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4/24/2017 11:10:00 AM \$31.00  
Book - 10550 Pg - 2972-2981  
Gary W. Ott  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 10 P.

WHEN RECORDED MAIL TO:

Utah Transit Authority  
Attn: Ruth Hawe  
669 West 200 South  
Salt Lake City, UT 84101

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND EASEMENTS SOUTH JORDAN STATION  
TRANSIT-ORIENTED DEVELOPMENT**

In Reference to Tax ID Number(s):

27-13-127-012, 27-13-127-011, 27-13-126-001, 27-13-126-002, 27-13-126-004

**FIRST AMENDMENT TO  
DECLARATION  
OF  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
SOUTH JORDAN STATION TRANSIT-ORIENTED DEVELOPMENT**

THIS FIRST AMENDMENT TO DECLARATION of Covenants, Conditions, Restrictions and Easements for South Jordan Station Transit-Oriented Development (the “First Amendment”) is made as of the 31st day of March, 2017, by UTAH TRANSIT AUTHORITY (“UTA”), a public transit district organized and existing pursuant to Utah law, SOJO STATION SOUTH, LLC, a Utah limited liability company (“SoJo South”), SOJO STATION NORTH, LLC, a Utah limited liability company (“SoJo North”), SOJO HOTEL PARTNERS, LLC, a Utah limited liability company (“SoJo Hotel”), and 106<sup>th</sup> SOUTH BUSINESS PARK, a Utah Limited Partners, a Utah limited partnership (“106<sup>th</sup> South”). UTA, SoJo South, SoJo North, and SoJo Hotel are hereafter collectively “Owners”.

WHEREAS, on or about June 14, 2016, UTA, as Declarant, did execute that certain Declaration of Covenants, Conditions, Restrictions and Easements of South Jordan Station Transit-Oriented Development (the “Declaration”), recorded as Entry No. 12300849, Book 10442, Pages 2682-2691, in the records of the Salt Lake County Recorder; and

WHEREAS, subsequent to execution and recording of the Declaration, UTA did convey portions of the property subject to the Declaration, to each of SoJo Hotel, SoJo South, and SoJo North; and

WHEREAS, a small portion of the property that was subject to the Declaration is being conveyed to 106<sup>th</sup> South, and further certain additional small parcels are being conveyed from 106<sup>th</sup> South to various of the Owners; and

WHEREAS, in connection with such conveyances, the Owners desire to correctly designate the property that is the subject of the Declaration.

NOW, THEREFORE, for good and valuable consideration, the undersigned Owners do hereby declare as follows:

1. The definition of the “Property”, as set forth in the introduction paragraph of the Declaration, is hereby amended to be “that certain real property located in the State of Utah, County of Salt Lake and more particularly described in **Amended Exhibit A**, attached hereto and incorporated herein by reference”.

2. Exhibit A to the Declaration is hereby replaced with **Amended Exhibit A**, attached hereto.

3. All property owned by 106<sup>th</sup> South is confirmed to not be subject to the Declaration; any portion of 106<sup>th</sup> South's property that may have been subject to the Declaration is hereby removed from the obligations thereunder and no longer subject to the Declaration.

4. All other terms and provisions of the Declaration and the other exhibits, not specifically modified hereby, are and shall remain in full force and effect.

*Remainder of this page intentionally left blank*

IN WITNESS WHEREOF, the parties have made and executed this First Amendment as of the day and year first above written.

UTA:

UTAH TRANSIT AUTHORITY

By: [Signature]  
Name: JERRY R. BENSON  
Title: PRESIDENT / CEO

By: [Signature]  
Name: Robert K. Biles  
Title: VP Finance

Approved as to Form:

[Signature]  
Counsel for the Authority

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

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of March 2017 by Jerry R Benson and Robert K Biles, in their respective capacity as the President / CEO and V.P. Finance of Utah Transit Authority, a public transit district organized under the laws of the State of Utah.

[Signature]  
Notary Public



[Signature page to First Amendment to CC&Rs]

**SOJO SOUTH:**

SOJO STATION SOUTH, LLC

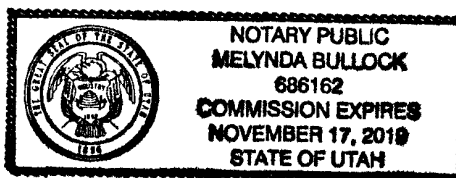
By: SoJo Station, LLC, its Manager

By: \_\_\_\_\_  
Name: Steve Peterson  
Title: Manager

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

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of April 2017 by Steve Peterson, in his capacity as a Manager of SoJo Station, LLC, the Manager of SoJo Station South, LLC, a Utah limited liability company.

Melynda Bullock  
Notary Public



**SOJO NORTH:**

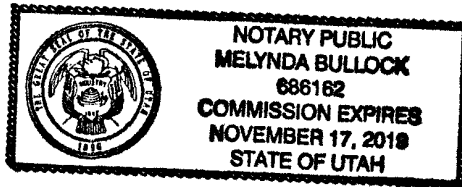
SOJO STATION NORTH, LLC  
By: SoJo Station, LLC, its Manager

By: \_\_\_\_\_  
Name: Steve Peterson  
Title: Manager

STATE OF UTAH )  
:SS.  
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of April 2017 by Steve Peterson in his capacity as a Manager of SoJo Station, LLC, the Manager of SoJo Station North, LLC, a Utah limited liability company.

Melynda Bullock  
Notary Public



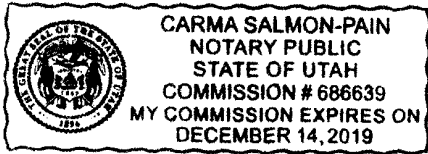
**SOJO HOTEL:**

SOJO HOTEL PARTNERS, LLC  
By: TGC SOJO PARTNERS, LLC, its Manager

By: Michael R. Christensen  
Name: Michael R. Christensen  
Title: Manager

STATE OF UTAH )  
 )  
 ) :ss.  
COUNTY OF Davis )

The foregoing instrument was acknowledged before me this 31 day of March 2017 by Michael R Christensen in his capacity as a Manager of SoJo Hotel Partners, LLC, the Manager of SoJo Hotel Partners, LLC, a Utah limited liability company.



Carma Salmon-Pain  
Notary Public

106th SOUTH:

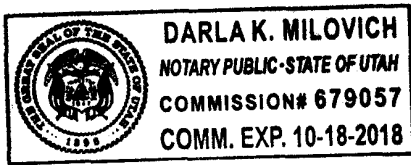
106<sup>TH</sup> SOUTH BUSINESS PARK, A UTAH  
LIMITED PARTNERSHIP

By: Sterrett Properties, L.C.,  
Its: General Partner

By: [Signature]  
Name: Brett P. Sterrett  
Title: MANAGER

STATE OF UTAH )  
 )  
 ) :SS.  
COUNTY OF South Lake )

The foregoing instrument was acknowledged before me this 30 day of March 2017 by Brett P. Sterrett, in his capacity as Manager of Sterrett Properties, L.C., General Partner of 106<sup>th</sup> South Business Park, a Utah Limited Partnership.



[Signature]  
Notary Public



**ACKNOWLEDGED AND APPROVED AS TO FORM:**

**AMERICAN NATIONAL INSURANCE COMPANY**, a Texas insurance company

By: 

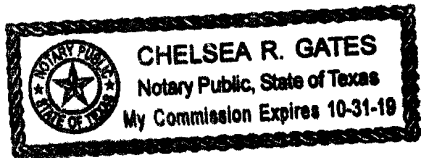
 Name: Robert J. Kirchner

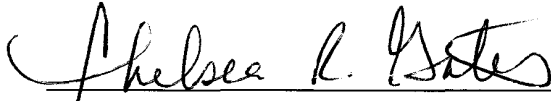
Title: Vice President

STATE OF TEXAS                   §  
                                          § SS  
COUNTY OF GALVESTON       §

Before me, the undersigned authority, a Notary Public, on this day personally appeared Robert J. Kirchner, Vice President of AMERICAN NATIONAL INSURANCE COMPANY, a Texas insurance company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed and delivered the foregoing instrument for the purposes and consideration therein expressed, and as the act of said insurance company.

Given under my hand and notarial seal this 20 day of April, 2017.



  
Notary Public, State of Texas

**AMENDED EXHIBIT A**

Property

Lot 2, SoJo Subdivision, according to the official plat thereof on file and of record in the Salt Lake County Recorder's Office

All of Lots 1A, 3, and Parcel A of SoJo Subdivision Phase 2, according to the official plat thereof on file and of record in the Salt Lake County Recorder's Office

Tax Parcel Nos.: 27-13-127-012, 27-13-127-011, 27-13-126-001, 27-13-126-002  
27-13-126-004