

**When Recorded, Please Return To:**

David E. Gee, Esq.  
PARR BROWN GEE & LOVELESS  
185 South State Street, Suite 800  
Salt Lake City, Utah 84111

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07/18/2013 11:59 AM \$28.00  
Book - 10160 Pg - 4520-4528  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
LANDMARK TITLE  
BY: TMW, DEPUTY - WI 9 P.

Parcel Nos.: 08-36-376-013; 08-36-376-026; 08-36-376-039

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**AMENDMENT TO PARKING LICENSE AGREEMENT  
(Gateway Office 6)**

**EFFECTIVE DATE:** July 17, 2013

**LICENSOR:** GATEWAY ASSOCIATES, LTD., a Utah limited partnership

Address: 90 South 400 West, Suite 200  
Salt Lake City, Utah 84111

**LICENSEE:** GATEWAY OFFICE 6, L.C., a Utah limited liability company

Address: 90 South 400 West, Suite 200  
Salt Lake City, Utah 84111

**RECITALS**

A. Licensor and Licensee recorded a certain Parking License Agreement dated as of June 16, 2010 but intended to be dated June 16, 2011 (the "**Parking License Agreement**") recorded on June 16, 2011 at 3:14 p.m. as Entry No. 11199578, in Book 9931, beginning at Page 2879 and ending at Page 2886 (the "**First Recording**").

B. Licensor and Licensee re-recorded the Parking License Agreement on June 16, 2011 at 4:21 p.m. as Entry No. 11199717 in Book 9931, beginning at Page 3409 and ending at Page 3418 (the "**Second Recording**").

C. The Second Recording occurred because two pages of the Parking License Agreement were inadvertently not recorded – i.e., pages 3 and 4 of the First Recording were not recorded. To clarify why the Second Recording occurred, Licensor and Licensee recorded a certain Notice Clarifying Recordations of Parking License Agreement on August 2, 2011 as Entry No. 11222232, in Book 9940, beginning at Page 8516. The Second Recording occurred because two pages of the Parking License Agreement were inadvertently not recorded – i.e., pages 3 and 4 of the First Recording were not recorded.

D. The Exhibits to this Amendment update the legal descriptions of the Gateway Office 6 Parcel and the Parking Parcel to reflect certain modifications to the legal descriptions of those Parcels that have occurred. The Exhibits are as follows:

Exhibit "A": Legal Description of "**Gateway Office 6**".

Exhibit "B": Legal Description of "**Parking Facilities**" consisting of two (2) Lots separately identified as the "**North Development and Parking Parcel**" and the "**Retail Phase 2 Parcel**".

### **AGREEMENT**

NOW, THEREFORE, Licensor and Licensee agree and provide notice as follows:

1. **Amendment of Definition of "Generally Available"**. The definition of Generally Available is hereby deleted in its entirety and replaced with the following:

"**Generally Available**" means that the number of parking spaces equal to the number of outstanding Parking Passes are generally available to Permittees during the hours of 6:00 AM to 6:30 PM Monday through Friday, and 6:00 AM to Noon on Saturdays; provided that, because other persons entitled to park in the Parking Facilities may have unanticipated or unusual numbers of customers, guests and invitees on any given day or at any given time, "Generally Available" shall mean that a parking space is always readily available to all persons holding Parking Passes.

2. **Ratification**. Except as modified by this Amendment, the Parking License Agreement as reflected by the second recording, as previously amended, shall continue in full force and effect and is hereby ratified and affirmed in its entirety.

3. **Counterparts**. This Amendment may be executed in counterparts, each of which shall be deemed an original and all of which, when taken together, shall be deemed one and the same instrument. Counterparts may be exchanged by telecopier, email or other means of electronic transmission and such electronically transmitted signatures shall be deemed the equivalent of manually executed signatures for all purposes.

4. **Captions**. The Section and Exhibits names contained in this Amendment are for convenience and reference only and shall not be used in construing this Amendment.

*(Signatures begin on following page)*


IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first set forth above.

"LICENSOR"

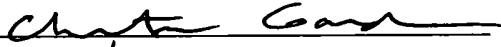
GATEWAY ASSOCIATES, LTD., a Utah limited partnership, by its general partner:

BOYER GATEWAY, L.C., a Utah limited liability company, by its Managers:

THE BOYER COMPANY, L.C., a Utah limited liability company

By:   
Name: Docu Gate  
Its: Manager


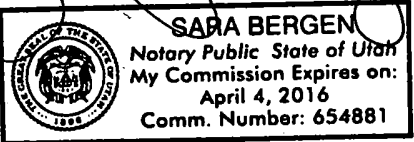
GARDNER PROPERTY HOLDINGS, L.C., a Utah limited liability company

By:   
Name: Christina Gardner  
Its: Manager

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2013 by Devon Glenn, a Manager of The Boyer Company, L.C., a Utah limited liability company, which is the Manager of Boyer Gateway, L.C., a Utah limited liability company, which is the general partner of Gateway Associates, Ltd., a Utah limited partnership.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


  
NOTARY PUBLIC  


My Commission Expires:  
April 4, 2016

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 12 day of July, 2013, by CHRISTIAN GARDNER a Manager of GARDNER PROPERTY HOLDINGS, L.C., a Utah limited liability company, which is a Manager of BOYER GATEWAY, L.C., a Utah limited liability company, which is a general partner of GATEWAY ASSOCIATES, LTD., a Utah limited partnership.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
NOTARY PUBLIC  
Residing at: Salt Lake County, Utah

My Commission Expires:

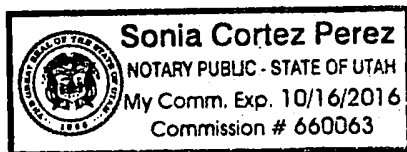






Exhibit A  
To  
Amendment to Parking License Agreement

(Legal Description of Gateway Office 6)

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A portion of Lot 7B, **GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION**, according to the official plat thereof, filed on December 23, 2008 as Entry No 10584220, in Book "2008P" of Plats, at Page 308 of the Official Records of the Salt Lake County Recorder, as modified by that certain Notice of Minor Routine & Uncontested Lot Line Adjustment Subdivision Approval recorded June 11, 2013 as Entry No. 11660889 in Book 10148 at Page 644 of the Official Records of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at the Southeast corner of Lot 7B of **GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION**, as recorded with the office of the Salt Lake County Recorder in Book 2008P at Page 308, and running thence South 89°58'47" West along the South line of said Subdivision 252.78 feet; thence North 140.41 feet to a point on the currently platted North line of said Lot 7B; thence East along said North line 252.78 feet to the Northeast corner of said Lot 7B; thence South along the East line of said Lot 7B 140.32 feet to the point of beginning.

**EXCEPTING THEREFROM** the minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

Tax Parcel No.: 08-36-376-026

Exhibit B  
To  
Amendment to Parking License Agreement

(Legal Description of Parking Facilities)

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“RETAIL 2 PARCEL”:

Parking stalls in a covered parking structure located in the “Old Navy Building” on the following tract of land located in Salt Lake City, Utah:

LOT 6, Boyer Gateway Subdivision Plat, recorded in the office of the Salt Lake County Recorder on February 23, 2001, as Entry No. 7828967, in Book 2001P at Page 37 of Plats.

Tax Parcel No.: 08-36-376-013

“NORTH DEVELOPMENT AND PARKING PARCEL”:

Parking stalls on a surface parking lot located on the following tract of land located in Salt Lake City, Utah:

A portion of Lots 7A and 7B, **GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION**, according to the official plat thereof, filed on December 23, 2008 as Entry No 10584220, in Book “2008P” of Plats, at Page 308 of the Official Records of the Salt Lake County Recorder, as modified by that certain Notice of Minor Routine & Uncontested Lot Line Adjustment Subdivision Approval recorded June 11, 2013 as Entry No. 11660889 in Book 10148 at Page 644 of the Official Records of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at the Southwest corner of Lot 7A of **GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION**, as recorded with the office of the Salt Lake County Recorder in Book 2008P at Page 308, and running thence Northerly along the Westerly line of said Lot 7A the following three courses: 1) North 406.25 feet, 2) North 89°59’06” East 12.00 feet, 3) North 80.00 feet to the Northwest corner of said Lot 7A; thence North 89°59’06” East along the Northerly line of said Lot 7A 422.35 feet to the Northeast corner of said Lot 7A; thence Southerly along the Easterly line of said Lot 7A the following two courses: 1) South 00°00’12” West 142.21 feet, 2) South 00°00’44” East 344.00 feet to the Southeast corner of said Lot 7A; thence South 89°58’47” West along the South line of said Lot 7A 57.69 feet to the Southeast corner of Lot 7B of said Subdivision; thence North along the East line of said Lot 7B 140.32 feet to the Northeast corner of said Lot 7B; thence West along the North line of said Lot 7B 252.78 feet; thence South 140.41 feet to a point on the South line of said Subdivision; thence South 89°58’47” West along said South line 123.95 feet to the point of beginning.



**LESS AND EXCEPTING THEREFROM** (i) the Property conveyed to SALT LAKE CITY CORPORATION, a Utah municipal corporation, in that certain Special Warranty Deed recorded April 22, 2013, as Entry No. 11622647, in Book 10129, at Page 5745 of the Official Records of the Salt Lake County Recorder, and (ii) the Property conveyed to SALT LAKE CITY CORPORATION, a Utah municipal corporation, in that certain Special Warranty Deed recorded April 22, 2013, as Entry No. 11622648, in Book 10129, at Page 5747 of the Official Records of the Salt Lake County Recorder.

**FURTHER EXCEPTING THEREFROM** the minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

Tax Parcel No.: 08-36-376-039