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Salt Lake City, Utah 84107  
Meridian File No. 272600

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8/2/2019 8:34:00 AM \$40.00  
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RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
MERIDIAN TITLE  
BY: eCASH, DEPUTY - EF 3 P.

### SUBORDINATION AGREEMENT

THIS AGREEMENT, made this 9<sup>th</sup> day of ~~June~~ <sup>July</sup>, 2019, by District Heights Village Properties, LLC, owners of the land described in Exhibit A attached hereto and incorporated herein (hereinafter "Owner"), and Wells Fargo Bank, National Association ("Bank"), successor trustee and beneficiary under that certain deed of trust ("Deed of Trust") dated January 1, 2013 and recorded January 7, 2013 as Instrument No. 11551000 of the official records of the Salt Lake County Recorder. The land described in Exhibit A shall be referred to as the "Property".

WHEREAS, Owner has granted, or is about to grant, to Utah Department of Transportation, across a portion of the Property described in the Deed of Trust, a perpetual easement for the purpose of constructing and maintaining thereon lighting facilities and appurtenant parts thereof to facilitate the construction of State Route-154 known as Project S-0154(12)11, as set forth in that certain Easement dated March 6, 2019, and recorded concurrently herewith in the official records of the Salt Lake County Recorder (the "Easement").

WHEREAS, Bank is agreeing to subordinate the Deed of Trust to the Easement only on the basis that Bank's rights to enforce its lien interest and acquire the Property under the terms of the Deed of Trust, whether by foreclosure, deed-in-lieu or any other means, and any subsequent sale or transfer of the Property by Bank shall not be affected so long as any acquisition, transfer or sale of the Property is made subject to the terms of the Easement.

NOW, THEREFORE, in consideration of the above recitals, Wells Fargo Bank, National Association hereby subordinates the Deed of Trust, consents to the execution of the grant of said Easement, and agrees that any acquisition, transfer or sale of the Property made under the provisions of the Deed of Trust, whether by foreclosure, deed-in-lieu or other means, shall be subject to the Easement.

Dated ~~May~~ <sup>July</sup> 9, 2019.

Wells Fargo Bank, National Association

By: Joanne M. Benecki  
Its: Vice President



## EXHIBIT A

The land referred to in this commitment is situated in the County of Salt Lake, State of Utah, and described as follows:

A perpetual easement, upon part of an entire tract of property situate in Lot 1 River Heights at the North District - Amended according to the official plat thereof, recorded November 16, 2011 as Entry No. 11280424 in Book 2011P at Page 144 in the office of the Salt Lake County Recorder, in the NE1/4 NW1/4 of Section 20, Township 3 South, Range 1 West, Salt Lake Base and Meridian in Salt Lake County, Utah for the purpose of constructing and maintaining thereon lighting facilities and appurtenant parts thereof to facilitate the construction of State Route-154 known as Project S-0154(12)11. This easement shall run with the real property and shall be binding upon the Grantor(s), successors, heirs and assigns. The boundaries of said perpetual easement are described as follows:

Beginning at the intersection of the southwesterly boundary line of said Lot 1 and the southeasterly right of way and no-access line of State Route 154 of said project, which point is 9.43 feet South 51°09'27" East along the lot line from the southwest corner of said Lot 1 (Note: said point of beginning is 84.43 feet perpendicularly distant southeasterly from the control line of State Route 154 of said project at approximate Engineer Station 1050+30.40) and running thence North 36°13'47" East 206.81 feet along said southeasterly right of way and no-access line to a point 75.00 feet perpendicularly distant easterly from the control line of State Route 154 of said project at Engineer Station 1052+37.00; thence North 38°50'37" East (Note: deed bearing = North 38°50'33" East) 163.00 feet along the northwesterly boundary line of said Lot 1 and existing highway right of way and limited access line; thence South 51°09'23" East 5.00 feet to a point 80.00 feet perpendicularly distant easterly from the control line of State Route 154 of said project at Engineer Station 1054+00.00; thence South 38°50'37" West 119.03 feet; thence South 36°13'32" West 250.83 feet to said southwesterly boundary line of Lot 1; thence North 51°09'27" West 7.02 feet along said southwesterly boundary line to the point of beginning.

(Note: rotate above bearings 0014'36" clockwise to equal highway bearings.)

Tax ID No. 27-20-127-010