

7613339

WHEN RECORDED, MAIL TO:  
Read R. Hellewell, Esq.  
KIRTON & McCONKIE  
60 East South Temple, Suite 1800  
Salt Lake City, UT 84111-1004

7613339  
04/07/2000 02:49 PM 24.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
BY: SRM, DEPUTY - WI 7 P.

Space Above for Recorder's Use Only

DECLARATION OF WALKWAY EASEMENT

THIS DECLARATION OF WALKWAY EASEMENT (the "Easement") is made and entered into the 7<sup>th</sup> day of April 2000 by **ZIONS SECURITIES CORPORATION**, a Utah corporation, ("Declarant") in contemplation of the following facts and circumstances:

- A. Declarant is the fee simple owner of certain real property ("Business Pad 102") which is located in Salt Lake County, State of Utah and specifically described on Exhibit "A" which is attached hereto and incorporated herein by this reference.
- B. Business Pad 102 is located within and is part of Lake Park Corporate Centre (the "Project") which has been developed by Declarant as a commercial office park and related uses.
- C. The Project, including Business Pad 102, is subject to the terms and conditions of that certain Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre dated February 1, 1996 and recorded with the Salt Lake County Recorder, State of Utah, on February 6, 1996, as Entry No. 6274549 in Book 7325 beginning at Page 0615, as same may be amended from time to time in accordance with the provisions thereof (the "Declaration").
- D. Declarant desires to grant and establish a perpetual, non-exclusive easement, for the design, construction, use and maintenance of certain "Walkway Improvements," as such term is defined in the Declaration, over such portions of Business Pad 102 as shall be described herein.

FIRST AMERICAN TITLE  
NCM# 444930M

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NOW, THEREFORE, Declarant does hereby declare as follows:

1. Definitions. Terms used in this easement, which are not otherwise herein defined, shall have the meaning set forth in the Declaration for such term.
2. Declaration of Easement. Declarant hereby establishes and declares that Business Pad 102 shall henceforth be held, sold, conveyed, transferred, maintained, leased, subleased and occupied subject to the easement set forth in this easement.
3. Covenants to Run With Land. The easement created herein is intended to and shall run with the land which is included in Business Pad 102 and the easement herein established and granted shall be binding upon all parties having or acquiring any right, title or interest in and to all or any portion of Business Pad 102 and the respective heirs, successors and assigns of such parties.
4. Easement. There is hereby granted, conveyed and otherwise established a perpetual, non-exclusive easement (the "Easement") for the design, construction, use and maintenance of Walkway Improvements over (i) the easterly fifty (50) feet of Business Pad 102 along such portions of Business Pad 102 which lie contiguous with the Waterway which forms the eastern boundary of Business Pad 102, and (ii) that portion of Business Pad 102 which is described as Walkway Easement No. 2 on Exhibit "B" which is attached hereto and incorporated herein by this reference. The use, operation and maintenance of the easement herein granted and the construction of improvements thereon, including Walkway Improvements, shall be subject to and in compliance with the terms and conditions of the Declaration, including specifically, but without limitation, Article IV thereof which article is entitled "Walkways." Declarant does hereby submit the easement herein granted to the terms and conditions of the Declaration and does hereby agree that the enforcement of any and all rights, duties, obligations and/or privileges associated with the ownership, operation, maintenance and utilization of the easement herein granted shall be by through and under the Declaration and the procedures set forth therein.
4. Benefitted Parties. The easement herein granted shall be for the benefit of parties entitled to the benefit of the Walkway Easement granted in the Declaration.
5. Duration of Easement. The easement herein granted shall survive so long as the Declaration shall remain in effect on Business Pad 102 in accordance with the terms of the Declaration.
6. Approval of Improvements. There is hereby granted unto the Design Review Board the right to approve the construction and maintenance on the Easement hereby established of improvements related to the development and occupancy of the Business Pad, lot or proposed lot upon which the Easement is located; provided, however, no such improvements shall prohibit the use of the Walkway Improvements for their intended use.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Walkway Easement to be effective as of the date first above written.

Declarant: **ZIONS SECURITIES CORPORATION,**  
a Utah corporation

By: *William Kent Money*  
William Kent Money  
Its: President

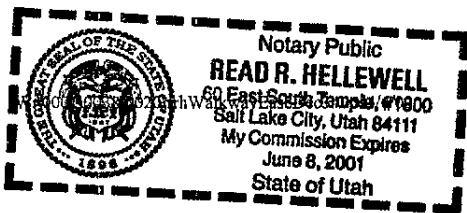
STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of April, 2000 by William Kent Money, as President of Zions Securities Corporation.

My Commission Expires:

June 8, 2001

*Read R. Hellewell*  
Notary Public  
Residing at: SALT LAKE CITY, UTAH



**EXHIBIT "A"**  
**TO**  
**DECLARATION OF WALKWAY EASEMENT**

[Legal Description - Business Pad 102]

Real property located in Salt Lake County, State of Utah, which is specifically described as follows:

Beginning at a point on the Southeasterly right-of-way line of LAKE PARK BOULEVARD, a 106 foot wide right-of-way, said point also being North 89°50'50" West 591.272 feet along the Quarter Section line and SOUTH 323.190 feet from the East Quarter Corner of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence South 49°37'05" East 21.970 feet; thence South 20°08'05" East 5.363 feet to the southerly side of a concrete retaining wall forming the boundary of a waterway, and continuing along the southerly and westerly side of said retaining wall for the following fifty-six courses:

1. South 78°40'10" East 22.976 feet,
2. North 89°54'32" East 33.298 feet,
3. South 68°54'02" East 35.087 feet,
4. South 50°36'17" East 98.594 feet,
5. South 46°58'03" East 54.020 feet,
6. South 41°12'50" East 24.994 feet,
7. South 31°31'07" East 23.146 feet,
8. South 17°25'30" East 28.134 feet,
9. South 08°20'57" East 26.680 feet,
10. South 20°26'38" East 30.880 feet,
11. South 35°10'02" East 44.810 feet,
12. South 16°47'53" East 21.543 feet,
13. South 01°54'42" East 36.093 feet,
14. South 19°47'50" East 28.250 feet,
15. South 34°07'50" East 31.033 feet,
16. South 30°02'29" East 29.989 feet,
17. South 18°10'24" East 37.128 feet,
18. South 10°41'27" East 60.294 feet,
19. South 21°51'22" East 33.378 feet,
20. South 18°23'11" East 33.621 feet,
21. South 23°23'22" East 39.486 feet,
22. South 28°31'50" East 91.489 feet,
23. South 37°45'35" East 49.088 feet,
24. South 45°42'46" East 35.520 feet,
25. South 53°54'49" East 51.477 feet,

**EXHIBIT "A"**  
**TO**  
**DECLARATION OF WALKWAY EASEMENT**

[Legal Description - Business Pad 102]

Continued

26. South 44°16'02" East 29.419 feet,
27. South 54°27'24" East 52.734 feet,
28. South 44°32'38" East 34.286 feet,
29. South 29°43'09" East 92.531 feet,
30. South 34°44'03" East 65.244 feet,
31. South 51°47'01" East 36.607 feet,
32. South 49°22'31" East 54.928 feet,
33. South 42°24'54" East 45.748 feet,
34. South 54°07'28" East 38.959 feet,
35. South 43°38'51" East 27.619 feet,
36. South 35°19'21" East 30.501 feet,
37. South 21°47'55" East 23.988 feet,
38. South 09°39'19" East 20.445 feet,
39. South 01°33'00" East 37.932 feet,
40. South 25°05'35" East 53.500 feet,
41. South 29°15'17" East 67.187 feet,
42. South 41°51'52" East 45.053 feet,
43. South 54°54'16" East 38.223 feet,
44. South 40°14'21" East 54.602 feet,
45. South 29°08'58" East 72.449 feet,
46. South 27°45'42" East 59.604 feet,
47. South 40°41'58" East 55.399 feet,
48. South 30°49'57" East 21.058 feet,
49. South 17°23'09" East 45.946 feet,
50. South 06°03'15" East 20.395 feet,
51. South 06°40'48" West 71.111 feet,
52. South 04°32'01" East 32.071 feet,
53. South 20°50'57" East 61.431 feet,
54. South 35°34'41" East 36.434 feet,
55. South 48°59'08" East 28.486 feet,
56. South 56°07'52" East 12.977 feet;

thence South 06°27'54" West 66.868 feet; thence South 59°54'40" East 39.572 feet;  
thence South 37°30'00" East 41.859 feet to the northerly right-of-way line of  
Parkway Boulevard,

**EXHIBIT "A"**  
**TO**  
**DECLARATION OF WALKWAY EASEMENT**

[Legal Description - Business Pad 102]

Continued

a 106 foot wide right-of-way; thence North 82°58'24" West 766.654 feet along said right-of-way line; thence Northwesterly 378.894 feet along a 1277.000 foot radius curve to the right (Delta= 17°00'00" and Long Chord bears North 74°28'24" West 377.505 feet); thence North 65°58'24" West 83.637 feet; thence Northeasterly 558.986 feet along the easterly right-of-way line of Lake Park Boulevard, an 833.000 foot radius curve to the left (Delta= 38°26'54" and chord bears North 00°43'27" East 548.556 feet); thence North 18°30'00" West 687.315 feet; thence Northeasterly 632.302 feet along a 632.000 foot radius curve to the right, (Delta= 57°19'23" and chord bears North 10°09'42" East 606.259 feet to the point of beginning.

Containing 1,333,850 sq. ft., or 30.62098 acres, more or less.

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**EXHIBIT "B"**  
**TO**  
**DECLARATION OF WALKWAY EASEMENT**

[Legal Description - Walkway Easement No. 2]

Real property located in Salt Lake County, State of Utah, which is specifically described as follows:

Beginning at a point on the northerly right-of-way line of PARKWAY BOULEVARD, a 106 foot wide right-of-way, said point also being South 00°00'21" East 2347.565 feet along the Section line and East 713.707 feet from the East Quarter Corner of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence North 82°58'24" West 97.342 feet along said right-of-way line; thence North 21°00'00" West 149.219 feet to the westerly line of a 50 foot wide walkway easement; thence southeasterly along said westerly line for the following three courses:

1. South 35°34'41" East 48.774 feet,
2. South 48°59'08" East 37.485 feet,
3. South 56°07'52" East 42.021 feet;

thence along the easterly boundary of LOT 102C for the following three courses:

1. South 06°27'54" West 10.548 feet,
2. South 59°54'40" East 39.572 feet,
3. South 37°30'00" East 41.859 feet to the point of beginning.

Containing 6,054 sq.ft., or 0.13899 acre, more or less.