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2/8/2016 10:44:00 AM \$25.00  
Book - 10401 Pg - 3332-3336  
Gary W. Ott  
Recorder, Salt Lake County, UT  
LANDMARK TITLE  
BY: eCASH, DEPUTY - EF 5 P.

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

Wells Fargo Bank, National Association  
PO Box 45490  
MAC U1228-063  
Salt Lake City, UT 84145-0490  
Attn: Jessica Perez  
Loan No. 5866OV

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(Space Above For Recorder's Use)

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

The undersigned ("**Trustor**") declares that it has entered into that certain Eighteenth Modification Agreement dated of even date herewith ("**Modification Agreement**"), wherein provision is made for (a) amendment of that certain Deed of Trust with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated December 18, 1998 and executed by Trustor, in favor of Landmark Title Company, as Trustee, for the benefit of Wells Fargo Bank, National Association (collectively with its successors or assigns, "**Lender**"), as Beneficiary, which was recorded March 1, 1999, as Instrument No. 7273188, in Book 8254, at Page 3688 of the Official Records of Salt Lake County, Utah, as further amended and modified as follows (i) that certain Additional Advance and Consolidation Agreement (Short Form) executed by Borrower, as Trustor, and Lender, as Beneficiary, recorded September 30, 2002, as Instrument No. 8369418, in Book 8656, at Page 6040 of the Official Records of Salt Lake County, Utah, (ii) that certain Memorandum of Sixteenth Modification Agreement Amending Deed of Trust executed by Borrower, as Trustor, and Lender, as Beneficiary, recorded March 26, 2010, as Instrument No. 10921956, in Book 9813, at Page 2454 of the Official Records of Salt Lake County, Utah, and (iii) that certain Memorandum of Seventeenth Modification Agreement Amending Deed of Trust executed by Borrower, as Trustor, and Lender, as Beneficiary, recorded January 31, 2013, as Instrument No. 11567949, in Book 10103, at Page 5589 of the Official Records of Salt Lake County, Utah (collectively, and as the same may be further amended, modified, supplemented or replaced from time to time, "**Security Instrument**"); and/or (b) amendment of certain obligations secured by the Security Instrument. The Security Instrument encumbers certain real property located in Salt Lake County, Utah and more particularly described on Exhibit A attached hereto and secures a loan from Lender to Trustor.

This instrument is a memorandum of the Modification Agreement, and the same is incorporated herein by this reference with the same effect and as though set forth herein in its entirety.

*[Signature Pages Follow]*

LT 5/4/05

**BENEFICIARY/LENDER SIGNATURE PAGE:**

Dated as of: January 27, 2016.

"BENEFICIARY/LENDER"

WELLS FARGO BANK, NATIONAL ASSOCIATION

By: 

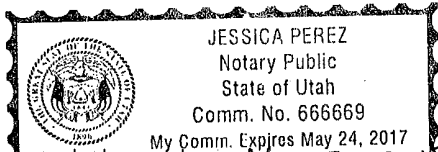
Michael W. Asay, Vice President

STATE OF UTAH

COUNTY OF SALT LAKE

) ss

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of February, 2016, by Michael W. Asay, Vice President of Wells Fargo Bank, National Association.



My commission expires: ~~1-27-2017~~

  
NOTARY PUBLIC

Residing at: Salt Lake City, Utah

**TRUSTOR SIGNATURE PAGE:**

Dated as of: January 27, 2016.

"TRUSTOR"

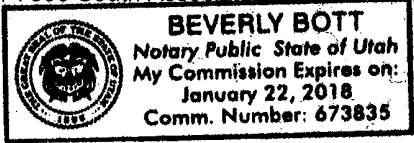
BOYER 7800 SOUTH ASSOCIATES, LTD., a Utah limited partnership

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

By: *Jacob L. Boyer*  
Jacob L. Boyer, Manager

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of January, 2016, by Jacob L. Boyer, Manager of The Boyer Company, L.C., a Utah limited liability company, General Partner of Boyer 7800 South Associates, Ltd., a Utah limited partnership.



*Beverly Bott*  
NOTARY PUBLIC  
Residing at: Salt Lake City

My commission expires:  
January 22, 2018

**EXHIBIT A**  
**Description of Property**

Exhibit A to Memorandum of Eighteenth Modification Agreement Amending Deed of Trust dated as of January 27, 2016, between Boyer 7800 South Associates, Ltd., a Utah limited partnership, as Trustor, and Wells Fargo Bank, National Association, as Beneficiary.

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 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 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.

[For reference purposes only: Tax Parcel Numbers 22-35-226-033 and 22-35-226-032]