

E 2951134 B 6556 P 1088-1090
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
7/12/2016 2:38:00 PM
FEE \$14.00 Pgs: 3
DEP eCASH REC'D FOR FOUNDERS TITLE CO - LAYTON

UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)
B. E-MAIL CONTACT AT FILER (optional)
C. SEND ACKNOWLEDGMENT TO: (Name and Address)
Robert Sullivan, Esq. Alston & Bird LLP 101 South Tryon Street, Suite 4000 Charlotte, NC 28280
DS1823 10-286-0002

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE NUMBER	1b. <input checked="" type="checkbox"/> This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS Filer: <u>attach</u> Amendment Addendum (Form UCC3Ad) <u>and</u> provide Debtor's name in item 13
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2. TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to the security interest(s) of Secured Party authorizing this Termination Statement

3. ASSIGNMENT (full or partial): Provide name of Assignee in item 7a or 7b, and address of Assignee in item 7c and name of Assignor in item 9
For partial assignment, complete items 7 and 9 and also indicate affected collateral in item 8

4. CONTINUATION: Effectiveness of the Financing Statement identified above with respect to the security interest(s) of Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law

5. PARTY INFORMATION CHANGE:
Check one of these two boxes: Debtor or Secured Party of record
AND Check one of these three boxes to: CHANGE name and/or address: Complete item 6a or 6b; and item 7a or 7b and item 7c
 ADD name: Complete item 7a or 7b, and item 7c
 DELETE name: Give record name to be deleted in item 6a or 6b

6. CURRENT RECORD INFORMATION: Complete for Party Information Change - provide only one name (6a or 6b)

6a. ORGANIZATION'S NAME			
OR			
6b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX

7. CHANGED OR ADDED INFORMATION: Complete for Assignment or Party Information Change - provide only one name (7a or 7b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

7a. ORGANIZATION'S NAME	
STARWOOD MORTGAGE FUNDING III LLC	
OR	
7b. INDIVIDUAL'S SURNAME	
INDIVIDUAL'S FIRST PERSONAL NAME	
INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX

7c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
1601 Washington Avenue, Suite 800	Miami Beach	FL	33139	USA

8. COLLATERAL CHANGE: Also check one of these four boxes: ADD collateral DELETE collateral RESTATE covered collateral ASSIGN collateral
Indicate collateral:

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT: Provide only one name (9a or 9b) (name of Assignor, if this is an Assignment)
If this is an Amendment authorized by a DEBTOR, check here and provide name of authorizing Debtor

9a. ORGANIZATION'S NAME			
STARWOOD MORTGAGE CAPITAL LLC			
OR			
9b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX

10. OPTIONAL FILER REFERENCE DATA:
HILTON GARDEN INN - LAYTON DAVIS COUNTY, UT

UCC FINANCING STATEMENT AMENDMENT ADDENDUM

FOLLOW INSTRUCTIONS

11. INITIAL FINANCING STATEMENT FILE NUMBER: Same as item 1a on Amendment form

12. NAME OF PARTY AUTHORIZING THIS AMENDMENT: Same as item 9 on Amendment form

12a. ORGANIZATION'S NAME STARWOOD MORTGAGE CAPITAL LLC	
OR	
12b. INDIVIDUAL'S SURNAME	
FIRST PERSONAL NAME	
ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

13. Name of DEBTOR on related financing statement (Name of a current Debtor of record required for indexing purposes only in some filing offices - see Instruction item 13); Provide only one Debtor name (13a or 13b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); see instructions if name does not fit

13a. ORGANIZATION'S NAME				
OR	13b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX

14. ADDITIONAL SPACE FOR ITEM 8 (Collateral):

15. This FINANCING STATEMENT AMENDMENT:

covers timber to be cut covers as-extracted collateral is filed as a fixture filing

16. Name and address of a RECORD OWNER of real estate described in item 17
(if Debtor does not have a record interest):

17. Description of real estate:

See Exhibit A for Legal Description

18. MISCELLANEOUS:

EXHIBIT A

PARCEL 1

UNIT NO. 2, CONTAINED WITHIN THE DAVIS COUNTY CONFERENCE CENTER CONDOMINIUMS, 1ST AMENDMENT, A CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED ON MARCH 12, 2004, IN DAVIS COUNTY, AS ENTRY NO. 1969569 IN BOOK 3495 AT PAGE 511 AND IN THE DECLARATION RECORDED MARCH 12, 2004, IN DAVIS COUNTY, AS ENTRY NO. 1969570 IN BOOK 3495 AT PAGE 512, AND 1ST AMENDMENT RECORDED JANUARY 27, 2009, AS ENTRY NO. 2418571, AND 2ND AMENDMENT RECORDED July 12, 2016, AS ENTRY NO. 2950994 AND AS AMENDED BY THAT CERTAIN ESTOPPEL AND AGREEMENT DATED JULY 5, 2016, RECORDED ON July 12, 2016 IN DAVIS COUNTY, UTAH AS ENTRY NO. 2951011 IN BOOK 6556 AT PAGE 350.

TOGETHER WITH THE APPURTENANT UNDIVIDED INTEREST IN SAID PROJECT'S COMMON AREAS AS ESTABLISHED IN SAID DECLARATION AND ALLOWING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES.

THE FOLLOWING IS SHOWN FOR INFORMATION PURPOSES ONLY: 10-286-0002

PARCEL 2

A PERPETUAL NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC OVER, ACROSS AND THROUGH THE PARKING PARCEL. SUCH ACCESS SHALL BE OVER THE DESIGNATED TRAVEL LANES WITHIN THE PARKING PARCEL. SUCH EASEMENT SHALL BE FOREVER APPURTENANT TO THE HOTEL CONDOMINIUM, FOR THE USE AND BENEFIT OF THE BENEFITED PARTIES, AND ALSO A PERPETUAL NON-EXCLUSIVE EASEMENT TO UTILIZE ALL OF THE PARKING SPACES LOCATED ON THE PARKING PARCEL. SUCH EASEMENT SHALL BE FOREVER APPURTENANT TO THE HOTEL CONDOMINIUM, FOR THE USE AND BENEFIT OF THE BENEFITED PARTIES, AS GRANTED IN VEHICULAR ACCESS, PARKING AND MAINTENANCE AGREEMENT RECORDED MARCH 12, 2004 AS ENTRY NO. 1969572, IN BOOK/PAGE 3495/562.

PARCEL 3

A PERPETUAL NON-EXCLUSIVE EASEMENT AND RIGHT TO USE AND ENJOY THE SHARED FACILITIES, AS THE SAME MAY BE MODIFIED, EXPANDED REPLACED OR RELOCATED FROM TIME TO TIME FOR THE BENEFIT OF HOTEL DEVELOPER AS OWNER OF THE HOTEL UNIT, AND FOR THE BENEFIT OF THE TENANTS, INVITEES, EMPLOYEES AND AGENTS OF HOTEL DEVELOPER, AS GRANTED IN JOINT USE AGREEMENT RECORDED MARCH 12, 2004 AS ENTRY NO. 1969573, IN BOOK/PAGE 3495/578.