

**AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF FORT PIERCE INDUSTRIAL PARK PHASES II, III & IV**

THIS AMENDMENT TO THE DECLARATION of Covenants Conditions and Restrictions of Fort Pierce Industrial Park Phases II, III & IV is made pursuant to Section 29, and AMENDS the following documents of record in Washington County:

- a. THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF Fort Pierce Industrial Park Phases II, III & IV, recorded May 11, 1999, as Entry No. 646930, in Book 1333, at Pages 1234-1244; and
- b. THE DECLARATION OF ANNEXATION OF ADDITIONAL PROPERTY FOR FORT PIERCE INDUSTRIAL PARK PHASES II, III & IV, recorded December 28, 1999, as Entry No. 671704, in Book 1355, at Pages 2295-2296,

which affects the property described in Exhibit A attached hereto and incorporated herein by this reference.

This Amendment is prepared and recorded to revise the legal descriptions contained in Exhibit A. Some real property owned by Declarant is being deleted and other real property owned by Declarant is being added. The new legal descriptions as to which the above documents are effective are attached hereto as Exhibit B and incorporated herein by this reference.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand this 2nd day of April, 2002.

DECLARANT:  
STATE OF UTAH  
ACTING THROUGH THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

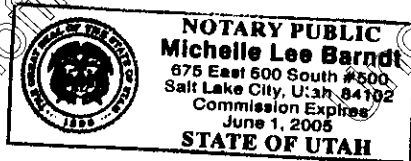
Approved as to Form  
Mark L. Shurtleff  
ATTORNEY GENERAL

[Signature]  
Director

By: [Signature]

Subscribed and sworn to (or affirmed) before me this 2nd day of April, 2002, by Steven Barker Director.

Michelle Lee Barndt  
NOTARY PUBLIC  
Address: 175 E 500 S Salt Lake UT  
My Commission Expires: 6/1/2005  
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WHEN RECORDED RETURN TO:  
Chris L. Engstrom  
PO Box 400  
St George UT 84771

# EXHIBIT A

PARCEL 1

00760033 Bk 1459 Pg 2589

A parcel of land located in the Northeast  $\frac{1}{4}$ , the Southeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Section 17 and the Northeast  $\frac{1}{4}$  of Section 19 and the North  $\frac{1}{4}$  of Section 20, Township 43 South, Range 15 West, Salt Lake Base & Meridian, being more particularly described as follow:

Beginning at a point on the west line of River Road said point being S  $89^{\circ}55'36''$  W 1801.88 feet along the center section line and North 656.08 feet from the East  $\frac{1}{4}$  Corner of Section 17, and running thence N  $89^{\circ}20'31''$  W 189.58 feet; thence S  $39^{\circ}05'06''$  W 380.67 feet; thence S  $01^{\circ}01'59''$  E 237.71 feet; thence East 248.57 feet; thence S  $01^{\circ}43'11''$  E 214.21 feet; thence S  $14^{\circ}43'02''$  W 548.37 feet; thence N  $89^{\circ}40'16''$  W 372.86 feet; thence South 835.98 feet; thence S  $23^{\circ}05'13''$  W 187.74 feet; thence S  $44^{\circ}50'32''$  W 480.14 feet; thence N  $71^{\circ}24'04''$  W 436.36 feet; thence S  $88^{\circ}29'38''$  W 325.83 feet; thence S  $07^{\circ}30'06''$  W 164.13 feet; thence N  $65^{\circ}13'58''$  W 565.58 feet; thence S  $49^{\circ}47'11''$  W 510.71 feet; thence S  $64^{\circ}52'55''$  W 499.37 feet; thence S  $40^{\circ}09'48''$  W 200.35 feet; thence S  $08^{\circ}11'12''$  E 346.11 feet; thence S  $59^{\circ}46'43''$  W 582.78 feet; thence S  $40^{\circ}28'22''$  W 359.02 feet; thence N  $89^{\circ}55'16''$  E 5174.53 feet to a point on the east line of the East  $\frac{1}{2}$ , Northeast  $\frac{1}{4}$  of Section 20; thence N  $00^{\circ}04'33''$  W 719.23 feet along said east line to a point on the north line of said Section 20; thence N  $00^{\circ}13'28''$  W 762.91 feet along the east line of the East  $\frac{1}{2}$ , Southeast  $\frac{1}{4}$  of said Section 17; thence N  $89^{\circ}23'10''$  W 572.55 feet; thence N  $00^{\circ}08'09''$  W 484.33 feet to a point on the south line of 4130 South Street; thence S  $89^{\circ}56'19''$  W 585.96 feet along said south line to the point of a 275.00 foot radius curve to the right; thence Northwesterly 121.20 feet along the arc of said curve and along said south line through a central angle of  $25^{\circ}15'09''$ ; thence N  $64^{\circ}48'32''$  W 109.60 feet along said south line and westerly extension thereof to a point on the west line of said River Road said point being on a 2820.00 foot radius curve to the left the radius point of which bears N  $64^{\circ}48'32''$  W; thence Northerly 1300.05 feet along the arc of said curve and said west line through a central angle of  $26^{\circ}24'50''$  to the point of a 7340.53 foot radius compound curve to the left; thence Northerly 239.72 feet along the arc of said curve and said west line to the point of tangency; thence N  $03^{\circ}05'38''$  W 470.24 feet to the point of beginning.

Contains 186.675 acres more or less.

PARCEL 2

00760033 Bk 1459 Pg 2590

A parcel of land located in the Southeast  $\frac{1}{4}$  of Section 17, Township 43 South, Range 15 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point on the west line of 1630 East said point being S  $01^{\circ}10'40''$  W 1885.53 feet along the section line and N  $88^{\circ}06'58''$  W 66.01 feet from the East  $\frac{1}{4}$  Corner of Section 17, and running thence N  $88^{\circ}06'58''$  W 1168.52 feet; thence N  $01^{\circ}08'04''$  E 484.33 feet to a point on the south line of 3950 South; thence S  $88^{\circ}47'28''$  E 1148.81 feet along the south line of 3950 South to the point of a 20.00 foot radius curve to the right; thence Easterly and Southerly 31.41 feet along the arc of said curve through a central angle of  $89^{\circ}58'08''$  to a point on the west line of 1630 East; thence S  $01^{\circ}10'40''$  W 478.11 feet to the point of beginning.

Contains 13.176 acres more or less.

**EXHIBIT B****PARCEL 1**

A parcel of land located in the Northeast  $\frac{1}{4}$ , the Southeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Section 17 and the Northeast  $\frac{1}{4}$  of Section 19 and the North  $\frac{1}{2}$  of Section 20, Township 43 South, Range 15 West, Salt Lake Base & Meridian, being more particularly described as follow:

Beginning at a point S  $89^{\circ}55'36''$  W 3829.98 feet along the center section line and South 1916.19 feet from the East  $\frac{1}{4}$  Corner of Section 17, and running thence South 582.57 feet to a point on a 1370.00 foot radius curve to the right the radius point of which bears S  $21^{\circ}41'55''$  E; thence Easterly 1103.71 feet along the arc of said curve through a central angle of  $46^{\circ}09'32''$  to the point of a 35.00 foot radius compound curve to the right, thence Southeasterly 58.05 feet along the arc of said curve through a central angle of  $95^{\circ}02'04''$  to a point on the west line of River Road; thence S  $70^{\circ}51'10''$  E 101.65 feet to a point on the east line of said River Road, said point also being the beginning of a 35.00 foot radius curve to the right the radius point of which bears S  $60^{\circ}30'19''$  E; thence Northeasterly 49.54 feet along the arc of said curve through a central angle of  $81^{\circ}05'33''$  to the point of a 1640.00 foot compound curve to the left; thence Easterly 588.64 feet along the arc of said curve through a central angle of  $20^{\circ}33'54''$ ; thence S  $89^{\circ}58'39''$  E 1369.55 feet; thence N  $00^{\circ}04'43''$  W 60.37 feet thence N  $00^{\circ}13'28''$  W 762.91 feet; thence N  $89^{\circ}23'10''$  W 572.55 feet; thence N  $00^{\circ}08'09''$  W 484.33 feet; thence S  $89^{\circ}56'19''$  W 656.87 feet to a point of a 91.00 foot radius curve to the right; thence Westerly 39.48 feet along the arc of said curve through a central angle of  $24^{\circ}51'25''$  to the point of a 25.00 foot radius reverse curve to the left; thence Southwesterly 38.78 feet along the arc of said curve through a central angle of  $88^{\circ}52'17''$ ; thence N  $64^{\circ}04'34''$  W 100.00 feet to a point on the west line of said River Road said point being on a 2820.00 foot radius curve to the left the radius point of which bears N  $64^{\circ}04'34''$  W; thence Northerly 1336.12 feet along the arc of said curve and said west line through a central angle of  $27^{\circ}08'48''$  to the point of a 7340.53 foot radius compound curve to the left; thence Northerly 239.72 feet along the arc of said curve and said west line to the point of tangency; thence N  $03^{\circ}05'38''$  W 470.24 feet; N  $89^{\circ}20'31''$  W 189.58 feet; thence S  $39^{\circ}05'06''$  W 380.67 feet; thence S  $01^{\circ}01'59''$  E 237.71 feet; thence East 248.57 feet; thence S  $01^{\circ}43'11''$  E 214.21 feet; thence S  $14^{\circ}43'02''$  W 548.37 feet; thence N  $89^{\circ}40'16''$  W 372.86 feet; thence South 835.98 feet; thence S  $23^{\circ}05'13''$  W 187.74 feet; thence S  $44^{\circ}50'32''$  W 480.14 feet; thence N  $71^{\circ}24'04''$  W 436.36 feet; thence S  $88^{\circ}29'38''$  W 325.83 feet; thence S  $07^{\circ}30'06''$  W 164.13 feet of the point of beginning.

Contains 86.278 acres more or less.

**PARCEL 2**

00760033 Bk 1459 Pg 2592

A parcel of land located in the Southeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Section 17 and the North  $\frac{1}{2}$  of Section 20, Township 43 South, Range 15 West, Salt Lake Base & Meridian, being more particularly described as follow:

Commencing at the East  $\frac{1}{4}$  Corner of said Section 17;  
Thence North  $88^{\circ}48'11''$  West, 3,872.47 feet along the center section line;  
Thence South, 1,916.61 feet to the **POINT OF BEGINNING**;  
Thence South  $01^{\circ}16'13''$  West, 582.57 feet to a point on a 1,370.00 foot radius curve to the right the radius point of which bears South  $20^{\circ}25'42''$  East;  
Thence Easterly, 1,103.71 feet along the arc of said curve through a central angle of  $46^{\circ}09'32''$  to the point of a 35.00 foot radius compound curve to the right;  
Thence Southeasterly, 58.05 feet along the arc of said curve through a central angle of  $95^{\circ}02'04''$  to a point on the west line of River Road;  
Thence South  $67^{\circ}37'42''$  East, 101.08 feet to a point on the east line of said River Road, said point also being the beginning of a 35.00 foot radius curve to the right the radius point of which bears South  $59^{\circ}14'06''$  East;  
Thence Northeasterly, 50.55 feet along the arc of said curve through a central angle of  $82^{\circ}44'50''$  to the point of a 1,640.00 foot radius reverse curve to the left;  
Thence Easterly, 637.14 feet along the arc of said curve through a central angle of  $22^{\circ}15'34''$ ;  
Thence South  $88^{\circ}44'51''$  East, 1,097.52 feet;  
Thence South  $01^{\circ}15'09''$  West, 1,247.00 feet;  
Thence North  $88^{\circ}44'51''$  West, 1,921.07 feet to the point of a 1,167.00 foot radius curve to the right;  
Thence Westerly, 170.56 feet along the arc of said curve, through a central angle of  $08^{\circ}22'26''$ ;  
Thence North  $30^{\circ}45'56''$  East, 681.81 feet;  
Thence North  $88^{\circ}48'32''$  West, 1,222.36 feet;  
Thence North  $01^{\circ}26'25''$  East, 308.80 feet;  
Thence North  $63^{\circ}44'47''$  West, 1,414.75 feet;  
Thence North  $41^{\circ}26'02''$  East, 200.35 feet;  
Thence North  $66^{\circ}09'08''$  East, 499.37 feet;  
Thence North  $51^{\circ}03'23''$  East, 510.71 feet;  
Thence South  $63^{\circ}57'45''$  East, 375.34 feet to the **POINT OF BEGINNING**.

Contains 99.994 acres more or less.

PARCEL 3

00760033 Ek 1459 Ps 2593

A parcel of land located in the Southeast ¼ of Section 17, Township 43 South, Range 15 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point on the west line of 1630 East said point being S 01°10'40" W 1885.53 feet along the section line and N 88°06'58" W 66.01 feet from the East ¼ Corner of Section 17, and running thence N 88°06'58" W 1168.52 feet; thence N 01°08'04" E 484.53 feet to a point on the south line of 3950 South; thence S 88°47'28" E 1148.81 feet along the south line of 3950 South to the point of a 20.00 foot radius curve to the right; thence Easterly and Southerly 31.41 feet along the arc of said curve through a central angle of 89°58'08" to a point on the west line of 1630 East; thence S 01°10'40" W 478.11 feet to the point of beginning.

Contains 13.176 acres more or less.