

9574894
12/07/2005 01:22 PM \$16.00
Book - 9227 Pg - 1657-1660
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
TALON GROUP
BY: ZJM, DEPUTY - WI 4 P.

WHEN RECORDED, MAIL TO:

Douglas O. Buchi
Zions Securities Corporation
5 Triad Center, Suite 450
Salt Lake City, UT 84180

Tax Parcel 15-30-101-004-0000

AMENDMENT TO SLOPE EASEMENT

THIS AMENDMENT TO SLOPE EASMENT is made this 6th day of December, 2005, by WEST VALLEY CITY, a municipal corporation of the State of Utah ("City"), and by ZIONS SECURITIES CORPORATION, a Utah corporation ("Zions.") in contemplation of the following facts and circumstances:

- A. Zions is the successor by merger to Beneficial Development Company, the Declarant under that certain Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre dated February 1, 1996 and recorded February 6, 1996, as Entry No. 6274549, in Book 7325, Page 615 of Official Records of Salt Lake County, which was amended by a First Amendment and Supplement to Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre dated September 10, 2001 and recorded on October 12, 2001, as Entry No. 8028521, in Book 8510, Page 7400 of Official Records of Salt Lake County (collectively, the "Master Declaration").
- B. The real property which is specifically described on Exhibit "A" which is attached hereto and incorporated herein by this reference is included within Lake Park Corporate Centre and is subject to the Master Declaration. Such real property is identified in the Master Declaration and shall be referred to herein as "Lot 107."
- C. The Master Declaration created and granted to Zions and to the City a certain Slope Easement as described in section 7.3 of the Master Declaration (the "Slope Easement") which exists on a portion of Lot 107.

THE TALON GROUP
CP# 181901

- D. The existence of the Slope Easement is also identified as Slope Easement No. 7 on Page 4, Lake Park Boulevard Street Dedication plat recorded December 18, 1998 as Entry No. 7195177 in Book 98-12 of Plats at Page 349 of the Official Records of Salt Lake County.
- E. Wadsworth Lake Park, LLC and RTC Enterprises, L.L.C. (collectively, "Buyers") have entered into an agreement with Zions to purchase part of Lot 107 of the Lake Park Corporate Centre and have requested that West Valley City and Zions, as holders of the beneficial rights under the Slope Easement, modify the Slope Easement to allow the construction and maintenance of certain parking facilities thereon.

NOW, THEREFORE, for the sum of Ten Dollars, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Zions and City hereby agree as follows:

Buyers and all successors-in-interest as an owner of any portion of Lot 107 which is affected by the Slope Easement are hereby granted the right to construct and maintain on the Slope Easement such parking stalls, driveways and other parking facilities and improvements as may be permitted from time to time in any building permit issued by the City; provided, however, that (i) use of the Slope Easement shall not be permitted to undermine the support of improvements which are part of Lake Park Boulevard, and (ii) all such improvements shall be constructed based upon plans and specifications approved in accordance with procedures set forth in Article XII of the Master Declaration, including conformance with applicable Design Standards. To the extent, if any, that the rights granted hereunder are inconsistent with the Slope Easement, the Slope Easement is amended and modified to conform with this paragraph.

IN WITNESS WHEREOF, City and Zions have executed this Amendment as of the day and year first above written.

WEST VALLEY CITY, a municipal corporation of the State of Utah



Barbara Thomas

 Dennis J. Nordfelt, Mayor Pro Tem
 Barbara Thomas,

Attest:

Sheri McKendrick

 Sheri McKendrick, City Recorder

ZIONS SECURITIES CORPORATION,
a Utah corporation

By: P. David Jensen
P. David Jensen

Its: Senior Vice President and COO

STATE OF UTAH)
 :
COUNTY OF SALT LAKE)

On this 7th day of December, 2005, personally appeared before me P. David Jensen, Senior Vice President and COO of Zions Securities Corporation, a Utah corporation, who acknowledged to me that said corporation executed the same.



Jan N. Kirk
Notary Public

**Exhibit A
To
Amendment to Slope Easement**

[Legal Description Lot 107]

Real property situated in Salt Lake County, State of Utah which is specifically described as follows:

Beginning at a point on the Southerly Right of Way Line of Lake Park Boulevard, a 106 Foot wide Right of Way, said point also being North 89°59'25" East 1650.980 Feet along the Section Line and North 312.969 Feet from the Northwest Corner of Section 30, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence along a Westerly Line of a Golf Course for the following four (4) courses: 1) South 14°04'18" West 753.166 Feet; 2) South 19°01'44" East 585.320; 3) South 06°45'19" East 38.048 Feet; 4) South 21°57'36" East 184.570 Feet; thence South 56°21'00" West 34.385 Feet along a Northerly Line of a Waterway; thence along the Northerly Side of a Concrete Retaining Wall forming the boundary of said Waterway for the following sixteen (16) courses: 1) South 64°09'59" West 61.651 Feet; 2) South 74°11'38" West 28.306 Feet; 3) South 63°51'50" West 38.756 Feet; 4) North 85°44'00" West 46.607 Feet; 5) North 88°56'45" West 55.131 Feet; 6) South 80°32'20" West 36.566 Feet; 7) South 72°53'10" West 37.037 Feet; 8) South 89°36'49" West 45.605 Feet; 9) North 85°47'04" West 54.727 Feet; 10) North 69°15'44" West 75.854 Feet; 11) South 83°37'35" West 34.476 Feet; 12) North 77°58'00" West 118.037 Feet; 13) North 64°49'50" West 43.487 Feet; 14) North 57°06'53" West 30.234 Feet; 15) North 46°41'33" West 33.469 Feet; 16) North 74°24'12" West 62.229 Feet; thence along an Easterly Boundary of said Waterway for the following eight (8) courses: 1) North 79°44'51" West 68.865 Feet; 2) North 22°48'24" West 36.907 Feet; 3) North 58°36'17" West 30.488 Feet; 4) North 15°45'17" West 44.892 Feet; 5) North 19°29'35" East 47.935 Feet; 6) North 02°40'19" East 52.176 Feet; 7) North 35°02'53" East 46.560 Feet; thence North 14°14'38" East 67.434 Feet; thence along an Easterly Boundary of said Golf Course for the following three (3) courses: 1) North 29°30'09" East 108.928 Feet; 2) North 19°36'15" West 200.575 Feet; 3) North 18°44'17" West 906.162 Feet to said Southerly Right of Way Line of Lake Park Boulevard; thence along last said line for the following two (2) courses: 1) North 82°30'00" East 445.892 Feet; 2) Southeasterly 636.688 Feet along a 1447.000 Foot Radius Curve to the Right (Delta = 25°12'38" and chord bears South 84°53'41" East 631.564 Feet) to the Point Of Beginning.

[Contains 1,255,710 Square Feet or 28.83 Acres]