

WHEN RECORDED MAIL TO:

Wasatch Commercial Management, Inc.
595 South Riverwoods Parkway, Suite 400
Logan, UT 84321
Attn: Anita Lockhart

File No.: 168508-CAB

14145535 B: 11440 P: 9456 Total Pages: 13
08/25/2023 04:01 PM By: Jattermann Fees: \$46.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120SALT LAKE CITY, UT 84121

**SECOND AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF THE WOODLANDS BUSINESS PARK**

In Reference to Tax ID Number(s):

16-32-352-061, 16-32-352-060, 16-32-352-057, 16-32-352-062, 16-32-352-059, 16-32-352-058,
16-32-352-063, 16-32-352-011, 16-32-352-012, 16-32-352-013, 16-32-352-013, 16-32-352-068,
16-32-352-066, 16-32-352-067

AFTER RECORDING, PLEASE RETURN TO:

Anita Lockhart
Wasatch Commercial Management, Inc.
595 South Riverwoods Parkway, Suite 400
Logan, Utah 84321

**SECOND AMENDMENT
TO
AMENDED AND RESTATED
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE WOODLANDS BUSINESS PARK**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WOODLANDS BUSINESS PARK (the "Amendment") is made and entered into effective this 25 day of August, 2023, by JDJ PROPERTIES, INC., a Utah corporation ("JDJ"); WOODLANDS III HOLDINGS, LLC, a Utah limited liability company ("Woodlands III"); CAMELOT LAKES WOODLANDS, LLC, a Utah limited liability company ("Camelot Lakes"); and THE WOODLANDS BUSINESS PARK ASSOCIATION, a Utah non-profit corporation (the "Association") (each a "Party" and collectively the "Parties"); and is filed to amend that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Woodlands Business Park dated October 11, 2010 and recorded October 15, 2010 as Entry No. 11054044, in Book 9869, at Pages 882-913 in the office of the Salt Lake County Recorder; as amended by that certain First Amendment dated August 28, 2013 and recorded August 29, 2013 as Entry No. 11715461, in Book 10173, at Pages 5379-5387 in the office of the Salt Lake County Recorder (the "Declaration").

RECITALS:

A. At the time of the execution and recording of the Declaration, it was the intention of JDJ, Woodlands III and WOODLANDS IV HOLDINGS, LLC, a Utah limited liability company ("Woodlands IV") to include all parcels of real property within the Woodlands Business Park project (the "Project").

B. After the execution and recording of the Declaration, Woodlands IV sold and transferred Woodlands Tower IV, located in the Project, to Camelot Lakes in 2015 (the "Woodlands IV Sale").

C. One parcel of real property that is located within the Project was acquired after the recording of the Declaration, and this parcel (APN 16-32-376-049) (the "New Parcel") therefore was not included in the description of Property in the Declaration.

D. The Parties now desire that the New Parcel be included in the description of Property such that the New Parcel is subject to the terms and conditions of the Declaration, and that the New Parcel be included within the definition of "Common Areas" under the Declaration and treated accordingly by the Owners.

E. Whereas membership in the Association is appurtenant to the Parcel in which the Member holds interests causing it to be a Member, and whereas the Woodlands IV Sale resulted in Woodlands IV no longer holding an interest in any parcel located within the Project, and Camelot Lakes now holding an interest in a parcel located within the Project, and in accordance with Article II of the Declaration, the Parties desire to recognize the removal Woodlands IV as a Member of the Association and to recognize the admission Camelot Lakes as a Member of the Association.

NOW, THEREFORE, the Parties do hereby agree, by execution of this Amendment, to amend the Declaration in the manner set forth below:

1. Description of the Property. For purposes of the Declaration, the term "Property" shall mean and refer to those certain parcels of real property located in Salt Lake County, Utah, more particularly described on the attached Exhibit "A," which shall supersede and replace, in its entirety, the Exhibit "A" attached to the Declaration.

2. Description of Common Area. Section 1.05 of the Declaration shall be superseded and replaced in its entirety by the following:

1.05. "Common Area" means all property within the Project that is designated in the Survey or in Exhibit "A" as Common Area.

3. Admission of New Member. The following sections of the Declaration shall be amended as follows to reflect Camelot Lakes replacing Woodlands IV as a Member of the Association.

3.1. Section 2.02 of the Declaration shall be superseded and replaced in its entirety by the following:

2.02. Membership in Association. As of the date above, JDJ, Woodlands III, and Camelot Lakes constitute all of the Members of the Association. Membership in the Association shall be mandatory, shall be appurtenant to the Parcel in which the Member holds the interest causing it to be a Member, and shall not be separable from the Parcel to which is appurtenant; provided that a Member may pledge its membership to a Mortgagee in connection with the financing of its Parcel such that a Mortgagee upon obtaining title to a Parcel by foreclosure, trustee's sale, or other similar proceeding will succeed to all rights as a Member with respect to such Parcel (subject to all respective obligations) of the Member it succeeds.

3.2. Section 2.03 of the Declaration shall be superseded and replaced in its entirety by the following:

Section 2.03. Voting Structure and Designated Representatives. Each Member of the Association shall be entitled to a number of votes based on the square feet of the Building constructed on each Parcel owned by such Member, when compared with the square feet of all Buildings in the Project. Each Member shall designate to the Association an individual who will cast such Member's vote as a Member. The individual to vote may be changed at any time by notice from the Member to the Association and other Members. JDJ, Woodlands III, and Camelot Lakes each hereby agree that the voting structure for the Association shall be as follows and hereby designate the name and address of the Representative who will cast its vote as a Member:

<u>Name of Member</u>	<u>Parcel</u>	<u>Representative Number of Votes</u>	<u>Address</u>
JDJ Properties, Inc.	Tower I	Dell Loy Hansen 29.96 votes	JDJ Properties, Inc 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321
JDJ Properties, Inc.	Retail I	Dell Loy Hansen 3.38 votes	JDJ Properties, Inc 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321
Woodlands III Holdings, LLC	Tower II	Dell Loy Hansen 23.04 votes	Woodland III Holdings, LLC 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321
Woodlands III Holdings, LLC	Retail II	Dell Loy Hansen 1.73 votes	Woodland III Holdings, LLC 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321
Woodlands III Holdings, LLC	Tower III	Dell Loy Hansen 18.43 votes	Woodland III Holdings, LLC 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321
Camelot Lakes Woodlands, LLC	Tower IV	Dell Loy Hansen 23.46 votes	Camelot Lakes Woodlands, LLC 595 S. Riverwoods Pkwy, Ste 400 Logan, Utah 84321

3.3. Section 6.04(a) of the Declaration shall be superseded and replaced in its entirety by the following:

(a) Allocation Among Members. All Assessments shall be allocated among the Members in accordance with their respective ownership of Parcel within the Project. Each Member shall pay its percentage share ("Percentage Share") of such Assessments, in the following percentages:

<u>Member</u>	<u>Parcel</u>	<u>Percentage Share</u>
JDJ Properties, Inc.	Tower I	29.96%
JDJ Properties, Inc.	Retail I	3.38%
Woodlands III Holdings, LLC	Tower II	23.04%
Woodlands III Holdings, LLC	Retail II	1.73%
Woodlands III Holdings, LLC	Tower III	18.43%
Camelot Lakes Woodlands, LLC	Tower IV	23.46%

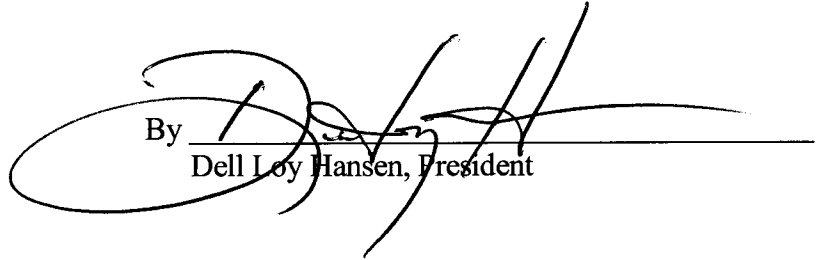
4. Declaration Ratified and Affirmed. The Parties do hereby ratify and affirm the Declaration in its entirety, as modified by this Amendment.

[signature pages follow]

DATED as of the date first above written.

JDJ:

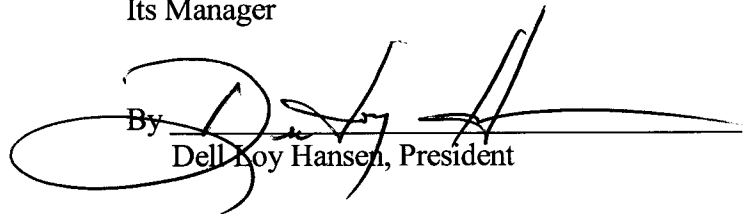
JDJ PROPERTIES, INC.
A Utah Corporation

By 
Dell Loy Hansen, President

WOODLANDS III:

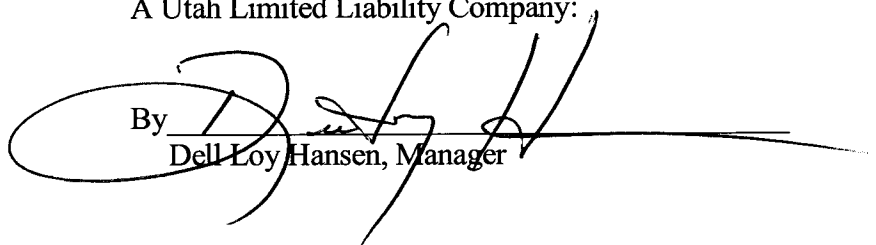
WOODLANDS III HOLDINGS, LLC
A Utah Limited Liability Company

By: WASATCH PROPERTY MANAGEMENT, INC.
A Utah Corporation
Its Manager

By 
Dell Loy Hansen, President

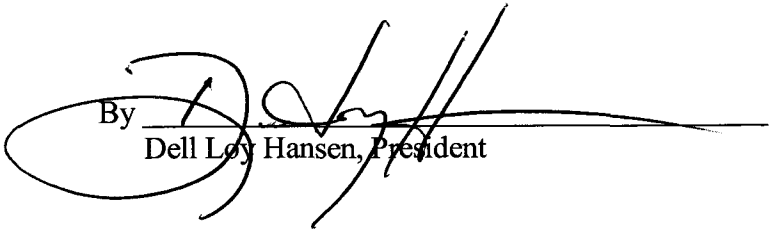
CAMELOT LAKES:

CAMELOT LAKES WOODLANDS, LLC
A Utah Limited Liability Company:

By 
Dell Loy Hansen, Manager

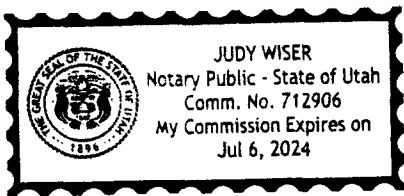
ASSOCIATION:

THE WOODLANDS BUSINESS PARK
ASSOCIATION
A Utah Nonprofit Corporation

By  _____
Dell Loy Hansen, President

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

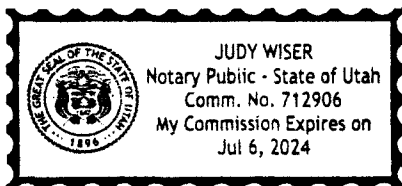
On the 2nd day of August, 2023, personally appeared before me DELL LOY HANSEN, who, being by me duly sworn, did say that he is the President of JDJ PROPERTIES, INC., and that the foregoing SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WOODLANDS BUSINESS PARK was signed by him on behalf of JDJ PROPERTIES, INC. by authority of a resolution of the Directors or its Bylaws, and DELL LOY HANSEN acknowledged to me that JDJ PROPERTIES, INC. executed the same.




NOTARY PUBLIC

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

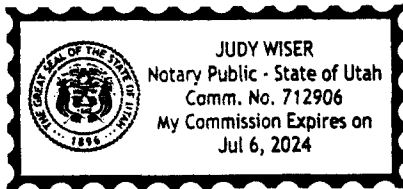
On the 2nd day of August, 2023, personally appeared before me DELL LOY HANSEN, who, being by me duly sworn, did say that he is the President of WASATCH PROPERTY MANAGEMENT, INC., which is the Manager of WOODLANDS III HOLDINGS, LLC, and that the foregoing SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WOODLANDS BUSINESS PARK was signed on behalf of WOODLANDS III HOLDINGS, LLC by authority of a resolution of the Members or its Operating Agreement, and DELL LOY HANSEN acknowledged to me that WOODLANDS III HOLDINGS, LLC executed the same.





NOTARY PUBLIC

STATE OF UTAH)
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COUNTY OF SALT LAKE)

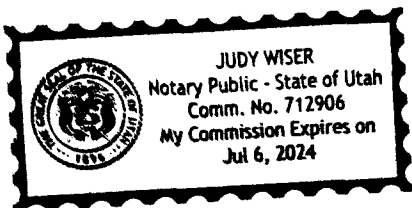
On the 22nd day of August, 2023, personally appeared before me DELL LOY HANSEN, who, being by me duly sworn, did say that he is the Manager of CAMELOT LAKES WOODLANDS, LLC, and that the foregoing SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WOODLANDS BUSINESS PARK was signed on behalf of CAMELOT LAKES WOODLANDS, LLC by authority of a resolution of the Members or its Operating Agreement, and DELL LOY HANSEN acknowledged to me that CAMELOT LAKES WOODLANDS, LLC executed the same.




NOTARY PUBLIC

STATE OF UTAH)
)
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COUNTY OF SALT LAKE)

On the 22nd day of August, ~~2013~~ ²⁰²³, personally appeared before me DELL LOY HANSEN, who, being by me duly sworn, did say that he is the President of THE WOODLANDS BUSINESS PARK ASSOCIATION, and that the foregoing SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WOODLANDS BUSINESS PARK was signed by him on behalf of THE WOODLANDS BUSINESS PARK ASSOCIATION by authority of a resolution of the Trustees or its Bylaws, and DELL LOY HANSEN acknowledged to me that THE WOODLANDS BUSINESS PARK ASSOCIATION executed the same.




NOTARY PUBLIC

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Parcel 1A:

Parcel 1A, within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, located in Block 5, Ten Acre Plat "A", Big Field Survey, being recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123, in the Office of the Salt Lake County Recorder, State of Utah. (16-32-352-061)

Parcel 1B:

Parcel 1B, within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, located in Block 5, Ten Acre Plat "A", Big Field Survey, being recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123, in the Office of the Salt Lake County Recorder, State of Utah. (16-32-352-060)

Parcel 2:

Parcel 2, within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, located in Block 5, Ten Acre Plat "A", Big Field Survey, being recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123, in the Office of the Salt Lake County Recorder, State of Utah. (16-32-352-057)

Parcel 3:

Parcel 3, within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, located in Block 5, Ten Acre Plat "A", Big Field Survey, being recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123, in the Office of the Salt Lake County Recorder, State of Utah. (16-32-352-062)

Parcel 4:

Parcel 4, within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, located in Block 5, Ten Acre Plat "A", Big Field Survey, being recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123, in the Office of the Salt Lake County Recorder, State of Utah. (16-32-352-059)

Parcel 5:

Parcel 5 of THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, according to the official plat thereof, filed in Book "88-12" of Plats, at Page 123 of the Official Records of the Salt Lake County Recorder, State of Utah. (16-32-352-058)

Parcel 5A, COMMON AREA PARCEL:

Common Area within THE WOODLANDS BUSINESS PARK 2ND AMENDED, a Commercial Planned Unit Development, according to the Official Plat recorded December 23, 1988, as Entry No. 4717916, in Book 88-12, at Page 123 of Official Records as shown in that certain Special Warranty Deed recorded June 20, 1984, as Entry No. 3957742, in Book 5566, at Page 2336 of Official Records. (16-32-352-063)

Parcel 6A, NORTH TRACT WOODLANDS BUSINESS PARK EAST PARCEL:

Beginning at the Southwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, and running thence North 0°14'13" East along the East line of 700 East Street 220.97 feet; thence South 89°57'56" East 150.00 feet; thence North 0°13'23" East 65.00 feet; thence South 89°57'38" East 110.00 feet; thence South 0°02'22" West 208.635 feet to a point on a curve to the left, the radius point of which bears South 15°30'15" East 622.03 feet; thence Southwesterly along the arc of said curve 189.008 feet; thence North 89°58'24" West 89.30 feet to the point of beginning. (16-32-352-011, 16-32-352-012, 16-32-352-013)

Parcel 6B, NORTH TRACT WOODLAND BUSINESS PARK WEST PARCEL:

Beginning at a point North 0°14'13" East along the East line of 700 East Street 220.97 feet and South 89°51'36" East 150.00 feet and North 0°13'23" East 65.00 feet and South 89°57'38" East 110.00 feet from the Southwest corner Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, and running thence South 89°57'38" East 285.26 feet; thence South 0°11'14" West 17.30 feet; thence South 85°34'00" East 220.80 feet; thence South 0°9'59" West 251.59 feet to the Southeast corner Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, said point also being on a curve to the left, the radius point of which bears South 32°58'02" West 622.08 feet; thence Westerly along the arc of said curve 526.228 feet; thence North 0°02'22" East 208.635 feet to the point of beginning. (16-32-352-013)

Parcel 7, NORTH TRACT WOODLANDS BUSINESS PARK ADDITION:

Beginning at a point 221 feet North and 150 feet East from the Southwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, and running thence North 30.00 feet; thence West 80.00 feet; thence South 30.00 feet; thence East 80.00 feet to the point of beginning. (16-32-352-068)

Parcel 8A:

Beginning 187.1 feet South from the Northwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, and running thence South 100 feet; thence East 282.67 feet; thence North 1°22' West 100 feet, more or less, to a point due East from beginning; thence West 280 feet to the point of beginning.

Less and excepting the following:

Beginning on the East line of 700 East Street at a point which lies South 0°14'13" West 187.10 feet from the Northwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, said point also lying South 0°14'13" West 220.10 feet and South 89°45'47" East 33.00 feet from the Salt Lake County Brasscap Monument at the intersection of 700 East and 3900 South Streets; and running thence South 89°57'58" East 201.00 feet to the Southeast corner of a parcel of land described in a Warranty Deed recorded as Entry No. 3908986, in Book 5534, at Page 353, in the Office of the Salt Lake County Recorder; thence South 0°14'13" West 65.00 feet thence North 89°57'58" West 201.00 feet to said East line; thence along said East line North 0°14'13" East 65.00 feet to the point of beginning. (16-32-352-066)

Parcel 8B:

Beginning 221 feet North from the Southwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, thence East 150 feet; thence North 65.58 feet; thence West 150 feet; thence South 65.58 feet to the point of beginning.

Less and excepting therefrom the following:

Beginning at a point 221 feet North and 150 feet East from the Southwest corner of Lot 9, Block 5, Ten Acre Plat "A", Big Field Survey, and running thence North 30.00 feet; thence West 80.00 feet; thence South 30.00 feet; thence East 80.00 feet to the point of beginning. (16-32-352-067)

Parcel 8C, COMMON AREA PARCEL:

Lot 2, THE WOODLANDS EAST SUBDIVISION, according to the official plat thereof, recorded November 14, 2006 as Entry No. 9906588 in the Office of the Salt Lake County Recorder.