

WHEN RECORDED, RETURN TO:  
First American Title Insurance Company  
215 South State Street  
Salt Lake City, UT 84111  
Attn: Anna Irons

12241346  
3/16/2016 1:52:00 PM \$16.00  
Book - 10411 Pg - 8887-8889  
Gary W. Ott  
Recorder, Salt Lake County, UT  
FIRST AMERICAN NCS  
BY: eCASH, DEPUTY - EF 3 P.

APN: 27-01-401-024-0000 and  
2-01-401-016-0000

File No. NCS-752232-ai

**AFFIDAVIT AND NOTICE**

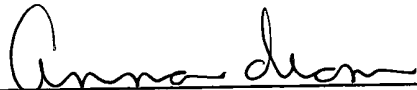
STATE OF UTAH )  
 )  
 ) ss.  
COUNTY OF SALT LAKE )

Anna Irons, being first duly sworn under oath, states as follows:

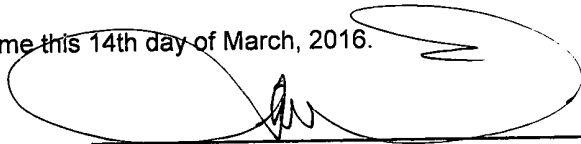
- 1) I am an employee of First American Title Insurance Company, acting in the capacity of a Escrow Officer and I am able to make this affidavit based upon my personal knowledge of the matters contained herein.
- 2) On March 11, 2016, a Memorandum of Lease was recorded with the Salt Lake County Recorder's office, as follows:
  - (i) Memorandum of Lease, dated \_\_\_\_\_, by and between Sandy Tech Center One, LLC, a Utah limited liability company ("**Landlord**") and At Home Stores LLC, a Delaware limited liability company ("**Tenant**"), as **Entry No. 12238776**, in Book 10410, at Page 6158-6154, Salt Lake County Recorder;
- 3) By inadvertence and mistake, the date of Memorandum of Lease should be March 11, 2016. Also a minor clerical error exists in the date of the Lease in paragraph one that should also be dated March 11, 2016 instead of March 3, 2016.
- 4) I am providing this Affidavit and Notice to correct these errors. Accordingly, attached hereto as **Exhibit A**, is the corrected first page of the above document. It is the further intent and purpose of this Affidavit and Notice that the attached **Exhibit A** first page replaces and supersedes the first page used in the above document.
- 5) It is not the intent of this Affidavit to change the original recording date or priority as established by the above referenced recording of the above document.

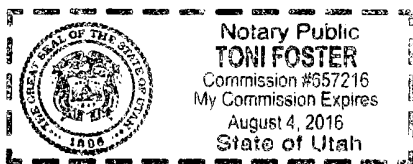
Further this Affiant saith not.

DATED this 16th day of March, 2016.

  
\_\_\_\_\_  
Anna Irons

Subscribed and sworn to before me this 14th day of March, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC



## Exhibit "A"

### Legal Description

Real property in the City of Sandy, County of Salt Lake, State of Utah, described as follows:

PARCEL 1:

BEGINNING AT A POINT ON THE WEST LINE OF MONROE STREET (155 WEST) SAID POINT BEING NORTH 89°59'19" WEST 1371.33 FEET (1370.66 FEET, DEED) AND SOUTH 0°02'37" EAST 55.41 FEET (56.31 FEET, DEED) FROM THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 0°02'37" EAST 459.16 FEET ALONG THE WEST LINE OF SAID MONROE STREET; THENCE SOUTHWESTERLY 112.69 FEET ALONG THE ARC OF A 263.19 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 81°01'58" WEST AND THE LONG CHORD BEARS SOUTH 21°14'00" WEST 111.83 FEET WITH A CENTRAL ANGLE OF 24°31'56") ALONG THE WEST LINE OF SAID MONROE STREET; THENCE WEST 809.66 FEET TO THE EAST LINE OF 255 WEST STREET; THENCE NORTH 0°04'57" WEST 56.00 FEET; THENCE EAST 285.78 FEET; THENCE NORTH 0°00'51" WEST 6.80 FEET; THENCE WEST 0.60 FEET; THENCE NORTH 0°00'51" WEST 210.82 FEET; THENCE EAST 0.60 FEET; THENCE NORTH 0°00'51" WEST 326.20 FEET; THENCE SOUTH 89°59'19" EAST 39.49 FEET; THENCE NORTH 00°00'41" EAST 20.00 FEET; THENCE NORTH 60°45'46" EAST 74.11 FEET TO THE SOUTH LINE OF 9000 SOUTH STREET; THENCE NORTHEASTERLY 59.51 FEET ALONG THE ARC OF A 6622.21 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 2°20'59" WEST AND THE LONG CHORD BEARS NORTH 87°23'34" EAST 59.51 FEET WITH A CENTRAL ANGLE OF 0°30'54") WITH THE SOUTH LINE OF SAID 9000 SOUTH STREET; THENCE NORTH 85°42'08" EAST 90.88 FEET ALONG THE SOUTH LINE OF SAID 9000 SOUTH STREET; THENCE NORTHEASTERLY 182.95 FEET ALONG THE ARC OF A 6505.91 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 4°17'52" EAST AND THE LONG CHORD BEARS NORTH 86°30'28" EAST 182.94 FEET WITH A CENTRAL ANGLE OF 1°36'40") ALONG THE SOUTH LINE OF SAID 9000 SOUTH STREET; THENCE SOUTH 113.27 FEET; THENCE EAST 127.41 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED RECORDED JUNE 26, 2008 AS ENTRY NO. 10464969 IN BOOK 9621 AT PAGE 4020:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE SOUTHWEST QUARTER NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A NORTHEAST CORNER OF SAID ENTIRE TRACT IN THE SOUTHERLY RIGHT OF WAY LINE OF THE EXISTING HIGHWAY STATE ROUTE 209 WHICH CORNER IS 1,370.65 FEET (1371.33 FEET AND 1370.66 FEET BY RECORD) NORTH 89°59'19" WEST AND 56.56 FEET (55.41 FEET AND 56.31 FEET BY RECORD) SOUTH 00°02'37" EAST AND 127.41 FEET NORTH 89°59'59" WEST, (WEST BY RECORD) AND 113.27 FEET NORTH 00°00'01" WEST (NORTH BY RECORD) FROM THE EAST QUARTER CORNER OF SAID SECTION 1 SAID CORNER IS ALSO APPROXIMATELY 58.78 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE CONTROL LINE OF SAID PROJECT OPPOSITE ENGINEER STATION -1+92.63; AND RUNNING THENCE SOUTH 00°00'01" EAST (SOUTH BY RECORD) 9.20 FEET ALONG AN EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A POINT 67.94 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE; THENCE SOUTH 88°00'04" WEST 7.27 FEET TO A POINT 68.15 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION -1+99.95; THENCE SOUTH 86°45'38" WEST, 67.25 FEET TO A POINT 70.72 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION -2+68.02; THENCE NORTH 86°28'42" WEST 74.39 FEET TO THE BEGINNING OF A NON-TANGENT 6505.91 FEET RADIUS CURVE TO THE RIGHT (NOTE: RADIUS BEARS SOUTH 03°59'52" EAST); THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT OF WAY LINE 148.91 FEET THROUGH A DELTA OF 01°18'41" (NOTE: CHORD TO SAID CURVE BEARS NORTH 86°39'29" EAST FOR A DISTANCE OF 148.90 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.

PARCEL 2:

EASEMENTS AND RIGHTS OF WAY FOR THE BENEFIT OF THE PROPERTY AS CREATED AND GRANTED BY THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS AND GRANT OF EASEMENTS DATED NOVEMBER 09, 1975 AND RECORDED DECEMBER 19, 1975 AS ENTRY NO. 2771029 IN BOOK 4059 AT PAGE 384 OF THE OFFICIAL RECORDS, AND THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS AND GRANT OF EASEMENTS DATED NOVEMBER 09, 1975 AND RECORDED DECEMBER 19, 1975 AS ENTRY NO. 2771030 IN BOOK 4059 AT PAGE 412 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY, UTAH, AS AMENDED BY THAT FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS AND GRANT OF EASEMENTS, DATED FEBRUARY 29, 2016, RECORDED MARCH 3, 2016 AS ENTRY NO. 12233427 IN BOOK 10408 AT PAGE 1684 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY, UTAH.

APN: 27-01-401-024-0000 and 27-01-401-016-0000