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E 3394392 B 7789 P 210-220  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
06/25/2021 09:05 AM  
FEE \$40.00 Pgs: 11  
DEP RT REC'D FOR LAYTON CITY

**WHEN RECORDED, MAIL TO:**

IHC Health Services, Inc.  
36 South State Street, 23<sup>rd</sup> Floor  
Salt Lake City, Utah 84111  
Attn: Corporate Real Estate Director

Parcel No. 11-856-0001, 11-856-0002, 11-856-0003, 11-856-0004, ~~11-856-0006~~ and 11-856-0007-

11-887-0007, 0008

D

**FIRST AMENDMENT TO  
DECLARATION OF DRAINAGE AND DETENTION EASEMENT**

IHC HEALTH SERVICES, INC., a Utah nonprofit corporation ("Declarant"), MEDICAL BUILDING, LLC, a Utah limited liability company, ABBINGTON LAYTON INVESTORS L.L.C., a Utah limited liability company, and JF PARKWAY PARTNERS QOZB, LLC, a Utah limited liability company (each, an "Owner" and collectively, the "Owners"), make this FIRST AMENDMENT TO DECLARATION OF DRAINAGE AND DETENTION EASEMENT (this "Amendment") on May 26, 2021.

**Background**

- A. Declarant previously subjected certain real property located in Layton, Davis County, Utah to that certain Declaration of Drainage and Detention Easement recorded in the Davis County Recorder's Office as Entry No. 3248079, Book 7504, Pages 2984-2994 on May 1, 2020 (the "Declaration").
- B. Declarant is amending the legal description and boundaries of certain Parcels owned by Declarant and, as a result, Declarant and Owners deem it necessary to amend the Declaration as set forth in this Amendment.

**Terms**

- 1. Parcel. Section 1(g) of the Declaration is deleted in its entirety and replaced with the following:

"Parcel" means each portion of the Property described on Exhibit A-1 and depicted on Exhibit B-1 which may be separately transferred or conveyed under the laws of the State of Utah.

Exhibit A of the Declaration is deleted in its entirety and replaced with Exhibit A-1 attached to this Amendment. Exhibit B of the Declaration is deleted in its entirety and replaced with Exhibit B-1 attached to this Amendment.

- 2. Parcel 6. All references in the Declaration to "Parcel 6" are deleted and replaced with "Parcel 7."
- 3. Parcel A. All references in the Declaration to "Parcel A" are deleted and replaced with "Parcel C."
- 4. Amendment to Declaration. If the terms and conditions of this Amendment modify or conflict with any provisions of the Declaration, the terms of this Amendment will control. All other terms of the Declaration, including all prior addenda, amendments, schedules and exhibits, not modified by this Amendment will remain the same.

5. Defined Terms. Capitalized terms used in this Amendment which are not defined herein have the meanings provided in the Declaration.
6. Counterparts. The parties may sign this Amendment in any number of counterparts, each of which when signed and delivered will be deemed an original, and all of which together will constitute one and the same instrument.

*[Signatures and Acknowledgments on Following Pages]*

DATED to be effective as of the date first written above.

DECLARANT:

IHC HEALTH SERVICES, INC.,  
a Utah nonprofit corporation

By: *Clay Ashdown*  
Print Name: Clay L. Ashdown  
Title:

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


The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of May, 2021, by Clay Ashdown, the Vice President of IHC HEALTH SERVICES, INC., a Utah nonprofit corporation.



*Lorrie Callaway*  
NOTARY SIGNATURE AND SEAL

OWNER:

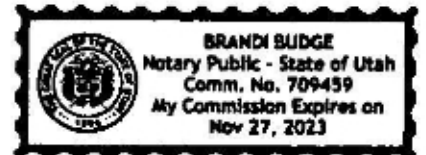
MEDICAL BUILDING, LLC,  
a Utah limited liability company

By:   
Print Name: Steven C. Meek  
Title: Manager Delegate

STATE OF UTAH            )  
                                      : ss.  
COUNTY OF DAVIS        )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of May, 2021, by Steven C. Meek, the Manager Delegate of MEDICAL BUILDING, LLC, a Utah limited liability company.

  
NOTARY SIGNATURE AND SEAL



OWNER:

ABBINGTON LAYTON INVESTORS L.L.C.,  
a Utah limited liability company

By: WOODBURY CORPORATION,  
a Utah corporation, Its Manager

By: *[Signature]*  
Print Name: O. Randall Woodbury  
Title: President

By: *[Signature]*  
Print Name: W. Richards Woodbury, Chairman  
Title: \_\_\_\_\_

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

On the 25 day of May, 2021, before me personally appeared O. Randall Woodbury, to me personally known, who being by me duly sworn did say that he is the President of WOODBURY CORPORATION, known to be the Manager of ABBINGTON LAYTON INVESTORS L.L.C., a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



*[Signature]*  
Notary Public

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


On the 25 day of May, 2021, before me personally appeared W. Richards Woodbury, to me personally known, who being by me duly sworn did say that he is the Chairman of WOODBURY CORPORATION, known to be the Manager of ABBINGTON LAYTON INVESTORS L.L.C., a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



*[Signature]*  
Notary Public

OWNER:

JF PARKWAY PARTNERS QOZB, LLC,  
a Utah limited liability company

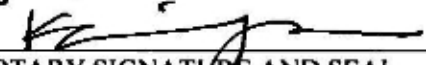
By:   
Print Name: Chad Bessinger  
Title: Manager

By: JF Parkway Manager, LLC  
Its: Manager

By: JF Development, LLC  
Its: Manager

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

The foregoing instrument was acknowledged before me this 3rd day of June, 2021, by Chad Bessinger, the ~~owner~~ of ~~JF PARKWAY PARTNERS QOZB, LLC,~~ a ~~Utah limited liability company,~~ who has indicated to me that he has full and proper authority to bind the entity set forth above.

  
NOTARY SIGNATURE AND SEAL





### Layton Parkway North Subdivision – Overall Description

A part of the Northeast Quarter of Section 29 and the Northwest Quarter of Section 28 Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, Layton City, Davis County, Utah:

Beginning at the Southeasterly Corner of the Dajany Property (Davis County Recorder's Office Entry #93497), said point being 738.05 feet North 0°04'16" East along the Section Line and 33.73 feet South 89°55'44" East from the East Quarter Corner of said Section 29; and running thence North 36°47'44" West 3.42 feet; thence North 42°29'59" West 540.21 feet to the Southerly Line of the Layton City Property; thence North 53°24'30" East 359.91 feet; thence North 00°04'16" East 338.07 feet; thence North 46°34'32" East 62.13 feet to the Section Line; thence South 0°04'16" West 38.17 feet along the Section line; thence South 36°00'03" East 178.21 feet; thence North 63°00'00" East 178.64 feet to the West property line of the Doyle Property (Davis County Parcel #11-061-0010); thence two (2) course along the West and South Boundary of said Doyle Property as follows: (1) South 00°04'16" West 28.62 feet; and (2) North 47°59'16" East 98.38 feet; thence North 63°00'00" East 151.33 feet to the South Line of said Doyle Property; thence two (2) courses along said South Boundary line as follows: (1) South 70°25'44" East 102.00 feet; and (2) North 48°29'16" East 17.15 feet to a point on non-tangent curve, said point being on the Westerly right of way line of the Union Pacific Railroad Property; of which the radius point lies South 43°20'19" West; thence Southeasterly along the arc of a 5,630.00 foot radius curve to the right a distance of 798.14 feet (Central Angle equals 08°07'21" and Long Chord bears South 42°36'00" East 797.47 feet) along said Westerly right of way line to the Northerly Line of Layton Parkway; thence South 66°09'10" West 304.17 feet along said Northerly Line; thence South 33°09'51" East 53.79 feet; thence Easterly along the arc of a 36.00 foot radius curve to the left a distance of 48.54 feet (Central Angle equals 77°15'11" and Long Chord bears South 71°47'27" East 44.95 feet) to said Northerly Line; thence South 65°56'29" West 127.10 feet along said Northerly line to a point on a non-tangent curve to the left, of which the radius point lies North 25°27'06" West; thence Northerly along the arc of a 38.30 foot radius curve to the left a distance of 61.13 feet (Central Angle equals 91°26'08" and Long Chord bears North 18°49'50" East 54.84 feet); thence South 56°50'09" West 561.02 feet to a point on a non-tangent curve of which the radius point lies North 05°02'19" East said point being on the Easterly right of way of 100 West Street; thence along said Easterly and Northerly right of way lines the following three (3) courses: (1) Northwesterly along the arc of a 25.00 foot radius curve to the right a distance of 22.02 feet (Central Angle equals 50°28'07" and Long Chord bears North 59°43'37" West 21.32 feet); (2) North 34°29'34" West 261.45 feet; and (3) South 48°54'49" West 195.66 feet to the POINT OF BEGINNING.

Together with:

A part of the Northeast Quarter of Section 29 and the Northwest Quarter of Section 28 Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, Layton City, Davis County, Utah:

Beginning at a point 420.14 feet North 0°04'16" East along the Section Line to the Northerly Right-of-Way Line of Layton Parkway and 182.51 feet North 58°02'51" East along said Northerly Right-of-Way Line from the East Quarter Corner of said Section 29; and running thence along said Northerly Right-of-Way Line the following six (6) courses: (1) South 58°02'51"



West 264.41 feet, (2) South 59°30'49" West 131.47 feet, (3) South 41°45'50" West 58.95 feet to a point of curvature, (4) Southwesterly along the arc of a 2570.00 foot Radius curve to the right a distance of 189.36 feet (Central Angle equals 4°13'18" and Long Chord bears South 64°18'18" West 189.32 feet) to a point of non-tangency, (5) South 73°17'02" West 98.81 feet and (6) South 68°22'04" West 250.06 feet; thence North 22°52'04" West 13.88 feet to the South Boundary line of Amended Plat of Hodson Estates Phase 1; thence North 48°55'33" East 721.55 feet along said South Boundary line more or less to a point of a non-tangent curve and the Westerly Right-of-Way Line of 225 West Street; thence along said Westerly and Southerly Right-of-Way the following eight (8) courses: (1) Southeasterly along the arc of a 51.50 foot Radius curve to the left a distance of 161.01 feet (Central Angle equals 179°07'45" and Long Chord bears South 87°38'35" East 103.00 feet) to a point of reverse curvature, (2) Northeasterly along the arc of a 31.00 foot Radius curve to the right a distance of 25.82 feet (Central Angle equals 47°42'59" and Long Chord bears North 26°39'02" East 25.08 feet), (3) North 50°30'46" East 217.18 feet to a point of curvature, (4) Northeasterly along the arc of a 120.50 foot Radius curve to the right a distance of 53.33 feet (Central Angle equals 25°21'34" and Long Chord bears North 63°11'32" East 52.90 feet) to a point of non-tangency, (5) South 64°18'39" East 38.67 feet to a point of a non-tangent curve, (6) Southeasterly along the arc of a 290.00 foot Radius curve to the left a distance of 52.29 feet (Central Angle equals 10°19'52" and Long Chord bears South 31°02'50" East 52.22 feet) to a point of tangency, (7) South 36°05'31" East 51.37 feet to a point of curvature, and (8) Southwesterly along the arc of a 40.00 foot Radius curve to the right a distance of 63.06 feet (Central Angel equals 90°19'39" and Long Chord bears South 9°04'19" West 56.73 feet) to the Northerly Right-of-Way Line of said Layton Parkway; thence South 54°16'29" West 93.67 feet along said Northerly Right-of-Way to the Point of Beginning.

Contains 24.150 Acres, more or less

Note

Rotate NAD83 bearings counterclockwise 0°21'09" to match Davis County bearings

**Layton Parkway North Subdivision – 1<sup>st</sup> Amendment– Overall Description**

All of Lot 6 and Parcel A, Layton Parkway North Subdivision, Layton City, Davis County  
Utah: *To be known as Parcel C Lot 7 of Layton Parkway North Subdivision - 1<sup>st</sup> Amendment*

A part of the Northeast Quarter of Section 29 and the Northwest Quarter of Section 28  
Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, Layton City, Davis  
County, Utah:

Beginning at a point 420.14 feet North 0°04'16" East [North 0°26'25" East] along the  
Section Line to the Northerly Right-of-Way Line of Layton Parkway and 35.11 feet North  
58°02'51" East [North 58°24'01" East] along said Northerly Right-of-Way Line from the East  
Quarter Corner of said Section 29; and running thence along said Northerly Right-of-Way Line  
the following six (6) courses: (1) South 58°02'51" West [South 58°24'01" West] 117.01 feet; (2)  
South 59°30'49" West [South 59°51'58" West] 131.47 feet; (3) South 41°45'50" West [South





**GREAT BASIN**  
**ENGINEERING**

42°06'59" West] 58.95 feet to a point of a non-tangent curve; (4) Southwesterly along the arc of a 2570.00 foot Radius curve to the right a distance of 189.36 feet (Central Angle equals 4°13'18" and Long Chord bears South 64°18'18" West [South 64°39'27" West] 189.32 feet) to a point of non-tangency; (5) South 73°17'02" West [South 73°38'11" West 98.81 feet; and (6) South 68°22'04" West [South 68°43'13" West] 250.06 feet; thence North 22°52'04" West [North 22°30'55" West] 13.88 feet; thence North 48°55'33" East [North 49°16'43" West] 721.55 feet to a point of a non-tangent curve; thence Southeasterly along the arc of a 51.50 foot Radius curve to the left a distance of 161.01 feet (Central Angle equals 179°07'45" and Long Chord bears South 87°38'35" East [South 87°17'26" East] 103.00 feet) to a point of reverse curvature; thence Northeasterly along the arc of a 31.00 foot Radius curve to the right a distance of 25.82 feet (Central Angle equals 47°42'59" and Long Chord bears North 26°39'02" East [North 27°00'11" East] 25.08 feet) to a point of tangency; thence North 50°30'45" East [North 50°51'54" East] 13.64 feet; thence South 31°56'03" East [South 31°34'54" West] 163.13 feet to said Northerly Right-of-Way Line and the Point of Beginning.

Contains 2.481 Acres, More or Less

Note

Bearings in brackets – NAD83 bearings

Rotate NAD83 bearings counterclockwise 0°21'09" to match Davis County bearings



