

COURTESY RECORDING
NO TITLE LIABILITY

Vestar Gateway, LLC
Attention: General Counsel
2425 E. Camelback Road, Suite 750
Phoenix, Arizona 85016

13019124
6/28/2019 10:18:00 AM \$76.00
Book - 10797 Pg - 3592-3618
RASHELLE HOBBS
Recorder, Salt Lake County, UT
FIRST AMERICAN TITLE AZ
BY: eCASH, DEPUTY - EF 27 P.

Affects the following parcels:

Space above for Recorder's use.

(Tax Parcel Nos. 15-01-177-014, 15-01-177-003, 15-01-177-010)
(Tax Parcel Nos. 15-01-177-012, 15-01-177-008, 15-01-131-017)
(Tax Parcel Nos. 15-01-131-002, 15-01-131-003, 15-01-131-007)
(Tax Parcel Nos. 15-01-131-008, 15-01-185-006, 15-01-130-001)
(Tax Parcel Nos. 08-36-376-016, 08-36-376-015, 08-36-376-041)
(Tax Parcel Nos. 08-36-376-045; 08-36-376-047; 08-36-376-048; 08-36-376-049; 08-36-376-051)
(Tax Parcel Nos. 08-36-376-052; 08-36-376-040; 08-36-376-043; 08-36-376-046; 08-36-376-050)

AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT

THIS AMENDMENT TO DEPOT NO BUILD EASEMENT AGREEMENT (this "Amendment"), executed this 27 day of June, 2019, is made and entered into by VESTAR GATEWAY, LLC, a Delaware limited liability company ("Vestar Gateway"). Capitalized terms used herein shall have the meaning given such terms in the Agreement, as that term is defined below, unless otherwise stated herein.

RECITALS

- A. Whereas, Gateway Associates, Ltd., a Utah limited partnership ("Gateway Ltd."), executed and caused to be recorded that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the Official Records of the Salt Lake County Recorder (the "Agreement").
- B. Whereas, Vestar Gateway, as the successor-in-interest to Gateway Ltd., is the current Owner of the real property more particularly described on Exhibit A-1 attached hereto, which is subject to the Agreement.
- C. Whereas, Vestar Gateway desires to amend the Agreement as set forth herein and has obtained consents from the Owners of the No Build Area and the Gateway Tract to do so, which consents are attached to this Amendment.

NOW THEREFORE, in consideration of the mutual terms and conditions set forth herein and for other good and valuable consideration, the legal sufficiency of which is hereby acknowledged, Vestar Gateway hereby declares as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein and made a part of this Amendment as if fully set forth herein.

2. No Build Area. Exhibit "B" of the Agreement is hereby deleted and replaced with Exhibit "B" attached hereto.

3. Miscellaneous.

(a) All Other Terms in Effect. Except to the extent the Agreement is modified by this Amendment, all other terms and conditions of the Agreement will continue in full force and effect. In the event of a conflict between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment shall prevail.

(b) Entire Agreement. This Amendment represents the entire agreement of the parties hereto with respect to the subject matter hereof, and the terms hereof shall not be amended or changed by any oral representation or agreement.

(c) Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one amendment.

(d) Authority. Each signatory of this Amendment represents that he or she has the authority to execute and deliver the same on behalf of the party hereto for which such signatory is acting.

[signatures on following page]

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

VESTAR GATEWAY, LLC, a Delaware limited liability company

By: Gateway Mezzanine, LLC, a Delaware limited liability company, its Sole Member

By: SLC Gateway Retail, LLC, a Delaware limited liability company, its Sole Member

By: VGSLM, LLC, a Delaware limited liability company, its Managing Member

By: [Signature]
Name: R. Patrick McGinley
Its: Manager

STATE OF Arizona)

: ss.

COUNTY OF Maricopa)

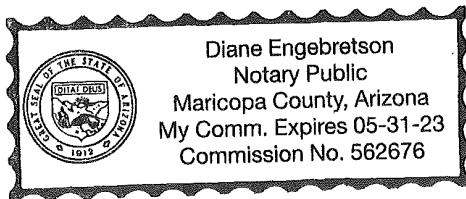
The foregoing instrument was acknowledged before me this 25 day of June, 2019 by R. Patrick McGinley, the Manager of VGSLM, LLC, a Delaware limited liability company, as Managing Member of SLC Gateway Retail, LLC, a Delaware limited liability company, as Sole Member of Gateway Mezzanine, LLC, a Delaware limited liability company, as Sole Member of Vestar Gateway, LLC, a Delaware limited liability company.

[Signature]

NOTARY PUBLIC

My Commission Expires: 5/31/23

Residing at 923 E. Tapata Dr
Phoenix, AZ 85024



**CONSENT OF OWNER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY ASSOCIATES, LTD., a Utah limited partnership (“Gateway Ltd.”), is the current Owner of the real property more particularly described on Exhibits A-2 and A-7 attached hereto, which are subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the Official Records of the Salt Lake County Recorder. Gateway Ltd. hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 5, 2019.

GATEWAY ASSOCIATES, LTD., a Utah limited partnership, by its general partner:

BOYER GATEWAY, L.C., a Utah limited liability company, by its Manager:

THE BOYER COMPANY, L.C., a Utah limited liability company

By: *[Signature]*
Name: Brian Gochnour
Its: Manager

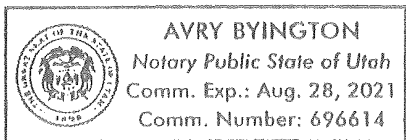
STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 5 day of June, 2019, by Brian Gochnour, a Manager of THE BOYER COMPANY, L.C., a Utah limited liability company, which is a Manager of BOYER GATEWAY, L.C., a Utah limited liability company, which is a general partner of GATEWAY ASSOCIATES, LTD., a Utah limited partnership.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
NOTARY PUBLIC
Residing at: Salt Lake County, Utah

My Commission Expires: 8/28/21



**CONSENT OF OWNER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY OFFICE 4, L.C., a Utah limited liability company ("Office 4"), is the current Owner of the real property more particularly described on Exhibit A-3 attached hereto, which is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the Official Records of the Salt Lake County Recorder. Office 4 hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 5, 2019.

GATEWAY OFFICE 4, L.C., a Utah limited liability company by its manager

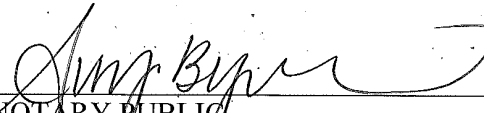
THE BOYER COMPANY, L.C., a Utah limited liability company

By: 
Name: Brian Gochnour
Its: Manager

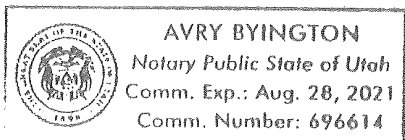
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 5 day of June, 2019, by Brian Gochnour, a Manager of THE BOYER COMPANY, L.C., a Utah limited liability company, which is a Manager of BOYER GATEWAY, L.C., a Utah limited liability company.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC
Residing at: Salt Lake County, Utah

My Commission Expires: 8/28/21



**CONSENT OF OWNER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY HP, LLC, a Delaware limited liability company ("Gateway HP"), is the current Owner of the real property more particularly described on Exhibit A-6 attached hereto, which is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the Official Records of the Salt Lake County Recorder. Gateway HP hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 25, 2019.

GATEWAY HP, LLC, a Delaware limited liability company

By: Gateway Mezzanine, LLC, a Delaware limited liability company, its Sole Member

By: SLC Gateway Retail, LLC, a Delaware limited liability company, its Sole Member

By: VGSLM, LLC, a Delaware limited liability company, its Managing Member

By: RPMM
Name: R. Patrick McGinley
Its: Manager

STATE OF Arizona)

: ss.

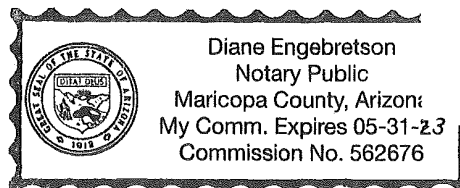
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 25 day of June, 2019 by R. Patrick McGinley, the Manager of VGSLM, LLC, a Delaware limited liability company, as Managing Member of SLC Gateway Retail, LLC, a Delaware limited liability company, as Sole Member of Gateway Mezzanine, LLC, a Delaware limited liability company, as Sole Member of Gateway HP, LLC, a Delaware limited liability company.

X

NOTARY PUBLIC

My Commission Expires: 5/31/23
Residing at 923 E Topoka Dr.
Phoenix, AZ 85004



**CONSENT OF OWNER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

FIELDING GROUP, LLC, a Utah limited liability company (“**Fielding**”), is the current Owner of the real property more particularly described on Exhibit A-5 attached hereto, which is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the Official Records of the Salt Lake County Recorder. Fielding hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 14, 2019.

FIELDING GROUP, LLC,
a Utah limited liability company
by its Manager

CICERO GROUP, LP,
A Utah limited partnership
By its General Partner

SUMMIT GROUP ADVISORS, INC.
a Utah corporation

By: Randy Shumway
Name: Randy Shumway
Its: Member

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

The foregoing instrument was acknowledged before me this 14th day of June, 2019 by Randy Shumway, the Member of SUMMIT GROUP ADVISORS, INC., which is the general partner of CICERO GROUP, LP, which is the manager of FIELDING GROUP, LLC.

Kathy Marcum
NOTARY PUBLIC

My Commission Expires: 2/11/2023
Residing at SALT LAKE CITY



**CONSENT OF ASSOCIATION ON BEHALF OF OWNERS
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY BLOCK A CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation (the “**Condo Block A Association**”) is the controlling association for the owners of the Condominium Units contained in the Gateway Block A Condominium Project (the “**Block A Condominium**”) as the same are identified in the Record of Survey Map recorded in the Official Records of the Recorder of Salt Lake County, Utah (“**Official Records**”) on February 26, 2001, as Entry No. 7828968 in Book 2001P at Page 38 of Plats, as amended or supplemented by that certain Record of Survey map entitled “Gateway Planetarium Amending Gateway Block A, Parking Units 1 and 2 and Retail Units 3 and 4, recorded in the Official Records on December 6, 2002, as Entry No. 8448732, in Book 2002P at Page 352 of Plats, and as amended by that certain Amendment to Record of Survey Map recorded in the Official Records on May 11, 2005, as Entry No. 9374564, in Book 2005P at Page 151 of Plats and in the Declaration of Condominium for Gateway Block A Condominium Project recorded on February 26, 2001 as Entry No. 7828969 in Book 8427, Page 4676 of the Official Records, as affected by that certain Assignment of Declarant’s Rights Gateway Block A Condominium Declaration, made and entered into as of February 1, 2016, and recorded on May 2, 2019 as Entry No. 12980153 in Book 10776, at Page 5200 of Official Records (collectively, as so amended and affected, the “**Block A Declaration**”). The Block A Condominium is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of the official records of the Salt Lake County Recorder. On behalf of the Owners of the Block A Condominium and pursuant to the terms of the Block A Declaration, the Condo Block A Association hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 24, 2019.

**GATEWAY BLOCK A CONDOMINIUM
ASSOCIATION, INC.**, a Utah non-profit
corporation

By: _____

Name: Edward Reading

Its: Secretary

STATE OF Arizona)

) ss.

County of Maricopa)

On June 24, 2019, before me, Diane Engebretson,
a Notary Public in and for said state, personally appeared Edward Rader,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons
whose names are subscribed to the within instrument and acknowledged to me that they executed
the same in their authorized capacities, and that by their signatures on the instrument, the
persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



A handwritten signature in black ink, appearing to be 'Diane Engebretson', written over a horizontal line.

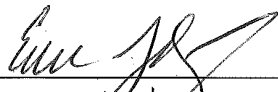
Notary Public in and for said State

**CONSENT OF ASSOCIATION ON BEHALF OF OWNERS
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY BLOCK B CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation (the “**Condo Block B Association**”) is the controlling association for the owners of the Condominium Units contained in the Gateway Block B Condominium Project (the “**Block B Condominium**”) as the same are identified in the Record of Survey Map recorded in the Official Records of the Recorder of Salt Lake County, Utah (“**Official Records**”) on February 26, 2001, as Entry No. 7828970 in Book 2001P at Page 39 of Plats, as amended by that certain Amendment to Record of Survey Map recorded in the Official Records on September 25, 2013, as Entry No. 11730199, in Book 2013P at Page 193 of Plats and in the Declaration of Condominium for Gateway Block B Condominium Project recorded on February 26, 2001 as Entry No. 7828971 in Book 8427, Page 4752 of the Official Records, as amended by that certain First Amendment to Declaration of Condominium for Gateway Block B Condominium Project and Amendment of Record of Survey Map recorded on May 16, 2002 as Entry No. 8235748 in Book 8598 at Page 7012 of the Official Records, and as further amended by that certain Second Amendment to Declaration of Condominium for Gateway Block B Condominium Project and Amendment of Record of Survey Map recorded on July 20, 2004 as Entry No. 9125323 in Book 9016 at Page 2655 of the Official Records, and as further affected by that certain Assignment of Declarant’s Rights Gateway Block B Condominium Declaration, made and entered into as of February 1, 2016, and recorded on May 2, 2019 as Entry No. 12980154 in Book 10776, at Page 5210 of Official Records (collectively, as so amended and affected, the “**Block B Declaration**”). The Block B Condominium is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of Official Records. On behalf of the Owners of the Block B Condominium and pursuant to the terms of the Block B Declaration, the Condo Block B Association hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 24, 2019.

**GATEWAY BLOCK B CONDOMINIUM
ASSOCIATION, INC.**, a Utah non-profit
corporation

By: 
Name: Edward Madia
Its: Secretary

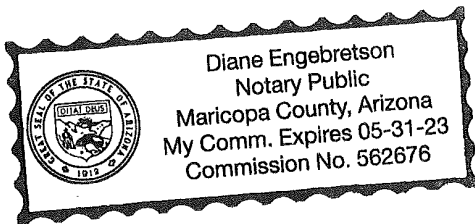
STATE OF Arizona)

) ss.

County of Maricopa)

On June 24, 2019, before me, Diane Engebretson,
a Notary Public in and for said state, personally appeared Edward Reading,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons
whose names are subscribed to the within instrument and acknowledged to me that they executed
the same in their authorized capacities, and that by their signatures on the instrument, the
persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



A handwritten signature in black ink, appearing to be 'Diane Engebretson', written over a horizontal line.

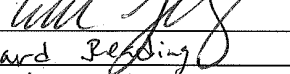
Notary Public in and for said State

**CONSENT OF ASSOCIATION ON BEHALF OF OWNERS
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY BLOCK C-1 CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation (the “**Condo Block C-1 Association**”) is the controlling association for the owners of the Condominium Units contained in the Gateway Block C-1 Condominium Project (the “**Block C-1 Condominium**”) as the same are identified in the Record of Survey Map recorded in the Official Records of the Recorder of Salt Lake County, Utah (“**Official Records**”) on December 27, 2000, as Entry No. 7788087, in Book 2000P at Page 364 of Plats and in the Amended and Restated Declaration of Condominium for Gateway Block C1 Condominium Project, recorded in the office of the Salt Lake County Recorder on April 27, 2001, as Entry No. 7881708, in Book No. 8450 at Page 4761-4842 (as may have heretofore been amended or supplemented, the “**Block C1 Declaration**”). The Block C-1 Condominium is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of Official Records. On behalf of the Owners of the Block C-1 Condominium and pursuant to the terms of the Block C-1 Declaration, the Condo Block C-1 Association hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 24, 2019.

GATEWAY BLOCK C-1 CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation

By: 
Name: Edward Reading
Its: Secretary

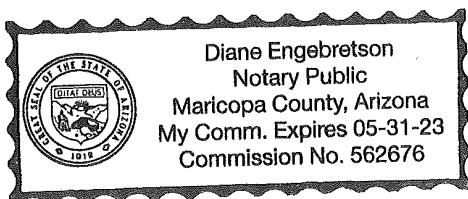
STATE OF Arizona)


) ss.

County of Maricopa)

On June 24, 2019, before me, Diane Engebretson, a Notary Public in and for said state, personally appeared Edward Reading, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.




Notary Public in and for said State

**CONSENT OF ASSOCIATION ON BEHALF OF OWNERS
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

GATEWAY BLOCK C-2 CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation (the “**Condo Block C-2 Association**”) is the controlling association for the owners of the Condominium Units contained in the Gateway Block C-2 Condominium Project (the “**Block C-2 Condominium**”) as the same are identified in the Record of Survey Map recorded in the Official Records of the Recorder of Salt Lake County, Utah (“**Official Records**”) December 27, 2000, as Entry No. 7788089, in Book 2000P at Page 365 of Plats and in the Amended and Restated Declaration of Condominium for Gateway Block C2 Condominium Project, recorded in the office of the Salt Lake County Recorder on April 27, 2001, as Entry No. 7881709, in Book No. 8450 at Page 4843-4926 (as may have heretofore been amended or supplemented, the “**Block C2 Declaration**”). The Block C-2 Condominium is subject to that certain Depot No Build Easement Agreement dated January 18, 2001 and recorded February 9, 2001 as Entry No. 7817943 in Book 8423, commencing at Page 1139 of Official Records. On behalf of the Owners of the Block C-2 Condominium and pursuant to the terms of the Block C-2 Declaration, the Condo Block C-2 Association hereby acknowledges, consents and does not object to the recording of this Amendment to Depot No Build Easement Agreement.

DATED: June 24, 2019.

GATEWAY BLOCK C-2 CONDOMINIUM ASSOCIATION, INC., a Utah non-profit corporation

By: *Edward Reading*
Name: Edward Reading
Its: Secretary

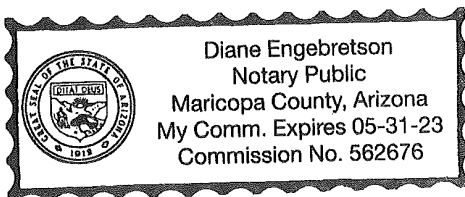
STATE OF Arizona)

) ss.

County of Maricopa)

On June 24, 2019, before me, Diane Engebretson, a Notary Public in and for said state, personally appeared Edward Reading, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



[Signature]
Notary Public in and for said State

**CONSENT OF LIENHOLDER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

Wells Fargo Bank, National Association, a national banking association (the "Lender"); hereby acknowledges and consents to the recording of this Amendment to Depot No Build Easement Agreement (the "Amendment") and subordinates the lien of that certain Construction Deed of Trust with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of June 6, 2005 executed by Gateway Associates, L.C., a Utah limited liability company in favor of Landmark Title Company, a Utah corporation, as trustee for the benefit of the Lender recorded in the Official Records of Salt Lake County, Utah (the "Official Records"), on June 23, 2005 as Entry No. 9413044 in Book 9149, beginning at Page 2756 (as subsequently amended, the "Deed of Trust") to the Amendment and the recording thereof in the Official Records. Such subordination is intended to ensure that after any foreclosure of the Deed of Trust the parties to the Amendment, and their respective successors and assigns, shall have the rights granted in the Amendment. Such subordination shall not be construed as a release of the collateral secured by the Deed of Trust or a subordination of the Deed of Trust as to any other recorded interest in the property secured by the Deed of Trust.

DATED: June 27, 2019.

WELLS FARGO BANK, NATIONAL
ASSOCIATION, a national banking association

By: Ben Bliss

Name: Ben Bliss

Title: Vice president

State of UTAH)

: ss.

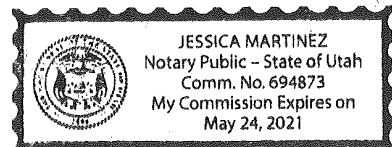
County of SALT LAKE)

The foregoing instrument was acknowledged before me on JUNE 20th, 2019, by BEN BLISS, the VICE PRESIDENT of WELLS FARGO BANK, NATIONAL ASSOCIATION, a national banking association.

Jessica Martinez

Notary Public

My Commission Expires: May 24, 2021



**CONSENT OF LIENHOLDER
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

CIM Real Estate Credit, LLC (the "CIM"), hereby acknowledges and consents to the recording of this Amendment to Depot No Build Easement Agreement (the "Amendment") and subordinates the lien of that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of May 1, 2019 executed by Vestar Gateway, LLC, a Delaware limited liability company and Gateway HP, LLC, a Delaware limited liability company in favor of Metro National Title, as trustee for the benefit of the CIM recorded in the Official Records of Salt Lake County, Utah (the "Official Records"), on May 2, 2019 as Entry No. 12980245 in Book 10776, beginning at Page 5605 (as subsequently amended, the "CIM Deed of Trust") to the Amendment and the recording thereof in the Official Records. Such subordination is intended to ensure that after any foreclosure of the CIM Deed of Trust the parties to the Amendment, and their respective successors and assigns, shall have the rights granted in the Amendment. Such subordination shall not be construed as a release of the collateral secured by the CIM Deed of Trust or a subordination of the CIM Deed of Trust as to any other recorded interest in the property secured by the CIM Deed of Trust.

DATED: June 17, 2019.

By: _____
Name: Jan F. Salit
Title: President

State of Texas)

: ss.

County of Collin)

The foregoing instrument was acknowledged before me on June 17, 2019, by Jan F. Salit, the President of CIM Real Estate Credit, LLC.



Notary Public

My Commission Expires:

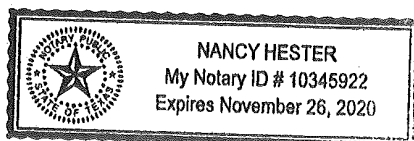


EXHIBIT A-1
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT
Vestar Gateway Property

PARCEL 1:

RETAIL UNITS 1, 2 and 3, and PARKING UNITS 1 and 2, contained within the GATEWAY BLOCK A, a Utah Condominium Project as the same is (i) identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828968, in Book "2001P", at Page 38 of Plats, as said Record of Survey Map shall have heretofore been amended or supplemented by that certain Record of Survey Map entitled "GATEWAY PLANETARIUM Amending Gateway Block A, Parking Units 1 and 2, and Retail Units 3 and 4, A Utah Condominium Project", recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 6, 2002 as Entry No. 8448732, in Book "2002P", at Page 352 of Plats, and by that certain Amendment to Record of Survey Map for GATEWAY BLOCK A-Office Unit 1 & Retail Unit 1 - Sheet 7 of 20, recorded in the office of the Salt Lake County Recorder on May 11, 2005 as Entry No. 9374564, in Book "2005P", at Page 151 of Plats, and (ii) further identified in the Declaration of Condominium Gateway Block A Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828969, in Book 8427 at Page 4676 (the "Block A Declaration"). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that are appurtenant to said Units as more particularly described in the Block A Declaration. TOGETHER WITH the exclusive right to use (together with Retail Unit 4) the Limited Common Elements designated Retail Limited Common and the exclusive right of use of the Limited Common Elements designated as Parking Limited Common as more particularly described in the Block A Declaration.

PARCEL 2:

RETAIL UNITS 1, 2 and 3, PARKING UNIT 1 and CP Unit 1, contained within the GATEWAY BLOCK B, a Utah Condominium Project as the same is (i) identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828970, in Book "2001P", at Page 39 of Plats, as said Record of Survey Map has been amended by that certain First Amendment to Declaration of Condominium Gateway Block B Condominium Project and Amendment of Record of Survey Map, recorded May 16, 2002 as Entry No. 8235748, in Book 8598 at Page 7012, of the Official Records of the Salt Lake County Recorder (the "First Amendment to Block B Declaration"), and by that certain Second Amendment to Declaration of Condominium Gateway Block B Condominium Project and Amendment of Record of Survey Map, recorded July 20, 2004 as Entry No. 9125323, in Book 9016 at Page 2655, of the Official Records of the Salt Lake County Recorder (the "Second Amendment to Block B Declaration"), and by that certain AMENDMENT TO RECORD OF SURVEY MAP GATEWAY BLOCK B, AMENDING GATEWAY BLOCK B-OFFICE UNIT 1 & RETAIL UNIT 1 - SHEET 5 AND 6 OF 16, recorded in the office of the Salt Lake County Recorder on September 25, 2013 as Entry No. 11730199, in Book "2013P", at Page 193 of Plats, and (ii) further identified in the

Declaration of Condominium Gateway Block B Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828971, in Book 8427 at Page 4752, as said Declaration has been amended or supplemented by the First Amendment to Block B Declaration and the Second Amendment to Block B Declaration (as amended, the "Block B Declaration"). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that are appurtenant to said Units as more particularly described in the Block B Declaration. TOGETHER WITH the exclusive right to use (together with Retail Unit 4) the Limited Common Elements designated Retail Limited Common as more particularly described in the Block B Declaration.

PARCEL 3:

The RETAIL UNIT contained within the GATEWAY BLOCK C1, a Utah Condominium Project as the same is (i) identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788087, in Book "2000P", at Page 364 of Plats, as said Record of Survey Map shall have heretofore been amended or supplemented by that certain plat entitled "GATEWAY BLOCK C1-AMENDED", recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 15, 2011 as Entry No. 11134755, in Book "2011P", at Page 18, and (ii) further identified in the Amended and Restated Declaration of Condominium Gateway Block C1 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on April 27, 2001 as Entry No. 7881708, in Book 8450 at Page 4761, as said Amended and Restated Declaration shall have heretofore been amended or supplemented by that certain First Amendment to Amended and Restated Declaration of Condominium Gateway Block C1 Condominium Project recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 15, 2011 as Entry No. 11134756, in Book 9905, at Page 6380 (as amended, "Block C1 Declaration"). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that are appurtenant to said Unit as more particularly described in the Block C1 Declaration. TOGETHER WITH the exclusive right to use the Limited Common Elements designated Limited Common Retail as more particularly described in the Block C1 Declaration.

PARCEL 4:

RETAIL UNIT 1 contained within the GATEWAY BLOCK C2, a Utah Condominium Project as the same is (i) identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788089, in Book "2000P", at Page 365 of Plats and (ii) further identified in the Restated Declaration of Condominium Gateway Block C2 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on April 27, 2001 as Entry No. 7881709, in Book 8450 at Page 4843 (the "Block C2 Declaration"). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that are appurtenant to said Unit as more particularly described in the Block C2 Declaration. TOGETHER WITH the exclusive right to use the Limited Common Elements designated Limited Common Retail as more particularly described in the Block C2 Declaration.

PARCEL 5:

LOT 4, BOYER GATEWAY, according to the Subdivision Plat thereof, filed on February 26, 2001 as Entry No. 7828967, in Book "2001P" of Plats at Page 37 of the Official Records of the Salt Lake County Recorder.

(Tax Parcel Nos. 15-01-177-014, 15-01-177-003, 15-01-177-010)

(Tax Parcel Nos. 15-01-177-012, 15-01-177-008, 15-01-131-017)

(Tax Parcel Nos. 15-01-131-002, 15-01-131-003, 15-01-131-007)

(Tax Parcel Nos. 15-01-131-008, 15-01-185-006, 15-01-130-001)

(Tax Parcel No. 08-36-376-015)

**EXHIBIT A-2
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

Gateway Ltd. Property

Lot 6B, Boyer Gateway Lot 6 Amended, according to the official plat thereof on record as Entry No. 12306373 in Book 2016P at Page 136 in the Salt Lake County, Utah, Recorder's Office.

Units 102 and 204, contained within the Gateway Block D Condominiums as the same is identified in the Plat of Condominium recorded in Salt Lake County, Utah, on June 23, 2016 as Entry No. 12306377 (as said Record of Survey Plat shall have heretofore been amended or supplemented) and in the Declaration of Condominium for Gateway Block D Condominiums, recorded in Salt Lake County, Utah on June 23, 2016 as Entry No. 12306378, in Book No. 10445 at Pages 293-363.

Tax Parcel Nos.: 08-36-376-043; 08-36-376-046; 08-36-376-050

**EXHIBIT A-3
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

Office 4 Property

The following real property located in Salt Lake County, Utah, and more particularly described as:

Lot 5, Boyer Gateway Subdivision Plat, recorded in the office of the Salt Lake County Recorder on February 23, 2001, as Entry No. 7828967, in Book 2001P at Page 37 of Plats.

Tax Parcel No.: 08-36-376-014

**EXHIBIT A-4
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT**

Beacon Property

A portion of Lot 7B, GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION, according to the official plat thereof, filed on December 23, 2008 as Entry No 10584220, in Book "2008P" of Plats, at Page 308 of the Official Records of the Salt Lake County Recorder, as modified by that certain Notice of Minor Routine & Uncontested Lot Line Adjustment Subdivision Approval recorded June 11, 2013 as Entry No. 11660889 in Book 10148 at Page 644 of the Official Records of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at the Southeast corner of Lot 7B of GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION, as recorded with the office of the Salt Lake County Recorder in Book 2008P at Page 308, and running thence South 89°58'47" West along the South line of said Subdivision 252.78 feet; thence North 140.41 feet to a point on the currently platted North line of said Lot 7B; thence East along said North line 252.78 feet to the Northeast corner of said Lot 7B; thence South along the East line of said Lot 7B 140.32 feet to the point of beginning.

Parcel No. 08-36-376-041

**EXHIBIT A-5
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT
Fielding Property**

Units 101, 201, 202, 203, P-001 and P-001, contained within the Gateway Block D Condominiums as the same is identified in the Plat of Condominium recorded in Salt Lake County, Utah, on June 23, 2016 as Entry No. 12306377 (as said Record of Survey Plat shall have heretofore been amended or supplemented) and in the Declaration of Condominium for Gateway Block D Condominiums, recorded in Salt Lake County, Utah on June 23, 2016 as Entry No. 12306378, in Book No. 10445 at Pages 293-363.

Tax Parcel Nos.: 08-36-376-045; 08-36-376-047; 08-36-376-048; 08-36-376-049; 08-36-376-051;
08-36-376-052

**EXHIBIT A-6
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT
Gateway HP Property**

LOT 3, BOYER GATEWAY, according to the Subdivision Plat thereof, filed on February 26, 2001 as Entry No. 7828967, in Book "2001P" of Plats at Page 37 of the Official Records of the Salt Lake County Recorder.

Tax Parcel No. 08-36-376-016

EXHIBIT A-7
TO
AMENDMENT TO
DEPOT NO BUILD EASEMENT AGREEMENT
North Parking Parcel

A portion of Lots 7A and 7B, GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION, according to the official plat thereof, filed on December 23, 2008 as Entry No 10584220, in Book "2008P" of Plats, at Page 308 of the Official Records of the Salt Lake County Recorder, as modified by that certain Notice of Minor Routine & Uncontested Lot Line Adjustment Subdivision Approval recorded June 11, 2013 as Entry No. 11660889 in Book 10148 at Page 644 of the Official Records of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at the Southwest corner of Lot 7A of GATEWAY 6 SUBDIVISION AMENDING LOT 7 OF THE BOYER GATEWAY SUBDIVISION, as recorded with the office of the Salt Lake County Recorder in Book 2008P at Page 308, and running thence Northerly along the Westerly line of said Lot 7A the following three courses: 1) North 406.25 feet, 2) North 89°59'06" East 12.00 feet, 3) North 80.00 feet to the Northwest corner of said Lot 7A; thence North 89°59'06" East along the Northerly line of said Lot 7A 422.35 feet to the Northeast corner of said Lot 7A; thence Southerly along the Easterly line of said Lot 7A the following two courses: 1) South 00°00'12" West 142.21 feet, 2) South 00°00'44" East 344.00 feet to the Southeast corner of said Lot 7A; thence South 89°58'47" West along the South line of said Lot 7A 57.69 feet to the Southeast corner of Lot 7B of said Subdivision; thence North along the East line of said Lot 7B 140.32 feet to the Northeast corner of said Lot 7B; thence West along the North line of said Lot 7B 252.78 feet; thence South 140.41 feet to a point on the South line of said Subdivision; thence South 89°58'47" West along said South line 123.95 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM (i) the Property conveyed to SALT LAKE CITY CORPORATION, a Utah municipal corporation, in that certain Special Warranty Deed recorded April 22, 2013, as Entry No. 11622647, in Book 10129, at Page 5745 of the Official Records of the Salt Lake County Recorder, and (ii) the Property conveyed to SALT LAKE CITY CORPORATION, a Utah municipal corporation, in that certain Special Warranty Deed recorded April 22, 2013, as Entry No. 11622648, in Book 10129, at Page 5747 of the Official Records of the Salt Lake County Recorder.

FURTHER EXCEPTING THEREFROM the minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

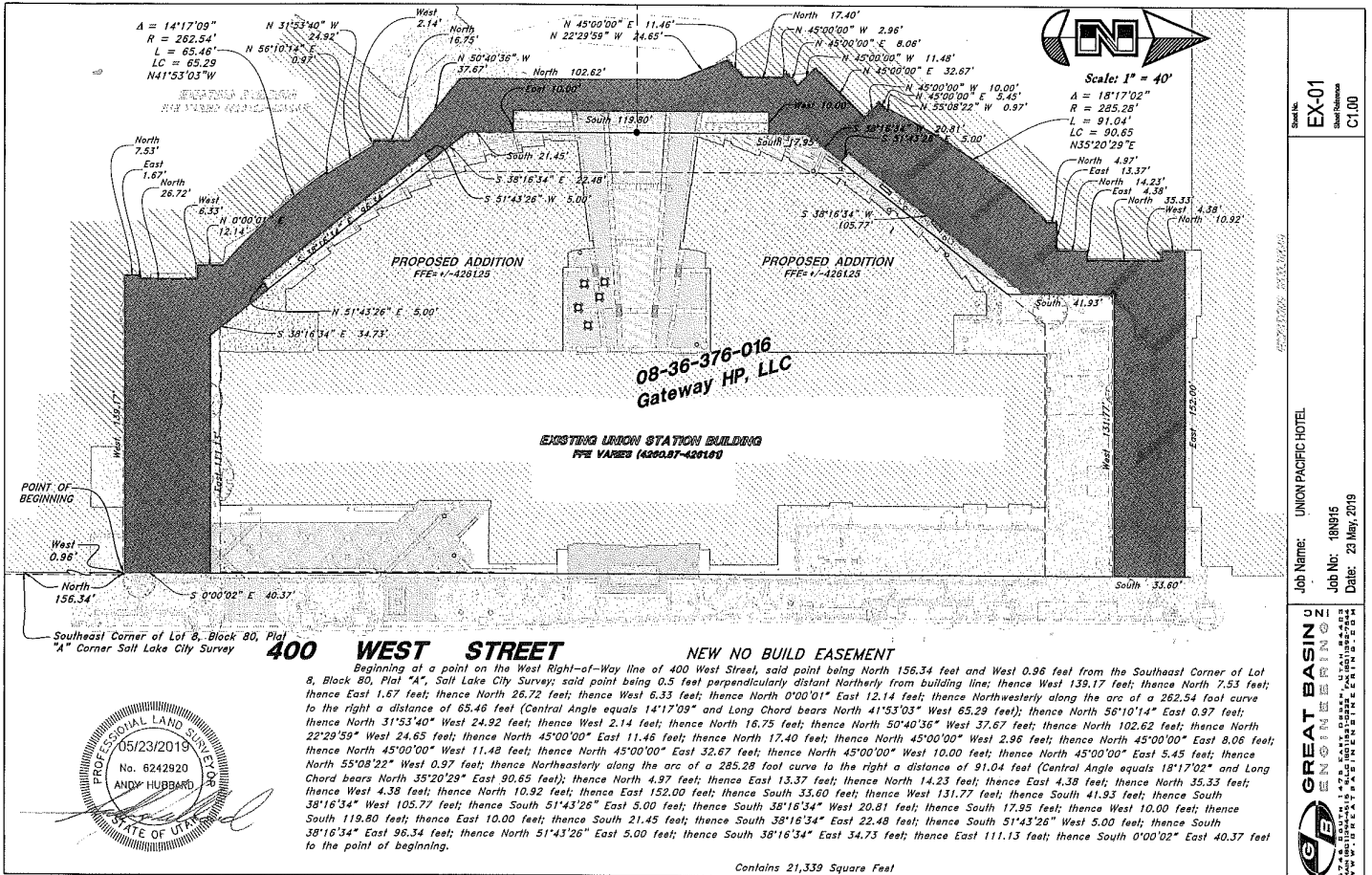
Tax Parcel No.: 08-36-376-040

EXHIBIT "B"

NO BUILD AREA

Beginning at a point North, 156.34 feet and West 0.96 feet from the Southeast Corner of Lot 8, Block 80, Plat "A", Salt Lake City Survey; said point being 0.5 feet perpendicularly distant Northerly from building line; thence West 139.17 feet; thence North 7.53 feet; thence East 1.67 feet; thence North 26.72 feet; thence West 6.33 feet; thence N 0°00'01" East 12.14 feet; thence Northwesterly along the arc of a 259.87 foot curve to the right a distance of 65.46 feet (Central Angle equals 14°25'59" and Long Chord bears North 41°53'03" West 65.29 feet); thence North 56°10'14" East 0.97 feet; thence North 31°53'40" West 24.92 feet; thence West 2.14 feet; thence North 16.76 feet; thence North 50°40'36" West 37.67 feet; thence North 102.62 feet; thence North 22°29'59" West 24.65 feet; thence North 45°00'00" East 11.46 feet; thence North 17.40 feet; thence North 45°00'00" West 2.96 feet; thence North 45°00'00" East 8.06 feet; thence North 45°00'00" West 11.48 feet; thence North 45°00'00" East 32.67 feet; thence North 45°00'00" West 10.00 feet; thence North 45°00'00" East 5.45 feet; thence North 55°08'22" West 0.97 feet; Northeasterly along the arc of a 284.51 foot curve to the right a distance of 91.04 feet (Central Angle equals 18°20'00" and Long Chord bears North 35°20'29" East 90.65 feet); thence North 4.97 feet; thence East 13.37 feet; thence North 14.23 feet; thence East 4.38 feet; thence North 35.33 feet; thence East 4.38 feet; thence North 10.92 feet; thence East 152.00 feet; thence South 33.60 feet; thence West 131.77 feet; thence South 41.93 feet; thence South 38°16'34" West 105.77 feet; thence South 51°43'26" East 5.00 feet; thence South 38°16'34" West 20.81 feet; thence South 17.95 feet; thence West 10.00 feet; thence South 119.80 feet; thence East 10.00 feet; thence South 21.45 feet; thence South 38°16'34" East 22.48 feet; thence South 51°43'26" West 5.00 feet; thence South 38°16'34" East 96.34 feet; thence North 51°43'26" East 5.00 feet; thence South 38°16'34" East 34.73 feet; thence East 111.13 feet; thence South 0°00'02" East 40.37 feet to the point of beginning.

Contains 21,339 Square Feet



Scale: 1" = 40'

Sheet No. EX-01
 Short Name C1.00

Job Name: UNION PACIFIC HOTEL
 Job No: 18N915
 Date: 23 May, 2019

GREAT BASIN ENGINEERING
 1000 EAST 10TH AVENUE SUITE 200
 DENVER, CO 80218
 (303) 733-8800
 www.greatbasineng.com

400 WEST STREET

NEW NO BUILD EASEMENT

Beginning at a point on the West Right-of-Way line of 400 West Street, said point being North 156.34 feet and West 0.96 feet from the Southeast Corner of Lot 8, Block 80, Plat "A", Salt Lake City Survey; said point being 0.5 feet perpendicularly distant Northerly from building line; thence West 139.17 feet; thence North 7.53 feet; thence East 1.67 feet; thence North 26.72 feet; thence West 6.33 feet; thence North 0'00'01" East 12.14 feet; thence Northwesterly along the arc of a 262.54 foot curve to the right a distance of 65.46 feet (Central Angle equals 14°17'09" and Long Chord bears North 41°53'03" West 65.29 feet); thence North 36°10'14" East 0.97 feet; thence North 31°53'40" West 24.92 feet; thence West 2.14 feet; thence North 16.75 feet; thence North 50°40'36" West 37.67 feet; thence North 102.62 feet; thence North 45°00'00" East 11.46 feet; thence North 17.40 feet; thence North 45°00'00" West 2.96 feet; thence North 45°00'00" East 8.06 feet; thence North 22°29'59" West 24.65 feet; thence North 45°00'00" East 32.67 feet; thence North 45°00'00" West 10.00 feet; thence North 45°00'00" East 5.45 feet; thence North 55°08'22" West 0.97 feet; thence Northwesterly along the arc of a 295.28 foot curve to the right a distance of 91.04 feet (Central Angle equals 18°17'02" and Long Chord bears North 35°20'29" East 90.65 feet); thence North 4.97 feet; thence East 13.37 feet; thence North 14.23 feet; thence East 4.38 feet; thence North 35.33 feet; thence North 38°16'34" West 105.77 feet; thence South 51°43'26" East 5.00 feet; thence South 38°16'34" West 20.81 feet; thence South 17.95 feet; thence West 10.00 feet; thence South 119.80 feet; thence East 10.00 feet; thence South 21.45 feet; thence South 38°16'34" East 22.48 feet; thence South 51°43'26" East 5.00 feet; thence South 38°16'34" West 105.77 feet; thence South 51°43'26" East 5.00 feet; thence South 38°16'34" East 34.73 feet; thence East 111.13 feet; thence South 0'00'02" East 40.37 feet to the point of beginning.

