

After Filing Return To:  
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11/4/2016 11:36:00 AM \$31.00  
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Gary W. Ott  
Recorder, Salt Lake County, UT  
FIRST AMERICAN NCS  
BY: eCASH, DEPUTY - EF 8 P.

**THIRD AMENDMENT TO DEED OF TRUST**

**TRUSTOR:** J.I.C. LLC, a Washington limited liability company  
**BENEFICIARY:** U.S. BANK NATIONAL ASSOCIATION  
**TRUSTEE:** NATIONAL TITLE AGENCY, LLC  
**LEGAL DESCRIPTION:** The complete legal description is on pages 5-8 of document  
**PARCEL I.D.:** 08-34-353-045-0000; 15-03-101-26-0000

Reference Number of Document Amended: Entry No. 10702490, Book 9723, Page 448-486

1ST AM  
NCS-819471-4A1

### THIRD AMENDMENT TO DEED OF TRUST

This Third Amendment to Deed of Trust (this "Amendment"), dated as of November 4, 2016, is made with respect to that certain Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing dated as of May 14, 2009 and recorded under Salt Lake County, Utah Entry No. 10702490, Book 9723, Page 448-486 (as amended from time to time, the "Deed of Trust"), granted by J.I.C. LLC, a Washington limited liability company, as Trustor, to NATIONAL TITLE AGENCY, LLC, as successor trustee to First American Title Insurance Company, for the benefit of U.S. BANK NATIONAL ASSOCIATION, as Beneficiary. As used herein, capitalized terms shall have the meanings given to them in the Deed of Trust, except as otherwise defined herein, or as the context otherwise requires.

### AGREEMENT

IT IS HEREBY AGREED AS FOLLOWS:

1. The Deed of Trust is hereby amended to reflect that the Loan Agreement has been amended by that certain Fifth Amendment to Loan Agreement dated of even date herewith.

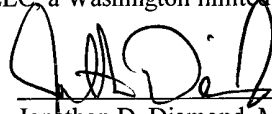
2. The real property description set forth in Exhibit A to the Deed of Trust is hereby amended to read as follows in its entirety:

See Exhibit A, attached hereto and incorporated herein by this reference.

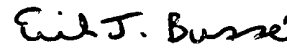
3. Except as set forth herein, all of the terms and conditions of the Deed of Trust, as amended, shall remain in full force and effect and are hereby ratified and affirmed.

*[Signature page follows]*

J.I.C. LLC, a Washington limited liability company

By   
Jonathon D. Diamond, Manager

U.S. BANK NATIONAL ASSOCIATION

By:   
Name: Eric J. Busse  
Title: Vice President

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 28 day of OCTOBER, 2016, before me, a Notary Public in and for the State of Washington, personally appeared Jonathon D. Diamond, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Manager of J.I.C. LLC to be the free and voluntary act and deed of said limited liability company for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

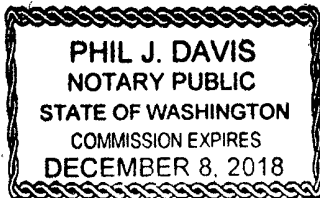


Kiyomi Lynn Tamura  
NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle  
My appointment expires 6/10/2019  
Print Name Kiyomi Lynn Tamura

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 31 day of October, 2016, before me, a Notary Public in and for the State of Washington, personally appeared Erik Busse, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Vice President of U.S. BANK NATIONAL ASSOCIATION to be the free and voluntary act and deed of said national association for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Phil Davis  
NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle WA  
My appointment expires 12/8/2018  
Print Name Phil Davis

**EXHIBIT A**

**LEGAL DESCRIPTION**

**(Entrance Lot)**

The Land is located in Salt Lake County, Utah, and is legally described as follows:

**PARCEL 1:**

BEGINNING ON THE SOUTH RIGHT OF WAY LINE OF NORTH TEMPLE STREET AT A POINT NORTH 89°12'01" EAST 504.03 FEET, MORE OR LESS, AND NORTH 700.45 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID SECTION CORNER BEING AN UNMARKED COUNTY SURVEY MONUMENT LOCATED AT THE SOUTH RIGHT OF WAY LINE OF THE SALT LAKE GARFIELD AND WESTERN RAILROAD, SAID BEGINNING POINT IS ALSO SOUTH 0°04'57" WEST 34.69 FEET AND NORTH 89°12'01" EAST 504.03 FEET, MORE OR LESS, AND NORTH 700.45 FEET, MORE OR LESS, FROM AN UNMARKED COUNTY SURVEY MONUMENT WHICH IS SOUTH 89°57'27" WEST 2639.8 FEET FROM THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THE AREA REFERENCE PLAT ON FILE IN THE SALT LAKE COUNTY SURVEYOR'S OFFICE, AND SAID POINT OF BEGINNING BEING ALSO NORTH 89°58'38" EAST 501.33 FEET AND SOUTH 66.60 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH SAID POINT OF BEGINNING HAVING ALSO BEEN DESCRIBED AS BEING EAST 504 FEET AND NORTH 704 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 210.00 FEET; THENCE SOUTH 89°58'38" WEST 0.20 FEET TO A FENCE LINE; THENCE SOUTH 0°14'09" WEST ALONG SAID FENCE LINE 121.51 FEET; THENCE SOUTH 89°58'38" WEST 161.82 FEET; THENCE NORTH 331.51 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID NORTH TEMPLE STREET; THENCE NORTH 89°58'38" EAST ALONG SAID SOUTH LINE, 162.52 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 1 THAT PORTION CONVEYED TO THE UTAH TRANSIT AUTHORITY, A PUBLIC TRANSIT DISTRICT ORGANIZED AND EXISTING PURSUANT TO UTAH LAW, BY THAT CERTAIN WARRANTY DEED RECORDED MAY 17, 2010 AS ENTRY NO. 10953630 IN BOOK 9826 AT PAGE 1210 OF OFFICIAL RECORDS, BEING A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN INCIDENT TO THE CONSTRUCTION OF THE "AIRPORT LIGHT RAIL TRANSIT PROJECT", A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ENTIRE TRACT AND THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET, WHICH POINT IS 34.69 FEET SOUTH 00°04'57" WEST AND 504.03 FEET NORTH 89°12'01" EAST AND 700.61 FEET NORTH (RECORD 700.45 FEET NORTH) FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE SOUTH 7.93 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 87°09'19" WEST 7.22 FEET; THENCE SOUTH 50°03'30" WEST 25.11 FEET; THENCE WEST 44.14 FEET; THENCE NORTH 45°42'14" WEST 23.78 FEET; THENCE SOUTH 89°57'15" WEST 74.90 FEET TO THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 7.81 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE NORTHWEST CORNER OF SAID ENTIRE TRACT AND SAID SOUTHERLY RIGHT OF WAY LINE;

THENCE NORTH 89°58'38" EAST 162.52 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO THE POINT OF BEGINNING.

PARCEL 2:

A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, CREATED BY THAT CERTAIN EASEMENT AND MAINTENANCE AGREEMENT RECORDED DECEMBER 19, 1997, AS ENTRY NO. 6819547 OF THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER, OVER THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT: BEGINNING ON THE SOUTH LINE OF NORTH TEMPLE STREET AT A POINT 323.33 FEET NORTH 89°58'38" EAST AND SOUTH 66.60 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH, SAID POINT OF BEGINNING BEING ALSO EAST 326 FEET AND NORTH 704 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 360 FEET, MORE OR LESS; THENCE SOUTH 19°28'15" EAST 6.06 FEET TO THE SOUTHEAST CORNER OF THE LAND CONVEYED TO ROBERT H. BREINHOLT AND JANE T. BREINHOLT IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED APRIL 16, 1993 AS ENTRY NO. 5479167 IN BOOK 6640 AT PAGE 2658 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER; THENCE EAST 28 FEET; THENCE NORTH 19°28'15" WEST 6.06 FEET; THENCE NORTH 360 FEET, MORE OR LESS, TO THE SOUTH LINE OF NORTH TEMPLE STREET; THENCE WEST 28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 2 THAT PORTION CONVEYED TO THE UTAH TRANSIT AUTHORITY, A PUBLIC TRANSIT DISTRICT ORGANIZED AND EXISTING PURSUANT TO UTAH LAW, BY THAT CERTAIN WARRANTY DEED RECORDED MAY 17, 2010 AS ENTRY NO. 10953630 IN BOOK 9826 AT PAGE 1210 OF OFFICIAL RECORDS, BEING A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN INCIDENT TO THE CONSTRUCTION OF THE "AIRPORT LIGHT RAIL TRANSIT PROJECT", A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ENTIRE TRACT AND THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET, WHICH POINT IS 34.69 FEET SOUTH 00°04'57" WEST AND 504.03 FEET NORTH 89°12'01" EAST AND 700.61 FEET NORTH (RECORD 700.45 FEET NORTH) FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE SOUTH 7.93 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 87°09'19" WEST 7.22 FEET; THENCE SOUTH 50°03'30" WEST 25.11 FEET; THENCE WEST 44.14 FEET; THENCE NORTH 45°42'14" WEST 23.78 FEET; THENCE SOUTH 89°57'15" WEST 74.90 FEET TO THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 7.81 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE NORTHWEST CORNER OF SAID ENTIRE TRACT AND SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 89°58'38" EAST 162.52 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING FROM PARCEL 2 THAT PORTION CONVEYED TO THE UTAH TRANSIT AUTHORITY, A PUBLIC TRANSIT DISTRICT ORGANIZED AND EXISTING PURSUANT TO UTAH LAW, BY THAT CERTAIN WARRANTY DEED RECORDED MAY 17, 2010 AS ENTRY NO. 10953632 IN BOOK 9826 AT PAGE 1214 OF OFFICIAL RECORDS, BEING A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN INCIDENT TO THE CONSTRUCTION OF THE

"AIRPORT LIGHT RAIL TRANSIT PROJECT", A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT AND THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET, WHICH POINT IS 325.91 FEET NORTH 89°57'15" EAST ALONG THE SECTION LINE AND 672.63 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°58'38" EAST 15.50 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 00°11'08" EAST 7.81 FEET ALONG AN EASTERLY BOUNDARY LINE OF SAID TRACT; THENCE SOUTH 89°57'15" WEST 15.50 FEET TO THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 00°11'08" WEST 7.81 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

PARCEL 3:

A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, CREATED BY THAT CERTAIN EASEMENT AND MAINTENANCE AGREEMENT RECORDED DECEMBER 19, 1997, AS ENTRY NO. 6819547 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER, OVER THE FOLLOWING DESCRIBED TRACT OF LAND, TO-WIT: BEGINNING AT A POINT NORTH 89°58'38" EAST 351.33 FEET AND SOUTH 383.91 FEET FROM A SALT LAKE CITY SURVEY MONUMENT, SAID MONUMENT BEING SOUTH 89°58'38" WEST 2577.29 FEET FROM A SALT LAKE CITY MONUMENT AT THE INTERSECTION OF NORTH TEMPLE STREET AND REDWOOD ROAD TO THE NORTH, SAID POINT OF BEGINNING BEING ALSO EAST 354 FEET AND NORTH 704 FEET, MORE OR LESS, AND SOUTH 317.51 FEET FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°58'38" EAST 149.36 FEET TO A FENCE LINE; THENCE SOUTH 0°14'09" WEST ALONG SAID FENCE LINE 28.00 FEET; THENCE SOUTH 89°58'38" WEST 149.25 FEET; THENCE NORTH 28.00 FEET TO THE POINT OF BEGINNING.

**(Parking Facility)**

The Land is located in Salt Lake County, Utah, and is legally described as follows:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°00'44" EAST 33.27 FEET; THENCE NORTH 89°56'42" EAST 78.42 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°56'42" EAST 280.18 FEET; THENCE NORTH 00°03'18" WEST 33.27 FEET; THENCE SOUTH 89°56'42" WEST 26.17 FEET; THENCE NORTH 00°11'08" WEST 298.49 FEET; THENCE NORTH 19°39'22" WEST 15.00 FEET; THENCE NORTH 00°11'08" WEST 360.05 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 89°58'38" EAST 15.50 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 00°11'08" EAST 360.00 FEET; THENCE SOUTH 19°39'22" EAST 15.00 FEET; THENCE SOUTH 00°11'08" EAST 115.96 FEET; THENCE NORTH 89°58'38" EAST 156.17 FEET; THENCE NORTH 00°03'01" EAST 280.09 FEET; THENCE NORTH 89°58'38" EAST 175.20 FEET; THENCE NORTH 00°11'08" WEST 210.00 FEET TO THE SOUTHERLY RIGHT OF WAY NORTH TEMPLE STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 89°58'38" EAST 301.21 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 00°00'43" EAST 672.30 FEET; THENCE NORTH 89°56'42" EAST 307.01 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ORANGE STREET; THENCE ALONG SAID RIGHT OF WAY SOUTH 00°03'08" EAST 333.60 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 89°57'38" WEST 672.39 FEET; THENCE SOUTH 14°26'08" EAST 330.19 FEET; THENCE SOUTH 89°59'16" WEST 247.56 FEET; THENCE NORTHWESTERLY 241.64 FEET ALONG THE ARC OF A 1015.92 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 46°56'43" WEST 241.07 FEET); THENCE NORTHWESTERLY

499.01 FEET ALONG THE ARC OF A 1105.92 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 23°10'21" WEST 494.79 FEET) MORE OR LESS TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE UTAH TRANSIT AUTHORITY, A PUBLIC TRANSIT DISTRICT ORGANIZED AND EXISTING PURSUANT TO UTAH LAW, BY THAT CERTAIN WARRANTY DEED RECORDED MAY 17, 2010 AS ENTRY NO. 10953632 IN BOOK 9826 AT PAGE 1214 OF OFFICIAL RECORDS, BEING A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN INCIDENT TO THE CONSTRUCTION OF THE "AIRPORT LIGHT RAIL TRANSIT PROJECT", A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT AND THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET, WHICH POINT IS 325.91 FEET NORTH 89°57'15" EAST ALONG THE SECTION LINE AND 672.63 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°58'38" EAST 15.50 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 00°11'08" EAST 7.81 FEET ALONG AN EASTERLY BOUNDARY LINE OF SAID TRACT; THENCE SOUTH 89°57'15" WEST 15.50 FEET TO THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 00°11'08" WEST 7.81 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.