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1/23/2012 2:16:00 PM \$27.00
Book - 9984 Pg - 9349-9356
Gary W. Ott
Recorder, Salt Lake County, UT
FIRST AMERICAN NCS
BY: eCASH, DEPUTY - EF 8 P.

After Recording Mail To:

U.S. Bank National Association
10800 NE 8th Street, Suite 550
Bellevue, Washington 98004
Attention: Erik Busse

381001 WA

FIRST AMENDMENT TO DEED OF TRUST

Coversheet Recording Information:

Reference Number of Document Amended:

Entry No. 10702490, Book – 9723, Page – 448-486

TRUSTOR: J.I.C. LLC, a Washington limited liability company

BENEFICIARY (Beneficiary): U.S. BANK NATIONAL ASSOCIATION, a national banking association

TRUSTEE: NATIONAL TITLE AGENCY, LLC

LEGAL DESCRIPTION: The complete legal description in on Exhibit A and B of the original instrument.

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBERS:

~~15-03-101-025-0000; 08-34-353-029-0000~~

15-03-101-026-0000 08-34-353-045-0000

FIRST AMENDMENT TO DEED OF TRUST

This First Amendment to Deed of Trust (this "Amendment"), dated as of December 21, 2011, is made with respect to that certain Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing dated as of May 14, 2009 and recorded under Salt Lake County, Utah Entry No. 10702490, Book – 9723, Page – 448-486 (as amended from time to time, the "Deed of Trust"), granted by J.I.C. LLC, a Washington limited liability company, as Grantor, to NATIONAL TITLE AGENCY, LLC, as successor trustee to First American Title Insurance Company, for the benefit of U.S. BANK NATIONAL ASSOCIATION, as Beneficiary. As used herein, capitalized terms shall have the meanings given to them in the Deed of Trust, except as otherwise defined herein, or as the context otherwise requires.

AGREEMENT

IT IS HEREBY AGREED AS FOLLOWS:

1. The Deed of Trust is hereby amended to reflect that the Loan Agreement has been amended by that certain Second Amendment to Loan Agreement dated of even date herewith.
2. Except as set forth herein, all of the terms and conditions of the Deed of Trust, as amended, shall remain in full force and effect and are hereby ratified and affirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED as of the day and year first above written.

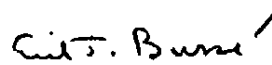
TRUSTOR:

J.I.C. LLC, a Washington limited liability company

By: 
Jonathon D. Diamond, Manager

BENEFICIARY:

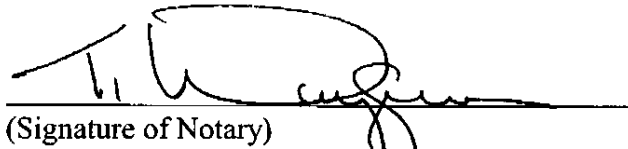
U.S. BANK NATIONAL ASSOCIATION

By 
Name: Eric J. Bussi
Title: Vice President

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

I certify that I know or have satisfactory evidence that Jonathon D. Diamond is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Manager of J.I.C. LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

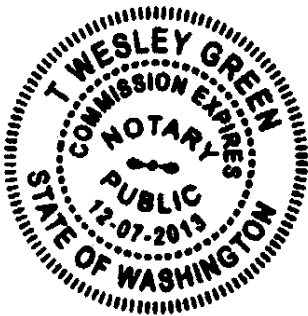
IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



(Signature of Notary)

T Wesley Green

(Print or stamp name of Notary)

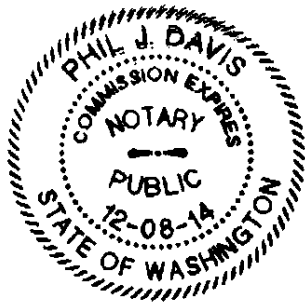



NOTARY PUBLIC in and for the State
of Washington, residing at Seattle
My appointment expires: 12-07-2013

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

On this 24th day of December, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Eric T. Russe, to me known to be the person who signed as Eric T. Russe, Vice Pres. of U.S. BANK NATIONAL ASSOCIATION, the national banking association that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said national banking association for the uses and purposes therein mentioned, and on oath stated that Eric T. Russe was authorized to execute said instrument on behalf of the national banking association.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.




(Signature of Notary)
Phil J. Davis
(Print or stamp name of Notary)
NOTARY PUBLIC in and for the State
of Washington, residing at Seattle, WA.
My appointment expires: 12-8-14.

**EXHIBIT A
to Deed of Trust**

Legal Description (Entrance Lot)

The Land is located in Salt Lake County, Utah, and is legally described as follows:

PARCEL 1:

BEGINNING ON THE SOUTH RIGHT OF WAY LINE OF NORTH TEMPLE STREET AT A POINT NORTH 89°12'01" EAST 504.03 FEET, MORE OR LESS, AND NORTH 700.45 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID SECTION CORNER BEING AN UNMARKED COUNTY SURVEY MONUMENT LOCATED AT THE SOUTH RIGHT OF WAY LINE OF THE SALT LAKE GARFIELD AND WESTERN RAILROAD, SAID BEGINNING POINT IS ALSO SOUTH 0°04'57" WEST 34.69 FEET AND NORTH 89°12'01" EAST 504.03 FEET, MORE OR LESS, AND NORTH 700.45 FEET, MORE OR LESS, FROM AN UNMARKED COUNTY SURVEY MONUMENT WHICH IS SOUTH 89°57'27" WEST 2639.8 FEET FROM THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THE AREA REFERENCE PLAT ON FILE IN THE SALT LAKE COUNTY SURVEYOR'S OFFICE, AND SAID POINT OF BEGINNING BEING ALSO NORTH 89°58'38" EAST 501.33 FEET AND SOUTH 66.60 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH SAID POINT OF BEGINNING HAVING ALSO BEEN DESCRIBED AS BEING EAST 504 FEET AND NORTH 704 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 210.00 FEET; THENCE 89°58'38" WEST 0.20 FEET TO A FENCE LINE; THENCE SOUTH 0°14'09" WEST ALONG SAID FENCE LINE 121.51 FEET; THENCE SOUTH 89°58'38" WEST 161.82 FEET; THENCE NORTH 331.51 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID NORTH TEMPLE STREET; THENCE NORTH 89°58'38" EAST ALONG SAID SOUTH LINE, 162.52 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, CREATED BY THAT CERTAIN EASEMENT AND MAINTENANCE AGREEMENT RECORDED DECEMBER 19, 1997, AS ENTRY NO. 6819547 OF THE OFFICIAL

EXHIBIT A TO DEED OF TRUST
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RECORDS OF THE SALT LAKE COUNTY RECORDER, OVER THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT: BEGINNING ON THE SOUTH LINE OF NORTH TEMPLE STREET AT A POINT 323.33 FEET NORTH 89°58'38" EAST AND SOUTH 66.60 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH, SAID POINT OF BEGINNING BEING ALSO EAST 326 FEET AND NORTH 704 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 360 FEET, MORE OR LESS; THENCE SOUTH 19°28'15" EAST 6.06 FEET TO THE SOUTHEAST CORNER OF THE LAND CONVEYED TO ROBERT H. BREINHOLT AND JANE T. BREINHOLT IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED APRIL 16, 1993 AS ENTRY NO. 5479167 IN BOOK 6640 AT PAGE 2658 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER; THENCE EAST 28 FEET; THENCE NORTH 19°28'15" WEST 6.06 FEET; THENCE NORTH 360 FEET, MORE OR LESS, TO THE SOUTH LINE OF NORTH TEMPLE STREET; THENCE WEST 28 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, CREATED BY THAT CERTAIN EASEMENT AND MAINTENANCE AGREEMENT RECORDED DECEMBER 19, 1997, AS ENTRY NO. 6819547 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER, OVER THE FOLLOWING DESCRIBED TRACT OF LAND, TO-WIT: BEGINNING AT A POINT NORTH 89°58'38" EAST 351.33 FEET AND SOUTH 383.91 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH, SAID POINT OF BEGINNING BEING ALSO EAST 354 FEET AND NORTH 704 FEET, MORE OR LESS, AND SOUTH 317.51 FEET FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°58'38" EAST 149.36 FEET TO A FENCE LINE; THENCE SOUTH 0°14'09" WEST ALONG SAID FENCE LINE 28.00 FEET; THENCE SOUTH 89°58'38" WEST 149.25 FEET; THENCE NORTH 28.00 FEET TO THE POINT OF BEGINNING.

**EXHIBIT B
to Deed of Trust**

Legal Description (Parking Facility)

The Land is located in Salt Lake County, Utah, and is legally described as follows:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°00'44" EAST 33.27 FEET; THENCE NORTH 89°56'42" EAST 78.42 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°56'42" EAST 280.18 FEET; THENCE NORTH 00°03'18" WEST 33.27 FEET; THENCE SOUTH 89°56'42" WEST 26.17 FEET; THENCE NORTH 00°11'08" WEST 298.49 FEET; THENCE NORTH 19°39'22" WEST 15.00 FEET; THENCE NORTH 00°11'08" WEST 360.05 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTH TEMPLE STREET; THENCE ALONG SAID RIGHT-OF-WAY NORTH 89°58'38" EAST 15.50 FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 00°11'08" EAST 360.00 FEET; THENCE SOUTH 19°39'22" EAST 15.00 FEET; THENCE SOUTH 00°11'08" EAST 115.96 FEET; THENCE NORTH 89°58'38" EAST 156.17 FEET; THENCE NORTH 00°03'01" EAST 280.09 FEET; THENCE NORTH 89°58'38" EAST 175.20 FEET; THENCE NORTH 00°11'08" WEST 210.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY NORTH TEMPLE STREET; THENCE ALONG SAID RIGHT-OF-WAY NORTH 89°58'38" EAST 301.21 FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 00°00'43" EAST 672.30 FEET; THENCE NORTH 89°56'42" EAST 307.01 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF ORANGE STREET; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 00°03'08" EAST 333.60 FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 89°57'38" WEST 672.39 FEET; THENCE SOUTH 14°26'08" EAST 330.19 FEET; THENCE SOUTH 89°59'16" WEST 247.56 FEET; THENCE NORTHWESTERLY 241.64 FEET ALONG THE ARC OF A 1015.92 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 46°56'43" WEST 241.07 FEET); THENCE NORTHWESTERLY 499.01 FEET ALONG THE ARC OF A 1105.92 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 23°10'21" WEST 494.79 FEET) MORE OR LESS TO THE POINT OF BEGINNING.