

When Recorded Return To:
Rocky Mountain Advisory, LLC
15 W. South Temple, Suite 500
Salt Lake City, UT 84101
Attn: John Curtis, Receiver

Space above for County Recorder's Use

FIRST AMENDMENT TO NON-EXCLUSIVE ACCESS AND PARKING EASEMENT AGREEMENT

PARCEL I.D. # 41-21-411-0001 "
41-21-400-0062
41-21-400-0066
41-21-400-0068
41-21-400-0307
41-21-400-0308
41-21-400-0336
41-21-400-0037
41-21-401-0101
41-21-401-0102
41-21-401-0201
41-21-401-0202
41-21-401-0301
41-21-401-0302
41-21-401-0401
41-21-401-0402
41-21-402-0101
41-21-402-0102
41-21-402-0201
41-21-402-0202
41-21-402-0301
41-21-402-0302
41-21-402-0401
41-21-402-0402
41-21-403-0101
41-21-403-0102
41-21-403-0201
41-21-403-0202
41-21-403-0301
41-21-403-0302
41-21-403-0401
41-21-403-0402
41-21-404-0101
41-21-404-0102
41-21-404-0201
41-21-404-0202
41-21-404-0301
41-21-404-0302
41-21-404-0401
41-21-404-0402

FIRST AMENDMENT TO NON-EXCLUSIVE ACCESS AND PARKING EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO NON-EXCLUSIVE ACCESS AND PARKING EASEMENT AGREEMENT ("Amendment") is made as of May 15, 2025, by **THE WATERS EDGE PROPERTIES, LLC**, a Utah limited liability company ("**Grantor**") and **LAKE RESIDENCES AT BEAR LAKE CONDOMINIUM ASSOCIATION, INC.**, a Utah nonprofit corporation, **THE WATERS EDGE PROPERTIES, LLC**, a Utah limited liability company, **REDD DEVELOPMENT, LLC**, a Utah limited liability company, and **LYMAN & BROOME PROPERTIES, LLC**, a Utah limited liability company (collectively, "**Grantee**").

A. Easement. Grantor and Grantee entered into that certain Non-Exclusive Access and Parking Easement Agreement dated November 18, 2021 and recorded on July 28, 2022, Entry No. 103797, in Book 12, at Page 1107 (the "**Access Easement Agreement**").

B. Grantor Property. Grantor is the owner of certain real property located in the City of Garden City, Rich County, Utah as depicted on Exhibit A attached hereto and made a part hereof and more particularly described on Exhibit B attached hereto and made a part hereof (the "**Parking Easement Property**").

C. Condominium Project. The current Grantee is the Condominium Association that manages and operates the condominium project commonly known as "Lake Residences at Bear Lake" (the "**Condominium Project**") adjacent to the Access Easement Property and more particularly described on Exhibit C attached hereto and made a part hereof.

D. Additional Grantees. Grantor desires to include the owners of Units within the Condominium Project to be named as additional Grantees together with Grantee under the Access Easement Agreement (the "**Grantee Property**").

E. Real Property. Grantor desires to make corrections to the legal descriptions attached as Exhibits A, B and C to the Access Easement Agreement.

NOW THEREFORE, Grantor and Grantee to hereby agree as follows:

1. **PARKING EASEMENT PROPERTY AND GRANTEE PROPERTY.** Exhibits A, B and C to the Access Easement Agreement are hereby deleted and replaced in their entirety by the legal descriptions attached hereto as Exhibit A, Exhibit B, and Exhibit C.

2. **GRANTEE.** Grantor hereby names each Grantee, as owner of a Unit, together with each Grantee's tenants, permittees, licensees, successors and assigns in the Condominium Project, an individual "Grantee" under the Access Easement Agreement.

3. **GENERAL PROVISIONS**

3.1 **Covenants Run with the Land.** This Amendment shall be binding upon and shall inure to the benefit of Grantor and Grantee and their respective successors and/or assigns. The easements, rights and privileges and obligations set forth in the Access Easement

Agreement, as amended by this Amendment, shall be perpetual and appurtenant to and shall run with the real property which is hereby burdened and benefitted.

3.2 **Recordation.** This Amendment shall be recorded in the office of the Rich County, Utah Recorder.

[Signatures and Acknowledgments Follow]

EXECUTED as of the day and year first above written.

GRANTOR

THE WATERS EDGE PROPERTIES, LLC,
a Utah limited liability company, by

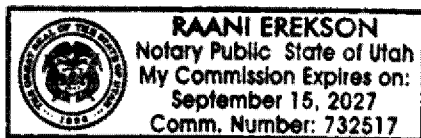
John Curtis, not individually, but in his capacity as
Receiver

By: [Signature]
Name: John Curtis


STATE OF UTAH)
COUNTY OF Salt Lake) :ss

The foregoing instrument was acknowledged before me this 23rd day of
April 2025, by John Curtis in the capacity indicated.

Notary Public: Raani Erekson



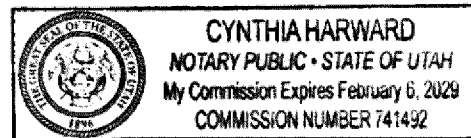
[Signatures Follow]

By: 

STATE OF UTAH)
COUNTY OF Utah) ss

The foregoing instrument was acknowledged before me this 1 day of May 2025, by Christopher Shurian in the capacity indicated.

Notary Public: Charmene



GRANTEE

**LAKE RESIDENCES AT BEAR LAKE
CONDOMINIUM ASSOCIATION**, a Utah
nonprofit corporation

By: 

Name: Christopher Shuman

Its: Manager

STATE OF UTAH

COUNTY OF Utah

)
:ss
)

The foregoing instrument was acknowledged before me this 1 day of May 2025, by Christopher Shuman in the capacity indicated.



[Signatures Follow]



CYNTHIA HARWARD
NOTARY PUBLIC • STATE OF UTAH
My Commission Expires February 6, 2026
COMMISSION NUMBER 741492

THE WATERS EDGE PROPERTIES, LLC,
a Utah limited liability company, by

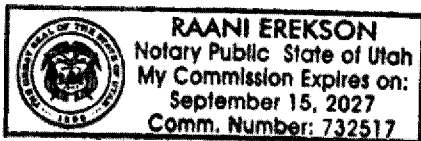
John Curtis, not individually, but in his capacity as
Receiver

By: *John Curtis*
Name: John Curtis

STATE OF UTAH)
COUNTY OF *Salt Lake*) :ss

The foregoing instrument was acknowledged before me this *23rd* day of
April 2025, by John Curtis in the capacity indicated.

Notary Public: *Raani Erekson*



[Signatures Follow]

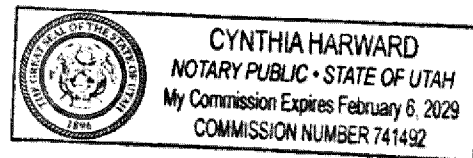
THE WATERS EDGE PROPERTIES, LLC,
a Utah limited liability company

By: [Signature]
Name: Christopher Shurian
Its: Manager


STATE OF UTAH)
COUNTY OF Utah) :ss

The foregoing instrument was acknowledged before me this 1 day of May 2025, by Christopher Shurian in the capacity indicated.

Notary Public: [Signature]



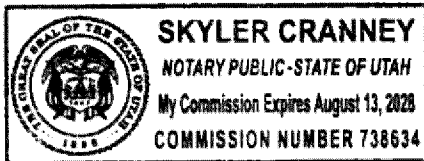
REDD DEVELOPMENT, LLC,
a Utah limited liability company

By: 
Name: JOSHUA REDD
Its: Manager

STATE OF UTAH)
COUNTY OF Utah) :ss

The foregoing instrument was acknowledged before me this 25th day of April 2025, by Joshua Redd in the capacity indicated.

Notary Public:  _____



LYMAN & BROOME PROPERTIES, LLC,
a Utah limited liability company

Lyman & Broome Properties LLC

By: Julie Lyman

Name: Julie Lyman

Its: Manager

STATE OF UTAH

)

:ss

COUNTY OF Salt Lake

)

The foregoing instrument was acknowledged before me this 6 day of
May 2025, by Julie Lyman in the capacity indicated.

Notary Public: Caleb Ikmau



EXHIBIT A

Depiction of Access Easement Area

[see attached]

Cross-Hatched Area [////] = Parking Easement Property

COMBINED AND AMENDED SUBDIVISION PLAT
FOR
LAKE RESIDENCES AT BEAR LAKE
PHASES 7A, 7B, 8A, & 8B
A PLAT TO COMBINE AND AMEND THE PLATS
PREVIOUSLY RECORDED AS THE LAKE RESIDENCES AT
BEAR LAKE PHASES 7A, 7B, 8A, AND 8B PLATS

LAKE RESIDENCES AT BEAR LAKE PHASE 7A PLAT RECORDED AS PLAT NO.	150841
LAKE RESIDENCES AT BEAR LAKE PHASE 7B PLAT RECORDED AS PLAT NO.	150842
LAKE RESIDENCES AT BEAR LAKE PHASE 8A PLAT RECORDED AS PLAT NO.	150843
LAKE RESIDENCES AT BEAR LAKE PHASE 8B PLAT RECORDED AS PLAT NO.	150844

THE LOOK AT BEAR ONE, A.C.
RECORD OF SUPPLY 2024-1842
FIGURE NO. 107941
(COMPARISONS MADE) PS
41-21-400-0047
41-21-400-0071
41-21-400-0071
41-21-400-0071
41-21-400-0071
41-21-400-0071
41-21-400-0071

THE COURT AT REAR LANE, 112
ROCKFORD ST. SUITE 202A - 7941
CHICAGO, IL 60657
CHANDLER PARKER, JR.
41-21-400-0047
41-21-400-0077
41-21-400-0077
41-21-400-0002
41-21-400-0040
41-21-400-0040

WATERS USE PROPERTIES, 1961
 MONTHS OF SURVEY, 2004-2005

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	8																		

THE DON C. HUEYER AND BESSIE
C. HUEYER FOUNDATION TRUST
P.O. BOX 60000
MINNAPOLIS, MN 55462

[illegible][illegible]

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099																																																																																																																																																																																																																																						
1990	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340

LEGEND

EXISTING FENCE
OPEN (WILDCORN) LAMP

SECTION CORNER

SECTION 1/4 CORNER

SET 5/8" FENCE W/ 4" CAP PUG (2000)

SET 5/8" FENCE W/ 2" CAP OR NO NOTED

POINT NOT FOUND OR SET

SUBDIVISION BOUNDARY

BOUNDARY LASTING APPROPRIATE TO SUBDIVISION BOUNDARY

SCALE: 1 INCH = 30 FEET

0 30 60 90

BASIS OF BEARINGS

FROM RECORD OF SURVEY 2034-1942
WHICH IS FROM THE WEST QUARTER, CORNER
SECTION 21 TO THE NE 1/4, QUARTER
SECTION 28 OF SECTION 18 AS
N. 00° 31' 22" E

LEGAL DESCRIPTION
FOR LAKE RESIDENCES AT BRAN (ART
CONDOMINIUM ASSOCIATION, INC.)
INGRESS, EGRESS, PARKING, AND UTILITY EASEMENT
APPROPRIATE EASEMENT TO SUBDIVISION BOUNDARY
ON PROPERTY OWNED BY WATERS CODE PROPERTIES, LLC

[illegible]

LAND SURVEYORS

A.A. HUDSON
AND
ASSOCIATES

1116 SOUTH STATE
DOWNTOWN, DALLAS, TEXAS 75201
(214) 741-1111

CORNERED AND HANGING SUBTERRANEAN PLAT
 FOR
LAKE RESIDENCES AT BEAR LAKE
PHASES 7A, 7B, 8A, & 8B
 SECTION 21, TOWNSHIP 44 NORTH, RANGE 5 EAST, BLANK
 GARDEN CITY, RICH COUNTY, IOWA

REVISIONS	SUBMITTED BY	BY
1	OFFICE	WORK BY
2	FIELD BOOK NO.	DATE
PROJECT NO. 22033	COMPLETION DATE	APRIL 2009

SURVEYOR'S CERTIFICATE
 WHEREFORE, DO HEREBY CERTIFY THAT I AM A LICENSED
 SURVEYOR IN THE STATE OF UTAH THAT I HOLD CERTIFICATE
 NO. 2201 AND THAT BY THE AUTHORITY OF THE COUNCIL OF
 SURVEYORS I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND
 BE PLAT

 Surveyor, Utah 22012701

RECORDS CERTIFICATE

INSTRUMENT NO. _____
DATE 05/04/2005 TIME 10:00:00
RECORD OF JOURNAL NO. _____
REQUESTED BY _____
ACCOMPLISHED BY _____
PAGE _____

EXHIBIT B

LEGAL DESCRIPTION OF ACCESS EASEMENT AREA

An easement for ingress, egress, parking, and public utilities located on a portion of the Parcel described in Exhibit "D" in Filing No. 107541 in the official records of Rich County, Utah, which easement is also located in Section 21, Township 14 North, Range 5 East, Salt Lake Base and Meridian, Garden City, Rich County, Utah, and more particularly described as follows:

Commencing at the brass cap Monument found at the West quarter corner of said Section 21, from which the aluminum cap found at the West quarter corner of Section 16 bears North 00° 31' 22" East by record a distance of 5,414.12 feet;
Thence North 00° 31' 22" East 658.53 feet;
Thence South 89° 28' 38" East 1928.23 feet to the Southwest corner of Block 6, of the Garden City Survey;
Thence South 89° 05' 28" East 152.36 feet along the North right of way line of 150 South Street to the True Point of Beginning;
Thence North 01° 19' 28" East 410.79 feet;
Thence along the boundary of the said parcel described in Exhibit "D" the following 3 courses:
Thence South 88° 40' 22" East 42.00 feet;
Thence South 01° 19' 28" West 102.29 feet;
Thence South 89° 01' 16" East 76.62 feet;
Thence South 00° 59' 03" West 308.10 feet to a point on the said North right of way line of 150 South Street;
Thence North 89° 05' 28" West 120.45 feet along the said North right of way line to the True Point of Beginning.

Containing 41138 square feet of land.

EXHIBIT C

LEGAL DESCRIPTION FOR LAKE RESIDENCES AT BEAR LAKE CONDOMINIUM ASSOCIATION, INC. SUBDIVISION BOUNDARY

**(COMPOSED OF LANDS OWNED BY THE WATERS EDGE PROPERTIES, LLC.,
LAKE RESIDENCES AT BEAR LAKE PHASE 8A, LAKE RESIDENCES AT BEAR
LAKE PHASE 8B, LAKE RESIDENCES AT BEAR LAKE PHASE 7A, LAKE
RESIDENCES AT BEAR LAKE PHASE 7B)**

A parcel of land being a portion of the Parcel described in Exhibit "D" in Filing No. 107541 in the official records of Rich County, Utah, which parcel is also located in Section 21, Township 14 North, Range 5 East, Salt Lake Base and Meridian, Garden City, Rich County, Utah, and more particularly described as follows:

Commencing at the brass cap Monument found at the West quarter corner of said Section 21, from which the aluminum cap found at the West quarter corner of Section 16 bears North 00° 31' 22" East by record a distance of 5,414.12 feet;

Thence North 00° 31' 22" East 658.53 feet;

Thence South 89° 28' 38" East 1928.23 feet to the Southwest corner of Block 6, of the Garden City Survey;

Thence South 89° 05' 28" East 272.81 feet along the North right of way line of 150 South Street to a 5/8" rebar with aluminum cap labeled, "A. A. Hudson, PLS 370541", the True Point of Beginning;

Thence North 00° 59' 03" East 308.10 feet to a 5/8" rebar with aluminum cap set on the boundary of the said Parcel described in Exhibit "D";

Thence along the boundary of the said Parcel described in Exhibit "D" the following 5 courses:

Thence South 89° 01' 16" East 109.42 feet to a 5/8" rebar with aluminum cap set on the Northeasterly corner of a parcel of land described as Parcel "F" in the Quit Claim Deed recorded as Filing No. 108271 in the official records of Rich County;

Thence along the boundary lines and their extensions of the said Parcel "F" the following 2 courses:

Thence South 00° 58' 44" West 245.33 feet (South 00° 57' 12" West 245.311 feet by record) to a 5/8" rebar with aluminum cap;

Thence North 89° 01' 16" West 100.82 feet (North 89° 02' 49" West by record) to a found JSH cap and rebar;

Thence South 00° 54' 32" West 62.76 feet to a found JSH cap and rebar;

Thence North 89° 05' 28" West 8.71 feet to the True Point of Beginning.

Containing 0.6 acres of land.

CONSENTED TO BY:

CONSTRUCTION LOAN SERVICES II, LLC,
a Washington limited liability company

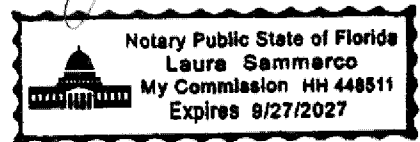


By: Curt Altig
Its: Chairman

STATE OF Florida)
COUNTY OF Broward) :ss

The foregoing instrument was acknowledged before me this 29 day of April 2025, by Curt Altig in the capacity indicated.

Notary Public: Laura Sammarco

[Signatures Follow]

a Utah corporation,

By: David Frances

STATE OF UTAH

COUNTY OF Utah

The foregoing instrument was acknowledged before me this 23 day of April 2025, by David Francis in the capacity indicated.

Notary Public:

[Signatures Follow]

