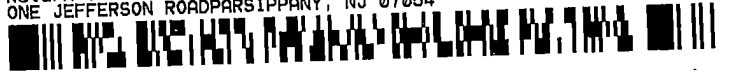


13906162 B: 11314 P: 2590 Total Pages: 7
03/08/2022 10:48 AM By: dsalazar Fees: \$40.00
ASSIGN - ASSIGNMENT (CONTR, MTGE, TRD)
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: KELLEY DRYE & WARREN LLP
ONE JEFFERSON ROAD PARSIPPANY, NJ 07054



Prepared By and
When Recorded Mail To:

Kelley Drye & Warren LLP
One Jefferson Road
Parsippany, NJ 07054
Attn: James Kirk, Esq.

(Space above this line for Recorder's use)

ASSIGNMENT OF DEED OF TRUST AND OTHER LOAN DOCUMENTS

ASSIGNOR: Sun Life Assurance Company of Canada, a Canadian corporation

ASSIGNOR ADDRESS: c/o Sun Life Assurance Company of Canada, One Sun Life Executive Park,
Wellesley Hills, MA 02481,

the holder of that certain mortgage, deed of trust or deed to secure debt described on **Exhibit A** attached hereto and the other loan documents described on **Exhibit A** attached hereto (together with any amendments, renewals, extensions, or modifications thereto, the "Mortgage and Other Loan Documents") hereby assigns the Mortgage and Other Loan Documents, and the notes and claims secured thereby, TO

ASSIGNEE: EquiTrust Life Insurance Company, an Illinois domestic stock insurance company

ASSIGNEE ADDRESS: 222 W. Adams Street, Suite 2150, Chicago, IL 60606

This assignment is made without recourse, representations or warranties of any kind.

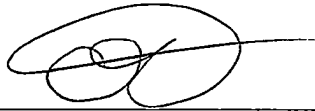
Executed as of the 24th day of February, 2022.

[THE REMAINDER OF THIS PAGE WAS LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the first day written above.

ASSIGNOR:

SUN LIFE ASSURANCE COMPANY OF CANADA, a Canadian corporation

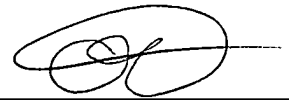


Subscribing Witness

Per: Michael Andrews

Name: Michael Ronald Andrews

Title: Senior Managing Director,
Commercial Mortgages



Subscribing Witness

Per: Philippe William Dougherty

Name: Philippe William Dougherty

Title: Managing Director, Canadian Mortgages

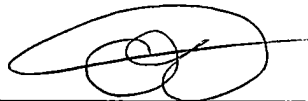
I/We have the authority to bind the Corporation.

CANADA
Province of Ontario)
) ss.:
City of Milton)

I, Oladipo Ameiza Adedamola Onabajo
Onayemi of the City of Beamsville,
in the Province of Ontario

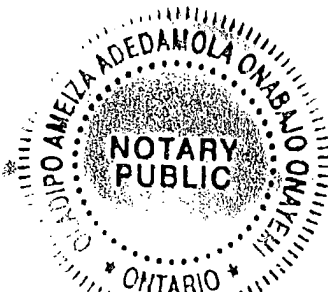
MAKE OATH AND SAY:

On the 13th day of February in the year 2022 before me, the undersigned, a Notary Public in and for the Province of Ontario, personally appeared SUN LIFE ASSURANCE COMPANY OF CANADA, a Canadian corporation with a place of business in Canada being 1 York Street, Suite 1100, Toronto, Ontario, M5J 0B6, by Michael Ronald Andrews, its Senior Managing Director, Canadian Mortgages and Philippe William Dougherty, its Managing Director, Commercial Mortgages, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the people upon behalf of which the individuals acted, executed the instrument.



Printed Name: Oladipo Onayemi
Notary Public
Province of Ontario

My Commission does not expire



SUN LIFE LOAN NUMBER 17100
4858-1230-3629

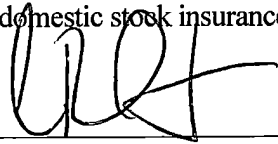
[Assignee Signature Page]

EQUITRUST LIFE INSURANCE COMPANY, an Illinois domestic stock insurance company (“Assignee”), hereby accepts the foregoing assignment of the Mortgage and Other Loan Documents and the notes and claims secured thereby, and assumes all of the rights and obligations of Assignor arising after the date hereof out of the Loan, the Loan Documents and other interests so assigned.

IN WITNESS WHEREOF, Assignee has duly executed this Assignment as of the first day written above.

ASSIGNEE:

EQUITRUST LIFE INSURANCE COMPANY,
an Illinois domestic stock insurance company

By: 

Name: A. Brad Feine
Title: Managing Director

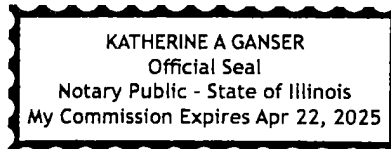
ACKNOWLEDGEMENT

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS:

This instrument was acknowledged before me on February 12, 2022, by A. Brad Feine as Managing Director of EQUITRUST LIFE INSURANCE COMPANY, an Illinois domestic stock insurance company.


Notary Public

[Notary Seal]



SL# 717100 - Assignee Signature Page

SUN LIFE LOAN NUMBER # 717100
4858-1230-3629

EXHIBIT A TO ASSIGNMENT OF DEED OF TRUST AND OTHER LOAN DOCUMENTS

Loan Documents dated August 5, 2016

1. Promissory Note from 2741 Middlefield Partners, LLC, a California limited liability company, and KJ-Camden, LLC, a California limited liability company (“**Original Borrower**”) in the amount of \$21,000,000.00, payable to Sun Life Assurance Company of Canada, a Canadian corporation (“**Lender**”).
2. Deed of Trust and Security Agreement from Original Borrower to Stewart Title Guaranty Company, as Trustee for the benefit of Lender (recorded on August 10, 2016, as Entry No. 12339589, Book 10462, Page 4741, Recording Records of Salt Lake County, Utah (“**Recording Records**”).
3. Assignment of Leases and Rents from Original Borrower to Lender (recorded on August 10, 2016, as Entry No. 12339590, Book 10462, Page 4794, Recording Records).
4. Environmental Indemnity from Original Borrower and Kenneth S. Fong. (“**Original Guarantor**”).
5. Guaranty of Non-Recourse Carve-outs from Original Guarantor.
6. UCC-1 Financing Statements
 - a. State –Filed with the California Secretary of State on August 10, 2016, under Filing No. 16-7540835655.
7. Side Letter Regarding Waiver of Impounds between Original Borrower and Lender.
8. Side Letter Agreement regarding Certificates of Occupancy between Original Borrower and Lender.
9. Stewart Title Guaranty Company’s Title Insurance Policy Number M-9302-004961956 dated August 10, 2016, in the amount of \$21,000,000.00.

Assignment Documents dated as of August 17, 2020

10. Assignment and Assumption Agreement and Amendment of Deed of Trust between Original Borrower, Riverpark Sugarhouse, LLC, a Utah limited liability company (“**Current Borrower**”) and Lender (recorded on August 21, 2020, as Entry No. 13368854, Book 11003, Page 3802, Recording Records).

11. Environmental Indemnity from Current Borrower and David S. Layton, Jeffrey C. Flamm and William H. Child. (“**Current Guarantor**”).
12. Guaranty of Non-Recourse Carve-Outs from Current Guarantor.
13. UCC-1 Financing Statements
 - a. State –Filed with the Utah Secretary of State on August 31, 2020, under Filing No. 200831708880-3.
14. Modification CLTA 111.4 and STG Down Date Endorsements to Title Insurance Policy Number M-9302-004961956, dated August 21, 2020.

EXHIBIT A

Property Description

Parcel 1:

Lot 6, HOMESTEAD VILLAGE LOT 3 AMENDED and also amending Lots 1 through 4 Blk. 1 View City Subdivision, Recorded April 7, 2011, as Entry No. 11163174, in Book 2011P, of Plats at Page 40.

Parcel 1A:

Rights of Access to the Parking Parcel as defined and described in said Reciprocal Easement and Operating Agreement as set forth in that certain Amended and Restated Reciprocal Easement and Operation Agreement between Woodmen Properties, L.L.C., ESA P. Portfolio, LLC d/b/a Homestead Studio Suites and Chick-fil-A, Inc., Recorded April 11, 2011, as Entry No. 11164534, in Book 9917, at Page 3525 of the Official Records.

Parcel 1B:

Easements for Air Rights; Building Footing Encroachment; Storm Water Drainage; Maintenance; Permanent Improvement Encroachment; and Access which benefits the subject property as reserved in that certain Special Warranty Deed with Reservation and Grant of Easements dated April 11, 2011 as Entry No. 11164672 in Book 9917 at Page 4011.

Parcel 2:

Amended Lot 3, HOMESTEAD VILLAGE LOT 3 AMENDED and also amending Lots 1 through 4 Blk. 1 View City Subdivision, according to the official plat thereof, filed in Book 2011P of Plats, at Page 40 of the official records of Salt Lake County Recorder.

Parcel 2A:

The Non-Exclusive Easement, appurtenant to Parcel 2 described herein, for ingress and egress by vehicular and pedestrian traffic as created by and provided for in that certain Amended and Restated Reciprocal Easement and Operating Agreement recorded April 11, 2011 as Entry No. 11164534, in Book 9917, at Page 3525.

Parcel 3:

Lots 5, 6, 7 and 8, and the East 20 feet of Lot 9, Block 1, View City, a subdivision of part of Lot 10, Block 46, Ten Acre Plat "A", Big Field Survey, excepting the North 12 feet thereof conveyed to the State Road Commission of Utah.

ALSO, commencing at the Southeast corner of Lot 5, Block 1, View City, and running thence West 120 feet; thence South 20 feet; thence East 120 feet; thence North 20 feet to the point of beginning, also known as the East 120 feet of a vacated alley to the South.

THE FOREGOING TWO PARCELS are more particularly described as follows:

SL#717100

Beginning at a point that is 39.12 feet North 89°58'50" West and 46.36 feet South 00°13'15" West from the City Monument at 1240 East (Douglas Street) and 2100 South Street, and running thence South 00°01'00" East 153.00 feet; thence North 89°50'52" East 120.12 feet (record 120.00 feet); thence North 00°01'00" West 153.00 feet; thence South 89°50'52" West 120.12 feet (record 120.00 feet) to the point of beginning.