

7-10

When Recorded Return To:
Jeffrey J. Jensen
LANDMARK TITLE COMPANY
675 East 2100 South, Suite 200
Salt Lake City, UT 84106

7693049
08/07/2000 12:33 PM 32.00
Book - 8379 Pg - 5484-5490
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
LANDMARK TITLE
BY: ZJM, DEPUTY - WI 7 P.

7693049

AFFIDAVIT

COMES NOW **Jeffrey J. Jensen** who, after first being duly sworn, hereby represents as follows:

1. I am of legal age, familiar with the subject matter of this Affidavit and competent in all respects to make the representations set forth herein.

2. On January 13, 2000, the following documents (collectively, the "Documents") were recorded in the office of the Salt Lake County Recorder:

Document 1:

A Housing Restriction, dated December 23, 1999, by and between REDEVELOPMENT AGENCY OF SALT LAKE CITY, a public agency, and GATEWAY ASSOCIATES, LTD., a Utah limited partnership, recorded January 13, 2000 as Entry No. 7553962 in Book 8336 at Page 1201 of the Official Records.

Document 2:

A Rio Grande Street Grant Of Easement, dated January 3, 2000, by and between GATEWAY ASSOCIATES, LTD., a Utah limited partnership, REDEVELOPMENT AGENCY OF SALT LAKE CITY, a public agency organized and existing under the Utah Neighborhood Development Act, and SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah, recorded January 13, 2000 as Entry No. 7553963 in Book 8336 at Page 1217 of the Official Records.

(Continued)

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Document 3:

A Plaza Pedestrian And Public Use Easement And Programming Agreement, dated December 23, 1999, by and between GATEWAY ASSOCIATES, LTD., a Utah limited partnership, and REDEVELOPMENT AGENCY OF SALT LAKE CITY, a public agency organized and existing under the Utah Neighborhood Development Act, and SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah, recorded January 13, 2000 as Entry No. 7553964 in Book 8336 at Page 1240 of the Official Records.

Document 4:

A North Temple Frontage Road Grant of Easement, dated December 23, 1999, by and between GATEWAY ASSOCIATES, LTD., a Utah limited partnership, REDEVELOPMENT AGENCY OF SALT LAKE CITY, a public agency organized and existing under the Utah Neighborhood Development Act, and SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah, recorded January 13, 2000, as Entry No. 7553965, in Book 8336, at Page 1263 of the Official Records.

3. The legal descriptions set forth in the **Exhibits "A"** attached to the Documents at the time of recording were inaccurate due to errors made in the preparation of the Documents.

4. The correct legal description for the real property described in Exhibit "A" of **Document 1** is attached hereto as Exhibit "A". The correct legal description for the real property described in Exhibit "A" of **Document 2** is attached hereto as Exhibit "B". The correct legal description for the real property described in Exhibit "A" of **Document 3** is attached hereto as Exhibit "C". The correct legal description for the real property described in Exhibit "A" of **Document 4** is attached hereto as Exhibit "D". The Documents should hereafter be read, construed and relied upon as if the legal descriptions shown in Exhibits "A", "B", "C" and "D" attached hereto had been attached to and incorporated into the respective **Exhibits "A"** of the Documents when initially executed and recorded.

(Continued)

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5. This Affidavit is given pursuant to UCA 57-3-106(4) to provide notice of the clerical error described above and to clarify and correct the record title to the real property described on Exhibits "A", "B", "C" and "D" attached hereto.


Dated this 4th day of August, 2000.

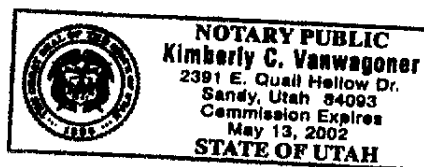

Jeffrey J. Jensen

STATE OF UTAH

COUNTY OF SALT LAKE

On the 4th day of August, 2000, personally appeared before me Jeffrey J. Jensen, the signer of the above instrument, who duly acknowledged to me that he executed the same.


Notary Public
Commission Expires: 5-13-2002
Residing: Salt Lake City, Utah



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AFFIDAVIT EXHIBIT "A"

Legal Description for Residential #1 Parcel:

BEGINNING AT A POINT NORTH 0.03 FEET AND EAST 59.80 FEET FROM THE SOUTHWEST CORNER OF LOT 4, BLOCK 65, PLAT "A", SALT LAKE CITY SURVEY; THENCE NORTH 00°00'00" EAST 345.05 FEET; THENCE SOUTH 90°00'00" EAST 231.35 FEET; THENCE SOUTH 00°00'00" EAST 344.94 FEET; THENCE SOUTH 89°58'20" WEST 231.35 FEET TO THE POINT OF BEGINNING. CONTAINING 1.83 ACRES. (79,814 SQ. FT.)

Legal Description for Residential #2 Parcel:

BEGINNING AT A POINT SOUTH 9.71 AND EAST 58.51 FEET FROM THE SOUTHWEST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE NORTH 00°00'00" EAST 738.81 FEET; THENCE SOUTH 90°00'00" EAST 220.92 FEET; THENCE SOUTH 00°00'00" WEST 738.81 FEET; THENCE NORTH 90°00'00" WEST 220.92 FEET TO THE POINT OF BEGINNING. CONTAINING 3.75 ACRES. (163,218 SQ. FT.)

[CORRECTING EXHIBIT "A" TO HOUSING RESTRICTION – 7553962]

[FOR REFERENCE PURPOSES ONLY: TAX PARCEL/SIDWELL NOS.: 15-01-176-001, 15-01-176-011, 15-01-176-012, 15-01-176-013; 15-01-126-001, 15-01-126-002, 15-01-126-003, 15-01-126-004, 15-01-126-005, 08-36-376-004, 08-36-376-007-2000, 08-36-376-008]

BK8379PG5487

AFFIDAVIT EXHIBIT "B"

Legal Description of the Retail Parcels

This Exhibit pertains to the retail space to be located on the below described tracts and not the office space or residential space to be located on such tracts. The Owner intends to legally subdivide each tract into a separate lot and to record a condominium declaration and record of survey map creating a condominium project and separate condominium units on such tract pursuant to Utah Code Ann. Section 57-8-1 et seq. At such time, an amendment to the Agreement modifying this Exhibit to describe only the units of such condominium project which are intended to be used for rental purposes shall be executed and recorded.

Legal Description for Retail #1 Parcel:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 65, PLAT "A", SALT LAKE CITY SURVEY; THENCE S 89°58'15" W, ALONG THE SOUTH BLOCK LINE, 402.13 FEET TO THE SOUTHEAST CORNER OF THE McDONALD BROTHERS PROPERTY AS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 6196, PAGE 491, OF THE SALT LAKE COUNTY RECORDS; THENCE WITH THE EAST LINE OF SAID TRACT, WITH THE FOLLOWING BEARINGS AND DISTANCES: N 00°01'01" W, 100.48 FEET, N 90°00'00" W, 27.03 FEET, N 00°00'36" W, 64.55 FEET TO THE SOUTHEAST CORNER OF THE UTAH POWER AND LIGHT PROPERTY; THENCE ALONG THE EAST LINE OF SAID TRACT, N 00°00'36" W, 165.04 FEET; THENCE ALONG THE NORTH LINE OF SAID TRACT S 89°58'20" W, 171.24 FEET; THENCE N 00°00'00" E, 345.05 FEET; THENCE S 90°00'00" E, 600.27 FEET; THENCE S 00°01'01" E, 674.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.94 ACRES. (345,991 SQ. FT.)

Legal Description for Retail #2 Parcel:

BEGINNING AT A POINT SOUTH 11.71 FEET AND WEST 1.35 FEET FROM THE SOUTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 600.25 FEET; THENCE N 00°00'00" E, 738.81 FEET; THENCE S 90°00'00" E, 220.92 FEET; THENCE N 00°00'00" E, 370.64 FEET; THENCE N 90°00'00" W, 220.92 FEET; THENCE N 00°00'00" E, 405.48 FEET; THENCE N 89°59'06" E, 12.00 FEET; THENCE N 00°00'00" W, 80.00 FEET; THENCE N 89°59'06" E, 422.35 FEET; THENCE S 00°00'12" W, 142.21 FEET; THENCE S 00°00'44" E, 344.00 FEET; THENCE N 89°58'47" E, 165.83 FEET; THENCE S 00°00'00" W, 1108.89 FEET TO THE POINT OF BEGINNING, CONTAINING 18.23 ACRES. (739,910 SQ. FT.)

LESS THE FOLLOWING PORTION OF RETAIL #2 PARCEL:

Legal Description for Depot Restricted Parcel:

BEGINNING AT A POINT SOUTH, 128.20 FEET AND EAST 0.43 FEET FROM THE NORTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 115.08 FEET; THENCE N38°16'34" W, 117.35 FEET; THENCE N00°00'00" E, 206.06 FEET; THENCE N 38°16'34" E, 112.99 FEET; THENCE S 90°00'00" E, 117.78 FEET; THENCE S 00°00'00" W, 386.88 FEET TO THE POINT OF BEGINNING, CONTAINING 1.52 ACRES. (66,190 SQ. FT.)

[CORRECTING EXHIBIT "A" TO RIO GRANDE STREET GRANT OF EASEMENT - 7553963]

[FOR REFERENCE PURPOSES ONLY: TAX PARCEL/SIDWELL NOS.: 15-01-176-001, 15-01-176-011, 15-01-176-012, 15-01-176-013; 15-01-126-001, 15-01-126-002, 15-01-126-003, 15-01-126-004, 15-01-126-005, 08-36-376-004, 08-36-376-007-2000, 08-36-376-008]

BK8379PG5488

AFFIDAVIT EXHIBIT "C"

Legal Description of the Retail Parcels

This Exhibit pertains to the retail space to be located on the below described tracts and not the office space or residential space to be located on such tracts. The Owner intends to legally subdivide each tract into a separate lot and to record a condominium declaration and record of survey map creating a condominium project and separate condominium units on such tract pursuant to Utah Code Ann. Section 57-8-1 *et seq.* At such time, an amendment to the Agreement modifying this Exhibit to describe only the units of such condominium project which are intended to be used for rental purposes shall be executed and recorded.

Legal Description for Retail #1 Parcel:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 65, PLAT "A", SALT LAKE CITY SURVEY; THENCE S 89°58'15" W, ALONG THE SOUTH BLOCK LINE, 402.13 FEET TO THE SOUTHEAST CORNER OF THE McDONALD BROTHERS PROPERTY AS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 6196, PAGE 491, OF THE SALT LAKE COUNTY RECORDS; THENCE WITH THE EAST LINE OF SAID TRACT, WITH THE FOLLOWING BEARINGS AND DISTANCES: N 00°01'01" W, 100.48 FEET, N 90°00'00" W, 27.03 FEET, N 00°00'36" W, 64.55 FEET TO THE SOUTHEAST CORNER OF THE UTAH POWER AND LIGHT PROPERTY; THENCE ALONG THE EAST LINE OF SAID TRACT, N 00°00'36" W, 165.04 FEET; THENCE ALONG THE NORTH LINE OF SAID TRACT S 89°58'20" W, 171.24 FEET; THENCE N 00°00'00" E, 345.05 FEET; THENCE S 90°00'00" E, 600.27 FEET; THENCE S 00°01'01" E, 674.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.94 ACRES. (345,991 SQ. FT.)

Legal Description for Retail #2 Parcel:

BEGINNING AT A POINT SOUTH 11.71 FEET AND WEST 1.35 FEET FROM THE SOUTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 600.25 FEET; THENCE N 00°00'00" E, 738.81 FEET; THENCE S 90°00'00" E, 220.92 FEET; THENCE N 00°00'00" E, 370.64 FEET; THENCE N 90°00'00" W, 220.92 FEET; THENCE N 00°00'00" E, 405.48 FEET; THENCE N 89°59'06" E, 12.00 FEET; THENCE N 00°00'00" W, 80.00 FEET; THENCE N 89°59'06" E, 422.35 FEET; THENCE S 00°00'12" W, 142.21 FEET; THENCE S 00°00'44" E, 344.00 FEET; THENCE N 89°58'47" E, 165.83 FEET; THENCE S 00°00'00" W, 1108.89 FEET TO THE POINT OF BEGINNING, CONTAINING 18.23 ACRES. (739,910 SQ. FT.)

LESS THE FOLLOWING PORTION OF RETAIL #2 PARCEL:

Legal Description for Depot Restricted Parcel:

BEGINNING AT A POINT SOUTH, 128.20 FEET AND EAST 0.43 FEET FROM THE NORTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 115.08 FEET; THENCE N38°16'34"W, 117.35 FEET; THENCE N00°00'00"E, 206.06 FEET; THENCE N 38°16'34" E, 112.99 FEET; THENCE S 90°00'00" E, 117.78 FEET; THENCE S 00°00'00" W, 386.88 FEET TO THE POINT OF BEGINNING, CONTAINING 1.52 ACRES. (66,190 SQ. FT.)

[CORRECTING EXHIBIT "A" TO PLAZA PEDESTRIAN/PUBLIC USE EASEMENT – 7553964]

[FOR REFERENCE PURPOSES ONLY: TAX PARCEL/SIDWELL NOS.: 15-01-176-001, 15-01-176-011, 15-01-176-012, 15-01-176-013; 15-01-126-001, 15-01-126-002, 15-01-126-003, 15-01-126-004, 15-01-126-005, 08-36-376-004, 08-36-376-007-2000, 08-36-376-008]

BK8379PG5489

AFFIDAVIT EXHIBIT "D"

Legal Description of the Retail Parcels

This Exhibit pertains to the retail space to be located on the below described tracts and not the office space or residential space to be located on such tracts. The Owner intends to legally subdivide each tract into a separate lot and to record a condominium declaration and record of survey map creating a condominium project and separate condominium units on such tract pursuant to Utah Code Ann. Section 57-8-1 et seq. At such time, an amendment to the Agreement modifying this Exhibit to describe only the units of such condominium project which are intended to be used for rental purposes shall be executed and recorded.

Legal Description for Retail #1 Parcel:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 65, PLAT "A", SALT LAKE CITY SURVEY; THENCE S 89°58'15" W, ALONG THE SOUTH BLOCK LINE, 402.13 FEET TO THE SOUTHEAST CORNER OF THE McDONALD BROTHERS PROPERTY AS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 6196, PAGE 491, OF THE SALT LAKE COUNTY RECORDS; THENCE WITH THE EAST LINE OF SAID TRACT, WITH THE FOLLOWING BEARINGS AND DISTANCES: N 00°01'01" W, 100.48 FEET, N 90°00'00" W, 27.03 FEET, N 00°00'36" W, 64.55 FEET TO THE SOUTHEAST CORNER OF THE UTAH POWER AND LIGHT PROPERTY; THENCE ALONG THE EAST LINE OF SAID TRACT, N 00°00'36" W, 165.04 FEET; THENCE ALONG THE NORTH LINE OF SAID TRACT S 89°58'20" W, 171.24 FEET; THENCE N 00°00'00" E, 345.05 FEET; THENCE S 90°00'00" E, 600.27 FEET; THENCE S 00°01'01" E, 674.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.94 ACRES. (345,991 SQ. FT.)

Legal Description for Retail #2 Parcel:

BEGINNING AT A POINT SOUTH 11.71 FEET AND WEST 1.35 FEET FROM THE SOUTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 600.25 FEET; THENCE N 00°00'00" E, 738.81 FEET; THENCE S 90°00'00" E, 220.92 FEET; THENCE N 00°00'00" E, 370.64 FEET; THENCE N 90°00'00" W, 220.92 FEET; THENCE N 00°00'00" E, 405.48 FEET; THENCE N 89°59'06" E, 12.00 FEET; THENCE N 00°00'00" W, 80.00 FEET; THENCE N 89°59'06" E, 422.35 FEET; THENCE S 00°00'12" W, 142.21 FEET; THENCE S 00°00'44" E, 344.00 FEET; THENCE N 89°58'47" E, 165.83 FEET; THENCE S 00°00'00" W, 1108.89 FEET TO THE POINT OF BEGINNING, CONTAINING 18.23 ACRES. (739,910 SQ. FT.)

LESS THE FOLLOWING PORTION OF RETAIL #2 PARCEL:

Legal Description for Depot Restricted Parcel:

BEGINNING AT A POINT SOUTH, 128.20 FEET AND EAST 0.43 FEET FROM THE NORTHEAST CORNER OF BLOCK 80, PLAT "A", SALT LAKE CITY SURVEY; THENCE N 90°00'00" W, 115.08 FEET; THENCE N38°16'34"W, 117.35 FEET; THENCE N00°00'00"E, 206.06 FEET; THENCE N 38°16'34" E, 112.99 FEET; THENCE S 90°00'00" E, 117.78 FEET; THENCE S 00°00'00" W, 386.88 FEET TO THE POINT OF BEGINNING, CONTAINING 1.52 ACRES. (66,190 SQ. FT.)

[CORRECTING EXHIBIT "A" TO NORTH TEMPLE FRONTAGE ROAD GRANT OF EASEMENT – 7553965]

[FOR REFERENCE PURPOSES ONLY: TAX PARCEL/SIDWELL NOS.: 15-01-176-001, 15-01-176-011, 15-01-176-012, 15-01-176-013; 15-01-126-001, 15-01-126-002, 15-01-126-003, 15-01-126-004, 15-01-126-005, 08-36-376-004, 08-36-376-007-2000, 08-36-376-008]

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