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When Recorded, Return To:  
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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
PARSONS, BEHLE & LATIMER  
201 S MAIN ST STE. 1800  
SLC UT 84145-0898  
BY: ZJM, DEPUTY - WI 6 P.

Tax Parcel No.: 22-29-432

**SECOND AMENDMENT TO  
AMENDED AND RESTATED  
DECLARATION OF CONDOMINIUM  
FOR  
CREEK ROAD OFFICE CONDOMINIUMS**

**THIS AMENDMENT ("Amendment")** is made and executed by **CREEK ROAD ASSOCIATES, LC**, a Utah limited liability company ("**Declarant**"), who hereby amends the Amended and Restated Declaration of Condominium for Creek Road Office Condominiums, as previously amended, (the "**Declaration**") recorded as Entry No. 8867900 in Book 8901 at Page 6778, Salt Lake County Records, for the purpose of amending and restating that certain Declaration of Condominium for Creek Road Office Condominiums recorded as Entry No. 7826335 in Book 8426 at Page 4781, Salt Lake County Records, as previously amended (the "Original Declaration") regarding the real property legally described on **Exhibit A** attached hereto, as set forth herein.

1. **DEFINITIONS.** Terms used but not otherwise defined herein shall be defined as set forth in the Declaration.
2. **CONVERSION OF SPACE.** The following Unconverted Space is hereby converted to the following Units, and the following corrections and/or restatements of Unit or Unconverted Space designations are hereby made, as shown on the Second Extended Plat of the Amended and Restated Condominium Plat of Creek Road Condominiums (the "Supplemental Plat") being recorded concurrently herewith:

<u>PREVIOUSLY UNCONVERTED SPACE:</u>	<u>NEW UNIT:</u>
Condo Unit 2D	Condo Units 200D, 201D, and 204D
Condo Unit 2C	Condo Unit 200C and 204C
Condo Units 1Ca, 1Cb and 1Cc	Condo Units 100C, 101C, 103C and 104C

Condo Unit 1Dc	Unconverted Space 1Dc and Condo Unit 102D
Condo Unit 3C	Condo Unit 304C
Condo Unit 1Da	Condo Unit 103D
Free Space C1	Free Space 100C, 101C, 103C and 104C
Free Space D1	Free Space D1, 102D and 103D
Free Space D2	Free Space 200D, 201D and 204D
Free Space D2a	Free Space 201D
Free Space 3C	Free Space 304C
Free Space C1a	Free Space 104C
Free Space C2a	Free Space 204C

3. **VOTES.** The number votes appurtenant to each Unit shall be equal to the Interest of the Unit, as set forth in **Exhibit B**, as such Exhibit may be amended from time to time.

4. **ACCESS EASEMENT.** The owners and occupants of the units within Buildings C and D shall have a perpetual, non-exclusive easement for pedestrian ingress and egress to and from such Units through the areas designated as "Access Areas" on the Supplemental Plat. The easement rights granted herein, with respect to each individual owner, shall apply only to the "Access Areas" which provide immediate access to an from such owners unit.

5. **EFFECT.** Except as so amended, the Declaration shall remain as presently constituted.

**IN WITNESS WHEREOF,** the undersigned has executed this instrument the date of notarization appearing below.

**DECLARANT:**


**CREEK ROAD ASSOCIATES, LC,**  
a Utah limited liability company

By:   
Richard M. Webber, Its Manager

State of Utah  
County of Salt Lake

The foregoing instrument was acknowledged before me on 28 Sept, 2004, by RICHARD M. WEBBER, who acknowledged that he execute the same in the capacity indicated.

Julie A. Medina  
Notary Public

 JULIE A. MEDINA  
NOTARY PUBLIC - STATE OF UTAH  
2001 South State Street #3600  
Salt Lake City, UT 84190-4050  
My Comm. Exp. 03/05/2007

**EXHIBIT A  
TO  
FIRST AMENDMENT TO  
AMENDED AND RESTATED DECLARATION  
OF CONDOMINIUM FOR  
CREEK ROAD OFFICE CONDOMINIUMS**

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**LEGAL DESCRIPTION OF THE PROPERTY**

A part of the East half of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey in Salt Lake County, Utah:

Beginning at a point on the North Line of Curtis Subdivision No. 4 being 7.00 feet South 89°45'42" West from the Northeast corner of Lot 16 of said Curtis Subdivision; said point of beginning is 698.00 feet West; 184.15 feet South; and 208.33 feet South 89°45'42" West along the North line of said subdivision from the East Quarter Corner of said Section 29; said point of beginning is also on the Westerly Line of Creek Road (as widened to 40.00 foot half-width); and running thence South 89°45'42" West 316.40 feet along said North Line of Curtis Subdivision; thence South 14°52'29" West 42.10 feet to the Southwesterly Line of Lot 14 in said Curtis Subdivision; thence North 61°16'43" West 81.72 feet along said Lot Line; thence North 46°41'30" West 172.91 feet to a point of curvature; thence Northwesterly along the arc of a 15.00 foot radius curve to the right a distance of 11.60 feet (Central Angle equals 44°18'32" and Long Chord bears North 24°32'14" West 11.31 feet) to a point of reverse curvature; thence Northwesterly along the arc of a 50.00 foot radius curve to the left a distance of 83.11 feet (Central Angle equals 95°14'23" and Long Chord bears North 50°00'09" West 73.87 feet); thence North 46°41'30" West 20.85 feet to the East Line of Union Park Avenue as it exists at 53.00 foot half-width; thence along said East Line the following two courses: Northeasterly along the arc of a 1001.69 foot radius curve to the right a distance of 33.44 feet (Central Angle equals 1°54'45" and Long Chord bears North 18°39'42" East 33.44 feet) to a point of compound curvature; and Northeasterly along the arc of a 2030.48 foot radius curve to the right a distance of 161.26 feet (Central Angle equals 4°33'01" and Long Chord bears North 21°53'35" East 161.21 feet); thence South 71°13'30" East 101.16 feet; thence South 18°46'30" West 24.22 feet; thence South 71°13'30" East 197.54 feet; thence North 19°38'32" East 183.71 feet to a point on the Westerly Line of said Creek Road (as widened to 40.00 foot half-width); thence Southeasterly along the arc of a 534.75 foot radius curve to the right a distance of 464.72 feet (Central Angle equals 49°47'31" and Long Chord bears South 25°27'54" East 450.23 feet) and South 16.67 feet along said Westerly Line of Creek Road to the Point of Beginning.

Contains 164,777 sq. ft. or 3.783 acres

**EXHIBIT B  
TO  
FIRST AMENDMENT TO  
AMENDED AND RESTATED DECLARATION  
OF CONDOMINIUM FOR  
CREEK ROAD OFFICE CONDOMINIUMS**

<u>UNIT NO.</u>	<u>SQ. FT.</u>	<u>% INTEREST</u>
Condo Unit 101A:	1,434	2%
Condo Unit 102A:	1,409	2%
Condo Unit 103A:	914	1%
Condo Unit 104A:	1,929	3%
Condo Unit 201A:	1,280	2%
Condo Unit 202A:	1,564	2%
Condo Unit 203A:	1,298	2%
Condo Unit 204A:	1,546	2%
Condo Unit 205A:	452	1%
Condo Unit 101B:	2,843	4%
Condo Unit 103B:	927	1%
Condo Unit 104B:	1,894	3%
Condo Unit 201B:	2,844	4%
Condo Unit 202B:	452	1%
Condo Unit 203B:	1,148	2%
Condo Unit 204B:	1,696	3%
Condo Unit 100E	1,218	2%
Condo Unit 104D	2,652	4%
Condo Unit 203D	2,054	3%

Condo Unit 300C	4,580	6%
Condo Unit 304C	3,436	4%
Condo Unit 300D	1,644	2%
Condo Unit 302D	6,376	8%
Condo Unit 100C	1,643	2%
Condo Unit 101C	2,161	3%
Condo Unit 103C	2,155	3%
Condo Unit 104C	1,643	2%
Condo Unit 102D	741	1%
Condo Unit 103D	508	1%
Condo Unit 200D	2,523	4%
Condo Unit 201D	2,023	3%
Condo Unit 204D	1,380	2%
Condo Unit 200C	6,327	8%
Condo Unit 204C	1,653	2%
<u>Unconverted Space:</u>	<u>3,701</u>	<u>5%</u>
<b>TOTAL:</b>	<b>72,048</b>	<b>100%</b>