

After recording return to:
The Rudd Firm
10150 S. Centennial Pkwy
Suite 150
Sandy, VT 04070

13602404
3/18/2021 4:37:00 PM \$40.00
Book - 11139 Pg - 3254-3260
RASHELLE HOBBS
Recorder, Salt Lake County, UT
JONATHAN RUDD ATTY
BY: eCASH, DEPUTY - EF 7 P.

tax id # 27-12-476-035

**SUPPLEMENTAL AGREEMENT TO
DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS**

THIS SUPPLEMENTAL AGREEMENT TO DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS (this "**Supplemental Agreement**") is made and entered into as of the 20th day of May, 2020 by and among ST MALL OWNER, LLC, a Delaware limited liability company ("**ST Mall Owner**") and CENTENNIAL PARK PARTNERS, LLC, a Utah limited liability company ("**Centennial**").

RECITALS

A. Reference is made to that certain Declaration of Restrictions and Grant of Easements dated May 17, 2001, and recorded in the Salt Lake County Recorder's Office on May 18, 2001, as Entry No. 7900119 in Book 8458 at Pages 7489-7512 (the "**Declaration**"), which was executed by Macerich ST Marketplace Limited Partnership, a California limited partnership, and Sandy City Corporation, a Utah municipal corporation.

B. ST Mall Owner is the successor in interest to Macerich ST Marketplace Limited Partnership under the Declaration and is the fee owner of the Shopping Center Parcel as of the date hereof. A legal description of the Shopping Center Parcel is attached hereto as **Exhibit A-1**.

C. Centennial is the successor in interest to Sandy City Corporation under the Declaration and is the current Outparcel Owner under the Declaration as the fee owner of the Outparcel as of the date hereof. A legal description of the Outparcel is attached hereto as **Exhibit A-2**.

D. Reference is made to that certain First Amendment to Declaration of Restrictions and Grant of Easements dated 10/12/20 and which shall be recorded concurrently herewith (the "**First Amendment**"), which was executed by ST Mall Owner, Centennial, and Target Corporation, a Minnesota corporation.

E. Outparcel Owner has requested certain changes to the Declaration to permit its desired residential development on the Outparcel, which have been memorialized in the First Amendment, and whereby Outparcel Owner and ST Mall desire to further amend, clarify and/or or supplement the First Amendment as set forth herein.

F. ST Mall Owner and the Outparcel Owner, hereby supplement the previously referenced and recorded documents above by clarifying the following provisions below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, the parties hereby memorialize and supplement the Declaration and First Amendment as follows:

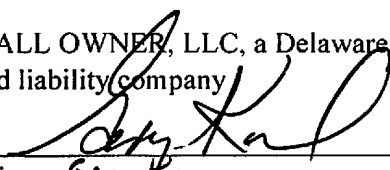
1. **Section 3. "Residential Use" on Outparcel.** Any residential or office use referenced or defined in the Declaration and First Amendment shall comply with requirements that the use be "non-transient", as referenced in the Declaration.
2. **Section 4. Use of Outparcel** shall be inferred, clarified, and supplemented so as to also be for the benefit of and enforceable by "Mall Owner", as defined in the First Amendment.
3. **Exhibit B Residential Lease – Adjoining Commercial Use Addendum** is clarified and supplemented so as to include the "Shops at South Town", whenever "South Towne Marketplace" is referenced. This clarification should then require that any reference to "Shopping Center" therefore be amended in the plural to read "Shopping Centers."

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SIGNATURE PAGE
TO
SUPPLEMENTAL AGREEMENT TO
DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS

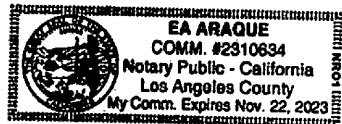
IN WITNESS WHEREOF, the undersigned has executed this Second Amendment effective as of the day and year first above written.

ST MALL OWNER, LLC, a Delaware limited liability company

By: 
Name: Gary Karl
Title: Authorized Signatory

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.

On 10/12 2020, before me, a Notary Public in and for the above-named state, personally appeared Gary Karl, personally known to me or proved to me on the basis of satisfactory evidence in their capacity as Authorized Signatory of ST MALL OWNER, LLC(s) whose name(s) is subscribed to the foregoing 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 foregoing instrument.



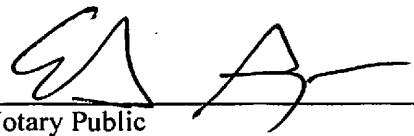

Notary Public

EXHIBIT A-1

DESCRIPTION OF SHOPPING CENTER PARCEL

(see attached)

EXHIBIT A-2

DESCRIPTION OF OUTPARCEL

Parcel 1

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street, North 0°07'35" West 847.85 feet along said westerly right-of-way line, North 89°59'01" West 280.57 feet, South 86°50'50" West 266.48 feet, North 89°57'20" West 519.88 feet and South 0°00'36" West 53.33 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South, (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South); thence North 89°55'00" East 110.278 feet along the southerly edge of an existing concrete sidewalk to intersect the northerly extension of the easterly boundary of that parcel of land described in that certain Special Warranty Deed recorded October 24, 2007 as Entry No. 10257422 in Book 9529 at Pages 6162-6163 in the office of the Salt Lake County Recorder ; thence along said northerly extension of said easterly boundary, South 5.064 feet to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder ; thence along said southerly right-of-way line the following four (4) courses: (1)South 65°32'54 "West 58.010 feet to a point of curvature; (2)Southwesterly 30.925 feet along the arc of a 70.00 foot radius tangent curve to the right having a central angle of 25°18'45" and a chord bearing and length of South 78°12'16" West 30.674 feet to a point of tangency, (3)North 89°08'21" West 11.58 feet; (4)Southwesterly 16.177 feet along the arc of a 45.00 foot radius tangent curve to the left having a central angle of 20°35'49" and a chord bearing and length of South 80°33'44" West 16.090 feet to the easterly right-of -way of Centennial Parkway; thence along said easterly right-of-way line, North 0°00'36" East 37.65 feet to the Point of Beginning.

The above-described area contains approximately 2,874 square feet.

Parcel 2

Beginning at a point in the easterly right of way line of Centennial Parkway which point lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street, North 0°07'35" West 847.85 feet along said westerly right-of-way line, North 89°59'01" West 280.57 feet, South 86°50'50 "West 266.48 feet, North 89°57'20" West 519.88 feet and South 0°00'36" West 90.98 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South , (Basis of Bearing for this description North 89°49'53" West along the Section line from said Southeast Corner of Section 12 to the South Quarter corner of said Section 12); thence South 00°00'36" West along said easterly right-of-way of Centennial Parkway 558 .44 feet to a point of curvature; thence along the arc of a 45.00 foot radius non-tangent curve to the left 15.90 feet through a central angle of 20°14'42", the chord bears South 79°42'54" East 15.82 feet; thence South 89°50'14" East 72.06 feet to a point of curvature; thence along the arc of a 33.00 radius tangent curve to the left 25.07 feet through a central angle of 43°31'06", the chord bears North 68°23'57" East 24.47 feet; thence North 585.21 feet; thence South 65°32'54' West 58.010 feet to a point of curvature; thence along the arc of a 70.00 foot radius tangent curve to the right 30.93 feet through a central angle of 25°18'45", the chord bears South 78°12'16" West 30.67 feet; thence North 89°08'21 " West 11.58 feet to a point of curvature; thence along the arc of a 45.00 foot radius tangent curve to the left 16.18 feet through a central angle of 20°35'49", the chord bears South 80°33'44" West 16.09 feet to the

point of beginning.

The above-described area contains approximately 1.45 Acres.

Tax Parcel No.: 27-12-476-035