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Book - 9813 Pg - 2454-2459
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
LANDMARK TITLE
BY: ZJM, DEPUTY - WI 6 P.

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Wells Fargo Bank, National
Association
Real Estate Banking Group (AU #07572)
299 South Main Street
6th Floor
Salt Lake City, UT 84111

Attn: Eileen V. Oquendo
Loan No. 5866OV

**MEMORANDUM OF SIXTEENTH MODIFICATION AGREEMENT
AMENDING DEED OF TRUST**


The undersigned declare that they have entered into a sixteenth modification agreement dated of even date herewith, wherein provision is made for (a) amendment of that certain deed of trust dated December 18, 1998 and executed by Borrower, as Trustor, to Landmark Title Company, as Trustee, in favor of Wells Fargo Bank, National Association, as Beneficiary, which was recorded on March 1, 1999, as Instrument No. 7273188, in Book 8254, at Page 3688, in the Official Records of Salt Lake County, Utah, and/or (b) amendment of certain obligations secured by that deed of trust. This instrument is a memorandum of the sixteenth modification agreement, and the same is incorporated herein by this reference with the same effect and as though set forth herein in its entirety. The legal description is attached hereto and incorporated herein by this reference as Exhibit A.

Dated as of: February 19, 2010

LTC 48826 (21575)

"BENEFICIARY/LENDER"

Wells Fargo Bank National Association

By: 
Paul K. Mendenhall, Relationship Manager

"BORROWER"

Boyer 7800 South Associates, Ltd., a Utah limited partnership

By: The Boyer Company, L.C., a Utah limited liability company, General Partner

By: 
H. Roger Boyer, Member and Manager

(ALL SIGNATURES MUST BE ACKNOWLEDGED)

DESCRIPTION OF SUBJECT PROPERTY

Exhibit A to Memorandum of Modification Agreement Amending Deed of Trust executed by Borrower, as Trustor to Landmark Title Company, as Trustee for the benefit of Wells Fargo Bank, National Association, as Beneficiary, dated as of February 19, 2010.

All the certain real property located in the County of Salt Lake, State of Utah, described as follows:

PARCEL 1: [INTENTIONALLY OMITTED]

PARCEL 2 BOYER RETAIL PARCEL:

BEGINNING at a point being South 00°08'25" West along the section line 621.00 feet and South 89°55'20" West 391.50 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 00°08'25" East 219.00 feet; thence South 89°51'35" East 22.50 feet; thence North 00°08'25" East 213.00 feet; thence North 89°51'35" West 195.00 feet; thence North 00°08'25" East 155.39 feet to the South line of 7800 South Street; thence South 89°56'20" West along said South line 314.33 feet to the Northeasterly boundary of Southampton No.2, a Subdivision in the Northeast quarter of said Section 35; thence South 38°52'44" East along said Northeasterly boundary 754.67 feet; thence North 89°56'20" East 11.70 feet to the point of BEGINNING.

LESS AND EXCEPTING the following: BEGINNING at a point South 00°08'25" West along the section line 621.00 feet and South 89°56'20" West 403.20 feet and North 38°52'44" West 507.15 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 38°52'44" West 247.53 feet to the South line of 7800 South Street; thence North 89°56'20" East along said South line 314.33 feet; thence South 00°08'25" West 114.38 feet; thence South 89°56'20" West 61.22 feet; thence South 51°07'16" West 125.20 feet to the point of BEGINNING.

PARCEL 3: BEGINNING at a point South 00°08'25" West along the section line 621.00 feet and South 89°56'20" West 403.20 feet and North 38°52'44" West 507.15 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 38°52'44" West 247.53 feet to the South line of 7800 South Street; thence North 89°56'20" East along said South line 314.33 feet; thence South 00°08'25" West 114.38 feet; thence South 89°56'20" West 61.22 feet; thence South 51°07'16" West 125.20 feet to the point of BEGINNING.

PARCEL 4: A non-exclusive easement for roadways, walkways, ingress, egress and parking vehicles and other modes of transportation and incidentals thereto, on the "Common Areas", over and across the properties shown below, as established by that certain Development Agreement dated January 31, 1985 and recorded February 7, 1985 as Entry No. 4048237 in

EXHIBIT A

Book 5628 at Page 686, and by that certain Amendment of Development Agreement dated August 12, 1992 and recorded April 27, 1993 as Entry No. 5487130 in Book 6648 at Page 425, and re-recorded May 12, 1993 as Entry No. 5501239 in Book 6661 at Page 499, and by that Second Amendment to Development Agreement dated August 18, 1992 and recorded April 27, 1993 as Entry No. 5487131 in Book 6648 at Page 435 of the Official Records of the Salt Lake County Recorder:

PARCEL A: BEGINNING at a point on the West line of 3500 East Street, said point being South 00°08'25" West along the section line 621.00 feet and South 89°56'20" West 29.00 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 89°56'20" West 362.50 feet; thence North 00°08'25" East 219.00 feet; thence South 89°51'35" East 22.50 feet; thence North 00°08'25" East 213.00 feet; thence North 89°51'35" West 195.00 feet; thence North 00°08'25" East 155.39 feet to the South line of 7800 South Street; thence North 89°56'20" East along said South line 365.00 feet to a point being South 89°56'20" West 170.00 feet from the West line of 3500 East Street; thence South 00°08'25" West 100.00 feet; thence North 89°56'20" East 170.00 feet to a point on the West line of 3500 East Street, said point being South 00°08'25" West 100.00 feet from the South line of 7800 South Street; thence South 00°08'25" West along said West line of 3500 East Street 488.00 feet to the point of BEGINNING.

PARCEL B: BEGINNING at a point at the intersection of the South line of 7800 South Street and the West line of 3500 East Street, said point being South 00°08'25" West along the section line 33.00 feet and South 89°56'20" West 29.00 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 00°08'25" West along the West line of 3500 East Street 100.00 feet; thence South 89°56'20" West 170.00 feet; thence North 00°08'25" East 100.00 feet to the South line of 7800 South Street; thence North 89°56'20" East along said South line 170.00 feet to the point of BEGINNING.

PARCEL 5: A non-exclusive easement appurtenant to PARCELS 2 & 3 above for pedestrian traffic, ingress and egress, utility lines and incidentals thereto as contained in that certain Declaration of Easements, over and across the properties shown below, dated February 1, 1985 and recorded February 7, 1985 as Entry No. 4048238 in Book 5628 at Page 707 of the Official Records of the Salt Lake County Recorder:

PARCEL A: BEGINNING at a point on the West line of 3500 East Street, said point being South 00°08' 25" West along the section line 621.00 feet and South 89°56' 20" West 29.00 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 89°56' 20" West 362.50 feet; thence North 00°08' 25" East 219.00 feet; thence South 89°51' 35" East 22.50 feet; thence North 00°08' 25" East 213.00 feet; thence North 89°51' 35" West 195.00 feet; thence North 00°08' 25" East 155.39 feet to the South line of 7800 South Street; thence North 89°56' 20" East along said South line 365.00 feet to a point being South 89°56' 20" West 170.00 feet from the West line of 3500 East Street; thence South 00°08' 25" West 100.00 feet; thence North 89°56' 20" East 170.00 feet to a point on the West line of 3500 East Street, said point being South

EXHIBIT A

00°08' 25" West 100.00 feet from the South line of 7800 South Street; thence South 00°08' 25" West along said West line of 3500 East Street 4 88.00 feet to the point of BEGINNING.

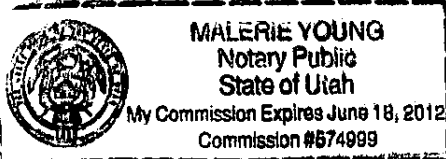
PARCEL B: BEGINNING at a point at the intersection of the South line of 7800 South Street and the West line of 3500 East Street, said point being South 00°08' 25" West along the section line 33.00 feet and South 89°56' 20" West 29.00 feet from the Northeast corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 00°08' 25" West along the West line of 3500 East Street 100.00 feet; thence South 89°56' 20" West 170.00 feet; thence North 00°08' 25" East 100.00 feet to the South line of 7800 South Street; thence North 89°56' 20" East along said South line 170.00 feet to the point of BEGINNING.

For Reference Purpose Only: Tax Parcel Numbers 22-35-226-033 and 22-35-226-032

STATE OF UTAH

COUNTY OF Salt Lake SS.

The foregoing instrument was acknowledged before me this 25 day of February 2010, by Paul Mendelmann as President of WALSH BANK, a NATIONAL ASSOCIATION.



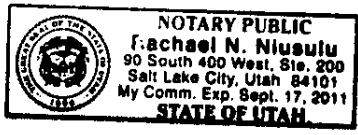
Malerie Young
NOTARY PUBLIC
residing at Salt Lake City

My commission expires: 6-18-2012

STATE OF UTAH

COUNTY OF Salt Lake SS.

The foregoing instrument was acknowledged before me this 23rd day of February, 2010, by H. Roger Baker as Member and manager of The Baker Company, L.C., a Utah Limited Liability Company.



Rachael Niusulu
NOTARY PUBLIC
residing at Salt Lake City

My commission expires: 9-17-11