



W3184438

After Recording Return To:
Matthew B. Hutchinson
HOGGAN LEE HUTCHINSON
1225 Deer Valley Drive, Suite 201
Park City, Utah 84060

EH 3184438 PG 1 OF 20
LEANN H KILTS, WEBER COUNTY RECORDER
17-SEP-21 153 PM FEE \$312.00 DEP PV
REC FOR: ACADIA NORTH LLC

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF THE
BEN LOMOND SUITES CONDOMINIUM PROJECT**

This THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF THE BEN LOMOND SUITES CONDOMINIUM PROJECT (this “**Third Amendment**”) is made effective and executed by the ACADIA NORTH, LLC, a Utah limited liability company (“**Sole Owner**”).

RECITALS

A. WHEREAS, Ben Lomond Suites Condominium Project is a condominium project located at 2510 Washington Boulevard, Ogden, Weber County, Utah as further described in Exhibit B attached hereto (the “**Condominium Project**”);

B. WHEREAS, the Declaration of Condominium governing the Condominium Project was recorded in the office of the Weber County Recorder, State of Utah, on September 14, 1984, as Entry No. 919072 in Book 1454 at Page 71 (the “**Original Declaration**”);

C. WHEREAS, the First Amendment to the Declaration of Condominium of the Ben Lomond Suites Condominium Project was recorded in the office of the Weber County Recorder on June 5, 1989, as Entry No. 1080393 in Book 1562 at Page 253 (the “**First Amendment**”);

D. WHEREAS, the Second Amendment to the Declaration of Condominium of the Ben Lomond Suites Condominium Project was recorded in the office of the Weber County Recorder on March 18, 2004, as Entry No. 2018449 (the “**Second Amendment**”);

E. WHEREAS, Sole Owner owns one hundred percent (100%) of the Units comprising the Condominium Project and, as such, holds one hundred percent (100%) of the voting rights of the Condominium Project, and, as such, is vested with the unilateral authority to adopt and record this Third Amendment against the Condominium Project;

F. WHEREAS, the original Record of Survey Map for the Condominium Project was recorded in the office of the Weber County Recorder, State of Utah, on September 14, 1984, as Entry No. 919073 (the “**Plat**”);

G. WHEREAS, an “Amendment to Record of Survey Map of the Ben Lomond Suites Condominium Project Amended Basement Floor, Second Floor and Third Floor” was recorded in the office of the Weber County Recorder, State of Utah, on June 5, 1989, as Entry No. 1080394

(the “**Amended Plat**”);

H. WHEREAS, Sole Owner has resolved to amend the Plat and the Amended Plat to convert all three of the convertible units on the basement level of the Condominium Project, (i.e., Units 1A, 1B and 2 (the “**Basement Convertible Units**”)), such that all of the floor area formerly comprising the Basement Convertible Units shall henceforth be reconfigured into a new Unit 4 of 2,874 square feet, designated for use as storage areas, and the remainder as Common Area; and

I. WHEREAS, amendment of the Plat decreases the total aggregate floor area of the Units on the Condominium Project, and increases the total aggregate floor area of the Common Areas, and, as such, necessitates the recordation of this Third Amendment.

NOW, THEREFORE, the undersigned hereby submits this Third Amendment to the Original Declaration as follows:

AMENDMENT

1. **Defined Terms.** Capitalized terms used and not otherwise defined in this Third Amendment shall have the meaning or meanings given to them in the Declaration.

2. **Status of Recitals.** The Recitals set forth above shall constitute a portion of the terms of this Third Amendment.

3. **Plat Amendment.** All of the Convertible Spaces formerly designated as Units 1A, 1B, and 2, as the same were depicted in that certain Amended Basement Floor, Second Floor and Third Floor is hereby amended and as depicted on that certain “Ben Lomond Suites Condominium Project – 3rd Amended” being recorded concurrently herewith in the office of the Weber County Recorder, as Entry No. _____ (the “**Third Amended Plat**”). The Unit Number of each new Unit which is being created from the Convertible Space is as shown on the Third Amended Plat. The size of the new Unit is as shown on the Third Amended Plat. After recordation of the Third Amended Plats, no Basement Convertible Units shall exist.

4. **Revised Exhibit A to Declaration.** Exhibit A to the Original Declaration, setting forth the percentage ownership interests of each Unit Owner in the Common Areas of the Condominium Project and the votes allocated to each Unit Owner is hereby stricken and replaced with Exhibit A attached hereto.

5. **Declaration and Bylaws Remain in Effect.** This Third Amendment shall be considered supplement to the Original Declaration. Except as expressly amended herein, the Original Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Third Amendment.

6. **Effective Date.** This Third Amendment shall be effective as of the date of its recordation in the official real property records of the Recorder in and for Weber County, Utah.

IN WITNESS WHEREOF, the Sole Owner has executed this Third Amendment on this 14th day of July, 2021.

SOLE OWNER

ACADIA NORTH, LLC,
a Utah limited liability company

By: ACADIA N MANAGEMENT, LLC,
a Utah limited liability company

Its: Manager

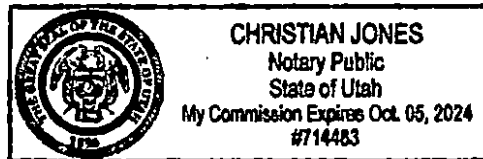
By: Raymond M. Rosendin
Raymond M. Rosendin
Its: Manager

Acknowledgement

STATE OF UTAH)
)
) :SS
COUNTY OF Salt Lake)

On this 14th day of July, 2021, personally appeared before me Raymond M. Rosendin who, being first duly sworn, did say that he is the Manager of Acadia N Management, LLC, the Manager of Acadia North, LLC, and that he is duly authorized to sign this instrument, certified that the Amendment of the Declaration was authorized by 100% of the total votes of the Association, and acknowledged said instrument to be his voluntary act and deed.

Christian Jones
NOTARY PUBLIC



The undersigned beneficiary hereby consents to the recording of this Third Amendment.

LENDER

FIRST UTAH BANK

By: Jason Shepherd
Its: SVP

Acknowledgement

STATE OF UTAH)
 :SS
COUNTY OF Salt Lake

On this 10th day of August, 2021, personally appeared before me Jason Shepherd who, being first duly sworn, did say that he is the SVP of First Utah Bank and that said instrument was signed by said bank.

Kristo Allred
NOTARY PUBLIC

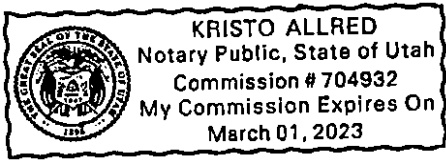


EXHIBIT A
Amended Exhibit A to Declaration

Unit or Convertible Space No.	Building No.	Size	Percentage of Undivided Ownership in Common Area	Number of Votes
4	A	2874	2.73%	2726
101*	A	5530	5.25%	5246
102*	A	1320	1.25%	1252
103	A	80	0.08%	76
104*	A	3580	3.40%	3396
105*	A	1800	1.71%	1707
106*	A	650	0.62%	617
107	A	300	0.28%	285
108*	A	2940	2.79%	2789
109*	A	3570	3.39%	3386
110*	A	2690	2.55%	2552
111*	A	1510	1.43%	1432
201*	A	4840	4.59%	4591
221	A	1072	1.02%	1017
222	A	933	0.89%	885
223	A	1105	1.05%	1048
224	A	1040	0.99%	987
225	A	877	0.83%	832
321	A	582	0.55%	552
322	A	482	0.46%	457
323	A	515	0.49%	489
324	A	532	0.50%	505
325	A	529	0.50%	502
326	A	523	0.50%	496
327	A	531	0.50%	504
328	A	483	0.46%	458
329	A	597	0.57%	566
330	A	789	0.75%	748
331	A	484	0.46%	459
332	A	501	0.48%	475
333	A	424	0.40%	402
401	A	610	0.58%	579
402	A	530	0.50%	503
403	A	530	0.50%	503
404	A	530	0.50%	503

Unit or Convertible Space No.	Building No.	Size	Percentage of Undivided Ownership in Common Area	Number of Votes
405	A	520	0.49%	493
406	A	520	0.49%	493
407	A	520	0.49%	493
408	A	510	0.48%	484
409	A	530	0.50%	503
410	A	560	0.53%	531
411	A	510	0.48%	484
412	A	510	0.48%	484
413	A	460	0.44%	436
414	A	460	0.44%	436
501	A	610	0.58%	579
502	A	530	0.50%	503
503	A	530	0.50%	503
504	A	530	0.50%	503
505	A	520	0.49%	493
506	A	520	0.49%	493
507	A	520	0.49%	493
508	A	510	0.48%	484
509	A	530	0.50%	503
510	A	560	0.53%	531
511	A	510	0.48%	484
512	A	510	0.48%	484
513	A	460	0.44%	436
514	A	460	0.44%	436
601	A	610	0.58%	579
602	A	530	0.50%	503
603	A	530	0.50%	503
604	A	530	0.50%	503
605	A	520	0.49%	493
606	A	520	0.49%	493
607	A	520	0.49%	493
608	A	510	0.48%	484
609	A	530	0.50%	503
610	A	560	0.53%	531
611	A	510	0.48%	484
612	A	510	0.48%	484
613	A	460	0.44%	436
614	A	460	0.44%	436
701	A	610	0.58%	579

Unit or Convertible Space No.	Building No.	Size	Percentage of Undivided Ownership in Common Area	Number of Votes
702	A	530	0.50%	503
703	A	530	0.50%	503
704	A	530	0.50%	503
705	A	520	0.49%	493
706	A	520	0.49%	493
707	A	520	0.49%	493
708	A	510	0.48%	484
709	A	530	0.50%	503
710	A	560	0.53%	531
711	A	510	0.48%	484
712	A	510	0.48%	484
713	A	460	0.44%	436
714	A	460	0.44%	436
801	A	610	0.58%	579
802	A	530	0.50%	503
803	A	530	0.50%	503
804	A	530	0.50%	503
805	A	520	0.49%	493
806	A	520	0.49%	493
807	A	520	0.49%	493
808	A	510	0.48%	484
809	A	530	0.50%	503
810	A	560	0.53%	531
811	A	510	0.48%	484
812	A	510	0.48%	484
813	A	460	0.44%	436
814	A	460	0.44%	436
901	A	610	0.58%	579
902	A	530	0.50%	503
903	A	530	0.50%	503
904	A	530	0.50%	503
905	A	520	0.49%	493
906	A	520	0.49%	493
907	A	520	0.49%	493
908	A	510	0.48%	484
909	A	530	0.50%	503
910	A	560	0.53%	531
911	A	510	0.48%	484
912	A	510	0.48%	484

Unit or Convertible Space No.	Building No.	Size	Percentage of Undivided Ownership in Common Area	Number of Votes
913	A	460	0.44%	436
914	A	460	0.44%	436
1001	A	610	0.58%	579
1002	A	530	0.50%	503
1003	A	530	0.50%	503
1004	A	530	0.50%	503
1005	A	520	0.49%	493
1006	A	520	0.49%	493
1007	A	520	0.49%	493
1008	A	510	0.48%	484
1009	A	530	0.50%	503
1010	A	560	0.53%	531
1011	A	510	0.48%	484
1012	A	510	0.48%	484
1013	A	460	0.44%	436
1014	A	460	0.44%	436
1101	A	610	0.58%	579
1102	A	530	0.50%	503
1103	A	530	0.50%	503
1104	A	530	0.50%	503
1105	A	520	0.49%	493
1106	A	520	0.49%	493
1107*	A	2370	2.25%	2248
1108*	A	2210	2.10%	2096
1201*	A	1440	1.37%	1366
1301*	A	1380	1.31%	1309
TOTAL		105,423	100.00%	100000

*Denotes Convertible Space.

EXHIBIT B
Legal Description of Condominium Project

PARCEL 1:

PART OF LOTS 5 AND 6, BLOCK 17, PLAT A, OGDEN CITY SURVEY: BEGINNING AT A POINT 68.0 FEET, SOUTH 0°58' WEST AND 159.5 FEET SOUTH 89°02' EAST FROM THE NORTHWEST CORNER OF SAID LOT 5 AND RUNNING THENCE NORTH 0°58' EAST 100.0 FEET; THENCE SOUTH 89°02' EAST 112.80 FEET TO THE WEST LINE OF OGDEN AVENUE; THENCE ALONG SAID WEST LINE THE FOLLOWING TWO COURSES: SOUTH 14°50' EAST 67.55 FEET AND SOUTH 0°58' WEST 64.0 FEET TO A POINT NORTH 0°58' EAST 35.0 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 5; THENCE NORTH 89°02' WEST 131.19 FEET; THENCE NORTH 0°58' EAST 29.0 FEET TO THE POINT OF BEGINNING. (Tax Parcel No. 01-015-0019)

PARCEL 2:

CONVERTIBLE SPACE NO. 1A, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 1B, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 2, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH. EXCEPT THE FOLLOWING: SOUTH ONE THIRD OF UNIT 2, OF BUILDING A CONTAINED WITHIN THE BEN LOMOND SUITES CONDOMINIUM PROJECT (THE "CONDOMINIUM PROJECT"), AS THE SAME IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED SEPTEMBER 18, 1984, AS ENTRY NO. 919073 IN THE OFFICE OF THE WEBER COUNTY.

RECORDER (AS SAID RECORD SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) (THE "RECORD OF SURVEY MAP") AND IN THE DECLARATION OF CONDOMINIUM THE BEN LOMOND SUITES CONDOMINIUM PROJECT RECORDED CONCURRENTLY WITH SAID RECORD OF SURVEY MAP IN SAID OFFICE AS ENTRY NO. 919072 IN BOOK 1454 AT PAGE 71 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) (THE "DECLARATION"), TOGETHER WITH THE UNDIVIDED OWNERSHIP IN SAID PROJECT'S COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT (THE REFERENCED DECLARATION OF CONDOMINIUM PROVIDING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED OWNERSHIP INTEREST AND IN COMPOSITION OF THE COMMON FACILITIES TO WHICH SAID INTEREST RELATES) AS MORE PARTICULARLY DESCRIBED IN SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED, AS ILLUSTRATED IN THE HERETO ATTACHED DIAGRAM WITH SPACE DESIGNATED AS C-1. (E# 2314078)

EAST 1/2 OF CONVERTIBLE SPACE NO. 101, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH. EXCEPT: THE EASTERLY PORTION OF THE EAST 1/2 OF UNIT AND/OR CONVERTIBLE SPACE NO. 101 BUILDING A CONTAINED WITHIN BEN LOMOND SUITES CONDOMINIUM PROJECT ON THE SHOP MEZZANINE FLOOR (M-1 LEVEL) BEGINNING AT THE SOUTHEAST CORNER OF SAID SPACE AND RUNNING NORTH 16.00 FEET, THENCE WEST 13.63 THENCE SOUTH 16.00 FEET, THENCE EAST 13.63 FEET TO THE POINT OF BEGINNING.

WEST 1/2 CONVERTIBLE SPACE NO. 101 BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 102, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 103, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 104, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 105, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 106, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 107, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 108, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 109, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 110, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 201, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 221, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

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UNIT 401, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

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UNIT 403, BUILDING A, BEN LOMOND SUITES CONDOMINIUM SUITES, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

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UNIT 505, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

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UNIT 514, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 601, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 602, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 603, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 604, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 605, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 606, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 607, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 608, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 609, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 610, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 611, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 612, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 613, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 614, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 701, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 702, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 703, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 704, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 705, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 706, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 707, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 708, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 709, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 710, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 711, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 712, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 713, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 714, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 801, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 802, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 803, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 804, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 805, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 806, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 807, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 808, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 809, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 810, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 811, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 812, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 813, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 814, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 901, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 902, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 903, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 904, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 905, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 906, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 907, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 908, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 909, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 910, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 911, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 912, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 913, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 914, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1001, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1002, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1003, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1004, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1005, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1006, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1007, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1008, BUILDING A, BEN LOMOND SUITE CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1009, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1010, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1011, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1012, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1013, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1014, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1101, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1102, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1103, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1104, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1105, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

UNIT 1106, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBERCOUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 1108, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 1201, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONVERTIBLE SPACE NO. 1301, BUILDING A, BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF.

TOGETHER WITH THE UNDIVIDED OWNERSHIP INTEREST IN BEN LOMOND SUITES CONDOMINIUM PROJECT COMMON AREAS & FACILITIES APPURTENANT TO UNITS OR CONVERTIBLE SPACE, AS STIPULATED TO OR IDENTIFIED IN THE RECORD OF SURVEY MAP, FURTHER DEFINED AND DESCRIBED IN DECLARATION OF CONDOMINIUM OF BEN LOMOND SUITES CONDOMINIUMS PROJECT.

PARCEL 3:

REAL PROPERTY BENEFICIAL USE INTEREST AS SET FORTH IN THE "AGREEMENT TO ENCROACH ON CITY PROPERTY" DATED OCTOBER 2, 1984, DOCUMENT AND THE REAFFIRMATION OF ENCROACHMENT AGREEMENT RECORDED MAY 17, 2016 AS ENTRY NO. 2793720, UPON AND SUBJECT TO ALL THE TERMS CONTAINED THEREIN, COVERING THE FOLLOWING DESCRIBED PROPERTY.

A PART OF LOT 5 AND LOT 6, BLOCK 17, PLAT "A", OGDEN CITY SURVEY, OGDEN CITY, WEBER COUNTY, UTAH:

BEGINNING AT A POINT AT THE INTERSECTION OF THE WEST LINE OF OGDEN AVENUE AND THE SOUTH LINE OF 25TH STREET; SAID POINT BEING AT OGDEN CITY ENGINEER'S "A" STATION 107+12.90 AND "B" STATION 103+10.00; SAID POINT ALSO BEING SOUTH 89 DEG 02 MIN EAST 244.00 FEET FROM THE NORTHWEST CORNER OF SAID LOT 6 AND RUNNING THENCE SOUTH 89 DEG 02 MIN EAST 20.79 FEET; THENCE SOUTH 14 DEG 50 MIN EAST 168.60 FEET; THENCE SOUTH 0 DEG 58 MIN WEST 66.78 FEET; THENCE NORTH 89 DEG 02 MIN WEST 20.00 FEET TO A POINT ON THE WEST LINE OF OGDEN AVENUE; THENCE ALONG SAID WEST LINE THE FOLLOWING 2 COURSES: NORTH 0 DEG 58 MIN EAST 64.00 FEET AND NORTH 14 DEG 50 MIN WEST 171.48 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

SUBJECT TO AND TOGETHER WITH THE RIGHTS & AUTHORITIES GRANTED IN THE EASEMENT ESTATES CONVEYED IN DOCUMENTS RECORDED JUNE 17, 1927 IN BOOK 107 AT PAGE 365 OF RECORDS; IN DOCUMENT RECORDED MAY 10, 1954 IN BOOK 443 AT PAGE 511 AS ENTRY NUMBER 218973; IN DOCUMENT RECORDED SEPTEMBER 29, 2004 AS ENTRY NUMBER 2059380 OF OFFICIAL RECORDS.

PARCEL 5:

THE EASTERLY PORTION OF THE EAST 1/2 OF UNIT AND/OR CONVERTIBLE SPACE NO. 101

BUILDING A CONTAINED WITHIN BEN LOMOND SUITES CONDOMINIUM PROJECT ON THE SHOPMEZZANINE FLOOR (M-1 LEVEL) BEGINNING AT THE SOUTHEAST CORNER OF SAID SPACE AND RUNNING NORTH 16.00 FEET, THENCE WEST 13.63 THENCE SOUTH 16.00 FEET, THENCE EAST

13.63 FEET TO THE POINT OF BEGINNING.PARCEL 6:

THE SOUTH 1/3 OF UNIT AND/OR CONVERTIBLE SPACE NO. 2, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH, THE SAME AS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED SEPTEMBER 18, 1984, AS ENTRY NO. 919073 IN THE OFFICE OF THE WEBER COUNTY RECORDER (AS SAID RECORD SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "RECORD OF SURVEY MAP") AND IN THE DECLARATION OF CONDOMINIUM THE BEN LOMOND SUITES CONDOMINIUM PROJECT RECORDED CONCURRENTLY WITH SAID RECORD OF SURVEY MAP IN SAID OFFICE AS ENTRY NO. 919072 IN BOOK 1454 AT PAGE 71 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "DECLARATION"),

TOGETHER WITH THE UNDIVIDED OWNERSHIP INTEREST IN BEN LOMOND SUITES CONDOMINIUM PROJECT COMMON AREAS & FACILITIES APPURTENANT TO UNITS OR CONVERTIBLE SPACE, AS STIPULATED TO OR IDENTIFIED IN THE RECORD OF SURVEY MAP, FURTHER DEFINED AND DESCRIBED IN DECLARATION OF CONDOMINIUM OF BEN LOMOND SUITES CONDOMINIUMS PROJECT.

PARCEL 7:

CONVERTIBLE SPACE NO. 111, LOCATED ON THE STREET LEVEL OF BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH, SAME AS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED SEPTEMBER 18, 1984, AS ENTRY NO. 919073 IN THE OFFICE OF THE WEBER COUNTY RECORDER (AS SAID RECORD SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "RECORD OF SURVEY MAP") AND IN THE DECLARATION OF CONDOMINIUM THE BEN LOMOND SUITES CONDOMINIUM PROJECT RECORDED CONCURRENTLY WITH SAID RECORD OF SURVEY MAP IN SAID OFFICE AS ENTRY NO. 919072 IN BOOK 1454 AT PAGE 71 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "DECLARATION"),

TOGETHER WITH THE UNDIVIDED OWNERSHIP INTEREST IN BEN LOMOND SUITES CONDOMINIUM PROJECT COMMON AREAS & FACILITIES APPURTENANT TO UNITS OR CONVERTIBLE SPACE, AS STIPULATED TO OR IDENTIFIED IN THE RECORD OF SURVEY MAP, FURTHER DEFINED AND DESCRIBED IN DECLARATION OF CONDOMINIUM OF BEN LOMOND SUITES CONDOMINIUMS PROJECT.

PARCEL 8:

CONVERTIBLE SPACE NO. 1107, BUILDING A, AMENDED BEN LOMOND SUITES CONDOMINIUM PROJECT, OGDEN CITY, WEBER COUNTY, UTAH, SAME AS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED SEPTEMBER 18, 1984, AS ENTRY NO. 919073 IN THE OFFICE OF THE WEBER COUNTY RECORDER (AS SAID RECORD SURVEY MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "RECORD OF SURVEY MAP") AND IN THE DECLARATION OF CONDOMINIUM THE BEN LOMOND SUITES CONDOMINIUM PROJECT RECORDED CONCURRENTLY WITH SAID RECORD OF SURVEY MAP IN SAID OFFICE AS ENTRY NO. 919072 IN BOOK 1454 AT PAGE 71 (AS SAID

DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)(THE "DECLARATION"), TOGETHER WITH THE UNDIVIDED OWNERSHIP INTEREST IN BEN LOMOND SUITES CONDOMINIUMPROJECT COMMON AREAS & FACILITIES APPURTENANT TO UNITS OR CONVERTIBLE SPACE, AS STIPULATED TO OR IDENTIFIED IN THE RECORD OF SURVEY MAP, FURTHER DEFINED AND DESCRIBED IN DECLARATION OF CONDOMINIUM OF BEN LOMOND SUITES CONDOMINIUMS PROJECT.