



W2517937

E# 2517937 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
03-MAR-11 4:24 PM FEE \$21.00 DEP SC
REC FOR: FIRST AMERICAN NCS - SOUTH TEM
ELECTRONICALLY RECORDED

When recorded, return to:

JPMorgan Chase Lease Administration
1111 Polaris Parkway, Suite 1J
Mail Code OH1-0241
Columbus, Ohio 43240
Attn: Lease Administration Manager
NCS-419903

**FIRST AMENDMENT TO MEMORANDUM OF LEASE
AND RIGHT OF FIRST REFUSAL**

This **FIRST AMENDMENT TO MEMORANDUM OF LEASE AND RIGHT OF FIRST REFUSAL** ("Amendment"), is made and entered into as of September 30, 2010, by **OGDEN COMMONS, LLC**, a Utah limited liability company ("Landlord"), and **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, a national banking association ("Tenant").

RECITALS:

A. Landlord and Tenant entered into that certain Memorandum of Lease and Right of First Refusal, dated June 3, 2010 and recorded on July 2, 2010 as Instrument No. 2480359, Official Records of Weber County, Utah ("Memorandum of Lease"), concerning certain real property located at the southwest corner of the intersection of 12th Street and Wall Avenue in Ogden, Utah.

B. Landlord and Tenant now wish to make certain modifications and amendments to the Memorandum of Lease.

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, Landlord and Tenant hereby agree as follows:

AGREEMENTS

1. **Exhibit A**. The Memorandum of Lease is hereby amended by deleting **Exhibit A** (Land Legal Description) therefrom and replacing it with **Exhibit A** attached hereto.
2. **Exhibit B**. The Memorandum of Lease is hereby amended by deleting **Exhibit B** (Shopping Center legal description) therefrom and replacing it with **Exhibit B** attached hereto.
3. **Counterparts**. This Amendment may be executed in any number of counterparts, each of which taken together shall constitute one and the same original.

4. Ratification. The Memorandum of Lease, as expressly modified hereby, is hereby ratified and confirmed in its entirety.

5. Governing Law. This Amendment shall be governed, construed and interpreted by the laws of the State of Utah.

Landlord:

OGDEN COMMONS, LLC,
a Utah limited liability company

By: Spencer H. Wright
Name: Spencer H. Wright
Title: MANAGER

STATE OF UTAH

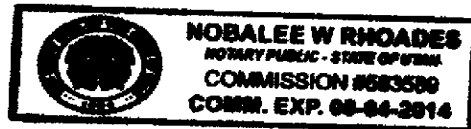
COUNTY OF Weber

2010 OCT 20

The foregoing instrument was acknowledged before me this 7 day of October, 2010, by Spencer H. Wright, the Manager of OGDEN COMMONS, LLC, a Utah limited liability company, on behalf of such company.

(S E A L)

Nobalee W. Rhoades
Notary Public



Tenant:

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, a national banking association

By: Tiffany D Kaplan
Name: Tiffany D Kaplan
Title: Vice President

STATE OF Arizona §
 §
COUNTY OF Maricopa §

This instrument was acknowledged before me this 20 day of October, 2010, by Tiffany D Kaplan, the VP of JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, a national banking association, on behalf of said national banking association.

(SEAL)

Catherine S Baird
Notary Public



Exhibit A

Lot 4, The Commons At Ogden – First Amendment according to the Official Plat thereof as recorded in the Office of the Weber County Recorder, State of Utah.

APN: 12-241-0002 *jd*

Exhibit B

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

PARCEL 1:

Lot 3, THE COMMONS AT OGDEN, according to the Official Plat thereof as recorded in the Office of the Weber County Recorder, State of Utah.

12-236-0003 *da*

PARCEL 2:

Lot 2, THE COMMONS AT OGDEN – FIRST AMENDMENT, according to the Official Plat thereof as recorded in the Office of the Weber County Recorder, State of Utah.

12-241-0001 *da*

PARCEL 3:

Lot 4, THE COMMONS AT OGDEN – FIRST AMENDMENT, according to the Official Plat thereof as recorded in the Office of the Weber County Recorder, State of Utah.

12-241-0002 *da*