



\*W2239477\*

WHEN RECORDED, PLEASE MAIL TO:

Robert A. McConnell  
PARR WADDOUPS BROWN GEE  
& LOVELESS  
185 South State Street, Suite 1300  
Salt Lake City, Utah 84111-1537

EH 2239477 PG 1 OF 4  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
01-FEB-07 148 PM FEE \$16.00 DEP JPM  
REC FOR: LANKMARK TITLE

(Space above for Recorder's use)

**SECOND AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Amendment") is entered into this 27<sup>th</sup> day of January, 2007 by and between RIVERDALE CENTER II, L.C., a Utah limited liability company ("Seller"), whose address is 90 South 400 West, Suite 200, Salt Lake City, Utah 84101, and LOWE'S H.L.W., INC., a Washington corporation ("Lowe's"), whose address for the purposes hereof is ~~Highway 268 East dock, North Wilkesboro, North Carolina 28659~~ 28697 *mk*  
1605 CURTIS BRIDGE RD  
REC 00CL

**RECITALS**

A. Whereas Lowe's and Seller executed and caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions, dated December 27, 1999 (as previously amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions, dated July 13, 2002, and recorded in the office of the Weber County Recorder on October 9, 2002 as Entry No. 1880895 in Book 2272 at Page 1089, the "Declaration"), and caused the same to be recorded in the office of the Weber County Recorder on December 28, 1999 as Entry No. 1681482 in Book 2050 at Page 2341; and

B. Whereas the Declaration subjects that certain real property referred to in the Declaration as the Lowe's Property and the Seller Property (collectively the "Shopping Center"), each as more particularly described therein to the terms and provisions of the Declaration; and

C. Whereas Section 4.18 of the Declaration provides that the Declaration may be amended by a writing executed by Lowe's and the owners of not less than fifty percent (50%) of the land area comprising the Sellers Property; and

D. Whereas Lowe's and Seller are collectively all of the owners of the Shopping Center; and

E. Whereas Lowe's and Seller desire to amend the Declaration as stated herein.



**"Seller"**

Riverdale Center II, L.C.,  
a Utah limited liability company, by its  
Manager,

Riverdale Center II Manager, Inc., a Utah  
corporation

By:   
Name: H. Roger Boyer  
Title: President

STATE OF UTAH            )  
                                  ) SS:  
COUNTY OF SALT LAKE )

On the 21<sup>st</sup> day of January, 2007, personally appeared before me H. Roger Boyer, the signer of the above instrument, who duly acknowledged to me that he executed the same as the President of Riverdale Center II Manager, Inc., the Manager of Riverdale Center II, L.C., a Utah limited liability company.

[SEAL]



  
Notary Public

Exhibit C-1st Revision  
to  
Second Amendment  
to  
Covenants, Conditions and Restrictions

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"Seller Property"

All of Lots 3 and 3A, **RIVERDALE CENTER II SUBDIVISION**, according to the official plat thereof, filed in Book "52" of Plats at Page 52 of the Official Records of the Weber County Recorder.

Together with the following described parcel:

A part of the Northwest Quarter of Section 8, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at the Southwest Corner of Lot 2, Riverdale Center II Subdivision, Riverdale City, Weber County, Utah; said point being 1111.12 feet South 1°00'35" West along the Section line and 261.52 feet South 78°05'28" East from the Northwest Corner of said Section 8; and running thence North 13°35'10" East 268.96 feet; thence South 76°24'50" East 158.53 feet; thence North 13°35'10" East 36.33 feet; thence North 25°21'26" East 38.51 feet; thence South 66°49'12" East 41.48 feet; thence South 51°31'42" East 302.37 feet to the Westerly line of Riverdale Road; thence two (2) courses along said Westerly line as follows: South 38°24'20" West 217.50 feet and South 78°05'28" East 18.52 feet to the New Westerly right-of-way line of Riverdale Road (SR-26), which is 56.5 feet perpendicularly distant Northwesterly from the existing centerline of said road at UDOT Project No. SP-0026 (4) 0 engineering station 145+80.13; thence South 38°25'10" West 106.32 feet; thence North 78°05'28" West 82.78 feet; thence North 51°29'55" West 42.85 feet; thence North 68°22'35" West 16.93 feet; thence North 89°41'28" West 14.21 feet; thence North 78°05'28" West 67.15 feet; thence North 11°03'04" East 75.97 feet to the South line of Lot 2 of said Riverdale Center II Subdivision; thence North 78°05'28" West 141.52 feet along said South line of Lot 2 of said subdivision to the point of beginning.

For reference purposes only:

Tax Parcel Nos. 06-274-0003, 06-274-0004, 1

06-274-0002,  
06-028-0009