PREPARED BY AND UPON RECORDATION RETURN TO:

POLSINELLI 900 West 48th Place, Suite 900 Kansas City, Missouri 64112 Attention: Marla R. Bell, Esq. 12797352 6/22/2018 4:28:00 PM \$24.00 Book - 10687 Pg - 372-376 ADAM GARDINER Recorder, Salt Lake County, UT COTTONWOOD TITLE BY: eCASH, DEPUTY - EF 5 P.

# ASSIGNMENT AND ASSUMPTION OF INTEREST UNDER DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING

Dated as of the 18th day of May, 2018.

FOR VALUE RECEIVED, ARGENTIC REAL ESTATE FINANCE LLC, a Delaware limited liability company ("Assignor"), assigns, conveys, grants, sets over and transfers to SPREF WH III LLC, a Delaware limited liability company ("Assignee"), all of Assignor's right, title and interest, if any, in and to that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing by BG VISTA OFFICE 8, L.C., a Utah limited liability company ("Borrower"), to or for the benefit of Assignor, dated as of May 15, 2018 and recorded on May 16, 2018 in the land records of Salt Lake County, State of Utah as Instrument No. 12773438, Book 10675, Page 873-892 (the "Security Instrument"), such Security Instrument encumbering premises described therein located in Salt Lake County, State of Utah as more particularly described in Exhibit A attached hereto;

TOGETHER WITH all of Assignor's right, title and interest, if any, in and to all notes and contracts described or referred to in the Security Instrument, all guarantees of the Security Instrument, all assumptions of the Security Instrument, the money due and to become due thereon with interest and all contract rights accrued or to accrue under the Security Instrument.

Assignee assumes all liabilities and obligations of Assignor arising under the Security Instrument on and after the date hereof.

This Assignment and Assumption of Interest Under Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing (this "<u>Assignment and Assumption</u>") will be binding on and inure to the benefit of Assignor and Assignee and their respective successors and assigns.

[SIGNATURE PAGE FOLLOWS]

27-36-151-040, 27-36-127-011, 27-36-127-012 27-36-127-005, 27-36-127-607

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This Assignment and Assumption may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, but all of which taken together shall constitute but one and the same instrument.

### ARGENTIC REAL ESTATE FINANCE

LLC, a Delaware limited liability company

By: Argentic Investment Management LLC, its Investment Manager

Name: Rvan Supple

Title: Authorized Signatory

STATE OF NEW YORK COUNTY OF NEW YORK )

The foregoing ASSIGNMENT AND ASSUMPTION OF INTEREST UNDER ASSIGNMENT OF LEASES AND RENTS was acknowledged before me this 36th day of Age., 2018, by Ryan Supple, the Authorized Signatory of Argentic Investment Management LLC, Investment Manager of ARGENTIC REAL ESTATE FINANCE LLC, a Delaware limited liability company.

NOTARY PUBLIC
Residing at: Outh

My Commission Expires:

TOJEYA C. BRUNDAGE Hatery Public, State of New York Toggletragon #01PR6355367 Canal find In Queens County for mission Expires March 28, 20

# SPREF WH III LLC,

a Delaware limited liability company

By: Argentic Investment Management LLC, its Authorized Signatory

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Name: Ryan Supple

Title: Authorized Signatory

STATE OF NEW YORK )
COUNTY OF NEW YORK )

The foregoing ASSIGNMENT AND ASSUMPTION OF INTEREST UNDER DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING was acknowledged before me this \_\_\_\_\_\_\_\_, day of \_\_\_\_\_\_\_\_, 2018, by Ryan Supple, the Authorized Signatory of Argentic Investment Management LLC, Authorized Signatory of SPREF WH III LLC, a Delaware limited liability company.

NOTARY PUBLIC

Residing at: \_\_\_\_

My Commission Expires:

TONYA C. BRUNDAGE
Notary Public, State of New York
Registration #01BR6333367
Qualified In Queens County
Commission Expires March 28, 20

### **EXHIBIT "A"**

## **Legal Description**

#### PARCEL 1:

Lot 323, VISTA STATION OFFICE PARK AMENDED, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on December 2, 2016 as Entry No. 12425765 in Book 2016P at Page 305.

### PARCEL 2:

Lots 108 and 109, DRAPER TOD SECOND AMENDMENT, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on January 26, 2015 as Entry No. 11982207 in Book 2015P at Page 14.

### PARCEL 3:

A parcel of land, being an entire tract of property situate in the Northwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the Northeast corner of said entire tract, which point is 3595.34 feet North 00°12'13" West and 543.03 feet North 51°33'35" East and 86.63 feet North 20°02'25" West and 1431.10 feet North 51°21'45" East from the Southwest corner of said Section 36 and running thence along the Easterly boundary line of said entire tract the following five courses: South 01°50'18" East, 62.11 feet; thence South 88°11'00" West, 5.15 feet; thence South 01°49'00" East, 255.00 feet; thence North 88°11'00" East, 15.00 feet; thence South 01°49'00" East, 961.06 feet to the Southeasterly corner of said entire tract; thence along the Westerly line of said entire tract the following two courses: North 25°51'49" West, 82.36 feet; thence North 06°56'00" West, 1115.21 feet to the North line of said entire tract; thence North 51°21'45" East, 153.84 feet along said North line to the point of beginning.

Also being more particularly described by survey as follows:

A parcel of land situate in the Northwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described by survey as follows:

Beginning at a point on the Westerly right-of-way of UTA Frontrunner, said point being North 00°01'16" East 4,902.74 feet along the section line and South 89°58'39" East 1,519.21 feet from the Southwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 01°36'44" East 62.11 feet along said Westerly right-of-way; thence South 88°24'34" West 5.15 feet; thence South 01°35'26" East 255.00 feet; thence North 88°24'34" East 15.00 feet to a point on said Westerly right-of-way; thence South 01°35'26" East 961.06 feet along said Westerly right-of-way; thence North 25°38'15" West 82.36 feet; thence North 06°42'26" West 1,115.21 feet; thence North 51°35'19" East 153.83 feet to the point of beginning.

### PARCEL 4:

A parcel of land, being an entire tract of property situate in the Northwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the Northeast corner of said entire tract, which point is 3595.34 feet North 00 12'13" West and 543.03 feet North 51 33'35" East and 86.63 feet North 20 02'25" West and

1431.10 feet North 51°21'45" East and South 01°50'18" East, 62.12 feet from the Southwest corner of said Section 36 and running thence along the Easterly boundary line of said entire tract the following three courses: South 01°50'30" East, 10.37 feet; thence South 09°37'33" East, 72.38 feet; thence South 01°49'00" East, 172.92 feet to the South line of said entire tract; thence South 88°11'00" West, 15.00 feet along said South line; thence North 01°49'00" West, 255.00 feet along the West line of said entire tract to the Northwest corner of said entire tract; thence North 88°11'00" East, 5.16 feet along said North line to the point of beginning.

Also being more particularly described by survey as follows:

A parcel of land situate in the Northwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described by survey as follows:

Beginning at a point on the Westerly right-of-way of UTA Frontrunner, said point being North 00°01'16" East 4,902.74 feet along the section line and South 89°58'40" East 1,519.21 feet and South 01°36'27" East 62.12 feet, from the Southwest quarter of Section 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 01°40'33" East 10.37 feet along said Westerly right-of-way; thence South 09°23'59" East 72.38 feet along said Westerly right-of-way; thence South 01°35'26" East 172.92 feet along said Westerly right-of-way; thence South 88°24'34" West 15.00 feet; thence North 01°35'26" West 255.00 feet; thence North 88°24'34" East 5.15 feet to the point of beginning.

### PARCEL 5:

Reciprocal rights and easements as more specifically defined in that certain instrument entitled Covenants, Conditions and Restrictions recorded February 4, 2015 as Entry No. <u>11987390</u> in Book 10293 at Page 6891 of official records.

### PARCEL 6:

Reciprocal rights and easements as more specifically defined in that Parking Easement recorded May 11, 2018 as Entry No. 12770860 in Book 10673 at Page 8961 of official records.

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