

**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.<br>Alston & Bird LLP<br>101 South Tryon Street, Suite 4000<br>Charlotte, NC 28280 |
| 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<br>Filer: attach Amendment Addendum (Form UCC3Ad) and provide Debtor's name in item 13 |
|---|--|

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                   | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |
|                         |  |                     |                               |        |
|                         | INDIVIDUAL'S FIRST PERSONAL NAME           |                     |                               |        |
|                         | INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S) |                     |                               |        |

|                                   |             |       |             |         |
|-----------------------------------|-------------|-------|-------------|---------|
| 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<br>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:<br><input type="checkbox"/> covers timber to be cut <input type="checkbox"/> covers as-extracted collateral <input checked="" type="checkbox"/> is filed as a fixture filing | 17. Description of real estate:<br>See Exhibit A for Legal Description |
| 16. Name and address of a RECORD OWNER of real estate described in Item 17<br>(if Debtor does not have a record interest):   |  |

18. MISCELLANEOUS:

**This UCC3 Financing Statement Amendment refers to that certain UCC1 Financing Statement which was recorded July 12, 2016 as Entry number 2951034 in Book 6556 at Page 487-493 of official records.**

**The original UCC3 Financing Statement Amendment was recorded July 12, 2016 as Entry number 2951134 in Book 6556 at Page 1088-1090 of official records. Said document did not include the recording information of the aforementioned UCC1 Financing Statement.**

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 1<sup>ST</sup> 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.