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THE MULLER COMPANY
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ENT 32346:2025 PG 1 of 32
ANDREA ALLEN
UTAH COUNTY RECORDER
2025 May 02 03:39 PM FEE 40.00 BY TM
RECORDED FOR FNT Utah Downtown SLC - 170
ELECTRONICALLY RECORDED

AFFECTS TAX PARCEL NOS.:

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**SECOND AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR TIMPANOGOS RESEARCH & TECHNOLOGY PARK
(A PLANNED UNIT DEVELOPMENT)**

This Second Amendment (“**Amendment**”) to the *Amended and Restated Declaration of Covenants, Conditions, And Restrictions for Timpanogos Research & Technology Park (A Planned Unit Development)* is entered as of May 1, 2025 (“**Effective Date**”), by the Timpanogos Research & Technology Park Owners Association (“**Association**”), by and through its undersigned owners of record, being all of the owners and members of the Association.

RECITALS

WHEREAS, the undersigned are the Owners (“**Owners**”) of all Lots in the Timpanogos Research and Technology Park (“**Project**”);

WHEREAS, all the Lots in the Project are subject to the *Amended And Restated Declaration Of Covenants, Conditions, And Restrictions For Timpanogos Research & Technology Park (A Planned Unit Development)*, recorded October 18, 2006, in the office of the Utah County Recorder, as Entry No. 138826:2006, as amended by that *First Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Timpanogos Research & Technology Park (A Planned Unit Development)*, recorded April 8, 2019, in the office of the Utah County Recorder, as Entry No. 28740:2019 (together, the “**Declaration**”). The Declaration is attached hereto as **Appendix 1**. Any capitalized term used but not defined in this Amendment will have the meaning attributed to it in the Declaration.

WHEREAS, the Owners desire to amend the Declaration in order to remove buildings K and Q from the Association, along with certain associated common areas (“**Removed Property**”), to release lots K and Q from the Declaration, and to redistribute the remaining common area interests among the owners, all as more specifically set forth herein.

WHEREAS, the Owners also desire to place parking easements upon certain portions of the Common Areas, consisting of certain parking spots in designated locations, to be allocated for the exclusive use of one Owner's building as that Owner's reserved parking stalls, and to be appurtenant to that Owner's building.

WHEREAS, the Owners desire that the Declaration remain in full force and effect except with respect to the amendments specified below.

WHEREAS, the members of the Association, as of the Effective Date, are Utah Valley University, owner of Building L, The Summit at Canyon Park Condominium Association, Inc., a Utah owner's association representing the various owners of the Building S condominiums (with Back Development, LLC as declarant), and Canyon Park Owner II, LLC, owner of the remaining buildings and property in the Association.

WHEREAS, Under Section 14.2 of the Declaration, the Declaration and the Plat Maps may be amended by a vote of at least two-thirds (2/3s) of the votes attributable to all Lots by recording such agreement in the office of the Utah County Recorder; and

WHEREAS, the undersigned Owners represent 100% of the votes attributable to all Lots in the Association, and accordingly certify that the voting threshold necessary to effectuate this Amendment has been met as of the Effective Date.

NOW THEREFORE, the undersigned owners hereby amend the Declaration and agree as follows:

AMENDMENT

1. **Removal of Lots K and Q and Associated Common Areas.** Each of the members agree and acknowledge that upon recordation of this Amendment, Canyon Park Building K and Canyon Park Building Q, along with certain adjacent Common Areas, as shown on the Quit Claim Deeds attached as Exhibit E, shall cease to be included within the Project in all respects.

2. **Common Area Parking Easements.**

- a. The following new Section 6.9 and associated Exhibit E are added to the Declaration as follows:

6.9. Building S Exclusive Parking Easement. In addition to the easement rights granted elsewhere in this Declaration, upon recording of this Amendment, the Owner of Building S shall have an exclusive perpetual parking easement upon that portion of the Common Area designated and shown on Exhibit E, attached hereto, for Parking. This Building S Parking Easement shall consist of 119 parking stalls, calculated as one parking spot for every 300 square feet of building space. Such easement shall be used exclusively for parking by the Owner of Building S and its employees, agents, guests, lessee/tenants, customers, licensee or other invitees of Owner. This Building S Parking Easement shall be appurtenant to Building S and run with the land. This Exclusive Parking Easement in no way diminishes or limits the right of the Owner and users of Building S to use other Common Area parking spaces for parking in addition to these preserved by this easement.

- b. The following new Section 6.10 and associated Exhibit F are added to the Declaration as follows:

6.10. Building L Exclusive Parking Easement. In addition to the easement rights granted elsewhere in this Declaration, upon recording of this Amendment, the Owner of Building L shall have an exclusive perpetual parking easement upon that portion of the Common Area designated and shown on Exhibit F, attached hereto, for Parking. This Building L Parking Easement shall consist of 118 parking stalls, calculated as one parking spot for every 300 square feet of building space. Such easement shall be used exclusively for parking by the Owner of Building L and its employees, agents, guests, lessee/tenants, customers, licensee or other invitees of Owner. This Building L Parking Easement shall be appurtenant to Building L and run with the land. This Exclusive Parking Easement in no way diminishes or limits the right of the Owner and users of Building L to use other Common Area parking spaces for parking in addition to these preserved by this easement.

3. **Amended Description of Property Subject to Declaration.** Exhibit A of the Declaration (as previously amended), describing the property subject to this Declaration, is hereby removed in its entirety and replaced with Exhibit A, attached hereto. This exhibit omits the Removed Property and includes the property remaining in the Association. Once removed from the Association, the Removed Property shall no longer be subject to the Declaration.

4. **Amended Percentages of Ownership Interest.** Exhibit C of the Declaration (as previously amended), describing the Percentage of Undivided Ownership Interest in the Common Areas, Percentage Membership interest in the Association and Voting Percentage, and Size in Rentable Square Footage, is hereby removed in its entirety and replaced with Exhibit C, attached hereto. This amendment reflects the modified square footage of remaining common area in the Project less the Removed Property.

5. **Transfer of interest in Common Areas.** In order to effectuate the terms of this Amendment, each Owner and the Association has executed, and authorizes recording thereof concurrent with the recording of this Amendment, a Quit Claim deed transferring its interest in and to the Removed Property to Canyon Park Owner II, LLC, the owner of Buildings K and Q, and transferring its interest in all remaining common areas to accord with the percentages set forth in Exhibit C. The Quit Claim Deeds to be signed by each Owner shall be as shown on Exhibit D, attached hereto and incorporated herein.

6. **City Approval.** This Amendment shall not be recorded until approved and acknowledged as effectual by Orem City.


7. **Other Provisions of Declaration.** Unless amended herein, all other provisions of the Declaration remain in effect and unchanged.

[Signature Page Follows]

Executed by the undersigned as of the Effective Date.

ASSOCIATION:

Timpanogos Research & Technology Park Owners Association

By: 
Its: President

~~STATE OF UTAH)
 ss:
COUNTY OF UTAH)~~

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____, President of Timpanogos Research & Technology Park Owners Association.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

See ATTACHED certificate

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ORANGE

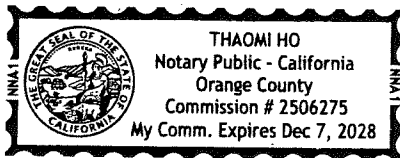
On April 14, 2025 before me, THAOMI HO, NOTARY PUBLIC,
Date Here Insert Name and Title of the Officer

personally appeared STEPHEN SANTACROCE
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document 2nd Amendment to Amended & reinstated
Title or Type of Document: Declaration of CCR for Timpanogos Research & Tech. Park

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Stephen Santacrocce

☒ Corporate Officer – Title(s): President

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

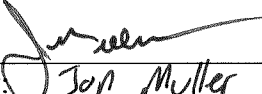
☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

OWNERS:

Canyon Park Owner II, LLC

By: 
Its: Manager

STATE OF UTAH)

ss:

See ATTACHED certificate

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____, _____ of Canyon Park Owner II, LLC.

Utah Valley University

By: _____
Its: _____

STATE OF UTAH)

ss:

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____, _____ of Utah Valley University.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

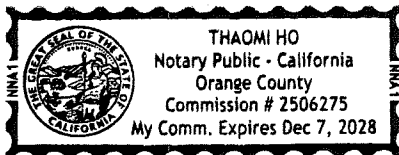
On April 14, 2025 before me, THAOMI HO, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared JON MULLER
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document 2nd Amendment to Amended & reinstated
Title or Type of Document: Declaration of CCR For Timpanogos research & Tech. Park

Document Date: _____ **Number of Pages:** _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: JON MULLER

☒ **Corporate Officer – Title(s):** Manager

☐ **Partner –** ☐ **Limited** ☐ **General**

☐ **Individual** ☐ **Attorney in Fact**

☐ **Trustee** ☐ **Guardian or Conservator**

☐ **Other:** _____

Signer is Representing: _____

Signer's Name: _____

☐ **Corporate Officer – Title(s):** _____

☐ **Partner –** ☐ **Limited** ☐ **General**

☐ **Individual** ☐ **Attorney in Fact**

☐ **Trustee** ☐ **Guardian or Conservator**

☐ **Other:** _____

Signer is Representing: _____

OWNERS:


Canyon Park Owner II, LLC

By: _____
Its: _____

STATE OF UTAH)
 ss:
COUNTY OF UTAH)

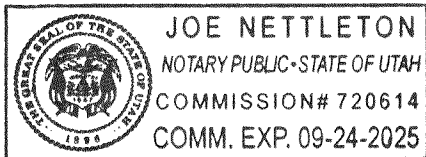
The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____, _____ of Canyon Park Owner II, LLC.

Utah Valley University


By: Val L. Peterson
Its: VP for Admin & Strat Rel


STATE OF UTAH)
 ss:
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 18 day of April, 2024, by Val Peterson, VP for Admin & Strat Rel of Utah Valley University.



My Commission Expires:

09-24-2025



NOTARY PUBLIC
Residing at: 152 E 580 N.
Vineyard, UT 84059

Appendix 1: Declaration

Amended And Restated Declaration Of Covenants, Conditions, And Restrictions For Timpanogos Research & Technology Park (A Planned Unit Development), recorded October 18, 2006, in the office of the Utah County Recorder, as Entry No. 138826:2006

First Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Timpanogos Research & Technology Park (A Planned Unit Development)

Exhibit A: Description of Property

PHASE I

The following described tract of land situated in Utah County, State of Utah, to wit:

COMMENCING at a point which lies in the North right-of-way line of the Murdock Canal and the West right-of-way line of 800 East Street, said point is also located North 01°00'22" West along the section line 1386.98 feet and West 12.20 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along said Murdock Canal right-of-way line the next 3 calls: North 56°07'30" West 355.33 feet to a point of curvature; thence along a 365.00 foot radius curve to the right 64.82 feet through a central angle of 10°10'28", the chord of which bears North 51°02'15" West 64.73 feet; thence North 45°57'00" West 520.68 feet to the East right-of-way line of Technology Way; thence North 38°00'00" East along said Technology Way right-of-way line 453.21 feet to a point of curvature; thence along a 15.00 foot radius curve to the right 23.56 feet through a central angle of 90°00'00", the chord of which bears North 83°00'00" East 21.21 feet to a point in South right-of-way line of 1600 North Street; thence along the 1600 North Street right-of-way line the next 2 calls: thence South 52°00'00" East 421.22 feet to a point of curvature; thence along a 217.00 foot radius curve to the right 195.24 feet through a central angle of 51°33'00", the chord of which bears South 26°13'30" East 188.72 feet to a point in the West right-of-way line of said 800 East Street; thence South 00°27'00" East along said 800 North right-of-way line 531.89 feet to the point of beginning. Area = 8.529 acres.

COMMENCING at a point in the North right-of-way line of the Murdock Canal and the West right-of-way line of Technology Way, said point is also located North 01°00'22" West along the section line 2022.82 feet and West 756.74 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along said Murdock Canal right-of-way line the next 6 calls: thence North 45°57'00" West 96.54 feet to a point of curvature; thence along an arc of a 385.00 foot radius curve to the left 187.59 feet through a central angle of 27°55'01", the chord of which bears North 59°54'30" West 185.74 feet; thence North 73°52'00" West 312.50 feet to a point of curvature; along an arc of a 65.00 foot radius curve to the right 17.14 feet through a central angle of 15°06'31", the chord of which bears North 66°18'45" West 17.09 feet; thence North 58°45'30" West 897.50 feet to a point of curvature; along an arc of a 235.00 foot radius curve to the left 8.20 feet through a central angle of 01°59'58", the chord of which bears North 59°45'30" West 8.20 feet; thence North 141.92 feet to the South right of way line of 1600 North Street; thence along said 1600 North Street the next 7 calls: thence South 89°37'00" East 489.21 feet to a point of curvature; thence along an arc of a 467.00 foot radius curve to the right 168.04 feet through a central angle of 20°37'00", the chord of which bears South 79°18'30" East 167.13 feet; thence South 69°00'00" East 258.11 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the right 34.82 feet through a central angle of 19°56'54", the chord of which bears South 59°01'33" East 34.64 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the left 34.82 feet through a central angle of 19°56'54", the chord of which bears South 59°01'33" East 34.64 feet; thence South 69°00'00" East 150.00 feet to a point of curvature; thence along an arc of a 455.00 foot radius curve to the right 66.19 feet through a central angle of 08°20'04", the chord of which bears South 64°49'58" East 66.13 feet to a point of curvature; thence along an arc of a 15.00 foot radius curve to the right 25.83 feet through a central angle of 98°39'56", the chord of which bears South 11°19'58" East 22.76 feet to a point in the West right-of-way line of Technology Way; thence South 38°00'00" West along said Technology Way right-of-way line 430.88 feet to the point of beginning. Area = 8.563 acres.

COMMENCING at a point in the Northeast right-of-way line of Timpanogos Parkway, said point is also located North 01°00'22" West along the section line 1149.10 feet and West 760.38 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 45°00'00" West along said Timpanogos Parkway right-of-way line 487.51 feet to a point of curvature; thence along a 15.00 foot radius curve to the right 21.73 feet through a central angle of 83°00'00", the chord of which bears North 03°30'00" West 19.88 feet to a point in the Southeast right-of-way line of Technology Way; thence North 38°00'00" East along said Technology Way right-of-way line 506.05 feet to a point in the South right-of-way line of the Murdock Canal; thence along said Murdock Canal right-of-way line the next 3 calls: thence South 45°57'00" East 510.61 feet to a point of curvature; thence along a 460.00 foot radius curve to the left

81.69 feet through a central angle of $10^{\circ}10'28''$, the chord of which bears South $51^{\circ}02'15''$ East 81.58 feet; thence South $56^{\circ}07'30''$ East 35.35 feet to a point in the Northwest boundary line of Phase 2, Timpanogos Research and Technology Park, Plat "K"; thence along said Phase 2 boundary line the next 6 calls: thence South $35^{\circ}55'15''$ West 42.30 feet; thence South $43^{\circ}07'10''$ West 108.60 feet; thence South $46^{\circ}21'54''$ East 30.13 feet; thence South $46^{\circ}07'48''$ West 160.00 feet; thence South $46^{\circ}04'00''$ West 100.19 feet; thence South $44^{\circ}49'36''$ West 227.89 feet to the point of beginning. Area = 6.962 acres.

COMMENCING at a point in the North right-of-way line of 1200 North Street, said point is also located South $89^{\circ}54'39''$ West along the section line 60.08 feet and North 33.00 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South $89^{\circ}54'39''$ West along the said North right-of-way line of 1200 North Street 267.99 feet to the East boundary line of Phase 3, Timpanogos Research and Technology Park, Plat "K"; thence North $00^{\circ}07'16''$ West along said Phase 3 boundary line 677.09 feet to the South right-of-way line of Timpanogos Parkway; thence along said Timpanogos Parkway right-of-way line the next 4 calls: thence along an arc of a 265.00 foot radius curve to the left 28.97 feet through a central angle of $06^{\circ}15'43''$, the chord of which bears South $86^{\circ}52'06''$ East 28.96 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the right 31.75 feet through a central angle of $18^{\circ}11'35''$, the chord of which bears South $80^{\circ}54'09''$ East 31.62 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the left 31.75 feet through a central angle of $18^{\circ}11'35''$, the chord of which bears South $80^{\circ}54'09''$ East 31.62 feet; thence East 188.69 feet to a point of curvature; thence along a 15.00 foot radius curve to the right 23.53 feet through a central angle of $89^{\circ}52'36''$, the chord of which bears South $45^{\circ}03'38''$ East 21.19 feet to a point on the West right-of-way line of 800 East Street; thence along said 800 East Street right-of-way line the next 4 calls: thence South $00^{\circ}07'16''$ East 366.84 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the right 34.82 feet through a central angle of $19^{\circ}56'52''$, the chord of which bears South $09^{\circ}51'11''$ West 34.64 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the left 34.82 feet through a central angle of $19^{\circ}56'52''$, the chord of which bears South $09^{\circ}51'11''$ West 34.64 feet; thence South $00^{\circ}07'16''$ East 200.00 feet to a point of curvature; thence along an arc of a 15.00 foot radius curve to the right 23.57 feet through a central angle of $90^{\circ}01'56''$, the chord of which bears South $44^{\circ}53'42''$ West 21.22 feet to the point of beginning. Area = 4.450 acres.

COMMENCING at a point in the North right-of-way line of 1200 North Street, said point is also located South $89^{\circ}54'39''$ West along the section line 1179.98 feet and North 33.01 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along said 1200 North Street right-of-way line 829.32 to the West boundary line of the Timpanogos Research and Technology Park, Plat "K", Phase 1, Parcel 5; thence along said Phase 1 boundary line the next 3 calls: North $00^{\circ}32'02''$ West 759.03 feet; thence East 6.07 feet; thence North $00^{\circ}05'00''$ West 1574.20 feet to the South right-of-way line of the Murdock Canal; thence along said Murdock Canal right-of-way line the next 8 calls: North $74^{\circ}34'30''$ East 183.34 feet to a point of curvature; thence along an arc of a 135.00 foot radius curve to the right 109.96 feet through a central angle of $46^{\circ}40'00''$, the chord of which bears South $82^{\circ}05'30''$ East 106.94 feet; thence North $31^{\circ}14'30''$ East 5.00 feet; thence South $58^{\circ}45'30''$ East 397.50 feet to a point of curvature; thence along an arc of a 160.00 foot radius curve to the left 42.19 feet through a central angle of $15^{\circ}06'31''$, the chord of which bears South $66^{\circ}18'45''$ East 42.07 feet; thence South $73^{\circ}52'00''$ East 312.50 feet to a point of curvature; thence along an arc of a 290.00 foot radius curve to the right 141.30 feet through a central angle of $27^{\circ}55'00''$, the chord of which bears North $59^{\circ}54'30''$ West 139.91 feet; thence South $45^{\circ}57'00''$ East 106.61 feet to a point in the Northwest right-of-way line of Technology Way; thence along said Technology Way right-of-way line South $38^{\circ}00'00''$ West 511.35 feet to a point of curvature; thence along an arc of a 65.00 foot radius curve to the left 94.16 feet through a central angle of $83^{\circ}00'00''$, the chord of which bears South $03^{\circ}30'30''$ East to a point in the Southwest right-of-way line of Timpanogos Parkway; thence South $45^{\circ}00'00''$ East along said Timpanogos Parkway right-of-way line 232.90 feet to a point of curvature; thence along an arc of a 15.00 foot radius curve to the right 23.56 feet through a central angle of $90^{\circ}00'00''$, the chord of which bears South $00^{\circ}00'00''$ East 21.21 feet to a point in the West right-of-way line of Research Way, thence along said Research Way right-of-way line the next 6 calls: South $45^{\circ}00'00''$ West 140.00 feet to a point of curvature; thence along an arc of a 205.00 foot radius arc to the left 161.01 feet through a central angle of $45^{\circ}00'00''$, the chord of which bears South $22^{\circ}30'00''$ West 156.90 feet; thence South 719.83 feet to a point of curvature; thence along the arc of a 100.00 foot radius curve to the right 31.76 feet through a central angle of $18^{\circ}11'42''$, the chord of which bears South $09^{\circ}05'51''$ West 31.62 feet to a point of curvature; thence along the arc of a 100.00 foot radius curve to the left 31.76 feet through a central angle of $18^{\circ}11'42''$, the chord of which bears South

09°05'51" West 31.62 feet; thence South 200.00 feet to a point of curvature; thence along an arc of a 15.00 foot radius curve to the right 23.54 feet through a central angle of 89°55'12", the chord of which bears South 44°57'20" West 21.20 feet to the point of beginning. Area = 45.865 acres.

SUBJECT TO all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all patent reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described Property or any portion thereof, including, without limitation, any Mortgage (and nothing herein shall be deemed to modify or amend such Mortgage); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on or revealed by the Plat Maps or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line or similar facility which traverses or partially occupies the above described Property at such time as construction of all Project improvements are complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities; and to each of the covenants, easements, conditions, and restrictions contained in this Declaration.

CONTINUED ON THE NEXT PAGE

LESS AND EXCEPTING:

Commencing at a point in the North right-of-way line of 1200 North Street, said point is also located South $89^{\circ}54'39''$ West along the section line 60.08 feet and North 33.00 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South $89^{\circ}54'39''$ West along the said North right of way line of 1200 North Street 267.99 feet to the East boundary' line of Phase 3, Timpanogos Research and Technology Park, Plat "K"; thence North $00^{\circ}07'16''$ West along said Phase 3 boundary line 677.09 feet to the South right of way line of Timpanogos Parkway; thence along said Timpanogos Parkway right-of-way line the next 4 calls; thence along an arc of a 265.00 foot radius curve to the left 28.97 feet through a central angle of $06^{\circ}15'49''$, the chord of which bears South $86^{\circ}52'06''$ East 28.96 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the right 31.75 feet through a central angle of $18^{\circ}11'35''$, the chord of which bears South $80^{\circ}54'09''$ East 31.62 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the left 31.75 feet through a central angle of $18^{\circ}11'35''$, the chord of which bears South $80^{\circ}54'09''$ East 31.62 feet; thence East 188.69 feet to a point of curvature; thence along a 15.00 foot radius curve to the right 23.53 feet through a central angle of $89^{\circ}52'36''$, the chord of which bears South $45^{\circ}03'38''$ East 21.19 feet to a point on the West right-of-way line of 800 East Street; thence along said 800 East Street right-of-way line the next 4 calls; thence South $00^{\circ}07'16''$ East 366.84 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the right 34.82 feet through a central angle of $19^{\circ}56'52''$, the chord of which bears South $09^{\circ}51'11''$ West 34.64 feet to a point of curvature; thence along an arc of a 100.00 foot radius curve to the left 34.82 feet through a central angle of $19^{\circ}56'52''$, the chord of which bears South $09^{\circ}51'11''$ West 34.64 feet; thence South $00^{\circ}07'16''$ East 200.00 feet to a point of curvature; thence along an arc of a 15.00 foot radius curve to the right 23.57 feet through a central angle of $90^{\circ}01'56''$, the chord of which bears South $44^{\circ}53'42''$ West 21.22 feet to the point of beginning.

Being the as-surveyed description of Lot "W", as contained within Phase 1, Timpanogos Research and Technology Park (a Planned Unit Development), and the former Common Area surrounding said Lot "W" designated as Parcel 4 of Phase 1 within said development according to the official plat thereof, as recorded in the office of the Utah County Recorder, State of Utah.

AND LESS AND EXCEPTING:

All of Lots Q, K and a part of Parcel 5, TIMPANOGOS RESEARCH & TECHNOLOGY PARK according to the official plat recorded as Entry 29305:2000 on April 13, 2000 by the Utah County Recorder's Office, also being located in the Southeast Quarter of Section 2, Township 6 South, Range 2 East, Salt Lake Base & Meridian, located in Orem City, Utah County, Utah, being more particularly described as follows:

Beginning at a point located on the northerly Right-of-way of 1200 North Street, said point also being located $S89^{\circ}55'16''W$ 1179.93 feet along the Section line and $N0^{\circ}04'44''W$ 32.80 feet from the calculated position of Southeast Quarter of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian, said monument being calculated using the intersection of four found Mag Nail Straddles; thence running along the subdivision boundary line of said TIMPANOGOS RESEARCH & TECHNOLOGY PARK the following four (4) courses: (1) $S89^{\circ}54'39''W$ 829.32 feet; thence (2) $N00^{\circ}32'02''W$ 759.03 feet; thence (3) East 6.07 feet; thence (4) $N00^{\circ}05'00''W$ 522.38 feet; thence East 507.28 feet; thence $S00^{\circ}28'41''E$ 22.75 feet; thence $S65^{\circ}45'39''E$ 406.80 feet to a point located on the easterly subdivision line of said TIMPANOGOS RESEARCH & TECHNOLOGY PARK; thence along said subdivision the following six (6) courses: (1) Southerly along the arc of a non-tangent curve to the left having a radius of 205.00 feet (radius bears: $S63^{\circ}00'17''E$) a distance of 96.59 feet through a central angle of $26^{\circ}59'43''$ Chord: $S13^{\circ}29'51''W$ 95.70 feet; thence (2) South 719.83 feet; thence (3) Southerly along the arc of a curve to the right having a radius of 100.00 feet a distance of 31.76 feet through a central angle of $18^{\circ}11'42''$ Chord: $S09^{\circ}05'51''W$ 31.62 feet to a point of reverse curvature; thence (4) along the arc of a curve to the left having a radius of 100.00 feet a distance of 31.76 feet through a central angle of $18^{\circ}11'42''$ Chord: $S09^{\circ}05'51''W$ 31.62 feet; thence (5) South 200.00 feet; thence (6) Southwesterly along the arc of a non-tangent curve to the right having a radius of 15.00 feet (radius bears: $S89^{\circ}59'55''W$) a distance of 23.55 feet through a central angle of $89^{\circ}58'04''$ Chord: $S44^{\circ}58'57''W$ 21.21 feet to the point of beginning.

Being the as-surveyed descriptions of Lots "K" and "Q", as contained within Phase 1, Timpanogos Research and Technology Park (a Planned Unit Development), and the former Common Area surrounding said Lot "K" and "Q" designated as Parcel 5 of Phase 1 within said development according to the official plat thereof, as recorded in the office of the Utah County Recorder, State of Utah.

Exhibit C: Percentages of Membership Interests

LOT	Percentage	Square footage
A	5.770717%	37,188
B	6.316474%	40,705
C	11.158302%	71,907
D	6.799229%	43,816
E	6.557929%	42,261
F	6.799384%	43,817
G	15.916869%	102,566
H	10.545043%	67,955
J	10.707358%	69,001
L	5.48845%	35,369
M	8.48026%	54,707
S	5.451984%	35,134
TOTAL	<u>100.00000%</u>	<u>644,426</u>

Exhibit D: Quit Claim Deeds

When Recorded, Return to:

THE MULLER COMPANY
Steve Santacroe
18881 Von Karman Avenue, Suite 400
Irvine, CA 92612

Affects Portions of Property ID# 53:229:0020

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made and entered into as of _____, 2025 by **Timpanogos Research & Technology Park Owners Association**, a Utah limited liability company, having an address of 18881 Von Karman Avenue, Suite 400, Irvine, CA 92612 ("GRANTOR"), in favor of **Canyon Park Owner II, LLC**, a Delaware limited liability company, having an address of 18881 Von Karman Avenue, Suite 400, Irvine, CA 92612 ("GRANTEE").

GRANTOR, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, hereby quit claims to GRANTEE its interest in the following described parcel of real property:

GRANTOR'S undivided ownership interest in a portion of those Common Areas identified as Utah County Parcel Number 53:229:0020, said portion of Common Areas adjacent to Building K and Building Q, and removed from the Timpanogos Research & Technology Park in accordance with that Second Amendment To Amended And Restated Declaration Of Covenants, Conditions, And Restrictions For Timpanogos Research & Technology Park (A Planned Unit Development), dated _____, 2025, and recorded at the Utah County Recorder as Entry # _____.

The portion of the Common Area conveyed hereby is more particularly described and as generally depicted on Exhibit A, each attached hereto (the "Property"), which Property is located in Orem, Utah County, Utah. *Notice of Approval of Conveyance of Common Area* by Orem City, in accordance with Utah Code section 10-9a-606, is attached hereto as Exhibit B.

[Remainder of page intentionally left blank. Signature and notarization on following page.]

IN WITNESS WHEREOF, the Grantor has executed this Deed effective as of the date first written above.

GRANTOR:

**Timpanogos Research
& Technology Park Owners Association,**
a Utah limited liability company

By:
Its:

STATE OF _____)
):ss
COUNTY OF _____)

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION AND DEPICTION OF CONVEYED COMMON AREA PROPERTY

EXHIBIT B

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

OREM CITY

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

In accordance with Utah Code section 10-9a-606(5)(a), Orem City hereby approves the conveyance effectuated by this Quit Claim Deed, in accordance with the attached descriptions.

Dated this day of , 2025.

City of Orem

By:

STATE OF _____)
)ss
COUNTY OF _____)

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires:

When Recorded, Return to:

THE MULLER COMPANY
 Steve Santacroce
 18881 Von Karman Avenue, Suite 400
 Irvine, CA 92612

Affects Portions of Property ID# 53:229:0020

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made and entered into as of _____, 2025 by **Utah Valley University**, a body politic and corporate of the State of Utah, having an address of 800 W. University Pkwy., Orem, Utah, 84058 ("**GRANTOR**"), in favor of **Canyon Park Owner II, LLC**, a Delaware limited liability company, having an address of 18881 Von Karman Avenue, Suite 400, Irvine, CA 92612 ("**GRANTEE**").

GRANTOR, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, hereby quit claims to GRANTEE its interest in the following described parcel of real property:

GRANTOR'S undivided ownership interest in a portion of those Common Areas identified as Utah County Parcel Number 53:229:0020, said portion of Common Areas adjacent to Building K and Building Q, and removed from the Timpanogos Research & Technology Park in accordance with that Second Amendment To Amended And Restated Declaration Of Covenants, Conditions, And Restrictions For Timpanogos Research & Technology Park (A Planned Unit Development), dated _____, 2025, and recorded at the Utah County Recorder as Entry # _____.

The portion of the Common Area conveyed hereby is more particularly described and as generally depicted on Exhibit A, each attached hereto (the "**Property**"), which Property is located in Orem, Utah County, Utah. Notice of Approval of Conveyance of Common Area by Orem City, in accordance with Utah Code section 10-9a-606, is attached hereto as Exhibit B.

[Remainder of page intentionally left blank. Signature and notarization on following page.]

IN WITNESS WHEREOF, the Grantor has executed this Deed effective as of the date first written above.

GRANTOR:

Utah Valley University,

a _____

By:

Its:

STATE OF _____)
):ss
COUNTY OF _____)

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION AND DEPICTION OF CONVEYED COMMON AREA PROPERTY

EXHIBIT B

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

OREM CITY

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

In accordance with Utah Code section 10-9a-606(5)(a), Orem City hereby approves the conveyance effectuated by this Quit Claim Deed, in accordance with the attached descriptions.

Dated this day of , 2025.

City of Orem

By:

STATE OF _____)
)ss
COUNTY OF _____)

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires:

When Recorded, Return to:

THE MULLER COMPANY
Steve Santacroce
18881 Von Karman Avenue, Suite 400
Irvine, CA 92612

Affects Portions of Property ID# 53:229:0020

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made and entered into as of _____, 2025 by **The Summit at Canyon Park Condominium Association, Inc.**, a Utah corporation having an address of _____ (“GRANTOR”), in favor of **Canyon Park Owner II, LLC**, a Delaware corporation, having an address of 18881 Von Karman Avenue, Suite 400, Irvine, CA 92612 (“GRANTEE”).

GRANTOR, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, hereby quit claims to GRANTEE its interest in the following described parcel of real property:

GRANTOR’S undivided ownership interest in a portion of those Common Areas identified as Utah County Parcel Number 53:229:0020, said portion of Common Areas adjacent to Building K and Building Q, and removed from the Timpanogos Research & Technology Park in accordance with that Second Amendment To Amended And Restated Declaration Of Covenants, Conditions, And Restrictions For Timpanogos Research & Technology Park (A Planned Unit Development), dated _____, 2024, and recorded at the Utah County Recorder as Entry # _____.

The portion of the Common Area conveyed hereby is more particularly described and as generally depicted on Exhibit A, each attached hereto (the “***Property***”), which Property is located in Orem, Utah County, Utah. Notice of Approval of Conveyance of Common Area by Orem City, in accordance with Utah Code section 10-9a-606, is attached hereto as Exhibit B.

[Remainder of page intentionally left blank. Signature and notarization on following page.]

IN WITNESS WHEREOF, the Grantor has executed this Deed effective as of the date first written above.

GRANTOR:

**The Summit at Canyon Park
Condominium Association, Inc.,
a Utah Corporation**

By: _____

Its:

STATE OF _____)
) :ss
COUNTY OF _____)

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

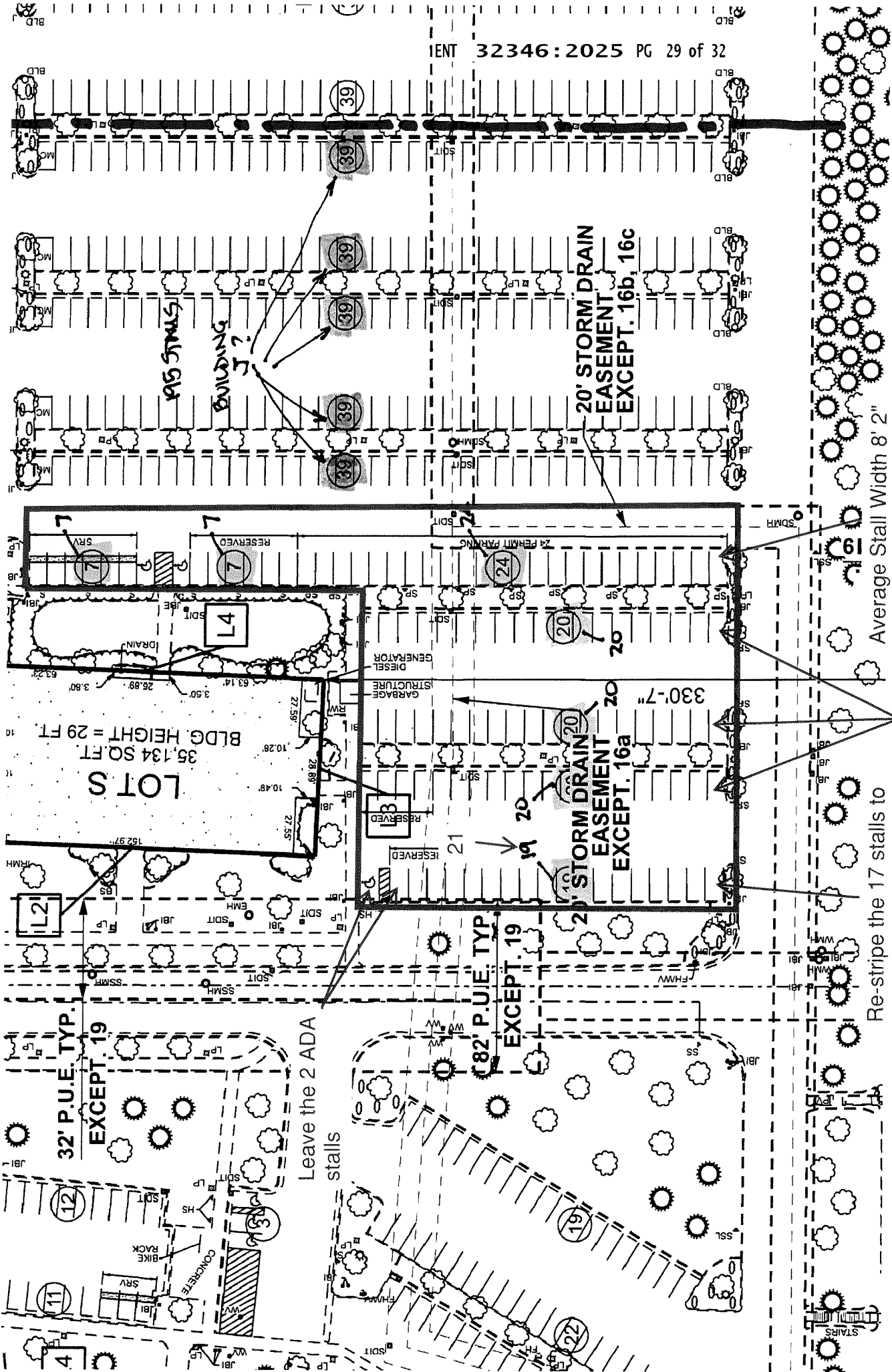
NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

DEPICTION OF CONVEYED COMMON AREA PROPERTY

Exhibit E: Building S Parking Easement Area



Re-stripe the 17 stalls to 8' average, which will give us 2 more stalls. That will get us to the 119.

Average Stall Width 8' 2"

$$19 + 20 + 20 + 20 + 24 + 7 + 7 = 117 \text{ (REQUIRED) } = 119$$

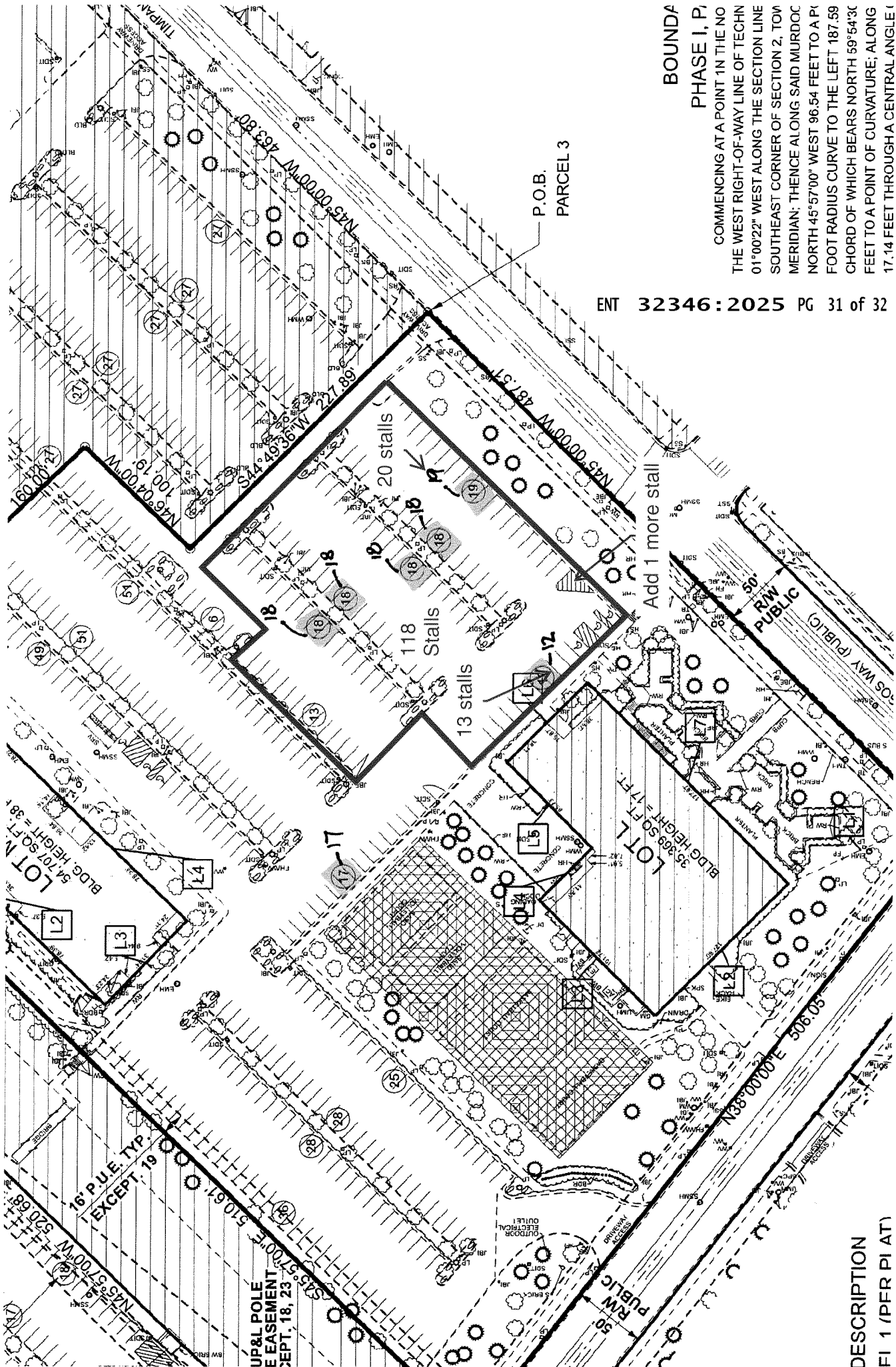
Stall Width 8' 4"

Exhibit F: Building L Parking Easement area

BOUNDARY PHASE I, P1

COMMENCING AT A POINT 1N THE NORTH
THE WEST RIGHT-OF-WAY LINE OF TECHNICAL
01°00'22" WEST ALONG THE SECTION LINE
SOUTHEAST CORNER OF SECTION 2, TOWNSHIP
MERIDIAN; THENCE ALONG SAID MERIDOC
NORTH 45°57'00" WEST 96.54 FEET TO A POINT
FOOT RADIUS CURVE TO THE LEFT 187.59
CHORD OF WHICH BEARS NORTH 59°54'30"
FEET TO A POINT OF CURVATURE; ALONG
17.14 FEET THROUGH A CENTRAL ANGLE 1

ENT 32346:2025 PG 31 of 32



DESCRIPTION
FI 1 (PER PI AT)

EXHIBIT B

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

OREM CITY

NOTICE OF APPROVAL OF CONVEYANCE OF COMMON AREA

In accordance with Utah Code section 10-9a-606(5)(a), Orem City hereby approves the conveyance effectuated by this Quit Claim Deed, in accordance with the attached descriptions.

Dated this 28 day of April, 2025.

City of Orem

By: Brenn Bybee

STATE OF Utah)
COUNTY OF Utah) :ss

I HEREBY CERTIFY, that on this 28 day of April, 2025, before me, the undersigned Notary Public of said State, personally appeared Brenn Bybee, who acknowledged himself to be the City Manager of Orem City, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal:

Lori Lyn Criman
NOTARY PUBLIC

My Commission Expires:

