



ENT 29161:2013 PG 1 of 9
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2013 Mar 27 9:21 am FEE 60.00 BY SW
 RECORDED FOR SPRING CREEK LLC

**FIRST AMENDMENT
 TO
 DECLARATION OF CONDOMINIUM
 OF
 BUSINESS CONDOMINIUMS**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OF BUSINESS CONDOMINIUMS (the "Amendment") is made by Spring Creek LLC and High Mountain Timbers, Inc., (the "Declarant") pursuant to the provisions of the Utah Condominium Ownership Act and is effective as of the 29th day of January, 2013.

RECITALS

WHEREAS, on September 18, 2007 a Declaration of Condominium of Business Condominiums was recorded with the Utah County Recorder, Entry No. 136873:2007, with respect to the condominium project identified therein as Spring Creek Industrial Park (the "Declaration"); and,

WHEREAS, on or about January 1, 2012, the Spring Creek Industrial Park (the "Project") was acquired by Spring Creek LLC; and,

WHEREAS, this Amendment applies to the property described on Exhibit A and Declarant amends the Declaration in accordance with terms and provisions set forth herein; and,

WHEREAS, except as otherwise modified in this Amendment and in the Amended Spring Creek Industrial Park (defined below), the above-referenced Declaration (Entry No. 136873:2007) and the conditions, covenants and restrictions contained therein, shall apply to the Amended Spring Creek Industrial Park.

NOW THEREFORE, for the Declarant hereby amends the Declaration as follows:

1. Map. The map attached hereto and titled "Amended Spring Creek Industrial Park" consisting of five pages, shall amend and replace the original map filed with the Declaration.
2. Designation of Areas. The Private Area, Limited Area and Common Area shall be those areas as so designated on the Map and otherwise designated below:
 - a. Private Area. Subject to the provisions of the Cross Access Agreement set forth the below, the Private Area shall be reserved for the exclusive use of the respective unit owner and unit owners shall be responsible for the maintenance of their respective Private Area.
 - b. Limited Area. The Limited Area shall be reserved for the exclusive use the unit owner or unit owners that own the units adjacent to the designated Limited Area. Such unit owners shall be responsible for the maintenance of their respective Limited Area(s).

- c. Common Area. The Common Area shall be reserved for the common use of all unit owners and each unit owner shall own an undivided interest in the Common Area. The Common Area shall be maintained by the Association. The Common Area includes the following:
- i. Those areas designated as Common Area on the attached Map;
 - ii. The foundations, columns, girders, beams, supports, exterior walls, roofs, and similar exterior construction of the buildings and fire rated or fire separation walls as required for building allowable area limitations; and
 - iii. Installations of pipes, ducts, fans, drains, compressors, pumps, motors and other infrastructure elements relating to the provision of utilities to the Project and the areas in which such equipment and infrastructure is housed; and
 - iv. Except as otherwise amended herein, those areas designated as Common Area in the Declaration.

3. Combining Adjoining Units. Subject to the conditions outlined below, without eliminating property lines and/or amending the plat and/or Declaration, two or more adjoining units in the Project may be combined by creating openings in interior walls or removing interior walls interior walls in the Project. When combining adjoining units, the following conditions must be complied with:

- a. The unit owner(s) desiring to combine units must submit a plan to the Association describing which units will be combined and the dimensions of the proposed opening(s). The plan must be approved by the Association in writing before the units are combined.
- b. A building permit must be obtained from the City of Springville by the unit owner(s) prior to the commencement of the work.
- c. The work required to combine the units must be completed by a licensed contractor.

4. Cross Access Agreement. A Cross Access Agreement is hereby granted by and among the unit owners and the Association for the purposes of managing, accessing, removing, constructing and maintaining the interior walls in the Project that separate the units (the "Party Walls"). During such times when units are not combined, the unit owners will be responsible for the maintenance of their respective Party Walls. During such times that two or more units are combined pursuant to Section 3 above, the Association will be responsible for managing the maintenance, demolition and replacement of such Party Walls with it being understood that the respective unit owner(s) will be responsible for the cost of any demolition or replacement of Party Walls. Further, in the event any units in the Project are combined, this Cross Access

Exhibit A

SURVEYOR'S CERTIFICATE

I, SEAN A. FERNANDEZ, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 312775 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE DESCRIPTION DESCRIBES THE LAND SURFACE UPON WHICH AMENDED SPRING CREEK INDUSTRIAL PARK, A UTAH CONDOMINIUM PROJECT WAS CONSTRUCTED, IN ACCORDANCE WITH UTAH CONDOMINIUM OWNERSHIP ACT. I FURTHER CERTIFY THAT THE REFERENCE MARKERS SHOWN ON THIS PLAT ARE LOCATED AS SHOWN AND ARE SUFFICIENT TO READILY RETRACE OR RE-ESTABLISH THIS SURVEY.

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 3 OF THE SPRING CREEK INDUSTRIAL PARK SUBDIVISION PLAT "D", POINT ALSO BEGINNING LOCATED NORTH 89°58'52" EAST ALONG THE SECTION LINE 1916.07' AND SOUTH 2281.01 FEET FROM THE NORTH 1/4 CORNER OF SECTION 29 TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, THENCE AS FOLLOWS

BEARING	DISTANCE	REMARKS
EAST	425.59'	
S 19°15'01" E	57.98'	
N 89°59'08" E	11.44'	
ALONG AN ARC	250.66'	TO TO THE RIGHT CHORD BEARS S 10°23'37" E 250.58' R=2818.22'
S 89°33'49" W	137.30'	
N 88°18'39" W	70.97'	
N 87°30'16" W	96.08'	
N 89°34'29" W	93.55'	
N 89°04'31" W	80.58'	
N 04°28'33" W	294.88'	TO THE POINT OF BEGINNING
		AREA = 3.15 ACRES

BASIS OF BEARING = THE RECORDED BEARING BETWEEN THE NORTH 1/4 AND THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 3 EAST, S.L.B. & M.

12-26-2012
DATE

Sean A. Fernandez
SURVEYOR (SEE SEAL BELOW)

OWNER'S DEDICATION

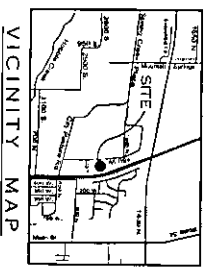
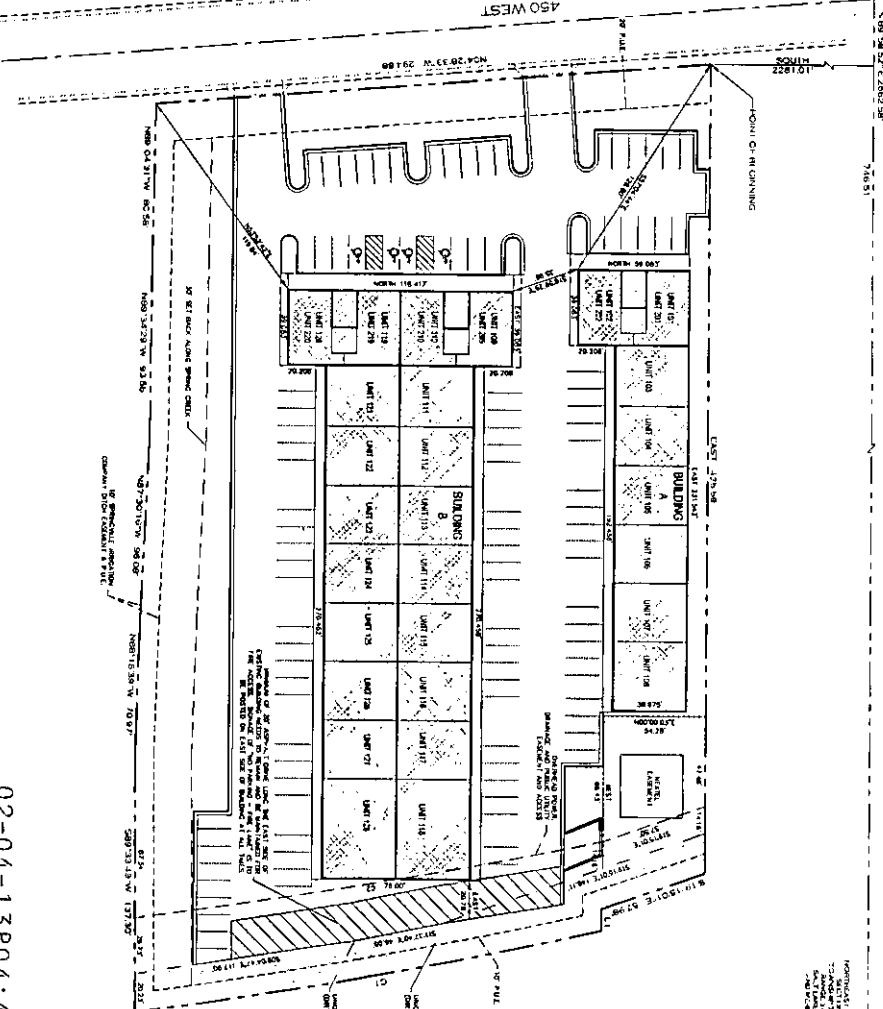
KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNER'S OF THE TRACT OF LAND DESCRIBED HERE ON AS AMENDED SPRING CREEK INDUSTRIAL PARK, A UTAH CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND HAVE CAUSED A SURVEY TO BE MADE AND THIS RECORD OF SURVEY MAP CONSISTING OF 5 SHEETS TO BE PREPARED, DO HEREBY GIVE OUR CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY MAP AND SUBMIT THIS PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP ACT, AND DO HEREBY DESIGNATE ALL STREETS, UNLESS OTHERWISE INDICATED, AS PRIVATE STREETS INTENDED FOR THE USE OF THE CONDOMINIUM PROJECT FOR INGRESS AND EGRESS.

UTILITY DEDICATION

THE ABOVE NAMED OWNERS OF THE ABOVE DESCRIBED PARCEL OF LAND DO HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES, THEIR SUCCESSORS AND THE CITY OF SPRINGVILLE PERMANENT PUBLIC UTILITY EASEMENTS AND RIGHT-OF-WAYS AS SHOWN BY THE AREAS MARKED COMMON AND LIMITED COMMON AREA ON THE WITHIN PLAT FOR CONSTRUCTION AND MAINTENANCE OF ABOVE AND SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER LINE APPURTENANCES, CABLE AND OTHER PUBLIC UTILITIES, TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO. IT IS HEREBY UNDERSTOOD THAT ALL UNITS HAVE A CROSS-EASEMENT WITHIN THE EXTERIOR WALLS, ATTIC SPACE, AND BELOW BOTTOM FLOOR FOR THE PLACEMENT OF NECESSARY UTILITIES TO SERVE ADJACENT UNITS WITHIN THAT SHELL.

RESERVATION OF COMMON AREAS

SPRING CREEK INDUSTRIAL PARK
 1774H COUNTY, UTAH
 1774H COUNTY, UTAH
 1774H COUNTY, UTAH



GRID	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
LINE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

- NOTES
1. ALL PROPOSED UTILITIES SHALL BE SHOWN.
 2. ALL PROPOSED UTILITIES SHALL BE SHOWN WITH A MINIMUM CLEARANCE OF 10 FEET FROM ALL STRUCTURES.
 3. ALL AREAS SHALL BE GRADED TO A MINIMUM OF 1% SLOPE.
 4. ALL AREAS SHALL BE GRADED TO A MINIMUM OF 1% SLOPE.
 5. THE LOT SHALL BE SUBMITTED TO A STATE OF UTAH SURVEYOR FOR RECORDATION.

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APPROVED AS TO PLAN
 CITY ATTORNEY

STRUCTURAL WALL

UNIT LINE

PRIVATE AREA

LIMITED AREA

COMMON AREA (P.U.E.)

20' WIDE FIRE LANE

SPRING CREEK INDUSTRIAL PARK
 AN AMENDED TENTATIVE VACATION OF
 SPRING GREEN INDUSTRIAL PARK CONDOMINIUMS

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 AN AMENDED TENTATIVE VACATION OF
 SPRING GREEN INDUSTRIAL PARK CONDOMINIUMS

STATE OF UTAH
 COUNTY OF _____

ACKNOWLEDGMENT

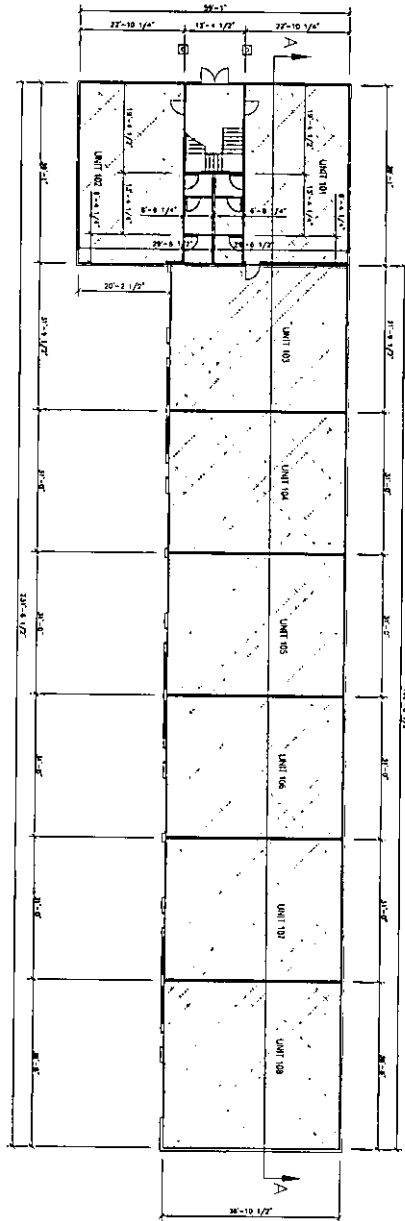
ACCEPTANCE BY THE CITY OF SPRING CREEK

PLANNING COMMISSION APPROVAL

CONDOMINIUMS RESTRICTION NOTICE

CONDITIONS OF APPROVAL

SHEET 1 OF 5



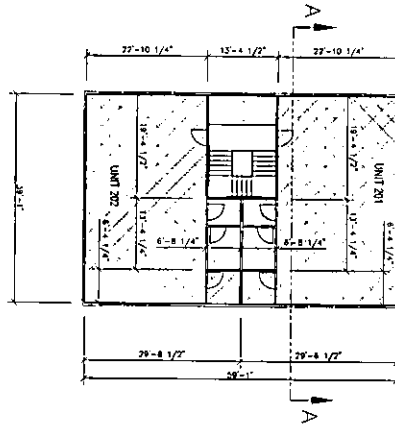
BUILDING A MAIN FLOOR PLAN
SCALE: 3/32" = 1'-0"

02-04-13P04:47 RCVD

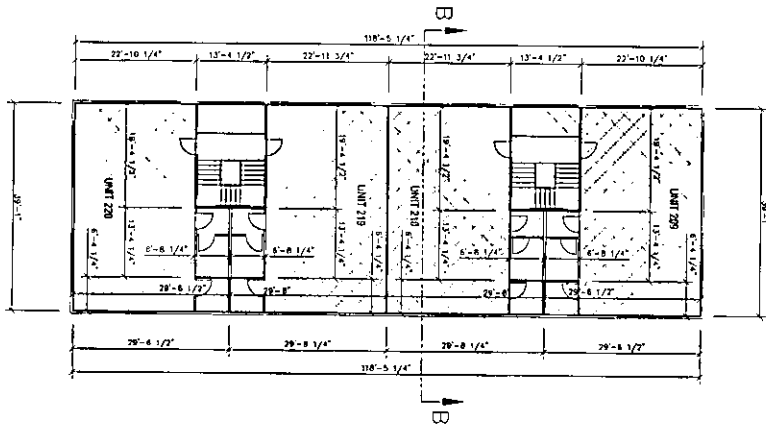
- STRUCTURAL WALL
- UNIT LINE
- ▨ PRIVATE AREA
- ▨ LIMITED AREA
- ▨ COMMON AREA (P.U.E.)








AMENDED
SPRING CREEK INDUSTRIAL PARK
 AN AMENDMENT AND A VACATION OF
 SPRING CREEK INDUSTRIAL PARK CONDOMINIUMS
 SPRINGVILLE CITY, _____ CONDOMINIUMS _____ UTAH COUNTY, UTAH
 SHEET 2 OF 5



BUILDING A SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"



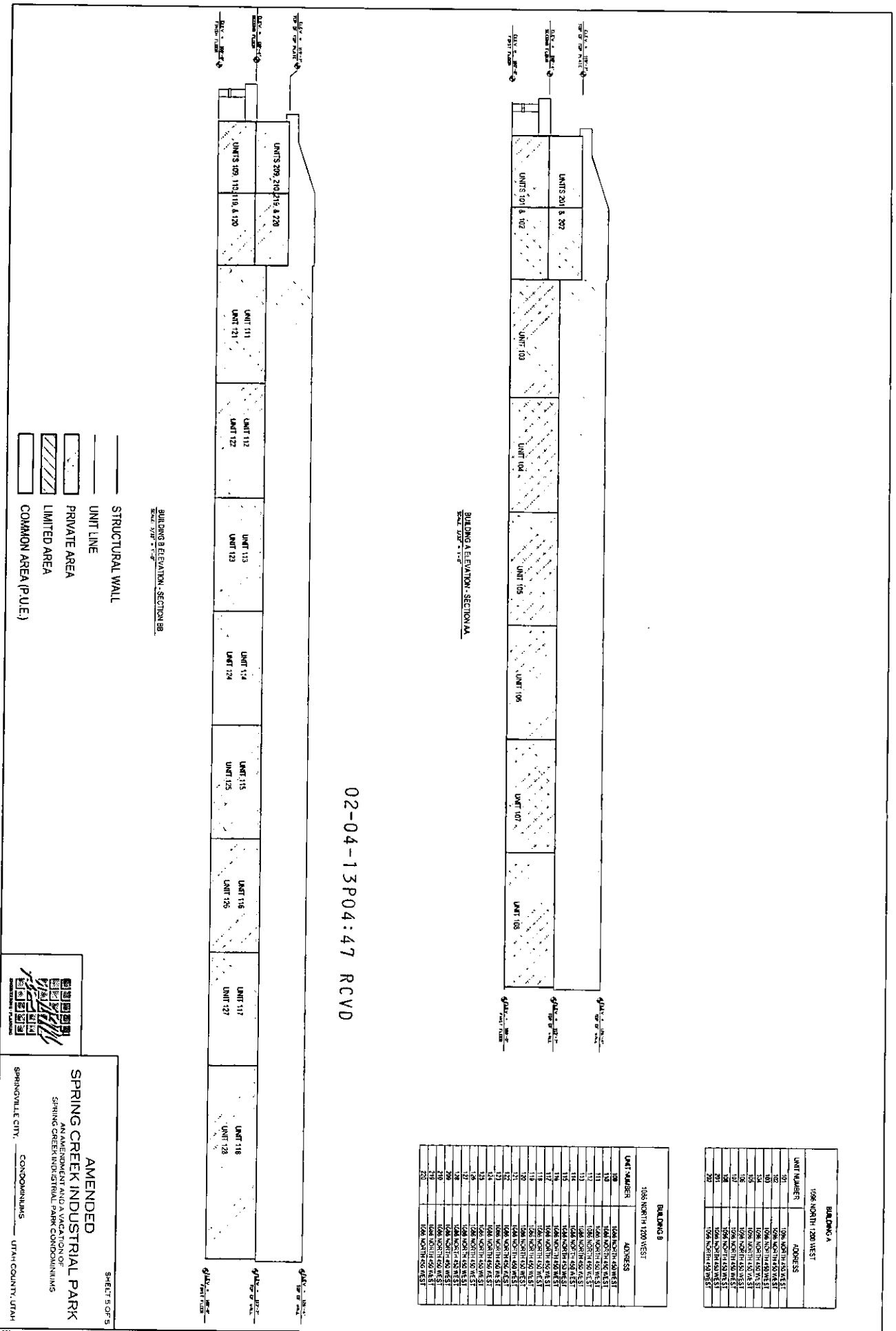
BUILDING B SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

-  STRUCTURAL WALL
-  UNIT LINE
-  PRIVATE AREA
-  LIMITED AREA
-  COMMON AREA (P.U.E.)

02-04-13P04:47 RCVD



AMENDED
SPRING CREEK INDUSTRIAL PARK
 AN AMENDMENT AND VACATION OF
 SPRING CREEK INDUSTRIAL PARK CONDOMINIUMS
 SPRINGVILLE CITY, _____ CONDOMINIUMS _____ UTAH COUNTY, UTAH
 SHEET 4 OF 5



02-04-13P04:47 RCVD

BUILDING A
1036 NORTH 1200 WEST

UNIT NUMBER	ADDRESS
101	1036 NORTH 1200 WEST
102	1036 NORTH 1200 WEST
103	1036 NORTH 1200 WEST
104	1036 NORTH 1200 WEST
105	1036 NORTH 1200 WEST
106	1036 NORTH 1200 WEST
107	1036 NORTH 1200 WEST
108	1036 NORTH 1200 WEST
109	1036 NORTH 1200 WEST
110	1036 NORTH 1200 WEST

BUILDING B
1036 NORTH 1200 WEST

UNIT NUMBER	ADDRESS
111	1036 NORTH 1200 WEST
112	1036 NORTH 1200 WEST
113	1036 NORTH 1200 WEST
114	1036 NORTH 1200 WEST
115	1036 NORTH 1200 WEST
116	1036 NORTH 1200 WEST
117	1036 NORTH 1200 WEST
118	1036 NORTH 1200 WEST
119	1036 NORTH 1200 WEST
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SPRING CREEK INDUSTRIAL PARK
 AN AMENDMENT AND A VACATION OF
 SPRING CREEK INDUSTRIAL PARK CONDOMINIUMS
 SHEET 5 OF 5
 SPRINGVILLE CITY, CONDOMINIUMS UTAH COUNTY, UTAH