When Recorded, Mail To:

Lake Park Property Owners Company c/o Zions Securities Corporation 5 Triad Center, Suite 450 Salt Lake City, Utah 84180 Attn: David Jensen

For information only, Tax Parcel Nos. 14-25-226-005, 14-25-226-008

10790211 9/2/2009 10:48:00 AM \$18.00 Book - 9760 Pg - 2605-2609 Gary W. Ott Recorder, Salt Lake County, UT TITLE WEST BY: eCASH, DEPUTY - EF 5 P.

Space Above this Line for Recorder's Use Only

## SECOND AMENDMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR LAKE PARK CORPORATE CENTRE

THIS SECOND AMENDMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR LAKE PARK CORPORATE CENTRE (this "Second Amendment") is executed this \_\_\_\_\_\_ day of July, 2009, by Lake Park Property Owners Company, a Utah nonprofit corporation (the "Company"), in contemplation of the following facts and circumstances:

- A. That certain Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre dated February 1, 1996, was recorded February 6, 1996 as Entry No. 6274549 in Book 7325, beginning at Page 0615, in the Official Records of the Salt Lake County Recorder (the "Original Declaration").
- B. The Original Declaration was amended and supplemented by that certain First Amendment and Supplement to Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre, dated September 10, 2001, and recorded October 12, 2001 as Entry No. 8028521 in Book 8510, beginning at Page 7400, in the Official Records of the Salt Lake County Recorder (the "First Amendment," with the Original Declaration and the First Amendment collectively referred to herein as the "Declaration").
- C. The Declaration constitutes easements, covenants, and restrictions which, prior to the recording of this Second Amendment encumber certain real property located in West Valley City, Salt Lake County, State of Utah, which real property is described on Exhibit "A" attached hereto and incorporated herein by reference, and which real property is defined in the Declaration as the "Property."

4852-4805-2227

- D. The owners of certain portions of the Property desire that such portions of the Property no longer be encumbered by the Declaration.
- E. Section 15.2 of the Declaration provides that the Declaration may be amended upon the affirmative vote of a majority of the total votes of the Owners and the Golf Course Owner, as such terms are defined in the Declaration.
- F. In compliance with such procedures, the Company hereby executes and intends to record this Amendment for the purpose of amending the Declaration to remove certain portions of the Property from the Declaration, as set forth below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declaration is hereby amended as follows:

- 1. <u>Definitions</u>. Capitalized terms used herein which are not otherwise defined herein shall have the same meanings given to such terms in the Declaration.
- 2. <u>Compliance with Procedures</u>. As required by Section 15.2 of the Declaration, this Second Amendment has been approved upon the affirmative vote of a majority of the total votes of the Owners and the Golf Course Owner, taken together, as determined in accordance with Section 8.3 of the Declaration. The execution of this Second Amendment by an officer of the Company shall constitute certification that such vote of the Owners and the Golf Course Owner has been properly taken in accordance with applicable procedures.
- 3. Amendment to Exhibit "A"; Removal of Property. The legal description of the Property set forth on Exhibit "A" to the Declaration is amended by deleting from said Exhibit "A", the real property described as follows:

ALL OF LOTS 110A, 110B, AND 110C- Lake Park Corporate Centre, as shown on that certain Subdivision by Metes and Bounds approved by West Valley City and filed with the Salt Lake County Surveyor on April 18, 2006, as File No. S2006-04-0375; which lots are also described as follows:

BEGINNING at a point on the east right-of-way line of Corporate Park Drive as described in that certain Road and Easement Dedication Plat recorded December 18, 1998 as Entry No. 7195177 in Book 98-12P at Page 349 of the Salt Lake County records, said point being South 00°01'48" East 1,325.86 feet along the east line of Section 25, Township 1 South, Range 2 West, Salt Lake Base and Meridian and South 89°50'39" West 40.00 feet from the Northeast Corner of said Section 25, and thence along the north line of Lakeview Farms Subdivision Phase 2 recorded March 25, 1996 as Entry No. 6311582 in Book 96-3P at Page 87 of said records; thence along said north line and the north line of Lakeview Farms Subdivision Phase 4, recorded March 04, 1997 as Entry No. 6585423 in Book 97-3P at Page 61 of said records, South 89°50'39" West 854.80 feet to the west line of property described that certain Warranty Deed recorded November 08, 1994 as Entry

No. 5961917 in Book 7051 at Page 1998 of said records; thence along said west line North 1,359.93 feet to said east right-of-way line and a point on the arc of a 940.00 foot radius non-tangent curve to the left, the center of which bears North 73°02'47" East; thence along said east right-of-way line the following four courses: 1) Southeasterly 616.99 feet along said curve through a central angle of 37°36'27" and a long chord of South 35°45'27" East 605.97 feet, 2) South 54°33'40" East 196.76 feet to a point of tangency of a 810.00 foot radius curve to the right, 3) Southeasterly 770.92 feet along said curve through a central angle of 54°31'52" and a long chord of South 27°17'44" East 742.15 feet and 4) South 00°01'48" East 92.25 feet to the POINT OF BEGINNING.

[Said parcel contains 692,619 square feet or 15.90 acres, more or less.]

From and after the date of this Second Amendment, all references in the Declaration to the Property shall refer to the real property legally described on Exhibit "A" to the Declaration less and excepting the real property described above such that the real property described above shall no longer be included within Lake Park Corporate Centre for any purpose.

- 4. <u>Certification of Adoption</u>. The undersigned officer of the Company does hereby certify that a vote of the Owners and the Golf Course Owner has been properly taken as required by the Declaration at a meeting duly called in accordance with the Bylaws of the Company, and that this Second Amendment has been duly adopted in accordance with procedures set forth in the Declaration.
- 5. <u>Effective Date</u>. This Second Amendment shall be effective as of the date of the recordation hereof in the official records of the Salt Lake County Recorder, State of Utah.

[Signature Page Follows]

IN WITNESS WHEREOF, this Second Amendment to Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre has been executed to be effective as of the date of recordation hereof.

COMPANY:	LAKE PARK PROPERTY OWNERS COMPANY, a Utah nonprofit corporation  By:  Name: DON B. WHITE, OL.
	Its: PRESIDEAT
STATE OF UTAH  COUNTY OF SALT LAKE	ss.
The foregoing instrum  President  nonprofit corporation.	ent was acknowledged before me this 2 day of July, 2009, by , who did swear to me that he is the of Lake Park Property Owners Company, a Utah
RUTH ELLEN MOTARY PUBLIC - STA STRIAD CENTER S SALT LAKE CITY UT My Comm. Exp. 08	Rich Ellen Mclure Notary Public 120/2010

## EXHIBIT "A"

## [Legal Description]

That certain real property located in Salt Lake County, State of Utah, described as follows:

Beginning at the West Quarter Corner of Section 19, Township 1 South, Range 1 West, S.L.B. & M. and running thence South 89°56'44" East 1324.162 feet along the Quarter Section Line; thence North 00°00'48" West 1326.947 feet; thence South 89°51'44" East 1323.805 feet; thence South 00°01'44" East 1325.022 feet to the Center of said Section 19; thence South 89°50'53" East 725.141 feet along the quarter section line; thence Southeasterly 299.695 feet along a 2719.00 foot radius curve to the right (long chord bears South 86°41'25" East 299.543 feet); thence Southeasterly 299.695 feet along a 2719.00 foot radius curve to the left (long chord bears South 86°41'25" East 299.543 feet); thence South 89°50'53" East 680.246 feet; thence North 33.000 feet; thence South 89°50'53" East 603.056 feet along the north line of the Timbercrafts of Utah property to the westerly right-of-way line of the West Valley Highway (now known as the Bangerter Highway); thence along said right-of-way for the following ten courses:

- 1. South 73.166 feet,
- 2. North 89°56'46" East 247.398 feet.
- 3. Southeasterly 269.60 feet along a 2939.790 foot radius curve to the left (chord bears South 22°54'14" East 269.506 feet),
- 4. South 25°31'52" East 2274.088 feet,
- 5. South 33°14'24" West 49.204 feet,
- 6. North 83°21'06" West 32.420 feet,
- 7. South 06°38'54" West 1.750 feet,
- 8. South 07°04'18" West 106.250 feet,
- 9. South 82°55'42" East 151.580 feet,
- 10. South 25°31'52" East 124.068 feet to the South line of Section 20, Township 1 South, Range 1 West, Salt Lake Meridian;

thence North 89°54'41" West 763.407 feet along said South line; thence South 00°04'49" East 1322.801 feet; thence North 89°57'39" West 660.841 feet; thence South 89°58'16" West 5294.850 feet; thence South 89°50'57" West 894.800 feet; thence North 2528.173 feet to the South line of Riter Canal property; thence North 88°49'17" East 428.575 feet along said Canal property; thence South 72°50'11" East 486.997 feet along said Canal property; thence North 00°01'00" West 1590.756 feet along the West line of said Section 19, to the point of beginning. Contains 27,949,916 Sq.Ft., or 641.64178 Acres.