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07/15/2015 10:32 AM \$20.00  
Book - 10343 Pg - 4206-4211  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
PARSONS, BEHLE & LATIMER  
201 S MAIN ST STE.1800  
SLC UT 84145-0898  
BY: TWA, DEPUTY - MA 6 P.

**When Recorded, Return To:**

Parsons Behle & Latimer  
One Utah Center  
201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
Attn: Shawn C. Ferrin

**PARTIAL RELEASE OF  
RESTRICTION AGREEMENT AND GRANT OF EASEMENTS**

This Partial Release of Restriction Agreement and Grant of Easements ("**Partial Release**"), is entered into to be effective as of November 4, 2014, by Riverton Depot, LLC, a Utah limited liability company ("**Riverton Depot**") and HD Development of Maryland, Inc., a Maryland corporation ("**HD Development**"). All capitalized terms that are not defined in this Partial Release have the meaning set forth in the RAGE (defined below).

A. Riverton Land Holdings, L.L.C., a Colorado limited liability company ("**Riverton Land Holdings**"), and Home Depot U.S.A., Inc. a Delaware corporation ("**Home Depot**"), entered into a certain Restriction Agreement and Grant of Easements, dated as of December 1, 2005, and recorded with the Salt Lake County Recorder on December 1, 2005, as Entry No. 9569861, in Book 9224, beginning at Page 9448 ("**Original RAGE**") against certain real property described in the Original RAGE ("**Shopping Center**"). The Original RAGE has been amended and supplemented by the First Amendment to Restriction Agreement and Grant of Easements, dated as of March 31, 2006, and recorded with the Salt Lake County Recorder on April 20, 2006, as Entry No. 9699445, in Book 9282, beginning at Page 9735 ("**First Amendment**") and the Second Amendment to Restriction Agreement and Grant of Easements, dated as of June 3, 2008, and recorded with the Salt Lake County Recorder on June 20, 2008, as Entry No. 10458458, in Book 9619, beginning at Page 1070 ("**Second Amendment**") (the Original RAGE, the First Amendment, and the Second Amendment are collectively referred to as the "**RAGE**").

B. Riverton Depot is the successor-in-interest to Riverton Land Holdings. HD Development is the successor-in-interest to Home Depot. Riverton Depot and HD Development are all of the Consenting Owners under the RAGE.

C. The Utah Department of Transportation is condemning that portion of the Shopping Center described on attached **Exhibit A ("UDOT Parcel")** and desires that the UDOT Parcel be released from the RAGE.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Riverton Depot and HD Development agree as follows:

1. **Release and Termination.** Riverton Depot and HD Development release the RAGE as to, but only as to, the UDOT Parcel.

2. **Counterparts.** This Partial Release may be executed in counterparts and delivered by electronic transmission.

[Signature Pages Follow]

DATED as of the 4<sup>th</sup> day of Nov., 2014.

**RIVERTON DEPOT:**

Riverton Depot, LLC., A Utah limited liability company

By: [Signature]  
Print Name: Mike Stange  
Title: Manager

STATE OF UTAH )  
                          : ss.  
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of Nov, 2014, by Mike Stange, the manager of Riverton Depot, LLC, a Utah limited liability company.

[Signature]  
NOTARY PUBLIC  
Residing at: Midvale, UT

My Commission Expires:  
3-31-2015



DATED as of the 2nd day of July, 2014.

**HD DEVELOPMENT:**

HD Development of Maryland, Inc.,  
a Maryland corporation

By: Suzanne Russo  
Print Name: Suzanne Russo  
Title: Senior Corporate Counsel

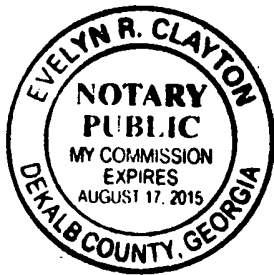
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STATE OF GEORGIA        )  
  : ss.  
COUNTY OF COBB        )

This instrument was acknowledged before me this 2nd day of July, 2014,  
by Suzanne Russo, the Sr. Corp. Counsel, of  
HD Development of Maryland, Inc., a Maryland corporation, on behalf of the corporation.

Personally Known  
 Produced Identification  
Type and # of ID \_\_\_\_\_

(Seal)



Evelyn R. Clayton  
(Signature Notary)

Evelyn R. Clayton  
Name of Notary Typed, Stamped or Printed  
Notary Public, State of Georgia

My Commission Expires: 8/17/15

**EXHIBIT A  
TO  
PARTIAL RELEASE OF  
RESTRICTION AGREEMENT AND GRANT OF EASEMENTS**

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A parcel of land in fee for the widening of the existing highway State Route 154 known as Project No. F-0154(67)6, being part of an entire tract of property situate in Lot 1 of The Home Depot, a commercial subdivision recorded as Entry No. 9551334, Book 2005P, Page 357 of plats, in the SW1/4SW1/4 and the NW1/4SW1/4 of Section 32, T.3S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the northwest corner of said Lot 1, said point is also approximately 75.07 feet perpendicularly distant easterly from the control line of said project opposite engineer station 174+78.86; and running thence S.89°58'20"E. 10.73 feet along the northerly line of said Lot 1 to a point 85.79 feet perpendicularly distant easterly from the control line of said Project opposite engineer station 174+78.34; thence S.04°43'52"E. 6.17 feet to a point 86.00 feet perpendicularly distant easterly from said control line opposite engineer station 174+72.00; thence S.05°43'09"E. 130.46 feet to a point 90.00 feet perpendicularly distant easterly from said control line opposite engineer station 173+38.00; thence S.08°10'34"E. 167.20 feet to a point 94.50 feet perpendicularly distant easterly from said control line opposite engineer station 171+66.00; thence S.11°22'35"W. 31.04 feet to a point 84.00 feet perpendicularly distant easterly from said control line opposite engineer station 171+36.00 to a point in a 3,196.84-foot radius non-tangent curve to the left concentric with and 84.00 feet radially distant easterly from said control line (Note: center bears N.81°20'22"E.); thence southerly along the arc of said curve 196.81 feet through a delta of 03°31'39" (Note: chord to said curve bears S.10°25'28"E. for a distance of 196.78 feet); thence S.18°40'48"E. 128.93 feet to a point 96.00 feet perpendicularly distant easterly from said control line opposite engineer station 168+02.00; thence S.23°21'16"E. 85.14 feet to a point 108.00 feet perpendicularly distant easterly from said control line opposite engineer station 167+15.00; thence S.73°59'15"W. 1.00 feet to a point 107.00 feet perpendicularly distant easterly from said control line opposite engineer station 167+15.00; thence S.21°49'13"E. 20.41 feet to a point 109.00 feet perpendicularly distant easterly from said control line opposite engineer station 166+94.00; thence S.31°57'39"E. 38.02 feet to a point 119.00 feet perpendicularly distant easterly from said control line opposite engineer station 166+56.00; thence S.07°30'03"E. 29.36 feet to a point 114.00 feet perpendicularly distant easterly from said control line opposite engineer station 166+26.00; thence S.20°21'25"E. 259.51 feet to a point 116.00 feet perpendicularly distant easterly from said control line opposite engineer station 163+57.00; thence S.23°36'51"E. 183.56 feet to a point 115.00 feet perpendicularly distant easterly from said control line opposite engineer station 161+66.54; thence S.46°05'09"E. 139.41 feet to a point in the easterly line of said Lot 1, which point is 94.79

27-32 - 351  
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371

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feet perpendicularly distant northerly from the control line of 13400 South Street opposite engineer station 301+31.98; thence S.00°02'48"E. 5.25 feet along said easterly line to a southerly corner of said entire tract; thence N.89°14'03"W. 94.17 feet to a southwest corner of said entire tract; thence N.41°40'47"W. 3.34 feet (N.41°40'36"W. 3.33 feet by record) to a southwest corner of said entire tract and the beginning of a 3,205.84-foot (3,205.83-foot by record) radius non-tangent curve to the right (Note: center bears N.62°48'07"E.); thence northerly along the arc of said curve and the westerly line of said Lot 1, 1,372.45 feet through a delta of 24°31'44" (Note: chord to said curve bears N.14°56'01"W. for a distance of 1362.00 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described parcel of land contains 40,096 square feet or 0.921 acre in area, more or less