13555336 2/3/2021 2:45:00 PM \$40.00 Book - 11111 Pg - 9348-9353 **RASHELLE HOBBS** Recorder, Salt Lake County, UT UCC FINANCING STATEMENT FIRST AMERICAN NCS **FOLLOW INSTRUCTIONS** BY: eCASH, DEPUTY - EF 6 P. A. NAME & PHONE OF CONTACT AT FILER (optional) B. E-MAIL CONTACT AT FILER (optional) C. SEND ACKNOWLEDGMENT TO: (Name and Address) Stinson LLP ATTN: Jeff S. Pitcher, Esq. 1850 N. Central Avenue, Suite 2100 Phoenix, AZ 85004-4584 THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY 1. DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here 📉 and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad) 1a. ORGANIZATION'S NAME WADSWORTH DBURBAN SOUTH TEMPLE, LLC OR ADDITIONAL NAME(S)/INITIAL(S) 1c. MAILING ADDRESS POSTAL CODE COUNTRY CITY STATE 166 East 14000 South, Suite 210 UT 84020 **USA** Draper 2. DEBTOR'S NAME: Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here 🔲 and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad) 2a. ORGANIZATION'S NAME OR 2b. INDIVIDUAL'S SURNAME FIRST PERSONAL NAME ADDITIONAL NAME(S)/INITIAL(S) SUFFIX 2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY 3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b) HILLCREST BANK, A DIVISION OF NBH BANK OR 3b. INDIVIDUAL'S SURNAME FIRST PERSONAL NAME ADDITIONAL NAME(S)/INITIAL(S) SUFFIX POSTAL CODE 3c. MAILING ADDRESS STATE COUNTRY **Greenwood Village** CO 80111 7800 East Orchard Road, Suite 300 USA 4. COLLATERAL: This financing statement covers the following collateral: See Exhibit A attached hereto for collateral description. See Exhibit B attached hereto for real estate description. 5. Check only if applicable and check only one box: Collateral is held in a Trust (see UCC1Ad, item 17 and Instructions) being administered by a Decedent's Personal Representative 6a. Check only if applicable and check only one box 6b. Check only if applicable and check only one box Manufactured-Home Transaction Agricultural Lien Public-Finance Transaction A Debtor is a Transmitting Utility

Consignee/Consignor

Seller/Buyer

Bailee/Bailor

Lessee/Lessor

7. ALTERNATIVE DESIGNATION (if applicable):

8. OPTIONAL FILER REFERENCE DATA: Salt Lake Co., Utah (0808606-0101)

Licensee/Licensor

UCC FINANCING STATEMENT ADDENDUM **FOLLOW INSTRUCTIONS** 9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; if line 1b was left blank because Individual Debtor name did not fit, check here 9a. ORGANIZATION'S NAME WADSWORTH DBURBAN SOUTH TEMPLE, LLC OR 9b. INDIVIDUAL'S SURNAME FIRST PERSONAL NAME ADDITIONAL NAME(S)/INITIAL(S) THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY 10. DEBTOR'S NAME: Provide (10a or 10b) only one additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c 10a. ORGANIZATION'S NAME 10b. INDIVIDUAL'S SURNAME INDIVIDUAL'S FIRST PERSONAL NAME INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S) SUFFIX 10c. MAILING ADDRESS COUNTRY POSTAL CODE CITY STATE ADDITIONAL SECURED PARTY'S NAME or ASSIGNOR SECURED PARTY'S NAME: Provide only one name (11a or 11b) 11a. ORGANIZATION'S NAME OR 11b. INDIVIDUAL'S SURNAME FIRST PERSONAL NAME ADDITIONAL NAME(S)/INITIAL(S) SUFFIX 11c. MAILING ADDRESS POSTAL CODE COUNTRY CITY 12. ADDITIONAL SPACE FOR ITEM 4 (Collateral): This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS (if applicable) 14. This FINANCING STATEMENT: covers timber to be cut covers as-extracted collateral is filed as a fixture filing 15. Name and address of a RECORD OWNER of real estate described in item 16 16. Description of real estate: See Exhibit B attached hereto for real estate description.

17. MISCELLANEOUS:

EXHIBIT A

DEBTOR: WADSWORTH DBURBAN SOUTH TEMPLE, LLC

SECURED PARTY: HILLCREST BANK, A DIVISION OF NBH BANK

All of Debtor's present and future estate, right, title and interest in that real property and all buildings and other improvements now thereon or later constructed ("**Premises**"), in the County of Salt Lake, State of Utah, described on **Exhibit B** attached hereto, together with the following which, with the Premises (unless the context otherwise requires), are collectively defined as "**Collateral**":

- Exhibit B created pursuant to that certain ground lease more particular described on Exhibit C attached hereto an incorporated by reference in that certain Leasehold Construction Deed of Trust, Security Agreement, Fixture Filing and Assignment of Rents by and between Debtor and Secured Party ("Deed of Trust") (as amended, supplemented, renewed or replaced, the "Ground Lease"), together with all rights, privileges and prerogatives of Trustor, as Lessee under the Ground Lease and owner of the ground leasehold estate, of use, occupancy and enjoyment, and in and to all rents, income and profits arising from or pursuant to the Ground Lease, including, without limitation, the right, privilege and prerogative of Trustor, if any, as tenant under the Ground Lease to surrender the leasehold estate created by the Ground Lease or to terminate, cancel, modify, change, supplement, alter or amend the Ground Lease or to renew or extend the Ground Lease for a succeeding term or terms, and all rights of Trustor under the Ground Lease in connection with any bankruptcy or insolvency proceeding of the lessor under the Ground Lease, if any;
 - (b) All appurtenances to the Premises;
- (c) All water and water rights, contracts with water districts, ditches and ditch rights, reservoir and reservoir rights, stock or interests in irrigation or ditch companies, minerals, oil and gas rights, royalties, lease or leasehold interests owned by Debtor, now or hereafter used or useful in connection with, appurtenant to or related to the Premises;
- (d) All right, title and interest of Debtor now owned or later acquired to streets, roads, alleys and public places, and all easements and rights of way, public or private, now or hereafter used in connection with the Premises;
- (e) All machinery, equipment, fixtures and materials now or later attached to the Premises, including but not limited to all surface and subsurface irrigation and sprinkler system equipment, together with all processing, manufacturing and service equipment and other personal property now or later located on or appurtenant to the Premises and used in connection with the management and operation thereof, except to the extent owned by any third-party service providers or contractors;
- (f) Any licenses, contracts, permits and agreements required or used in the ownership, operation or maintenance of the Premises, including but not limited to any purchase

and sale contracts, and the right to use any tradename, trademark, or service mark now or hereafter associated with operating any business conducted on the Premises, excluding any tradenames, trademarks, or service marks not directly tied to the Premises itself;

- (g) All insurance proceeds (other than insurance proceeds attributable to personal property owned by any tenant or service provider), and all awards, including interest, previously and hereafter made to Debtor for taking by eminent domain of the whole or any part of the Premises or any easements; and
- (h) All other existing and future leases, subleases, licenses and other agreements for the use and occupancy of the Premises (collectively "Leases") and all income, receipts, revenues, rents, issues and profits arising from the use or enjoyment of the Premises (collectively "Rents").

EXHIBIT B

Legal Description

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

Parcel 1:

A parcel of land being all or part of nine (9) entire tracts described in that: 1) Quit Claim Deed recorded December 15, 1966 as Entry No. 2182145 in Book 2516, at Page 361; 2) Warranty Deed recorded April 14, 1972 as Entry No. 2449917 in Book 3062, at Page 459; 3) Special Warranty Deed recorded November 30, 1962 as Entry No. 1884925, in Book 1992 at Page 226; 4) Warranty Deed recorded July 12, 1924 as Entry No. 515799 in Book 12-C, at Page 129; 5) Quit Claim Deed recorded November 6, 1964 as Entry No. 2039826 in Book 2257, at Page 366; 6) Warranty Deed recorded November 14, 1922 as Entry No. 480299 in Book 11-H, at Page 554; 7) Warranty Deed recorded June 23, 1952 as Entry No. 1290316 in Book 936, at Page 395; 8) Warranty Deed recorded December 5, 1923 as Entry No. 503070 in Book 12-A, at Page 42; 9) Warranty Deed recorded May 17, 1922 as Entry No. 468962 in Book 11-K, at Page 369 in the Office of the Salt Lake County Recorder. Said parcel of land is located in Lots 3 and 4, Block 60, Plat "B", Salt Lake City Survey in the Northeast Quarter of Section 6 and Northwest Quarter of Section 5, Township 1 South, Range 1 East, Salt Lake Base and Meridian; the boundary of said parcel of land is described follows:

Beginning at the northwesterly corner of said Lot 3, Block 60, which is 396.03 feet S. 00°01′25″ E. and East 67.45 feet from the Salt Lake City brass cap monument marking the intersection of South Temple Street and 600 East Street; thence N. 00°02′34″ W. (Record = North) 125.75 feet along the westerly line of said Lot 4; thence along the northerly boundary line of said entire tracts the following courses: 1) N. 89°57′33″ E. (Record = East) 110 feet; 2) S. 00°02′27″ E. (Record = South) 2 feet; 3) N. 89°57′33″ E. (Record = East) 55.00 feet; thence N. 00°02′27″ W. (Record = North) 2 feet; thence N. 89°57′33″ E. (Record = East) 82 ½ feet to the westerly boundary line of said entire tract referred to as Entry No. 468962 in the Office of said Recorder; thence N. 00°02′27″ W. (Record = North) 6.32 feet along said westerly boundary line; thence N. 89°57′33″ E. 82.51 feet to the easterly line of said Lot 4; thence S. 00°02′31″ E. (Record = South) 197.06 feet along said easterly line of said Lot 4 to the southeasterly corner of said tract referenced as Entry No. 2039826 in the Office of said Recorder; thence S. 89°57′26″ W. (Record = West) 330 feet to the southwesterly corner of said entire tract and the westerly line of Lot 3, Block 60; thence N. 00°02′34″ W. (Record = North) 64.99 feet along said westerly line to the Point of Beginning.

BASIS OF BEARING: S. 00°01′25″ E. along the Monument line between the Salt Lake City brass monument at the intersection of South Temple Street and 600 East Street and the Salt Lake City brass monument at the intersection of 100 South Street and said 600 East Street.

Parcel 2:

Commencing at the Northwest corner of Lot 5, Block 60, Plat "B" Salt Lake City Survey and running thence 247.50 feet North 89°57′30″ East to the POINT OF BEGINNING; thence North 89°57′30″ East 25.51 feet; thence South 00°06′36″ West 197.93 feet; thence South 89°57′33″ West 24.99 feet; thence North 00°02′27″ West 197.93 feet to the POINT OF BEGINNING.

TAX PARCELS: 16-06-227-002-0000; 16-06-227-003-0000; 16-06-227-004-0000

16-06-227-005-0000; 16-06-227-013-0000; 16-06-227-024-0000

16-06-227-025-0000

EXHIBIT C

GROUND LEASE

That certain Ground Lease Agreement dated October 1, 2019, entered into between 41 S Land, LLC, predecessor in interest to Borrower, as Lessee, and Masonic Temple Association, a Utah nonprofit corporation, as Lessor, as amended by that certain First Amendment to Ground Lease Agreement last dated March 28, 2020, that certain Second Amendment to Ground Lease Agreement dated May 27, 2020, that certain Third Amendment to Ground Lease dated June 30, 2020, and that certain Fourth Amendment to Ground Lease dated November 24, 2020.