

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (this "Covenant") is made this 25th day of May, 2022, by Jefferson Ballpark, LLC, a Utah limited liability company ("Declarant").

RECITALS

WHEREAS, Declarant is the owner of certain real property ("Property") located in Salt Lake County, Utah, more particularly described as 1390 S Jefferson Street, Salt Lake City UT and shown in Exhibit A, and

WHEREAS, SpectaSite Communications, LLC, a Delaware limited liability company ("American Tower") has Right of First Refusal encumbering the Property; and

WHEREAS, American Tower has agreed release the Property from the Right of First Refusal pursuant to a separate document; and

WHEREAS, Declarant agrees to restrict the future use of the Property;

NOW THEREFORE, Declarant hereby declares that the Property shall not be used for the proposes of the operation of a communication tower and related uses subject to the following restrictive covenants, which shall run with the land and be binding on all heirs, successors, assigns (they are included in the terms, "Declarant," below), lessees, or other occupiers and users.

1. **Covenants and Restrictions.** Neither the Declarant, nor any subsequent owner or owners of the Property or any Tenants of the Property, or any portion thereof, shall undertake or cause to be undertaken within or upon the Property any of the following:
 - a. **Owning, acquiring, operating, managing, investing in or leasing wireless telecommunications infrastructure.**
2. **Duration.** The covenants and restrictions listed herein shall run with and bind the Property, and be binding on the Declarant, its personal representatives, heirs, successors and assigns, unless and until terminated or modified by American Tower. The covenants and restrictions shall automatically terminate upon the expiration or termination of American Tower's lease impacting that certain property commonly known as 150 W. 1400 S., Salt Lake City, UT APN:15-13-211-009.
3. **Recording.** Subsequent to recording of this Covenant, Declarant shall present American Tower with a recorded copy. American Tower shall, within a reasonable timeframe thereafter, submit a release of interest releasing all rights, title, interests and Rights of First Refusal encumbering the Property pursuant to that certain Communication Site Lease Agreement (Ground) dated April 19, 2000 (as may have been amended from time to time).


Signature page to follow

13993620 B: 11360 P: 9781 Total Pages: 3
08/01/2022 02:51 PM By: adavis Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: TITLEONE - SECURED LAND TITLE
7090 S UNION PARK AVE STE 425MIDVALE, UT 840476044

IN WITNESS WHEREOF, the Declarant *has* duly executed this Declaration of Restrictive Covenants the date

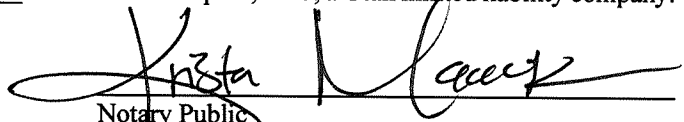
DECLARANT:

Jefferson Ballpark, LLC,
a Utah limited liability company

By: 
Name (Print): JONAH HORNSBY
Title: MANAGER

STATE OF Utah)
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 25th day of May, 2022, by Jonah Hornsby, the Manager of Jefferson Ballpark, LLC, a Utah limited liability company.


Notary Public

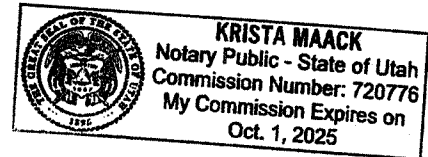


EXHIBIT A

Legal Description

Lots 7 and 8, WEST TEMPLE ADDITION, according to the official plat thereof, as recorded in the office of the Salt Lake County Recorder.

Parcel Identification No. 15-13-211-013.