

*782 Ind. Park Plat A*

473991

TO

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS AMENDMENT, amde this eleventh day of July, 1977, by BENEFICIAL DEVELOPMENT COMPANY, a Utah corporation, hereinafter referred to as "Grantor";

WITNESSETH

WHEREAS, on the twenty-first day of November, 1975, Zions Securities Corporation, a Utah corporation, and the previous owner of the real property described on the attached Exhibit "A", executed a Declaration of Covenants, Conditions, and Restrictions. That this Declaration of Covenants, Conditions, and Restrictions was recorded in the Office of the Davis County Recorder on November 21, 1975, as Entry No. 423413, Pages 359 through 364 inclusive; and

WHEREAS, on the twenty-third day of February, 1977, Beneficial Development Company, acquired from Zions Securities Corporation all of its interest in and to the described premises; and

WHEREAS, Grantor is desirous of amending the original Declaration of Covenants, Conditions, and Restrictions as herein provided;

NOW, THEREFORE, Grantor does hereby amend the Declaration of Covenants, Conditions, and Restrictions as follows:

1. In the original Declaration of Covenants, Conditions, and Restrictions the name of the real property was designated as "Salt Lake Industrial Park North (Plat I)". The name of the real property shall hereafter be referred to as "North Salt Lake Industrial Park, Plat "A", and North Salt Lake Industrial Park, Plat "B".

2. Article IV, (b) shall be amended to read as follows:

(b) Location of Buildings--All buildings shall be set back at least thirty (30) feet from the front property line of the building site. At least fifteen (15) feet of this thirty (30) foot frontage shall be maintained in a landscaped condition. The buildings shall be set back at least five (5) feet from the property line on the sides and back of the subject property, except as follows:

(1) On the rail side of the Building site, all structures shall be set back not less than 23 feet 6 inches (23'6") from the centerline of the adjacent lead track. Where conditions require greater setbacks because of specific Building requirements such as spur tracks within Buildings, Buildings of large size requiring fire lanes or special track configuration, the rail side setback will be determined by the Grantor and prospective Owners and Occupants;

(2) Underground improvements such as storagetanks may be placed within those portions of setback areas which are not included in the easement to municipalities and utility companies as identified in Paragraph (f) of this Section.

3. Article IV, (f)

The second paragraph of (f) Landscaping--Adjacent to Streets shall be deleted. The deleted paragraph deals with a 50' easement and set back from Redwood Road.

4. Article V, (a) shall be amended to read as follows:

(a) All applications to Grantor shall be addressed as follows:

BENEFICIAL DEVELOPMENT COMPANY  
P. O. Box 11585  
Salt Lake City, UT 84147

Recorded at County of Salt Lake Title Company, Ord or No. 949 M. MARGUERITE S. BOURNE, Recorder Davis County  
Date SEP 2 1977 at 9:41 AM. Page 679  
By [Signature] Deputy

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or to any such address as the Grantor shall hereafter designate in writing, addressed to Owners and Occupants by certified mail or registered mail . . . ;

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed by the duly authorized officers and its corporate seal to be affixed hereto on the date first above written.

BENEFICIAL DEVELOPMENT COMPANY  
By:

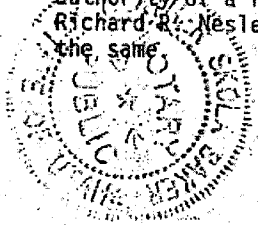
  
Dale L. Jackman  
President

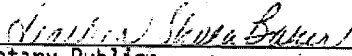


  
Richard R. Neslen  
Secretary

State of Utah )  
                  ) : ss.  
County of Salt Lake )

On this 11th day of July, 1977, personally appeared before me Dale L. Jackman and Richard R. Neslen, who being by me duly sworn did say, each for himself, that he, the said Dale L. Jackman is the President, and he, the said Richard R. Neslen is the Secretary of Beneficial Development Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of Directors and said Dale L. Jackman and Richard R. Neslen each duly acknowledged to me that said corporation executed the same

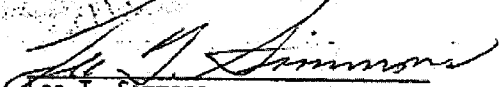


  
Notary Public:  
Residing: Salt Lake City, Utah  
Commission Expires: June 10, 1978

ZIONS SECURITIES CORPORATION  
By:

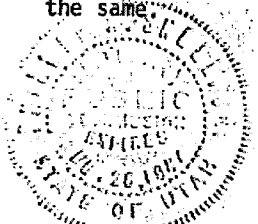
  
J. Howard Dunn  
President

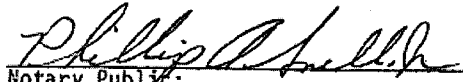


  
Lee T. Simmons

State of Utah )  
                  ) : ss.  
County of Salt Lake )

On this 11<sup>th</sup> day of July, 1977, personally appeared before me J. Howard Dunn and Lee T. Simmons, who being by me duly sworn did say, each for himself, that he, the said J. Howard Dunn is the President, and he the said Lee T. Simmons is the Secretary of Zions Securities Corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said J. Howard Dunn and Lee T. Simmons each duly acknowledged to me that said corporation executed the same



  
Notary Public:  
Residing: Salt Lake City  
Commission Expires: My Commission Expires August 26, 1981