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Russell Shirts Washington County Recorder
02/14/2019 10:06:18 AM Fee \$0.00 By STATE
OF UTAH SCHOOL AND INSTITUTIONAL TRUST
LANDS ADMINISTRATION

After Recording Please Return To:
State of Utah School and Institutional Trust Lands Administration
2303 N Coral Canyon Blvd Ste100A
Washington, UT 84780

**ADDENDUM NO. 5 TO
DEVELOPMENT LEASE AGREEMENT NO. 1052**

This ADDENDUM NO. 5 TO DEVELOPMENT LEASE AGREEMENT NO. 1052 (the "**Addendum**"), is effective February 1, 2019 (the "**Effective Date**"), by and between the State of Utah, through the School and Institutional Trust Lands Administration (the "**Lessor**"), and Brennan Holdings No. 200, LLC (the "**Lessee**").

Effective March 1, 2014, the parties entered into Development Lease Agreement No. 1052 (the "**Lease**"), under which certain lands in Washington County, Utah (the "**Premises**") were leased to Lessee to be subdivided and developed for residential and other related purposes.

Pursuant to the Third Amendment to Development Lease Agreement No. 1052 (the "**Amendment**"), Lessor has the right to enter, occupy, use and control the Premises until such time as exclusive possession and use is provided pursuant to the terms of the Amendment.

1. The parties hereby acknowledge that one or more of the conditions described in the Amendment has been met and that Lessee has exclusive possession and use of a portion of the Premises (the "**Exclusive Possession and Use Parcel**"). The Exclusive Possession and Use Parcel is more particularly described as follows:

**ARROYO AT SIENNA HILLS PHASE 7
LEGAL DESCRIPTION**

BEGINNING AT THE NORTHEAST CORNER OF "ARROYO AT SIENNA HILLS PHASE 6" SUBDIVISION, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; SAID POINT ALSO BEING N 1°02'42" E 483.69 FEET ALONG THE EAST SECTION LINE OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND N 89°59'50" E 84.26 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION, FROM THE SOUTHEAST CORNER OF SAID SECTION 12, AND RUNNING THENCE N 89°59'50" E 156.88 FEET TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S 85°40'45" E; THENCE ALONG THE ARC OF SAID CURVE 142.42 FEET THROUGH A CENTRAL ANGLE OF 163°12'18"; THENCE S 12°28'27" E 216.18 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 50.77 FEET THROUGH A CENTRAL ANGLE OF 145°27'17"; THENCE S 67°55'44" E 59.00 FEET; THENCE S 22°04'16" W 152.25 FEET; THENCE S 67°55'44" E 110.00 FEET; THENCE S 22°04'16" W 280.00 FEET; THENCE N 67°55'44" W 110.00 FEET; THENCE S 22°04'16" W 39.56 FEET TO A POINT ON A 823.50 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 314.40 FEET THROUGH A CENTRAL ANGLE OF 21°52'29", TO A POINT ON A 681.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 310.72 FEET THROUGH A CENTRAL ANGLE OF 26°07'24"; THENCE S 63°40'48" E 81.30 FEET; S 11°36'55" E 42.66 FEET; THENCE S 30°34'26" W 50.00 FEET; THENCE S 72°50'17" W 42.51 FEET; THENCE N 54°52'08" W 81.35 FEET TO A POINT ON A 681.50 FOOT RADIUS NON-TANGENT CURVE

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TO THE RIGHT, WITH A RADIUS WHICH BEARS N 55°13'00" W; THENCE ALONG THE ARC OF SAID CURVE 307.35 FEET THROUGH A CENTRAL ANGLE OF 25°50'25", TO A POINT ON A 968.50 FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 131.23 FEET THROUGH A CENTRAL ANGLE OF 7°45'49", TO THE SOUTHEAST CORNER OF "ARROYO AT SIENNA HILLS PHASE 5" SUBDIVISION, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION FOR THE FOLLOWING THREE (3) COURSES: (1) THENCE N 37°08'24" W 59.00 FEET; (2) THENCE N 39°14'32" W 87.43 FEET; (3) THENCE N 8°38'35" W 57.14 FEET TO THE SOUTHEAST CORNER OF SAID "ARROYO AT SIENNA HILLS PHASE 6" SUBDIVISION; THENCE ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION FOR THE FOLLOWING FIFTEEN (15) COURSES: (1) THENCE N 42°25'23" W 16.25 FEET; (2) THENCE N 30°43'21" E 135.38 FEET; (3) THENCE N 37°11'41" E 68.87 FEET; (4) THENCE N 43°40'01" E 68.87 FEET; (5) THENCE N 50°02'30" E 69.23 FEET; (6) THENCE N 42°09'15" E 98.64 FEET; (7) THENCE N 23°50'45" E 98.64 FEET; (8) THENCE N 5°34'47" E 93.04 FEET; (9) THENCE N 0°03'45" W 159.45 FEET; (10) THENCE N 8°37'02" E 68.14 FEET; (11) THENCE N 14°46'11" E 68.10 FEET; (12) THENCE N 24°44'43" E 155.01 FEET; (13) THENCE N 18°09'17" E 86.42 FEET; (14) THENCE N 1°22'13" E 238.99 FEET; (15) THENCE N 13°09'30" W 182.31 FEET TO THE POINT OF BEGINNING.

CONTAINS 508,364 SQ FT OR 11.67 ACRES MORE OR LESS


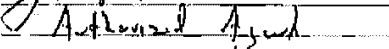
2. Lessee's exclusive possession and use of the Exclusive Possession and Use Parcel commences on the Effective Date.

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

STATE OF UTAH, SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION


By: Rodger Mitchell
Its: Assistant Director

Brennan Holdings No. 200, LLC

By: 
Its: 

APPROVED AS TO FORM:


Special Assistant Attorney General

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

On this 12th day of February, 20 19, personally appeared before me
Rodger Mitchell, the Assistant Director of the School and
Institutional Trust Lands Administration, who acknowledged that he, being duly authorized, did
execute the foregoing instrument on behalf of the School and Institutional Trust Lands
Administration.

Alan Russell Roe
Notary Public



STATE OF Utah)
)
:SS.
COUNTY OF Washington)

On this 13th day of February, 20 19, personally appeared before me
Jim Raines, the Authorized Agent of Paceman Holdings 200 LLC, a
limited liability company, who acknowledged that he/she, being duly authorized, did execute the
foregoing instrument on behalf of Paceman Holdings 200 LLC.

SS
Notary Public

