

20/6

APN: :
RECORDING REQUESTED BY:
SMITH'S FOOD & DRUG CENTERS, INC.

E :

ENT 134753:2007 PG 1 of 6
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2007 Sep 13 1:07 pm FEE 20.00 BY CM
RECORDED FOR KESLER & RUST

WHEN RECORDED MAIL TO:
Smith's Food & Drug Centers, Inc.
Attn: Director of Property Management
1550 South Redwood Road
Salt Lake City, Utah 84104

Space above for Recorder's Use

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GRANT OF EASEMENTS

This Amendment to those certain Covenants, Conditions and Restrictions and Grant of Easements ("CC&R") recorded on October 24, 2002 as Entry 126379:2002 in the records of the Utah County Recorder, and affecting that certain real property located in Utah County shown on the attached Exhibit A and commonly known as the Crossroads Shopping Center ("Center"), is made and executed effective February 1, 2007.

WITNESSETH

WHEREAS, the ownership of the Center has now been transferred from Wadley McLachlan, Development L.L.C., a Utah limited liability company to McLachlan Farms L.L.C., a Utah limited liability company ("McLachlan"); and

WHEREAS, the CC&R's identify a Smith's Food & Drug Centers, Inc., a Utah corporation ("Smith's") as being a principal tenant of the Center having substantial rights under the CC&Rs, including the right, along with McLachlan, under the provisions of paragraphs 1j and 8b of the CC&R's to modified the CC&R's; and

WHEREAS, McLachlan and Smith's are in agreement with regard to certain modifications of the CC&R's, as provided herein.

NOW THEREFORE, McLachlan Farms and Smith's mutually agree to the following modification of the CC&R's:

1. Paragraph 2.b. is modified to permit the uses by existing and future tenants as shown on the attached Exhibit B.
2. To the extent necessary to accommodate the uses shown on Exhibit B, all other parts of the CC&R's otherwise inconsistent with such uses are amended in accordance and consistent with Exhibit B.

3. McLachlan shall have the option of developing the Subject Land as shown on the Site Plan attached hereto as Exhibit C.

4.. In all other respects, the CC&R's remain unchanged and unmodified.

SIGNED the date above given.

McLACHLAN FARMS, LLC, Utah limited liability company, and successor in interest to WARDLEY, McLACHLAN, L.L.C.

By: Scott McLachlan

Its: Manager

Approved this 1st day of February, 2007

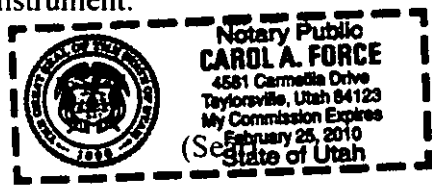
SMITH'S FOOD & DRUG CENTERS, INC., an Ohio corporation

By: Steve M. Johnson

Its: VICE PRESIDENT

State of Utah)
County of Salt Lake) ss.

On 6-26-07, before me, Steven M. Johnson, personally known to me (or provided to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
Signature Carol A. Force

State of Utah)
County of Salt Lake) : ss.

On 8/15/07, before me, Scott McLaughlin, personally known to me (or provided to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Brenda B. Jones
Signature

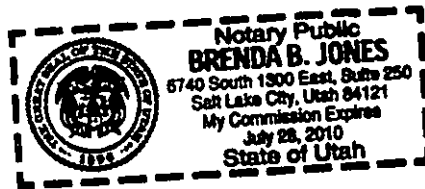
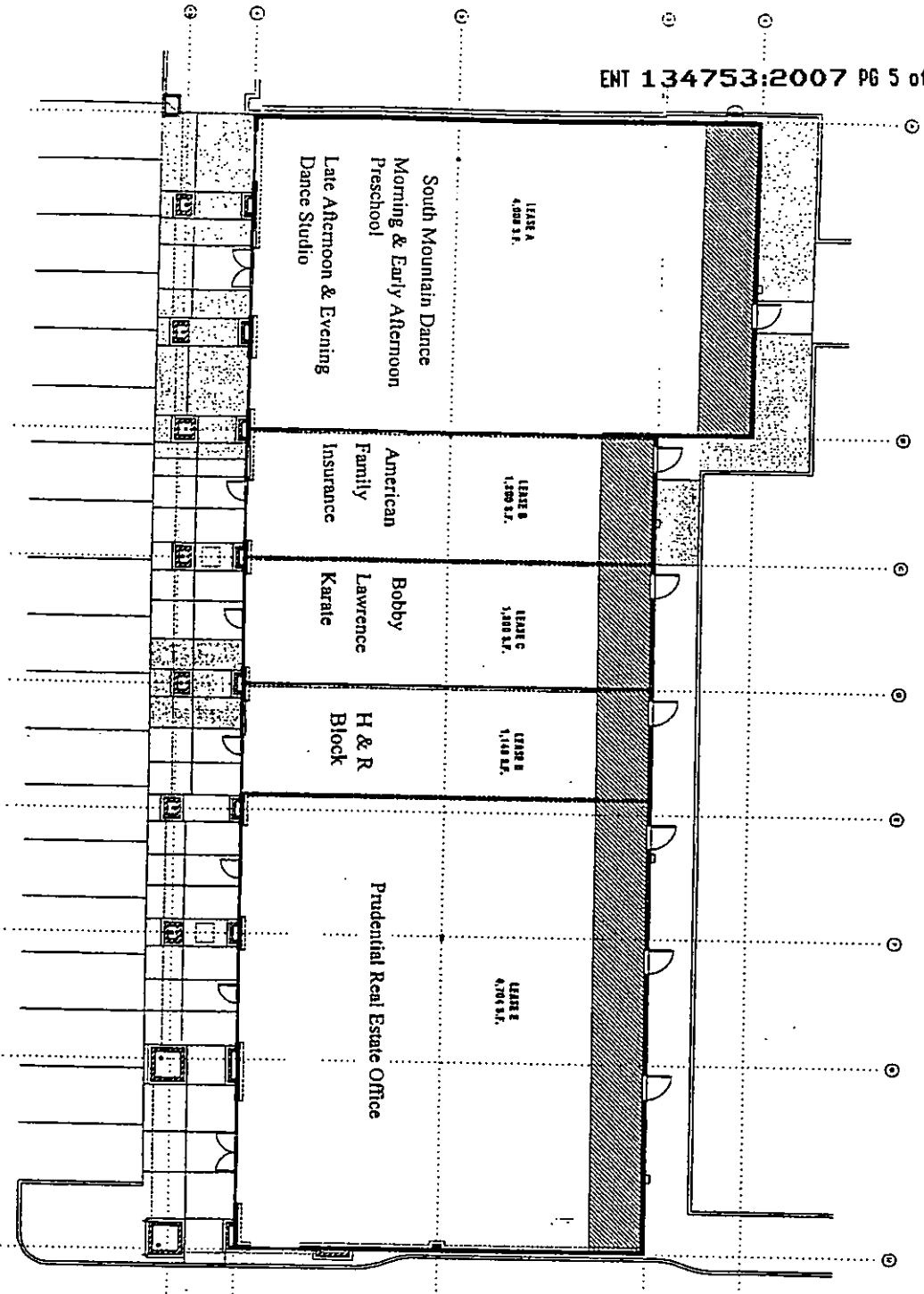


EXHIBIT "A"

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(Legal Description of Subject Land)

Commencing at a point which is South 1434.50 feet and East 44.82 feet from North 1/4 corner of Section 14, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 89°26'17" East along the extended line of a fence and along said fence line 1284.87 feet to another fence line; thence South 00°26'07" West along said fence line 1205.22 feet to another fence line; thence South 89°52'45" West along said fence line 1283.68 feet to another fence line; thence North 00°22'37" East along said fence line and its line extended 1220.52 feet to the Point of Beginning.



1 FLOOR PLAN
SCALE: 1/8" = 1'-0"
NORTH

- NOTICE**
1. OWNER HAS REVIEWED THIS PLAN AND APPROVES THE SAME.
 2. THIS PLAN IS SUBMITTED TO THE BOARD OF HEALTH AS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
 3. THE BOARD OF HEALTH HAS REVIEWED THIS PLAN AND HAS APPROVED THE SAME.
 4. THE BOARD OF HEALTH HAS REVIEWED THIS PLAN AND HAS APPROVED THE SAME.
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 19. THE BOARD OF HEALTH HAS REVIEWED THIS PLAN AND HAS APPROVED THE SAME.
 20. THE BOARD OF HEALTH HAS REVIEWED THIS PLAN AND HAS APPROVED THE SAME.

WALL LEGEND:

- 1" - 1/2" THICK CONCRETE
- 4" THICK CONCRETE
- 8" THICK CONCRETE
- 12" THICK CONCRETE
- 16" THICK CONCRETE
- 20" THICK CONCRETE
- 24" THICK CONCRETE
- 28" THICK CONCRETE
- 32" THICK CONCRETE
- 36" THICK CONCRETE
- 40" THICK CONCRETE
- 44" THICK CONCRETE
- 48" THICK CONCRETE
- 52" THICK CONCRETE
- 56" THICK CONCRETE
- 60" THICK CONCRETE
- 64" THICK CONCRETE
- 68" THICK CONCRETE
- 72" THICK CONCRETE
- 76" THICK CONCRETE
- 80" THICK CONCRETE
- 84" THICK CONCRETE
- 88" THICK CONCRETE
- 92" THICK CONCRETE
- 96" THICK CONCRETE
- 100" THICK CONCRETE

SARATOGA CROSSROADS RETAIL CENTER SARATOGA SPRINGS, UT

DATE: 11/11/06
 PROJECT NO.: 06-001
 DRAWING NO.: 06-001-01
 CHECKED BY: [Signature]
 DATE: 11/11/06

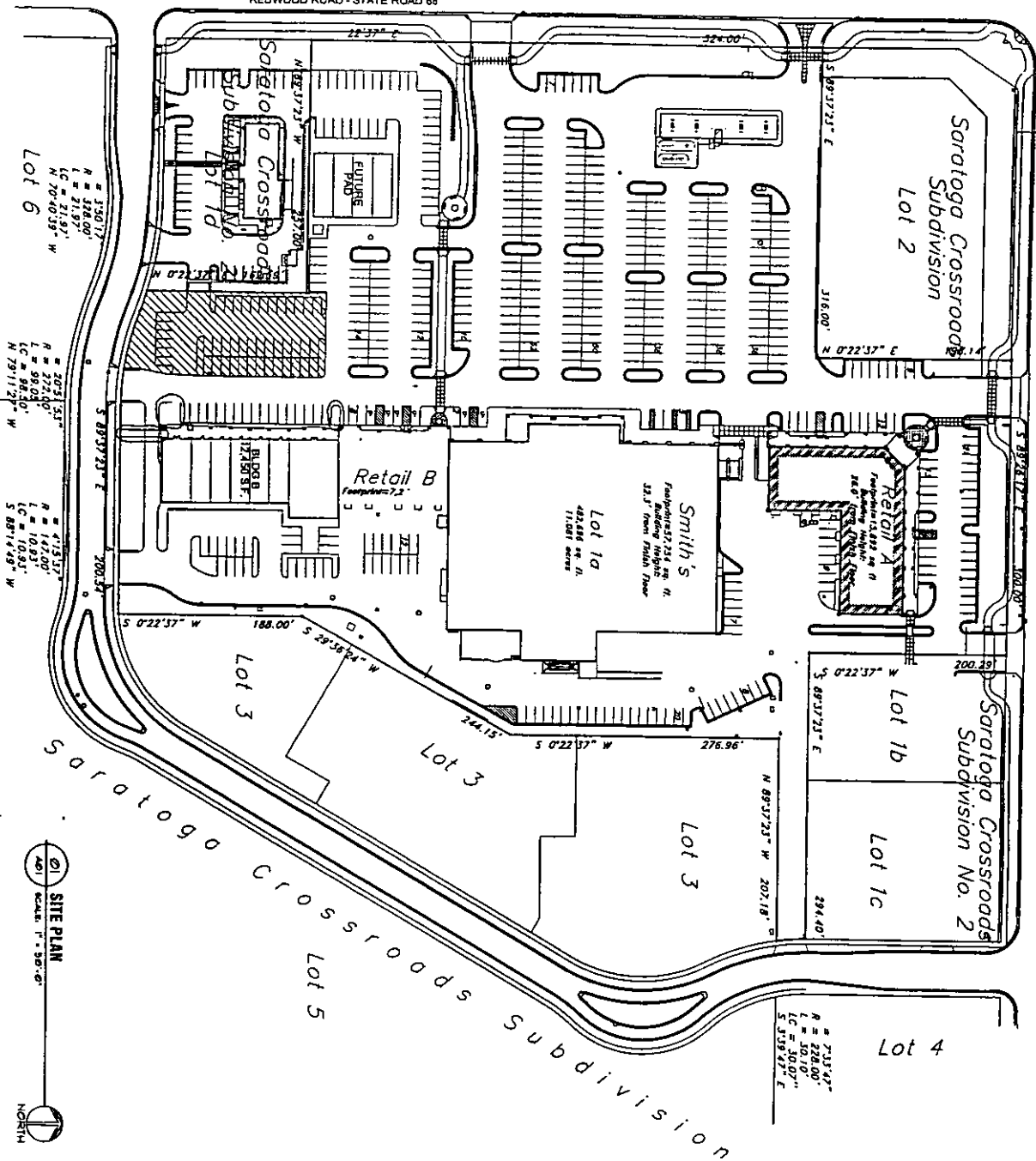
SCALE: 1/8" = 1'-0"
 SHEET NO. 11
 TOTAL SHEETS 11

11/11/06

A-1.1

Redwood Road State Road 68

REDWOOD ROAD - STATE ROAD 68



REFERENCE NOTES

1. REVIEW CONTRACT TO RETAIL CONSTRUCTION.
2. VERIFY ALL DIMENSIONS AND LOCATIONS OF CONSTRUCTION ARE AS SHOWN ON THESE PLANS.
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10. VERIFY ALL DIMENSIONS AND LOCATIONS OF CONSTRUCTION ARE AS SHOWN ON THESE PLANS.

CONTRACTOR:

SPRINTZ ASSOCIATES
2111 S. 21ST ST. SUITE 111
SARATOGA, CA 95070
TEL: 925.854.1111

NO.	DATE	BY	REVISION

APPROVED:

DATE: 04/11/11
SCALE: AS SHOWN

SARATOGA CROSSROADS RETAIL CENTER SARATOGA SPRINGS, UT

SITE PLAN

A-01

EXHIBIT "C"