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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
CREEK ROAD DEVELOPMENT INC  
673 RIDGEWOOD CIR  
FARMINGTON UT 84025  
BY: ZJM, DEPUTY - WI 8 P.

When Recorded, Return To:

Creek Road Development, Inc.  
673 Ridgewood Circle  
Farmington, Utah 84025  
Attn: G. Andrew Barfuss

Tax Parcel Nos.

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

8 - 34

**THIS THIRD AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM** ("Amendment") is made and executed by **CREEK ROAD DEVELOPMENT, INC.**, a Utah corporation, successor in interest to **CREEK ROAD ASSOCIATES, LC**, a Utah limited liability company ("**Declarant**") this 16th day of April, 2007.

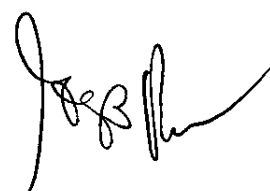


WHEREAS, that certain Declaration of Condominium for Creek Road Office Condominiums was recorded as Entry No. 7826335 in Book 8426 at Page 4781, Salt Lake County Records, as subsequently amended (the "**Original Declaration**") regarding the real property legally described on Exhibit A attached thereto; and

WHEREAS, the Original Declaration was amended by the Amended and Restated Declaration of Condominium for Creek Road Office Condominiums, recorded as Entry No. 8867900 in Book 8901 at Page 6775, Salt Lake County Records (the "**Declaration**") and subsequently amended by the First Amendment to Amended and Restated Declaration of Condominium for Creek Road Office Condominiums recorded as Entry No. 9040596 in Book 8976 at Page 3225 and the Second Amendment to Amended and Restated Declaration of Condominium for Creek Road Office Condominiums recorded as Entry No. 9184137 in Book 9042 at Page 3080 regarding the real property legally described on Exhibit A attached hereto; and

WHEREAS, the Declaration provides that the Declarant shall have the right and the option, from time to time at any time, without the consent of any Owner or the Association to subject some or all of the Additional Land to the terms, conditions and restrictions created by the Declaration; and

WHEREAS, pursuant to the provisions of Section 8 of the Declaration, Declarant desires to subject the Additional Land located in Salt Lake County, Utah as more particularly described on Exhibit B attached hereto to the provisions of the Declaration as more specifically set forth herein.



1. **DEFINITIONS.** Terms used but not otherwise defined herein shall be defined as set forth in the Declaration.

2. **PROJECT EXPANSION.** The real property legally described on Exhibit B attached hereto (the "Additional Land") is hereby added to the Project pursuant to the Option to Expand as shown on the Third Extended Plat of the Amended and Restated Condominium Plat of Creek Road Condominiums (the "Supplemental Plat"). Declarant is the record title owner of the Additional Land and hereby consents to the inclusion of the Additional Land in the Project.

3. **AMENDED EXHIBIT B.** Exhibit B to the Declaration shall be amended to show changes in the Interests of the Owners consistent with this Amendment, the addition of the Additional Land to the Project and the Supplemental Plat. Exhibit B to the Declaration shall be deleted in its entirety and replaced with an Amended Exhibit B attached hereto as Exhibit C.

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

**IN WITNESS WHEREOF,** the undersigned have executed this instrument as of the date set forth above.

**DECLARANT:**

**CREEK ROAD DEVELOPMENT, INC.,**  
a Utah Corporation, successor in interest to  
**CREEK ROAD ASSOCIATES, LC,**  
a Utah limited liability company

By: \_\_\_\_\_

Name: G. Andrew Barfuss  
Its: President

**AGREED AND APPROVED BY:**

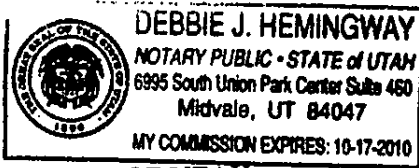
**CREEK ROAD ASSOCIATES, LC,**  
a Utah limited liability company

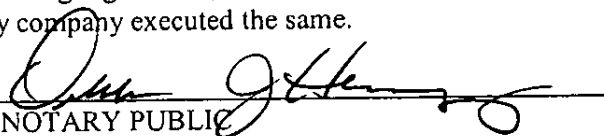
By: \_\_\_\_\_

Name: Richard M. Webber  
Its: Manager

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

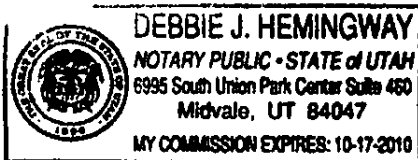
On this 14th day of April, 2007, personally appeared before me Richard M. Webber, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he is the Manager of Creek Road Associates, LC, a Utah limited liability partnership, and that said document was signed by him in behalf of said limited liability company by authority of its operating agreement, and said Richard M. Webber acknowledged to me that said limited liability company executed the same.

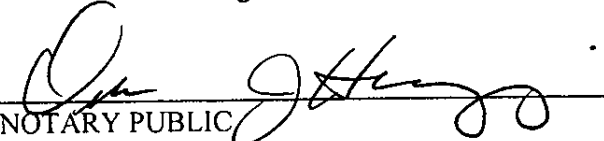


  
NOTARY PUBLIC

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

On this 14th day of April, 2007, personally appeared before me G. Andrew Barfuss, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he is the Manager of Creek Road Development, Inc., a Utah corporation, and that said document was signed by him in behalf of said corporation by authority of its bylaws, and said G. Andrew Barfuss acknowledged to me that said corporation executed the same.



  
NOTARY PUBLIC

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

.....  
**LEGAL DESCRIPTION OF THE ADDITIONAL 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 the most Westerly Corner of Creek Road Office Condominiums, a condominium project in Sandy, Salt Lake County, Utah and a point on the Easterly Line of Union Park Avenue as it exists at 53.0 foot half-width being 1143.84 feet North 89°46'05" East along the Quarter Section Line; and 9.02 feet North 0°13'55" West from the Center of said Section 29; and running thence along the Southwesterly Line of said condominium project the following four courses: South 46°41'30" East 20.85 feet; Southeasterly along the arc of a 50.00 foot radius curve to the Right a distance of 83.11 feet (Central Angle equals 95°14'23" and Long Chord bears South 50°00'09" East 73.87 feet) to a point of reverse curvature; Southeasterly along the arc of a 15.00 foot radius curve to the Left a distance of 11.60 feet (Central Angle equals 44°18'32" and Long Chord bears South 24°32'14" East 11.31 feet) to a point of tangency; and South 46°41'30" East 172.91 feet to the Northeasterly Line of Lot 13, Curtis Subdivision No. 4 as it exists on the ground; thence South 61°16'43" East 81.72 feet along said Lot Line; thence South 14°52'29" West 25.64 feet to the Southwesterly Line of said Curtis Subdivision No. 4; thence along the Southwesterly Line of said Curtis Subdivision No. 4 as it exists on the ground the following three courses: Southeasterly along the arc of a 335.94 foot radius curve to the Right a distance of 96.46 feet (Central Angle equals 16°27'04" and Long Chord bears South 32°28'01" East 96.13 feet) to a point of tangency; South 24°14'29" East 68.20 feet to a point of curvature; Southeasterly along the arc of a 350.06 foot radius curve to the Left a distance of 199.53 feet (Central Angle equals 32°39'30" and Long Chord bears South 40°34'13" East 196.84 feet) to a point of tangency; and South 56°54'08" East 108.24 feet; thence North 80°17'22" East 44.59 feet to the Westerly Line of the new alignment of Cottonwood Creek Road; thence Southeasterly along the arc of a 450.74 foot radius curve to the Left a distance of 211.14 feet (Central Angle equals 26°50'21" and Long Chord bears South 15°01'01" East 209.22 feet) along said Westerly Line to the Northeasterly Line of Lot 4 of the Overlook at Union Point Subdivision; thence along the Northeasterly Line of said Subdivision as it is staked on the ground the following two courses: Northwesterly along the arc of a 408.68 foot radius curve to the Left a distance of 193.47 feet (Central Angle equals 27°07'28" and Long Chord bears North 43°10'16" West 191.67 feet) to a point of tangency; and North 56°44'00" West 30.09 feet to the Northerly Lot Corner common to Lots 3 and 4 of said overlook at Union Point Subdivision as it is staked on the ground; thence South 40°00'00" West 38.86 feet along the Lot Line common to said Lots 3 and 4; thence North 50°00'51" West 15.44 feet; thence South 39°59'09" West 13.86 feet to the back or Northeasterly Line of an existing concrete curb; thence generally along said back-of curb line the following six courses: North 50°00'51" West 182.74 feet to a point of curvature; Northwesterly along the arc of a 160.00 foot radius curve to the right a distance of 108.31 feet (Central Angle equals 38°47'14" and Long Chord bears North

30°37'14" West 106.26 feet) to a point of reverse curvature; Northwesterly along the arc of a 140.00 foot radius curve to the left a distance of 102.64 feet (Central Angle equals 42°00'21" and Long Chord bears North 32°13'48" West 100.36 feet) to a point of tangency; North 53°13'59" West 20.93 feet; North 38°10'53" East 20.26 feet; and North 48°33'58" West 70.42 feet to the Southeasterly edge of an existing concrete sidewalk; thence along the edge of said sidewalk the following two courses: North 40°30'53" East 2.69 feet; and North 49°55'46" West 26.42 feet; thence North 43°06'42" East 10.15 feet; thence North 46°53'18" West 13.23 feet; thence North 43°06'42" East 10.84 feet; thence North 46°53'18" West 233.40 feet to the Easterly Line of Union Park Avenue as it exists at 53.00 foot half-width; thence Northeasterly along the arc of a 1001.69 foot radius curve to the Right a distance of 107.14 feet (Central Angle equals 6°07'41" and Long Chord bears North 14°38'28" East 107.09 feet) along said Easterly Line of Union Park Avenue to the point of beginning.

**Contains 93,387 sq. ft.  
or 2.144 acres**

**EXHIBIT C  
TO  
THIRD AMENDMENT TO  
AMENDED AND RESTATED DECLARATION  
OF CONDOMINIUM FOR  
CREEK ROAD OFFICE CONDOMINIUMS**

.....  
**AMENDED EXHIBIT B TO THE AMENDED AND RESTATED DECLARATION  
OF CONDOMINIUM FOR CREEK ROAD OFFICE CONDOMINIUMS**

ND: 4815-3837-8753, v. 1

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

<b>Unit No.</b>	<b>Rentable Sq. Ft.</b>	<b>% Interest of Bldg.</b>	<b>% Interest of Project</b>
Condo Unit 101A	1,886	12%	1%
Condo Unit 102A	1,853	12%	1%
Condo Unit 103A	1,202	8%	1%
Condo Unit 104A	2,537	17%	2%
Condo Unit 201A	1,337	9%	1%
Condo Unit 202A	2,026	13%	2%
Condo Unit 203A	2,313	15%	2%
Condo Unit 204A	2,042	13%	2%
<b>Building A</b>	<b>15,196</b>	<b>100%</b>	<b>12%</b>
Condo Unit 101B	3,739	24%	3%
Condo Unit 102B	1,149	7%	1%
Condo Unit 103B	2,492	16%	2%
Condo Unit 201B	3,679	24%	3%
Condo Unit 202B	634	4%	1%
Condo Unit 203B	1,494	10%	1%
Condo Unit 204B	2,212	14%	2%
<b>Building B</b>	<b>15,399</b>	<b>100%</b>	<b>12%</b>
Condo Unit 101C	4,250	15%	3%
Condo Unit 102C	741	3%	1%
Condo Unit 104C	3,288	12%	3%
Condo Unit 104aC	630	2%	0%
Condo Unit 200C	3,129	11%	2%
Condo Unit 201C	2,023	7%	2%
Condo Unit 203C	2,054	7%	2%
Condo Unit 204C	1,711	6%	1%
Condo Unit 301C	7,906	28%	6%
Condo Unit 302C	2,039	7%	2%
<b>Building C</b>	<b>27,771</b>	<b>100%</b>	<b>22%</b>
Condo Unit 101D	2,680	9%	2%
Condo Unit 102D	2,037	7%	2%
Condo Unit 103D	2,672	9%	2%
Condo Unit 104D	2,037	7%	2%
Condo Unit 105D	1,500	5%	1%
Condo Unit 200D	9,896	32%	8%
Condo Unit 300D	5,679	18%	4%
Condo Unit 303D	4,261	14%	3%
<b>Building D</b>	<b>30,762</b>	<b>100%</b>	<b>24%</b>
Condo Unit 100E	37,631	100%	30%
<b>Building E</b>	<b>37,631</b>	<b>100%</b>	<b>30%</b>
<b>Total Project Rentable Sq. Ft.</b>	<b>126,759</b>		<b>100%</b>