

14064277 B: 11396 P: 8024 Total Pages: 6
01/19/2023 03:15 PM By: SCalderson Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: OLD REPUBLIC TITLE (SOUTH OGDEN)
5732 S 1475 EOGDEN, UT 844037006

AFTER RECORDING RETURN TO:

BRMK Lending, LLC
1420 5th Avenue, Suite 2000
Seattle, WA 98101
180103 KJO

Document Title: Third Amendment to Deed of Trust Security Agreement and Fixture Filing with
Assignment of Leases and Rents
Reference Number(s) of Document Assigned or Released: 13412799, Book 11030, Page 6820
Grantor(s): LUSSO APARTMENTS, LLC, a Utah limited liability company
Grantee: BRMK LENDING, LLC, a Delaware limited liability company

**THIRD AMENDMENT TO DEED OF TRUST,
SECURITY AGREEMENT AND FIXTURE FILING WITH
ASSIGNMENT OF LEASES AND RENTS**

THIS THIRD AMENDMENT TO DEED OF TRUST (the "Third Amendment") is made this 13 day of January, 2023, between LUSSO APARTMENTS, LLC, a Utah limited liability company, as "Grantor," whose address is 111 East Broadway, Suite 380, Salt Lake City, UT 84111, to Mountain View Title & Escrow, Inc., "Trustee", 5732 South 1475 East #100, Ogden, UT 84403 for the benefit of BRMK LENDING, LLC, a Delaware limited liability company or assigns, "Beneficiary," whose address is 1420 5th Avenue, Suite 2000, Seattle, WA 98101, on the following terms:

1. The Real Property encumbered by this Third Amendment and the original Deed of Trust, First Amendment to Deed of Trust and Second Amendment to Deed of Trust is as described property located in Salt Lake County, Utah:

See Attached "Exhibit A" For Legal Description.

PHYSICAL ADDRESS:

1010 West Learned Avenue, Salt Lake City, UT 84116
1025 West North Temple, Salt Lake City, UT 84116

ASSESSOR'S TAX PARCEL NO.: 08-35-377-019, 08-35-377-017

2. The original Deed of Trust is recorded under Salt Lake County Entry File No. 13412799, Book 11030, Page 6820 (the "Deed of Trust").

3. The face amount of the Promissory Note secured by the Deed of Trust has been increased to \$39,643,609.00. Therefore, the amount secured by the Deed of Trust is hereby increased to \$39,643,609.00.

4. The purpose of this Third Amendment is to amend the amount secured by the Deed of Trust to \$39,643,609.00, together with such other and further additional advances as may be made by Beneficiary to Grantor. In all other respects the original Deed of Trust shall remain in full force and effect, and unchanged.

[Signature Pages to Follow]

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

A TRACT OF LAND BEING SITUATE IN BLOCK 56, PLAT C, SALT LAKE CITY SURVEY, HAVING A BASIS OF BEARINGS BEING NORTH 00°01'32" WEST BETWEEN THE MONUMENTS FOUND MARKING THE INTERSECTIONS OF LEARNED AVENUE AND SOUTH TEMPLE STREET ALONG 1000 WEST STREET, BEING COMPRISED OF LOTS 10 THROUGH 19, AND A PORTION OF THE ALLEYS CONTIGUOUS WITH ABOVE REFERENCED LOTS 10 THROUGH 19, AS SHOWN ON BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 19, BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT ALSO BEING NORTH 00°01'32" WEST ALONG THE CENTERLINE OF 1000 WEST STREET A DISTANCE OF 399.09 FEET TO THE STREET MONUMENT AT THE INTERSECTION OF 1000 WEST STREET AND LEARNED AVENUE AND NORTH 89°59'47" WEST ALONG THE CENTERLINE OF LEARNED AVENUE A DISTANCE OF 212.59 FEET AND NORTH 00°00'49" WEST 33.00 FEET FROM THE MONUMENT AT THE INTERSECTION OF 1000 WEST STREET AND SOUTH TEMPLE STREET, AND RUNNING THENCE NORTH 89°59'47" WEST 179.62 FEET; THENCE SOUTH 00°00'49" EAST 66.00 FEET; THENCE NORTH 89°59'47" WEST 2.00 FEET; THENCE NORTH 00°00'49" WEST 354.44 FEET; THENCE SOUTH 89°59'02" EAST 181.62 FEET; THENCE SOUTH 00°00'49" EAST 288.40 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND BEING SITUATE IN BLOCK 56, PLAT C, SALT LAKE CITY SURVEY, HAVING A BASIS OF BEARINGS BEING NORTH 00°01'32" WEST BETWEEN THE MONUMENTS FOUND MARKING THE INTERSECTIONS OF LEARNED AVENUE AND SOUTH TEMPLE STREET ALONG 1000 WEST STREET, BEING COMPRISED OF LOT 1 AND A PORTION OF LOT 2, AS SHOWN ON BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BOTHWELL AND MCCONAUGHY SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT ALSO BEING NORTH 00°01'32" WEST ALONG THE CENTERLINE OF 1000 WEST STREET A DISTANCE OF 399.09 FEET TO THE STREET MONUMENT AT THE INTERSECTION OF 1000 WEST STREET AND LEARNED AVENUE AND NORTH 00°00'49" WEST ALONG THE CENTERLINE OF 1000 WEST A DISTANCE OF 33.00 FEET AND NORTH 89°59'47" WEST 64.00 FEET FROM THE MONUMENT AT THE INTERSECTION OF 1000 WEST STREET AND SOUTH TEMPLE STREET, AND RUNNING THENCE NORTH 89°59'47" WEST 136.59 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00°00'49" WEST 198.13 FEET TO THE NORTHWEST CORNER OF LOT 6 OF SAID SUBDIVISION; THENCE SOUTH 89°59'47" EAST 136.59 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°00'49" EAST 198.13 FEET TO THE POINT OF BEGINNING.

NEW SERIAL NUMBER: PARCEL 1: 08-35-377-019 AND PARCEL 2: 08-35-377-017

Property Address: 1010 West Learned Avenue, Salt Lake City, UT 84116 &
1025 West North Temple, Salt Lake City, UT 84116