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05/16/2000 02:45 PM 16.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
BY: BJM, DEPUTY - WI 4 P.

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

Space Above for Recorder's Use Only

#### FIRST AMENDMENT TO DECLARATION OF WALKWAY EASEMENT

THIS FIRST AMENDMENT TO DECLARATION OF WALKWAY EASEMENT (the "Amended Easement") is made and entered into the 15 day of May, 2000 by **ZIONS SECURITIES CORPORATION**, a Utah corporation, ("Declarant") in contemplation of the following facts and circumstances:

A. Declarant recorded a Declaration of Walkway Easement dated April 7, 2000 in the office of the Salt Lake County Recorder, State of Utah, on April 7, 2000 as Entry No. 7613339 in Book 835 beginning at Page 8730 (the "Declaration") which granted and conveyed a perpetual, non-exclusive easement as described in the Declaration (the "Easement").

B. The Easement affects certain real property known as Business Pad 102 which 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. Declarant desires to amend the Declaration and cause additional real property to be subject to the terms of the Easement described in the Declaration.

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 terms.

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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 the Declaration, as hereby amended.

3. Easement. There is hereby granted, conveyed and otherwise established a perpetual, non-exclusive easement for the design, construction, use and maintenance of Walkway Improvements over that portion of Business Pad 102 which is described as Walkway Easement No. 1 on Exhibit "A" which is attached hereto and incorporated herein by this reference (the "Expanded Easement"). The use, operation and maintenance of the Expanded 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 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"), including specifically, but without limitation, Article IV thereof which article is entitled "Walkways." Declarant does hereby submit the Expanded 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 through and under the Declaration, including the real property described on Exhibit "A" and the procedures set forth therein.

4. 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.

5. Benefitted Parties. The Expanded Easement herein granted shall be for the benefit of parties entitled to the benefit of the Walkway Easement granted in the Declaration.

6. Duration of Easement. The Additional 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.

IN WITNESS WHEREOF, Declarant has executed this First Amendment to 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

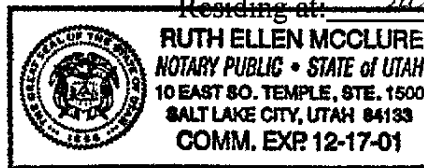
STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

The foregoing instrument was acknowledged before me this 15 day of May, 2000 by William Kent Money, as President of Zions Securities Corporation.

My Commission Expires:

12-17-01

Ruth Ellen McClure  
Notary Public  
Residing at: Salt Lake City



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

[Legal Description - Walkway Easement No. 1]

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

Beginning at a point on the easterly 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 thence along the southerly side of said retaining wall for the following three 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; thence South 48°20'01" West 56.234 feet; thence North 82°14'20" West 38.297 feet; thence South 70°28'22" West 38.366 feet; thence Southwesterly 235.502 feet along a 592.000 foot radius curve to the left (delta= 22°47'34" and long chord bears South 20°43'47" West 233.952 feet); thence North 80°40'00" West 40.000 feet to said right-of-way line; thence Northeasterly 325.287 feet along a 632.000 foot radius curve to the right (delta= 29°29'23" and chord bears North 24°04'42" East 321.708 feet) to the point of beginning.

[Containing 16215 sq.ft., or 0.37225 acres, more or less.]