

ADDENDUM/MEMORANDUM TO LEASE


This Addendum entered into this 17 Day of July, 1999, by and between ARTHUR D. SWEET, hereinafter and in the original Lease identified as ~~☒~~ Lessor, ~~☒~~ and OGDEN TRUE VALUE, INC., hereinafter and in the original Lease identified as ~~☒~~ Lessee ~~☒~~ is an Addendum, Amendment and Modification of that Lease entered into by and between the parties on the 15th day of December, 1992. All terms and conditions of said Lease not expressly modified herein or previously shall remain in full force and effect, and the parties hereto ratify and confirm said terms and conditions not herein modified.

1. The Parties acknowledge that Key Bank of Utah was one of the signatories of the original Lease as co-Lessor as Trustee of several Sweet Family Trusts, and the interests of those trust and hence that of Key Bank of Utah were sold at a partition sale to Arthur D. Sweet, Lessor herein, and he is now sole Lessor.

2. The Parties acknowledge that pursuant to paragraph 2. the term of the Lease was for fifteen (15) years and the term commenced on March 1, 1993. That additionally the Lease provides for three (3) separate and successive option periods of five (5) years each upon the same terms and conditions as are provided for in the Lease, except that the amount of the rent shall be negotiated at the time of the exercise of the option. ~~Lessor agrees to an additional separate and successive option at the end of the Lease for up to one and one-half (1.5) years to accommodate the sublease with Office Depot so that the entire term of the lease with successive option periods would total twenty-five (25) years.~~

3. Lessor acknowledges that the area shown on the attached legend with the NO CHANGE AREA shall be remain unchanged with full rights of ingress and egress to all tenants of the leased property.

LESSOR: The Sweet Family Trust

 *
Arthur D. Sweet, Trustee

LESSEE: Ogden True Value, Inc.


Conrad H. Nebeker, President


Witness

Release of Deeds of Trusts - S&D
non-disturbance agreement ? Lender

* Subject to ADDITIONAL CONDITIONS TO BE
SENT TO ARTHUR SWEET FOR HIS REVIEW
AFTER APPROVAL BY CONRAD NEBEKER





EXHIBIT A*

SHOPPING CENTER LEGAL DESCRIPTION

The Shopping Center is comprised of Parcels I, II, III and IV, legally described as follows:

PARCEL I

01-003-0010
PART OF LOTS 2, 5, AND 9, ALL OF LOTS 3 AND 4, BLOCK 3, PLAT "A", OGDEN CITY SURVEY, OGDEN CITY, WEBER COUNTY, UTAH. BEING MORE PARTICULARLY DESCRIBED) AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, IN SAID BLOCK 3, RUNNING THENCE WEST 132 FEET ALONG THE SOUTH LINE OF SAID LOT 2, THENCE NORTH 66 FEET. THENCE WEST 198 FEET TO THE WEST LINE OF SAID LOT 2, SAID POINT ALSO BEING ON THE EAST LINE OF WASHINGTON BLVD., THENCE NORTH 368.55 FEET ALONG THE EAST LINE OF WASHINGTON BLVD. TO A POINT WHICH

IS NORTH 37.5 FEET FROM THE SOUTHWEST CORNER OF LOT 5, IN SAID BLOCK 3; THENCE EAST 330 FEET TO THE EAST LINE OF SAID LOT 5, THENCE SOUTH 37.5 FEET TO THE NORTHWEST CORNER OF LOT 9, IN SAID BLOCK 3, THENCE EAST 165 FEET, THENCE SOUTH 66.55 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOT 9, THENCE WEST 93.5 FEET, MORE OR LESS TO A POINT 258.5 FEET WEST FROM THE EAST LINE OF SAID LOT 9, THENCE SOUTH 66.5 FEET, THENCE WEST 71.5 FEET TO THE WEST LINE OF SAID LOT 9, THENCE SOUTH 257.3 FEET, MORE OR LESS ALONG THE EAST LINE OF LOTS 2, 3, AND 4. IN SAID BLOCK 3, TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED DOXEY STREET ABUTTING THEREON.

01-003-004
PARCEL II

PART OF LOT 10, BLOCK 3, PLAT "A", OGDEN CITY SURVEY: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 10, THENCE EAST 1.99 FEET, THENCE SOUTH 21.75 FEET, THENCE WEST 1.99 FEET TO THE WEST LINE OF SAID LOT 10, THENCE NORTH ALONG SAID LINE 21.75 FEET TO BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED DOXEY STREET ABUTTING THEREON.

01-003-004
PARCEL III

PART OF LOT 10, BLOCK 3, PLAT "A", OGDEN CITY SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF RIGHT OF WAY 280.4 FEET WEST AND 21.75 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID LOT 10, AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF SAID RIGHT OF WAY 49.6 FEET, MORE OR LESS, TO THE WEST LINE OF SAID LOT 10, THENCE SOUTH 54.25 FEET, THENCE EAST 49.6 FEET MORE OR LESS TO

A POINT SOUTH OF BEGINNING, THENCE NORTH 54.25 FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED DOXEY STREET ABUTTING THEREON.

PARCEL IV

PART OF LOT 10, BLOCK 3, PLAT "A" OGDEN CITY SURVEY: BEGINNING ON THE SOUTH LINE OF A CERTAIN RIGHT OF WAY KNOWN AS ROSE COURT (DOXEY STREET), AT A POINT 21.7 FEET SOUTH AND 240.4 FEET WEST

OF THE NORTHEAST CORNER OF SAID LOT 10, RUNNING THENCE WEST 40 FEET; THENCE SOUTH 54.25 FEET; THENCE EAST 32.9 FEET; THENCE SOUTH 6.5 FEET; THENCE EAST 7.1 FEET; THENCE NORTH 60.75 FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED DOXEY STREET ABUTTING THEREON.

*

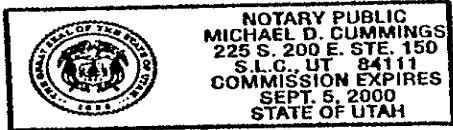
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Sublandlord hereby warrants and represents that the above legal description conforms to the Shopping Center as depicted on the Site Plan.

01-003-0039

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

17th The foregoing instrument was acknowledged before me this day of July, 1999, by ARTHUR D. SWEET the signer thereof.



[Handwritten Signature]

Notary Public

STATE OF UTAH)
) ss.
COUNTY OF)

17 The foregoing instrument was acknowledged before me this day of July, 1999, by CONRAD H. NEBEKER the signer thereof.

[Handwritten Signature]

Notary Public

