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SUPPLEMENTAL DECLARATION OF ESTABLISHMENT OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS OF SALT LAKE INTERNATIONAL CENTER, UNIT 15

1150

SECURITY TITLE CO.
RECORDS

MAR 22 3 38 PM '82

KATH L. GIBSON
RECORDER
SALT LAKE COUNTY
UTAH

This Declaration, made this 10th day of February, 1982, by SALT LAKE INTERNATIONAL CENTER a Utah corporation, hereinafter referred to as "Declarant",

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain property in the City of Salt Lake, County of Salt Lake, State of Utah, known as the Salt Lake International Center, Plat 15 which is more particularly described in Exhibit "A" attached hereto, and by this reference incorporated herein, hereinafter referred to as "Unit 15," and

WHEREAS, Unit 15 lies within and is a part of Salt Lake International Center, for which Declarant has made and recorded a Master Declaration of Establishment of Easements, Covenants, Conditions and Restrictions of Salt Lake International Center, hereinafter referred to as "Master Declaration", which Master Declaration is dated April 29, 1975, and was recorded April 30, 1975, as Entry No. 2703864 of Official Records in the office of the Salt Lake County Recorder and said Master Declaration having been amended on the 13th day of July, 1976, said Amendment to Master Declaration having been recorded on the 21st day of July, 1976, as Entry No. 2836791 in the office of the Salt Lake County, Utah, Recorder; and

WHEREAS, said Master Declaration provides that a Supplemental Declaration will be made and recorded relating to each "Unit" as defined therein, to provide for preservation of the values and amenities in each such Unit, and for the maintenance of the Common Areas and Common Facilities. To this end

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No. 212353

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and for the benefit of Unit 15 and the Owners thereof, Declarant desires to subject Unit 15 to the easements, covenants, conditions, restrictions, charges and liens hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares that Unit 15 described above shall be held, sold, conveyed, transferred, leased, subleased, and occupied subject to the following easements, covenants, conditions and restrictions which are for the purpose of protecting the value and desirability of, and which shall run with, Unit 15, and every portion thereof, and shall be binding upon all parties having any right, title or interest in Unit 15 or any portion thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner thereof:

ARTICLE I

Except as expressly hereinafter provided, Declarant hereby adopts all of the provisions of the Master Declaration and the Amendment thereto into this Supplemental Declaration to the same full extent and effect as if said Master Declaration and the Amendment thereto were set forth in full herein; provided, however, that whenever reference is made to the Entire Property in said Master Declaration, such term shall be deemed to mean Unit 15 for the purposes of this Supplemental Declaration.

ARTICLE II

Article V and Article VI of the Master Declaration relating to the Rights to Common Areas and Common Facilities

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and to Maintenance of Common Areas and Common Facilities shall not be construed to impose or grant any additional rights, duties, obligations or assessments on Unit 15. It is Declarant's intent that the rights, duties, obligations and assessments described in said Articles shall apply to the Entire Property, including Unit 15, and shall be implemented as to the Entire Property as a whole, as provided in said Master Declaration, except as to more restrictive provisions in Supplemental Declarations other than that applicable to Unit 15 and applicable solely to the property subject thereto.

ARTICLE III

Declarant hereby and herein provides and declares that "Harold Gatty Drive" (formerly referred to as "Harold Gatty Road") is a "High Image Street" pursuant to Article I, Section 12 of the Master Declaration, and the Amendment thereto, the same as if it had been so defined therein and shall be subject to all restrictions, conditions and covenants relating to "High Image Streets" as provided in the Master Declaration and the Amendment to Master Declaration.

ARTICLE IV

Article III, Section 2 of the Master Declaration reads as follows with the emphasis added solely in this Supplemental Declaration:

Section 2. Partial Prohibition: No portion of the Entire Property lying South of Amelia Earhart Road or West of Wright Brothers Road shall be used for any activity which substantially involves industrial processes, warehousing or distribution of product and merchandise. The Committee shall be the sole judge of whether a proposed activity falls within such categories.

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Declarant hereby declares that it was its intent upon executing and recording of the Master Declaration, and the Amendment to Master Declaration, and is presently its intent that the underscored word "or" in the foregoing Article III, Section 2 was intended to be the word "and". In addition, the Architectural Development and Control Committee at its meeting on the 27th day of June, 1978 considered this matter and based upon its authority in the Master Declaration it has clarified and amended Article III, Section 2 to be consistent with the intent of the Declarant. Based on the foregoing, the Declarant herein provides in this Supplemental Declaration that Article III, Section 2 shall read as follows:

Section 2. Partial Prohibition: No portion of the Entire Property lying South of Amelia Earhart Road and West of Wright Brothers Road shall be used for any activity which substantially involves industrial processes, warehousing or distribution of product and merchandise. The Committee shall be the sole judge of whether a proposed activity falls within such categories.

ARTICLE V

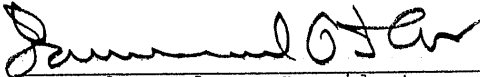
This Supplemental Declaration shall run with and bind the land, for a term of twenty (20) years from the date this Supplemental Declaration is recorded, after which time it shall be automatically extended for successive periods of ten (10) years, to a maximum of ninety-nine (99) years, unless terminated at the end of any such period by vote of the Owners of the land area of Unit 15, as provided in Article VIII, Section 4 of the Master Declaration, provided, however, that in no event shall this Supplemental Declaration survive the termination of the Master Declaration. This Supplemental Declaration

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may be amended by an instrument signed by the Owners of the land area in Unit 15, in the manner provided in Article VIII, Section 4, of the Master Declaration, provided that no such amendment shall render this Supplemental Declaration less restrictive than the Master Declaration. Any amendment or termination hereof must be recorded.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto caused this Supplemental Declaration to be executed the day and year first above written.

SALT LAKE INTERNATIONAL CENTER
A Utah Corporation

By 
Emanuel A. Floor, President

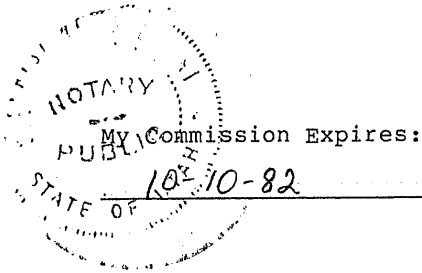
ATTEST:

Patricia Davis
Assistant Secretary

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

On the 10th day of February, 1982, personally appeared before me EMANUEL A. FLOOR and PATRICIA DAVIS, who being by me duly sworn, did say that they are the President and Assistant Secretary, respectively, of SALT LAKE INTERNATIONAL CENTER, a Utah corporation, and that the foregoing Supplemental Declaration was signed in behalf of said Corporation by authority of a Resolution of its Board of Directors, and the said EMANUEL A. FLOOR and PATRICIA DAVIS duly acknowledged to me that said Corporation executed the same.



Christine Stewart
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

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EXHIBIT "A"

Real Property located in the County of Salt Lake, State of Utah, and described as follows:

PARCEL 1

BEGINNING at a point which lies 980.95 feet South and 85.13 feet East of the Northwest corner of said Section 36, said point also being on the South right-of-way line of Harold Gatty Drive; and running thence North 89°58' East, 1320.41 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'); thence Southerly along the arc of said curve to the right a distance of 47.12 feet; thence South 0°02' East, 357.00 feet; thence South 89°58' West, 1380.93 feet; thence North 0°02'54" East, 357.04 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 89°55'06"); thence Easterly along the arc of said curve to the right a distance of 47.08 feet to the point of BEGINNING.

PARCEL 2

BEGINNING at a point which lies 980.11 feet South and 1531.55 feet East of the Northwest corner of said Section 36, said point also being on the South right-of-way line of Harold Gatty Drive; and running thence North 89°58' East, 1296.00 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'); thence Southerly along the arc of said curve to the right a distance of 47.12 feet; thence South 0°02' East, 356.56 feet to a point on a 445.00 foot radius curve (central angle equals 2°34'33"); thence Westerly along the arc of said curve to the right a distance of 20.01 feet; thence South 89°58' West, 1336.00 feet; thence North 0°02' West, 357.00 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'); thence Easterly along the arc of said curve to the right a distance of 47.12 feet to the point of BEGINNING.

The following description is the mathematical equivalent of the preceding descriptions with all description terms correctly converted to the description terms of the Utah State Plane Coordinate System - Central Zone as recorded with the Salt Lake City Engineer record of Survey No. RSP-10012:

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PARCEL 1

BEGINNING at a point with state plane rectangular coordinates of X equals 1,854,880.79 and Y equals 892,063.641 said point also being on the South right-of-way line of Harold Gatty Drive and running thence South 89°48'21" East, 1320.41 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'00"); thence Southerly 47.12 feet along the arc of said curve to the right; thence South 0°11'39" West, 357.00 feet; thence North 89°48'21" West, 1380.93 feet; thence North 0°16'33" East, 357.04 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 89°55'06"); thence Easterly 47.08 feet along the arc of said curve to the right to the point of BEGINNING.

PARCEL 2

BEGINNING at a point with state plane rectangular coordinates of X equals 1,856,326.930 and Y equals 892,058.743 said point also being on the South right-of-way line of Harold Gatty Drive and running thence South 89°48'21" East, 1296.00 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'00"); thence Southerly 47.12 feet along the arc of said curve to the right; thence South 0°11'39" West, 356.56 feet to a point on a 445.00 foot radius curve (central angle equals 2°34'33"); thence 20.01 feet along the arc of said curve to the right; thence North 89°48'21" West, 1336.00 feet; thence North 0°11'39" East, 357.00 feet to the point of tangency on a 30.00 foot radius curve (central angle equals 90°00'00"); thence 47.12 feet along the arc of said curve to the right to the point of BEGINNING.

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