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8/5/2005 12:31:00 PM \$21.00  
Book - 9170 Pg - 526-531  
Gary W. Ott  
Recorder, Salt Lake County, UT  
EQUITY TITLE  
BY: eCASH, DEPUTY - EF 6 P.

When Recorded, Please Mail To:  
IHOP Properties, Inc.  
450 North Brand Boulevard  
7th Floor  
Glendale, CA 91203-1903  
Attention: Legal Department

TXID: 22-29-424-011

**NOTICE OF AMENDMENT TO STAND ALONE SITE GROUND LEASE**

JTR PROPERTIES, L.C., a Utah limited liability company, and PATRICIA DIANE DORCICH AS TRUSTEE OF THE PATRICIA DIANE DORCICH 1995 TRUST DATED NOVEMBER 16, 1995 (collectively, "Landlord"), as landlord, and IHOP PROPERTIES, INC., a California corporation ("Tenant"), as tenant, previously entered into that certain Stand Alone Site Ground Lease dated July 3, 2001 (the "Lease"), notice of which was recorded as Entry No. 8038357, in Book 8515, beginning at Page 504, in the official records of Salt Lake County, Utah, regarding certain premises located in Salt Lake County, Utah, and more particularly described in the Lease.

Notice is hereby given that Landlord and Tenant have entered into that certain <sup>second</sup> First Amendment to Stand Alone Site Ground Lease dated March \_\_\_\_, 2005, pursuant to which Landlord and Tenant released from the Leas that portion of the Premises described on Exhibit A attached hereto and incorporated herein. The resulting description of the Premises now subject to the Lease is provided on Exhibit B attached hereto and incorporated herein.

**IN WITNESS WHEREOF**, the parties have executed this Notice of Amendment to Stand Alone Site Ground Lease as of the date first above written.

**LANDLORD:**

Patricia Diane Dorcich as Trustee of the Patricia Diane Dorcich 1995 Trust dated November 16, 1995

**TENANT:**

IHOP Properties, Inc., a California corporation

*Patricia Diane Dorcich, Trustee*

By: *Mark D. Weisberger*

Print Name: Mark D. Weisberger

Title: Vice President

JTR Properties, L.C., a Utah limited liability company

By: *Richard C. Celio*

Richard C. Celio  
Vice President

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT A  
TO  
NOTICE OF AMENDMENT TO STAND ALONE SITE GROUND LEASE**

20050817  
2168770  
170-100-29-424-011

**EXHIBIT A  
TO  
NOTICE OF AMENDMENT TO STAND ALONE SITE GROUND LEASE**

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**Legal Description of Released Property**

A part of Lot 3b, Overlook at Union Point Lot 3 amended, a subdivision in Sandy City, Salt Lake County, Utah, within the Southeast Quarter of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Beginning at the most Northerly Corner of said Lot 3b and running thence Southeasterly along the arc of a 416.06 foot radius curve to the Left a distance of 137.09 feet (Central Angle equals 18°52'44" and Long Chord bears South 41°34'34" East 136.47 feet) along the Northeasterly Line of said Lot 3 to the most Westerly Corner of said Lot 3b; thence South 40°00'00" West 40.20 feet along the Southeasterly Line of said Lot 3b to the extension of the back or Northeasterly side of the existing concrete curb and gutter; thence North 50°00'51" West 74.18 feet along the back of said curb and gutter and said Line extended; thence Northwesterly along the arc of a 160.00 foot radius curve to the Right a distance of 62.39 feet (Central Angle equals 22°20'29" and Long Chord bears North 38°50'37" West 62.00 feet) to the Northwesterly Line of said Lot 3b; thence North 40°00'00" East 48.21 feet along said Northwesterly Line to the point of beginning.

**Contains 6,025 sq. ft.  
or 0.138 acre**

**EXHIBIT B  
TO  
NOTICE OF AMENDMENT TO STAND ALONE SITE GROUND LEASE**

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**New Legal Description of Premises**

A part of Lot 3b, Overlook at Union Point Lot 3 amended, a subdivision in Sandy City, Salt Lake County, Utah, within the Southeast Quarter of Section 29, Township 2 South, Range 1 East, Salt Lake Base & Meridian, U.S. Survey:

Beginning at the most Westerly Corner of said Lot 3b at a point on the Northeasterly Line of Union Park Avenue (1300 East Street) being 1185.35 feet North  $89^{\circ}46'05''$  East along the Quarter Section Line; and 714.88 feet South  $0^{\circ}13'55''$  East from the center of said Section 29; and running thence North  $65^{\circ}16'03''$  East 105.59 feet and North  $40^{\circ}00'00''$  East 221.79 feet along the Northwesterly Line of said Lot 3b to a point on the back or Northeasterly edge of the existing concrete curb; thence Southeasterly along the arc of a 160.00 foot radius curve to the left a distance of 62.39 feet (Central Angle equals  $22^{\circ}20'29''$  and Long Chord bears South  $38^{\circ}50'37''$  East 62.00 feet) to a point of tangency on the back or Northeasterly edge of the existing concrete curb; thence South  $50^{\circ}00'51''$  East 74.18 feet along said back of curb to the Southeasterly Line of said Lot 3b; thence along said Southeasterly Line the following four courses: South  $40^{\circ}00'00''$  West 134.24 feet; North  $50^{\circ}00'00''$  West 10.00 feet; South  $40^{\circ}00'00''$  West 165.81 feet; and South  $55^{\circ}57'21''$  West 65.00 feet to the most Southerly Corner of said Lot 3b at a point on the Northeasterly Line of Union Park Avenue; thence Northwesterly along the arc of a 1001.69 foot radius curve to the right a distance of 162.79 feet (Central Angle equals  $9^{\circ}18'42''$  and Long Chord bears North  $29^{\circ}23'19''$  West 162.62 feet) along the Northeasterly Line of said Union Park Avenue to the point of beginning.

**Contains 47,075 sq. ft.  
or 1.081 acres**

~~SECOND~~

~~FIRST AMENDMENT TO STAND ALONE SITE GROUND LEASE~~

SECOND

This ~~FIRST AMENDMENT TO STAND ALONE GROUND LEASE~~ ("Amendment") is made as of the \_\_\_\_ day of March, 2005, by and between JTR PROPERTIES, L.C., a Utah limited liability company, owning a 25% interest as a tenant in common, PATRICIA DIANE DORCICH AS TRUSTEE OF THE PATRICIA DIANE DORCICH 1995 TRUST DATED NOVEMBER 16, 1995 (the "Trust"), owning a 75% interest as a tenant in common (JTR and the Trust are referred to hereinafter collectively as "Landlord"), and IHOP PROPERTIES, INC., a California corporation ("Tenant"), with reference to the following:

- A. Landlord and Tenant are parties to that certain Stand Alone Site Ground Lease dated July 3, 2001 (the "Lease") regarding certain premises located in Salt Lake County, Utah, more particularly described in the Lease (the "Original Premises").
- B. Landlord has entered into an agreement to sell an unusable portion of the Premises described on Exhibit A to a third party (the "Released Property").
- C. Landlord and Tenant desire to amend the Lease by removing the Released Property from the Lease.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Amendment to Lease. This Amendment amends the Lease. In the event of any conflict or inconsistency between the terms of this Amendment and the terms of the Lease, the terms of this Amendment shall control. Unless otherwise indicated herein, all capitalized terms used in this Amendment shall have the definitions assigned to them in the Lease.
2. Premises. Landlord and Tenant hereby release the Released Property from the Lease. Accordingly, the description of the "Premises" referred to in the Lease is hereby deleted in its entirety and replaced with the description provided on Exhibit B attached hereto and incorporated herein by reference.
3. Ratification. The parties intend this Amendment to modify the terms of the Lease, as provided herein. Except as set forth herein, all of the terms and conditions contained in the Lease shall remain the same and in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first above written.

**LANDLORD:**

Patricia Diane Dorcich as Trustee of the  
Patricia Diane Dorcich 1995 Trust dated  
November 16, 1995

*Patricia Diane Dorcich, Trustee*

JTR Properties, L.C., a Utah limited liability  
company

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**TENANT:**

IHOP Properties, Inc., a California  
corporation

By: *Mark D. Weisberger*

Print Name Mark D. Weisberger

Title: Vice President

By: *Richard C. Celio*

Richard C. Celio  
Vice President

~~SECOND~~ **EXHIBIT A**  
**TO**  
**FIRST AMENDMENT TO STAND ALONE SITE GROUND LEASE**

Legal Description of Released Property

A part of Lot 3b, Overlook at Union Point Lot 3 amended, a subdivision in Sandy City, Salt Lake County, Utah, within the Southeast Quarter of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Beginning at the most Northerly Corner of said Lot 3b and running thence Southeasterly along the arc of a 416.06 foot radius curve to the Left a distance of 137.09 feet (Central Angle equals 18°52'44" and Long Chord bears South 41°34'34" East 136.47 feet) along the Northeasterly Line of said Lot 3 to the most Westerly Corner of said Lot 3b; thence South 40°00'00" West 40.20 feet along the Southeasterly Line of said Lot 3b to the extension of the back or Northeasterly side of the existing concrete curb and gutter; thence North 50°00'51" West 74.18 feet along the back of said curb and gutter and said Line extended; thence Northwesterly along the arc of a 160.00 foot radius curve to the Right a distance of 62.39 feet (Central Angle equals 22°20'29" and Long Chord bears North 38°50'37" West 62.00 feet) to the Northwesterly Line of said Lot 3b; thence North 40°00'00" East 48.21 feet along said Northwesterly Line to the point of beginning.

Contains 6,025 sq. ft.  
or 0.138 acre

**EXHIBIT B**

**EXHIBIT B  
TO  
SECOND AMENDMENT TO STAND ALONE SITE GROUND LEASE**

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**New Legal Description of Premises**

A part of Lot 3b, Overlook at Union Point Lot 3 amended, a subdivision in Sandy City, Salt Lake County, Utah, within the Southeast Quarter of Section 29, Township 2 South, Range 1 East, Salt Lake Base & Meridian, U.S. Survey:

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or 1.081 acres**

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*Patricia Diane Dorcich, Trustee*

JTR Properties, L.C., a Utah limited liability  
company

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**TENANT:**

IHOP Properties, Inc., a California  
corporation

By: *Mark D. Weisberger*

Print Name Mark D. Weisberger

Title: Vice President

By: *Richard C. Celio*

Richard C. Celio  
Vice President

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