused.”

3. This Consent shall not apply to any part of the Restricted Property other than Lot 4 as set forth herein, and, except as otherwise expressly set forth herein, shall not be deemed to affect any of the terms or conditions of the Restrictive Declaration, including the restrictive covenants relating to a Costco Facility or Business as more particularly set forth in the Restrictive Declaration.

*[Remainder of Page Left Blank; Signatures on Following Page]*

Dated effective as of the day and year first above written.

**DECLARANT:**

Blue Spring Business Park, LLC,  
a Utah limited liability company

By: Jason Larsen  
Print Name: Jason Larsen  
Title: Manager

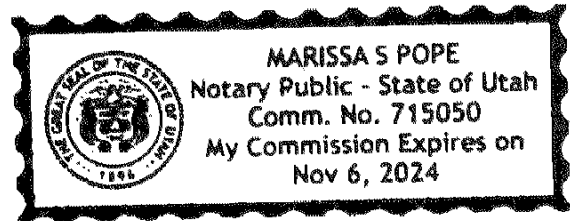
STATE OF UTAH            )  
                                      :SS  
COUNTY OF CACHE    )

The foregoing Consent, Approval and Agreement Regarding Declaration of Restrictive Covenants was acknowledged before me this 8<sup>th</sup> day of February, 2023, by Jason Larsen, the Manager of Blue Spring Business Park, LLC, a Utah limited liability company

Marietta D  
Notary Public  
Residing at: Logan

My Commission Expires:

November 6, 2024



**COSTCO:**

Costco Wholesale Corporation,  
a Washington corporation

By: Gail E. Tsuboi  
Print Name: Gail E. Tsuboi  
Title: VP / Assistant Secretary

STATE OF WASHINGTON )  
 ) SS.:  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Gail E. Tsuboi is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the VP / Assistant Secretary of COSTCO WHOLESALE CORPORATION, to be its free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 5<sup>th</sup> day of January, 2023.

[Signature]  
(Signature of Notary)

Notary public in and for the state of Washington,  
residing at: Punton WA

My appointment expires: 5/9/2026



Exhibit A

LEGAL DESCRIPTION OF RESTRICTED PROPERTY

The real property referenced in the foregoing Declaration as the "Restricted Property" is located in the County of Cache, State of Utah and is more particularly described as follows:

LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, AND LOT 7, AS SET FORTH ON THE FINAL, OFFICIAL PLAT OF BLUE SPRING SUBDIVISION (PHASE 1), RECORDED ON MAY 3, 2022, IN THE OFFICIAL RECORDS OF THE CACHE COUNTY RECORDER, AS ENTRY NO. 1318875, IN BOOK 2022, AT PAGE 3608. 05-123-0002 thru 05-123-0007

For Information Purposes Only (Tax Parcel I.D. Nos. 05-121-0001, 05-121-0002, and 05-121-0003)

LOT 1, LOT 2, AND LOT 3, AS SET FORTH ON THE FINAL, OFFICIAL PLAT OF BLUE SPRING BUSINESS PARK SUBDIVISION, RECORDED ON DECEMBER 7, 2021, IN THE OFFICIAL RECORDS OF THE CACHE COUNTY RECORDER, AS ENTRY NO. 1306736, IN BOOK 2021, AT PAGE 3561.

For Information Purposes Only (Tax Parcel I.D. No. 05-052-0004)

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF 1000 NORTH STREET DESCRIBED IN DEED BOOK 1755 PAGE 1908 OF THE OFFICIAL RECORDS OF CACHE COUNTY, AND THE WESTERLY LINE OF 800 WEST STREET DESCRIBED IN DEED BOOK 1442 PAGE 567 OF THE OFFICIAL RECORDS OF CACHE COUNTY, LOCATED BY SURVEY AS S88°58' 12"E 16.00 FEET ALONG THE MONUMENT LINE BETWEEN LOGAN CITY GIS MONUMENTS LC-344 & LC-267 AND SOUTH 24.88 FEET FROM LOGAN CITY GIS MONUMENT LC-344; THENCE S 1°02'31"W ALONG THE WESTERLY LINE OF 800 WEST STREET 788.63 FEET TO THE NORTHEAST CORNER OF GP COMERCIAL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER; THENCE N88°59'27"W (RECORD: S89°52'38"W) 1,076.90 FEET ALONG SAID PLAT, THE EXTENSION THEREOF, AS WELL AS THE NORTHERLY LINES OF DEED BOOK 1721 PAGE 1221 & DEED BOOK 859 PAGE 983 TO A REBAR & CAP (FOUND) AT A FENCE CORNER; THENCE CONTINUING ALONG SAID

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DEED 859/983 THE FOLLOWING 2 (TWO) COURSES AND DISTANCES: S1°00'33"W (DEED: S0°07'22"E) 200.00 FEET; THENCE N88°59'27"W 152.13 FEET (DEED: S89°52'38"W 152.00 FEET) TO THE EASTERLY LINE OF 1000 WEST (STATE ROAD 252) AT A POINT 49.50 FEET PERPENDICULAR DISTANCE EASTERLY FROM THE CONTROL LINE OF SAID HIGHWAY AT ENGINEER STATION 285+52.89; THENCE N1°09'05"E ALONG SAID RIGHT-OF-WAY LINE 938.31 FEET TO THE SOUTHWEST CORNER OF THAT REAL PROPERTY CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION DESCRIBED IN DEED BOOK 1654 PAGE 799 OF THE OFFICIAL RECORDS OF CACHE COUNTY; THENCE ALONG SAID DEED THE FOLLOWING 4 ((FOUR) COURSES AND DISTANCES: S88°50'55"E (DEED: S88°39'21"E) 5.99 FEET; THENCE N27°53'35"E (DEED: N28°05'09"E) 21.86 FEET; THENCE N45°14'26"E (DEED: N45°26'00"E) 27.92 FEET; THENCE N64°13'56"E (DEED: N64°25'30"E) 10.10 FEET TO THE SOUTH LINE OF 1000 NORTH STREET DESCRIBED IN DEED BOOK 1755 PAGE 1908 OF THE OFFICIAL RECORDS OF CACHE COUNTY; THENCE S89°17'43"E (DEED: S89°17'24"E) ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STREET 1,182.81 FEET TO THE POINT OF BEGINNING.

For Information Purposes Only (Tax Parcel I.D. No. 05-050-0019)

BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 4, PLAT "D", LOGAN FARM SURVEY, LOCATED BY SURVEY AS N88°58'12"W 84.76 FEET ALONG THE MONUMENT LINE BETWEEN LOGAN CITY GIS MONUMENTS LC-267 & LC-344 AND NORTH 719.16 FEET FROM LOGAN CITY GIS MONUMENT LC-267, SAID CORNER IS ALSO DEFINED AND DESCRIBED AS THE SOUTHEAST CORNER OF REMAINDER PARCEL 05-050-0019, CACHE HIGH SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER; THENCE N89°17'12"W ALONG THE SOUTH LINE OF SAID LOT 1,330.25 FEET TO THE EAST LINE OF 800 WEST STREET, DEFINED AND DESCRIBED AS A PART OF 1000 NORTH & 800 WEST ROADWAY & BASEMENT DEDICATION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER; THENCE N1°17'10"E ALONG SAID PLAT 296.79 FEET; THENCE N88°59'00"W 510.12 FEET; THENCE N0°45'00"E 376.21 FEET; THENCE S89°13'05"E 179.45 FEET TO THE WESTERLY LINE OF THAT REAL PROPERTY DESCRIBED IN DEED BOOK 1911 PAGE 1578 OF THE OFFICIAL RECORDS OF CACHE COUNTY; THENCE S1°25'28"W (RECORD: SOUTH) ALONG SAID WESTERLY LINE 13.50 FEET TO THE NORTH LINE OF LOT 3 OF SAID BLOCK 4; THENCE S89°13'05"E 334.25 FEET (RECORD: EAST 330') ALONG THE NORTH LINE OF LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 8 AND THE NORTHWEST CORNER OF PARCEL 05-050-0019 AS DESCRIBED IN A BOUNDARY LINE ADJUSTMENT RECORDED IN DEED BOOK 1920 PAGE 1980 OF THE

OFFICIAL RECORDS OF CACHE COUNTY, SAID POINT IS ALSO THE NORTHWEST CORNER OF SAID CACHE HIGH SUBDIVISION; THENCE S89°13'05"E ALONG THE NORTH LINE OF SAID LOT 8 AND ALSO SAID SUBDIVISION 690.09 FEET TO THE NORTHWEST CORNER OF PARCEL 05-050-0022 AS DESCRIBED IN SAID BOUNDARY LINE ADJUSTMENT; THENCE S89°13'05"E ALONG THE NORTH LINE OF SAID LOT 8 AND ALSO SAID SUBDIVISION 86.39 FEET; THENCE ALONG THE EXTENSION OF, AND ALONG A CHAIN LINK FENCE LINE THE FOLLOWING 2 (TWO) COURSES AND DISTANCES: S1°23'16"W 221.77 FEET; THENCE S88°53'00"E 131.43 FEET TO THE WESTERLY LINE OF LOT 1 OF SAID CACHE HIGH SUBDIVISION; THENCE S1°23'16"W ALONG SAID WESTERLY LINE 77.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE S89°13'05"E ALONG SAID LOT AND EXTENSION THEREOF 423.50 TO THE EAST LINE OF LOT 8 OF SAID BLOCK; THENCE S1°23'16"W ALONG THE EASTERLY LINE OF SAID BLOCK 360.01 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY PORTIONS OF:

LOT 6 AND LOT 7, AS SET FORTH ON THE FINAL, OFFICIAL PLAT OF BLUE SPRING SUBDIVISION (PHASE 1), RECORDED ON MAY 3, 2022, IN THE OFFICIAL RECORDS OF THE CACHE COUNTY RECORDER, AS ENTRY NO. 1318875, IN BOOK 2022, AT PAGE 3608.

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