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10/31/2000 12:15 PM 18.00  
Book - 8398 Pg - 984-988  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
METRO NATIONAL TITLE  
BY: SLH, DEPUTY - WI 5 P.

AFTER RECORDING, RETURN TO:

Dade Rose  
DURHAM JONES & PINEGAR  
111 East Broadway, Suite 900  
Salt Lake City, Utah 84111  
MNT# 00026416

AMENDMENT  
TO THE DECLARATION OF  
EASEMENTS, COVENANTS AND RESTRICTIONS  
FOR PROFESSIONAL OFFICES AT JORDAN LANDING

THIS AMENDMENT TO THE DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR PROFESSIONAL OFFICES AT JORDAN LANDING, recorded on March 6, 2000 with the Office of the County Recorder of Salt Lake County as Entry No. 7589721, Book 8346 Pp. Nos. 5902-5926 (the "ECRs") is made this 30<sup>th</sup> day of October, 2000, by JORDAN LANDING, L.L.C., a Delaware limited liability company ("Declarant"), whose address is 5850 Avenida Encinas, Suite A, Carlsbad, California 92008, and MOUNTAIN AMERICA CREDIT UNION, a Utah nonprofit corporation (AOwner"), whose address is 660 South 200 East, Salt Lake City, Utah 84145.

RECITALS

- A. Owner has purchased from Declarant a parcel of real property (the AHQ Parcel") of approximately 3.46 acres in size located within the City of West Jordan, Salt Lake County, Utah more particularly described in Exhibit "A" attached hereto and incorporated herein.
- B. Owner proposes to develop the HQ Parcel as its commercial headquarters and to use it for other commercial purposes.
- C. Declarant and Owner desire that the ECRs be amended and the ADevelopment" (as defined in the ECRs) be expanded to include the HQ Parcel.
- D. Section 14 of the ECRs requires the written consent of Declarant and Owner only to add the HQ Parcel to the Development.

NOW, THEREFORE, Declarant and Owner hereby (i) amend the ECRs to include, cover and apply to the HQ Parcel, (ii) declare that the HQ Parcel shall be defined as an additional part of the Development as provided in Section 1.10 of the ECRs to be developed and used for commercial purposes as described in Section 2.2 of the ECRs, and (iii) declare that the HQ Parcel shall be held, sold and conveyed subject to the easements, covenants, restrictions and charges set forth in the ECRs, which shall run with the HQ Parcel and shall be binding upon all parties having or acquiring any right, title or interest in such property or any part thereof and shall inure to the benefit of each owner thereof. Except as expressly amended herein, the ECRs shall remain in full force and effect and shall not otherwise be effected by this Amendment to the

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ECRs. Further, these ECRs may be executed in any number of counterparts, each of which when executed and delivered (together with the applicable acknowledgment) shall be deemed to be an original, binding agreement between the executing parties, and all of which shall together constitute one and the same instrument.

**IN WITNESS WHEREOF**, Declarant and Owner have executed this Amendment to the ECRs on the date first set forth above.

DECLARANT: JORDAN LANDING, L.L.C.,  
a Delaware limited liability company

By: JL PROJECT, L.L.C.,  
Its: Manager

By: Russell W. Grosse Development Co., Inc.  
Its: Manager

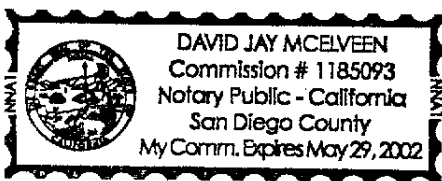
By: [Signature]  
Name: Gary W. Harrison  
Its: President

OWNER: MOUNTAIN AMERICA CREDIT UNION,  
a Utah nonprofit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF CALIFORNIA )  
:ss.  
County of SANDIEGO )

The foregoing instrument was acknowledged before me this 27 day of OCTOBER, 2000, by GARY W. HARRISON, the President of Russell W. Grosse Development Co., Inc., which is the Manager of JL Project, L.L.C., which is the Manager of Jordan Landing, L.L.C., a Utah limited liability company, on its behalf.



[Signature]  
Notary Public for CALIFORNIA  
My commission expires: MAY 29, 2002

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executed and delivered (together with the applicable acknowledgment) shall be deemed to be an original, binding agreement between the executing parties, and all of which shall together constitute one and the same instrument.

**IN WITNESS WHEREOF**, Declarant and Owner have executed this Amendment to the ECRs on the date first set forth above.

DECLARANT: JORDAN LANDING, L.L.C.,  
a Delaware limited liability company

By: JL PROJECT, L.L.C.,  
Its: Manager

By: Russell W. Grosse Development Co., Inc.  
Its: Manager

By: \_\_\_\_\_  
Name: Gary W. Harrison  
Its: President

OWNER: MOUNTAIN AMERICA CREDIT UNION,  
a Utah nonprofit corporation

By: *Gordon L. Kennedy*  
Name: GORDON L. KENNEDY  
Its: Exec. J.P.

STATE OF \_\_\_\_\_ )  
:ss.  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2000, by GARY W. HARRISON, the President of Russell W. Grosse Development Co., Inc., which is the Manager of JL Project, L.L.C., which is the Manager of Jordan Landing, L.L.C., a Utah limited liability company, on its behalf.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_

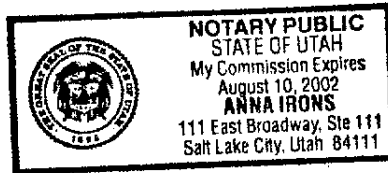
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STATE OF UTAH )  
:SS.  
County of SALT LAKE )

The foregoing instrument was acknowledged before me this 30th day of October, 2000, by Gordon L. Kennedy, the Executive Vice President of Mountain America Credit Union, a Utah nonprofit corporation, on its behalf.

*Anna Irons*

Notary Public for State of Utah  
My commission expires: 8-10-2002



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EXHIBIT "A"

HQ PARCEL

Beginning at a point which is South 07 deg. 23'08" West 1236.21 feet and South 82 deg. 36'52" East 563.95 feet from the Northwest corner of Section 29, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 48 deg. 17'34" East 119.86 feet to the beginning of a 358.00 foot radius curve to the left; thence along the arc of said curve 153.23 feet (chord bears North 36 deg. 01'52" East 152.06 feet); thence South 68 deg. 24'40" East 365.95 feet to the beginning of a 1483.00 foot radius curve to the left; thence along the arc of said curve 312.22 feet (chord bears South 15 deg. 25' 19" West 311.64 feet) to the beginning of a 25.00 foot radius curve to the right; thence along the arc of said curve 38.11 feet (chord bears South 53 deg. 03'37" West 34.53 feet); thence North 83 deg. 16'12" West 92.01 feet to the beginning of a 400.00 foot radius curve to the right; thence along the arc of said curve 290.16 feet (chord bears North 62 deg. 29'19" West 283.84 feet); thence North 41 deg. 42'26" West 101.68 feet to the beginning of a 25.00 foot radius curve to the right; thence along the arc of said curve 39.27 feet (chord bears North 03 deg. 17'34" East 35.36 feet) to the point of beginning.

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