

AFTER RECORDING RETURN TO:  
Jake Williams  
279 S 1600 E, Layton, UT 84040



AFFECTING TAX PARCEL NUMBERS: 15-12-458-008; 15-12-458-012; 15-12-458-013; 15-12-458-01016

## AMENDMENT TO RECIPROCAL CROSS ACCESS AGREEMENT

THIS AMENDMENT TO RECIPROCAL CROSS ACCESS AGREEMENT (the "**Amendment**") is made and entered into this 24th day of March, 2023 by and between The Lucy Homeowners Association, a Utah nonprofit corporation ("LUCY HOA"); and **COLONY B, LLC**, a Utah limited liability company ("Colony B"). LUCY HOA, as successor in interest to CW The Lucy, LLC, and Colony B, as successor in title to Ardmore Apartments, LLC, a Utah limited liability company, are, from time to time, each referred to hereinafter as a "Party," and are, from time to time, collectively referred to hereinafter as the "Parties".

## RECITALS

WHEREAS, the Parties entered into that certain Reciprocal Cross Access Agreement dated January 21, 2020 and recorded with the Salt Lake County Recorder's Office on January 22, 2020 as Entry No. 13175018 (the "**Easement Agreement**"). All capitalized terms not otherwise defined herein shall have the meanings given them in the Easement Agreement.

WHEREAS, the Parties are owners of the respective parcels of real property described on Exhibit A attached hereto.

WHEREAS, desire to amend the Exhibits B and D to the Easement Agreement in order to ensure there are no projections into this specific easement area.

## AGREEMENT

1. Correction of CW Access Easement Area. Section 2 of the Easement Agreement is amended to provide that the CW Access Easement Area is legally described on Exhibit B attached hereto at depicted on Exhibit C attached hereto.

2. Continuing Effect; Counterparts. Except as specifically amended herein, the terms of the Easement Agreement remain in full force and effect. In the event of a conflict between the terms of this Amendment and the Easement Agreement, this Amendment shall control. This Amendment may be executed in several counterparts each of which shall be an original, but all of such counterparts shall constitute one such Amendment. A signed counterpart of this Amendment delivered by email, facsimile, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed counterpart of this Amendment.

[Signatures and Acknowledgements Follow]

The Lucy Homeowners Association  
a Utah nonprofit corporation

By: Joshua Kushner  
Name: Joshua Kushner  
Its: President

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

The foregoing instrument was acknowledged before me this 24 day of MARCH, 2023, by JOSHUA KUSHNER, the President of THE LUCY HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation.

Notary Public

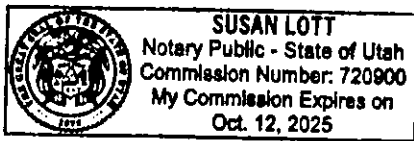


COLONY B, LLC,  
a Utah limited liability company

By: [Signature]  
Name: Josh Runhaag  
Its: Manager

STATE OF Utah )  
 )ss:  
COUNTY OF Cache )

The foregoing instrument was acknowledged before me this 28 day of mar.,  
2023, by Josh Runhaag Manager of Colony B, LLC, a Utah limited liability company.



[Signature]  
Notary Public

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF OWNER PARCELS**

#### **CW Property**

##### **Lucy Phase 1**

THE OFFICAL PLAT OF THE LUCY CONDOMINIUMS PHASE 1 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED ON December 13, 2019 as Entry No. 13146329 in Book 2019 at Page 347 OF THE OFFICIAL RECORD OF THE SALT LAKE COUNTY RECORDER

Contains: 24,657 Sq. Ft. (0.57 Acres)

Current Fee Title Owner: CW THE LUCY, LLC, a Utah limited liability company

For identification purposes only: Parcel Tax ID No: 15-12-462-008-0000

Property Address: 214 West 1300 South, Units 1-14, Salt Lake City, Utah 84115

Now known as:

UNIT NO(S). 1-14 AND THE COMMON AREAS, CONTAINED WITHIN THE LUCY CONDOMINIUMS PHASE 1, AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED IN SALT LAKE COUNTY, UTAH, AS ENTRY NO. 13146329 (AS SAID MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION OF CONDOMINIUM FOR THE LUCY AN EXPANDABLE CONDOMINIUM PROJECT RECORDED IN SALT LAKE COUNTY, UTAH AS ENTRY NO. 13146330, IN BOOK 10872 AT PAGE 1052 (AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED), OF THE OFFICIAL RECORDS.

TOGETHER WITH: (A) THE UNDIVIDED INTEREST IN SAID CONDOMINIUM PROJECT'S COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT; (B) THE EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH IS APPURTENANT TO SAID UNIT; AND (C) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY THE COMMON AREAS AND FACILITIES INCLUDED IN SAID CONDOMINIUM PROJECT (AS SAID PROJECT MAY HEREAFTER BE EXPANDED) IN ACCORDANCE WITH THE AFORESAID DECLARATION AND SURVEY MAP (AS SAID DECLARATION AND MAP MAY HEREAFTER BE AMENDED OR SUPPLEMENTED) AND THE UTAH CONDOMINIUM ACT.

**Phase 2**

Beginning at a point on the southerly right of way line of Lucy Avenue; said point being North 89°56'40" East, along the monument line, 627.34 feet and South 00°03'20" East, 8.07 feet from a Salt Lake City Survey monument located at the intersection of 300 West Street and Lucy Avenue; said point also being North 00°09'42" West, 26.00 feet and South 89°56'40" West, 124.78 feet from the Northeast Corner of Lot 1, Fox's Subdivision, Block 23, 5-Acre Plat "A"; and running thence South 00°00'17" East, 197.11 feet; thence West, 179.18 feet; thence North 00°09'42" West, 196.94 feet to a point on the southerly right of way line of Lucy Avenue; thence North 89°56'40" East, along said southerly right of way line, 179.72 feet to the point of beginning.

**Ardmore Property****Phase 3**

Beginning at a point on the Westerly line of land conveyed to the Utah Transit Authority; said point being North 89°56'40" East, along the monument line, 752.49 feet and South 00°03'20" East, 205.31 feet from a Salt Lake City Survey Monument located at the intersection of 300 West Street and Lucy Avenue; said point also being South 00°09'42" East, 171.24 feet from the Northeast corner of Lot 1, Fox's Subdivision, Block 23, 5-Acre Plat "A"; and running thence South 00°09'42" East along said Westerly line, 74.69 feet to a point on the Northerly right of way line of 1300 South Street; thence along said Northerly right of way line the following two (2) calls: South 89°56'43" West, 273.61 feet; thence South 89°13'19" West, 30.89 feet; thence North 00°09'42" West, 75.37 feet; thence East 304.50 feet to the point of beginning. (aka Phase 3)

## **EXHIBIT B**

### **LEGAL DESCRIPTIONS OF EASEMENT PARCELS**

#### **Exhibit D Colony B – Depiction of the CW Access Easement Parcel**

An access easement of varied width located within Lots 8 and 9 of Fox's Subdivision, Block 23, Five Acre Plat "A", Big Field Survey, in Salt Lake City, Salt Lake County, Utah:

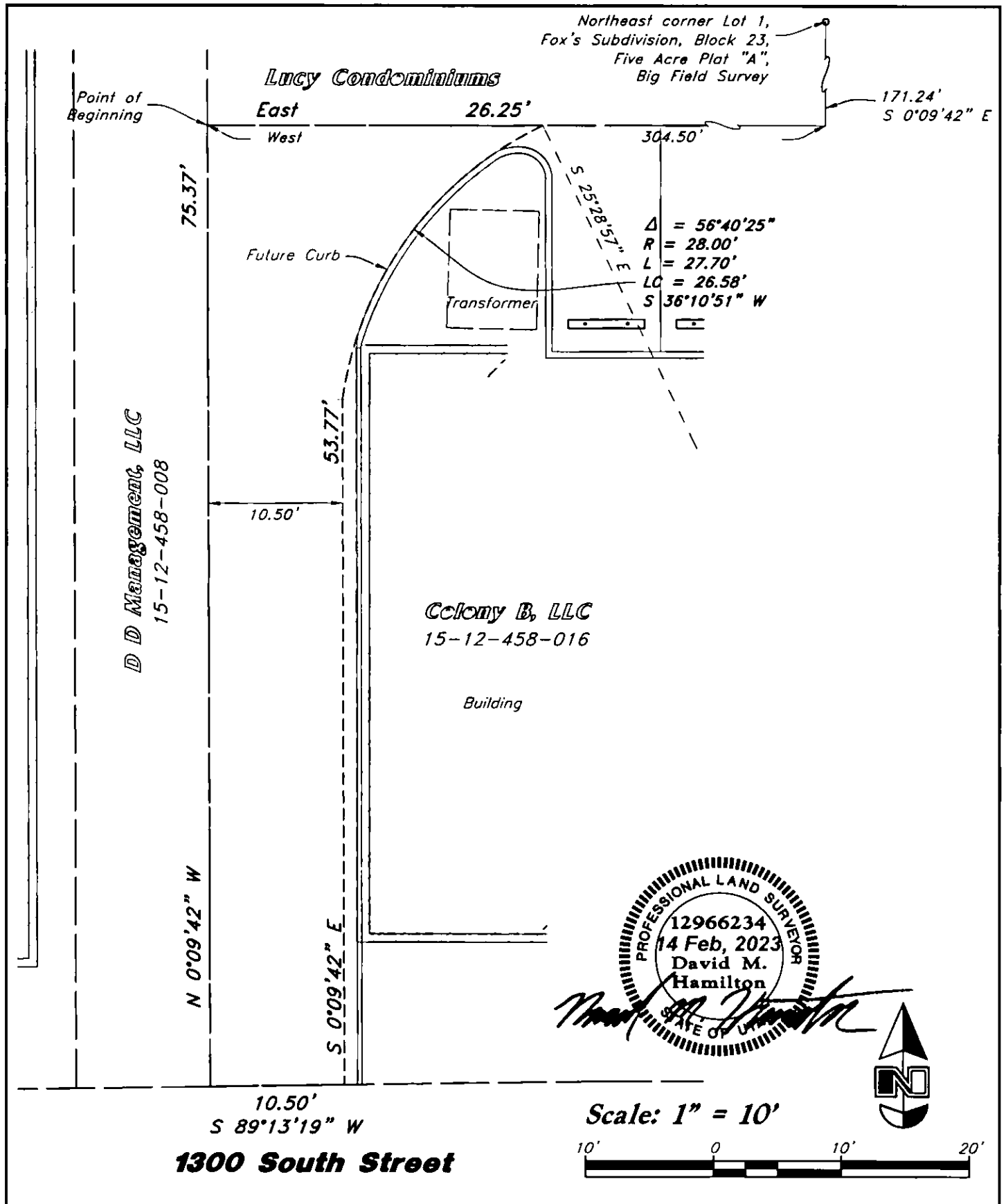
Beginning at the Grantor's Northwest corner, located 171.24 feet South 0°09'42" East along the East line of Lot 1 of said Subdivision; and 304.50 feet West along the Grantor's North line from the Northeast Corner of said Lot 1; and running thence East 26.25 feet along said North line to a point on a curve; thence Southwesterly along the arc of a 28.00 foot radius curve to the left a distance of 27.70 feet (Center bears South 25°28'57" East, Central Angle equals 56°40'25" and Long Chord bears South 36°10'51" West 26.58 feet); thence South 0°09'42" East 53.77 feet to the North line of 1300 South Street; thence South 89°13'19" West 10.50 feet along said North line to the Grantor's Southwest corner; thence North 0°09'42" West 75.37 feet along the Grantor's West line to said Northwest corner and the point of beginning.

**Contains 899 sq. ft.**

**EXHIBIT C**  
**DEPICTION OF CW ACCESS EASEMENT AREA**

**[see attached]**





**ANA**  
 ANDERSON WAHLEN & ASSOCIATES  
 2010 North Redwood Road, Salt Lake City, Utah 84116  
 801 521-8529 - All measurements are

**Exhibit D - CW Access**

**Colony B**

228 West 1300 South  
 Salt Lake City, Utah

Sheet No.

**1**

Designed By:

Drafted By:

Client Name:

**Colony EX**

**Dec 30, 2022**