



\*W2086661\*

**PARTIAL RELEASE OF AGREEMENT AND MORTGAGE**

THIS INDENTURE made this 17th day of February, 2005, between the United States Department of Commerce, Economic Development Administration (EDA), whose address is 1244 Speer Blvd. Suite 632 Denver, CO, first party, and Ogden City Corporation and Ogden City Redevelopment Agency, whose address is 2549 Washington Blvd, Ogden, UT, second party, WITNESETH:

WHEREAS, said second party, by a certain Agreement and Mortgage bearing date of July 8, 2003, and recorded in Book 2496 at Page 1761, as Entry No. 1957619, in the office of the Weber County Recorder, State of Utah on July 17, 2003, did, for the consideration and purposes therein mentioned, mortgage certain property therein described; and,

WHEREAS, Tax ID Parcel No. 01-033-005 described on Exhibit "A" of said Agreement and Mortgage was erroneously unintentionally included in the mortgaged property.

NOW, THEREFORE, the said first party, in consideration of the premises and for the foregoing reason, does by these presents, release and discharge to the said party of the second part, all that part of the said mortgaged property described as follows, to-wit:

01-033-0005

PART OF BLOCK 39, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT A POINT 547.05 FEET NORTH 89D02' WEST AND 49.5 FEET SOUTH 0D58' WEST FROM THE SOUTHEAST CORNER OF LOT 1; RUNNING THENCE NORTH 0D58' EAST 446.72 FEET; THENCE SOUTH 89D02' EAST 513.75 FEET; THENCE NORTH 0D58' EAST 264.01 FEET; THENCE NORTH 89D02' WEST 653.25 FEET; THENCE SOUTH 0D58' WEST 711.54 FEET; THENCE SOUTH 89D02' EAST 132.92 FEET TO PLACE OF BEGINNING. CONTAINING 5.46 ACRES, M/L.

Together with all lien, title and interest of the said first party of, in and to the above described property to the extent that the above described property shall be discharged from the lien of said mortgage and that the rest of the property in said mortgage specified, shall remain to the said first party as provided in said mortgage.

IN WITNESS WHEREOF, the said first party has set their hand and seal this

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DOUG CROFTS, WEBER COUNTY RECORDER  
22-FEB-05 407 PM FEE \$0.00 DEP SGC  
REC FOR: OGDEN CITY

17th day of February, 2005.

ECONOMIC DEVELOPMENT ADMINISTRATION  
UNITED STATES DEPARTMENT OF COMMERCE

By: Shirley Marshall

For Robert E. Olson  
Denver Regional Office  
Economic Development Administration

STATE OF COLORADO )  
COUNTY OF DENVER )

On this 17th day of February, 2005, before me a Notary Public personally appeared Mr. Shirley Marshall <sup>Acting</sup> Denver Regional Director, Economic Development Administration, United States of America, known to me to be in the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained, and that he is duly authorized for this purpose.

SUBSCRIBED AND SWORN to before me this 17th day of February, 2005.

T. L. White  
Notary Public in and for the  
City and County of Denver, Colorado

My Commission Expires: 9.22.2007

Thomas W. Vibe  
Economic Development Administration  
U. S. Dept. Of Commerce  
1244 Speer Blvd., Room 670  
Denver, Colorado 80204

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