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 5/18/2009 12:47:00 PM \$22.00  
 Book - 9724 Pg - 1507-1511  
 Gary W. Ott  
 Recorder, Salt Lake County, UT  
 FIRST AMERICAN NCS  
 BY: eCASH, DEPUTY - EF 5 P.

**Recording Requested By:**  
 First American Title Insurance Agency, LLC  
 200 East South Temple, Suite 200  
 Salt Lake City, UT 84111  
 (801)536-3100

**After Recording Return To:**  
 LNR CPI Commerce Center Phases III-IV, LLC  
 4350 Von Karman Ave, #200  
 Newport Beach, CA 92660

Tax Parcel Nos. 15-17-227-003-0000  
 15-17-227-001-0000  
 15-17-227-002-0000  
 15-16-102-001-0000  
 15-17-227-001-0000

### AMENDMENT TO SPECIAL WARRANTY DEED RESTRICTION

FOR AND IN CONSIDERATION OF Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, NINIGRET TECHNOLOGY EAST L.C., a Utah limited liability company ("Ninigret"), with the approval and consent of LNR CPI COMMERCE CENTER, LLC, a Utah limited liability company, the current owner of the Property ("LNR"), hereby amends that certain deed restriction contained in the Special Warranty Deed, between Ninigret and LNR, dated December 31, 2008 and recorded December 31, 2008 in the Official Records of Salt Lake County, State of Utah, as Entry No. 10589626, Book 9670, Pages 33-42 (the "Deed"), as follows:

1. Recital D of the Deed is hereby deleted in its entirety and replaced with the following:

D. Pursuant to the Consent Agreement, portions of the Site, including the Property, are subject to a Site Management Plan dated November 11, 2008, approved by the Utah Department of Environmental Quality, Division of Solid and Hazardous Waste ("UDEQ") (the "Site Management Plan"), a copy of which is attached to that certain Environmental Covenant, dated January 26, 2009, and recorded in the office of the Salt Lake County, Utah Recorder, on February 24, 2009 as Entry No. 10630767, in Book 9689, at Page 8861.

2. The aforementioned restriction, as amended, concerns that certain real property located in Salt Lake County, State of Utah (the "Property"), to wit:

See Exhibit A, attached hereto and incorporated herein by this reference.

3. Except as specifically amended herein, all other terms, conditions, restrictions and covenants set forth in the Deed shall remain in full force and effect. LNR has approved and accepted the restrictions, terms, and conditions of this instrument by its signature(s) below.

IN WITNESS WHEREOF, Ninigret and LNR have caused this Amendment to Special Warranty Deed Restriction to be executed as of this 12<sup>th</sup> day of March, 2009.

Ninigret:

NINIGRET TECHNOLOGY EAST, L.C., a Utah limited liability company

By: The Ninigret Group, L.C., a Utah limited liability company  
Its: Manager

By: Randolph G. Abood  
Randolph G. Abood  
Its: Manager

LNR:

LNR CPI COMMERCE CENTER, LLC,  
a Utah limited liability company

By: LNR CPI A&D Holdings, LLC,  
a Delaware limited liability company, its member

By: LNR Commercial Property Investment Fund Limited Partnership,  
a Delaware limited partnership, its member

By: LNR CPI Fund GP, LLC,  
a Delaware limited liability company, its general partner

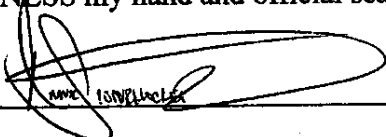
By: [Signature]  
Its: vice president

*[acknowledgments are on the following page]*

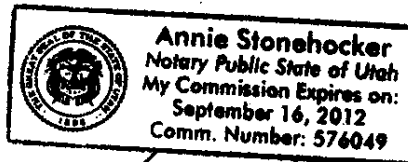
STATE OF Utah )  
 ) ss.  
COUNTY OF Salt Lake )

On March 12, 2009, before me, Annie Stonehocker, a notary public, personally appeared Randolph Alford, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

(Seal)



STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

(Seal)

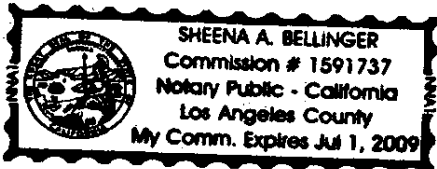
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

On May 14, 2009 before me, Sheena A. Bellinger, Notary Public

personally appeared Ric Kern



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
Signature Sheena A. Bellinger

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: Amendment to Special Warranty Deed Restriction

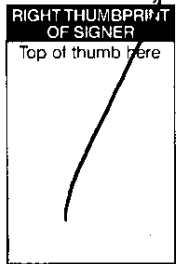
Document Date: March 12, 2009 Number of Pages: 4

Signer(s) Other Than Named Above: Randolph G. Aboud

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Ric Kern

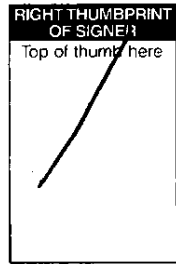
- Individual
- Corporate Officer — Title(s): Vice President
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: JNR  
CA Commerce  
Center, LLC

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**EXHIBIT A**

(Legal Description of the Property)

That certain real property located in Salt Lake County, Utah, specifically described as follows:

LOTS 18, 19, 20, 21, AND 22, NIN TECH EAST VII, ACCORDING TO THE  
OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT  
LAKE COUNTY RECORDER'S OFFICE.