

9067306

MTN: 03034222
Parcel No: 22-20-178-007 and 22-20-128-005
WHEN RECORDED MAIL TO:

BIC Murray Medical Properties, LLC
380 East Main Street, Building B, 2nd Floor
Midway, Utah 84049

9067306
05/20/2004 10:44 AM 34.00
Book - 8989 Pg - 8690-8702
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
METRO NATIONAL TITLE
BY: SBM, DEPUTY - WI 13 P.

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement is made and entered into on this 18th day of May 2004 by SALT LAKE COUNTY, a body corporate and politic of the State of Utah of 2001 South State Street, Salt Lake City, Utah 84190 (hereinafter the "County") and BIC MURRAY MEDICAL PROPERTIES, LLC, a Utah limited liability company of 380 West Main Street, Building B, 2nd Floor, Midway, Utah 84049 (hereinafter "BIC").

WHEREAS, the County is the owner of certain real property located in Salt Lake County, State of Utah that it acquired by way of a Final Judgement of Condemnation issued by the Third Judicial District Court in and for Salt Lake County, State of Utah that was recorded on July 29, 1986 as Entry Number 4285448 in Book 5795 at Page 2416 of the official records of the Salt Lake County Recorder and a copy of which is attached hereto as Exhibit "A" and by this reference made a part hereof (hereinafter the "County Property").

WHEREAS, Albena B. Aiello, Trustee was the owner of certain real property that abuts the County Property on the West that is located in Salt Lake County, State of Utah that she originally acquired title to as an individual by way of a Quit Claim Deed that was recorded November 16, 1995 as Entry Number 6214394 in Book 7271 at Page 1599 of official records a copy of which is attached hereto as Exhibit "B" and by this reference is made a part hereof. Albena B. Aiello, Trustee subsequently conveyed the subject property to herself as Trustee of the Albena B. Aiello Trust dated March 7, 2002 by way of a Quit Claim Deed that was recorded on March 13, 2002 as Entry Number 8174480 in Book 8575 at Page 8400 of official records. BIC has subsequently acquired and succeeded to the interest of Albena B. Aiello, Trustee in and to the subject real property by way of a Quit Claim Deed that was recorded on December 19, 2003 as Entry Number 8928708 in Book 8925 at Page 4601 of official records a copy of which is attached hereto as Exhibit "C" and by this reference made a part hereof (hereinafter the "BIC Property").

WHEREAS, the Westerly boundary of the County Property does not coincide with the Easterly boundary of the BIC Property.

WHEREAS, there is an existing fence line separating the County Property and the BIC Property.

WHEREAS, BIC and the County are desirous of establishing the existing fence line as the legal boundary between their respective parcels.

THEREFORE, in consideration of the mutual covenants and agreements contained herein, the County and BIC hereby agree as follows:

1. The boundary between the County Property and the BIC Property shall be fixed to coincide with the existing fence line separating these properties.
2. The County Property shall be re-described to have its West line coincide with the location of the existing fence line utilizing the legal description that is attached hereto as Exhibit "D" and by this reference made a part hereof (hereinafter the "Re-Described County Property").
3. BIC, hereby quit-claims to the County the Re-Described County Property as the same is described in the attached Exhibit "D".
4. The BIC Property shall be re-described to have its East line coincide with the location of the existing fence line utilizing the description that is attached hereto as Exhibit "E" and by this reference made a part hereof (hereinafter the "Re-Described BIC Property").
5. The County hereby quit-claims to BIC the Re-Described BIC Property as the same is described in the attached Exhibit "E".

EXECUTED by the parties in Salt Lake City, Utah on the day and year first written above.

SALT LAKE COUNTY, a body corporate
and politic of the State of Utah

By: [Signature]
Mayor or Designee

APPROVED AS TO FORM
Salt Lake County District Attorney's Office
By: [Signature]
Deputy District Attorney
Date: 4/28/04

By: [Signature]
Sherric Swenson, Salt Lake
County Clerk



BIC MURRAY MEDICAL PROPERTIES, LLC,
a Utah limited liability company
By its Managing member

BLOCK INVESTMENT COMPANY, L.L.C.,
a Utah limited liability company
By: [Signature]
DAVID M. NELSON
Its: Manager

STATE OF UTAH)
 :SS
County of Salt Lake)

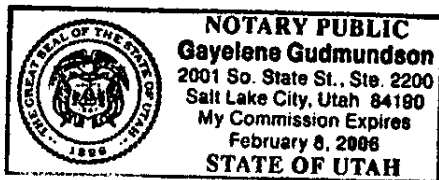
On this 14 day of May, 2004, personally appeared before me David Marshall, who being duly sworn, did say that (s)he is the Chief Administrative Officer of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.



Karen R. Lowe
NOTARY PUBLIC
Residing in Salt Lake County, Utah

STATE OF UTAH)
 :SS
County of Salt Lake)

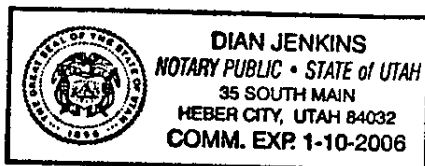
On this 12th day of May, 2004, personally appeared before me Sherrie Swensen, who being by me duly sworn, did say and acknowledge that she is the Clerk of Salt Lake County, and that the foregoing instrument was signed by her on behalf of Salt Lake County by authority of a Resolution of the Salt Lake County Council.



Gaylene Gudmundson
NOTARY PUBLIC
Residing in Salt Lake County, Utah

STATE OF UTAH)
Wasatch :SS
County of ~~Salt Lake~~)

On this 18 day of May, 2004, personally appeared before me David M. Nelson, a signer of the foregoing instrument, who duly acknowledged to me that he executed the same in his capacity as the manager of Block Investment Company, L.L.C., a Utah limited liability company, and who further acknowledged that said limited liability company executed the same in its capacity as the managing member of BIC Murray Medical Properties, LLC, a Utah Limited Liability Company.



Dian Jenkins
NOTARY PUBLIC
Residing in ~~Salt Lake~~ County, Utah
Wasatch

~~4985448~~
~~4235448~~

T. L. "TED" CANNON
Salt Lake County Attorney
By: Paul G. Maughan, #2124
Deputy County Attorney
Attorneys for Plaintiff
231 East 400 South
Salt Lake City, Utah 84111
Telephone: 363-7900.

FILED IN CLERKS OFFICE
SALT LAKE COUNTY, UTAH

JUN 26 1 57 PM '86

H. DIXON HINDLEY CLERK
DIST. COURT
BY *Barbara John*
DEPUTY CLERK

FILED AS RECEIVED
CO. RECORDER

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

SALT LAKE COUNTY, a body
corporate and politic of
the State of Utah,

Plaintiff,

-vs-

NORMA JEAN RAMOSELLI and
JOSEPH BENASSI,

Defendants.

FINAL JUDGMENT OF
CONDEMNATION

Civil No. C85-5109

Judge Timothy R. Hanson

The Court previously entered its Judgment of Just Compensation on stipulation in the above condemnation proceeding; and,

The Court now finds that pursuant to said Judgment, plaintiff has paid all amounts due and owing defendants and that a satisfaction of Judgment therefor has now been filed;

Now, therefore, it is ORDERED, ADJUDGED and DECREED that the parcel of defendants' property more particularly described hereafter is hereby taken and condemned in the name of Salt Lake County in fee simple absolute:

BK 8989 PG 8693

EXHIBIT "A", page 1

2416

FILED AS RECEIVED
CO. RECORDER

Beginning at a point on the North line of Grantor's land, said point being on the South line of that certain 100 foot wide parcel of land conveyed to the Utah Department of Transportation as recorded in Book 5572 of deeds, at page 444, said point also being 117.8 rods South and 8 rods East and Southerly 106.24 feet from the Northeast corner of the Northwest quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian. [said point also being N. 0°19'30" E. along the centerline of 900 East Street 519.83 feet and East 1,128.41 feet from the county surveyor's monument at the intersection of 900 East and 6600 South Streets,] and running thence West along said boundary line 70.90 feet; thence S. 43°10'28" E. 64.81 feet; thence Southerly on a 74.0 foot radius curve to the right (chord bears S. 21°35'14" E. 54.45 feet) a distance of 55.76 feet; thence South 132.32 feet; thence S. 83°19'01" E. 26.19 feet; thence S. 78°59'03" E. 37.39 feet to the centerline of Little Cottonwood Creek as it was in December, 1983; thence N. 29°45' W. 32.14 feet along said centerline; thence N. 18°53' E. 99.05 feet along said centerline; thence N. 1°56' E. 50.06 feet along said centerline; thence N. 17°17' W. 72.00 feet along said centerline; thence West 52.60 feet to the point of beginning. Contains 18,153 sq. ft. (0.4167 acres).

It is further ORDERED, ADJUDGED and DECREED that the use for which said property of defendants is being taken and condemned by plaintiff herein is a public use and a use authorized by law.

It is further ORDERED, ADJUDGED and DECREED that a copy of this Final Judgment of Condemnation be filed for record with the County Recorder of Salt Lake County, State of Utah, whereupon property described above being taken and condemned by

EXHIBIT "A", Page 2

plaintiff shall thereupon vest in the name of plaintiff Salt Lake County.

DATED this 26 day of July, 1986.

BY THE COURT:

[Handwritten signature]

TIMOTHY R. HANSON
ATTEST
H. DIXON HINDLEY

By *[Handwritten signature]*
Deputy Clerk

Judgment Approved:

[Handwritten signature]
ROBERT S. CAMPBELL, JR.
Attorney for Defendants
867G

FILMED AS RECEIVED
CO. RECORDER

COPY
CO. RECORDER

STATE OF UTAH
COUNTY OF SALT LAKE
I, THE UNDERSIGNED CLERK OF THE DISTRICT
COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY
CERTIFY THAT THE ABOVE
A TRUE AND FAITHFUL COPY OF THE
MENT ON FILE IN MY OFFICE OF SAID COURT
WITNESS MY HAND AND SEAL OF SAID COURT
THIS 26 DAY OF July 1986
H. DIXON HINDLEY, CLERK
BY *[Handwritten signature]* DEPUTY

no fee

Jul 29 10 07 AM '86
S.L. County R.C.
REG OF _____
DEP _____
K. J. Gundlach
ADD BOGENSCHITZ

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

EXHIBIT "A", page 3

EXHIBIT A

PARCEL "A"

PROPOSED DESCRIPTION FOR
ALBINA R. AIELLO

Beginning at a point Beginning at a point which is 117.80 rods (1943.70 feet) South and N.89°30'00" W. 23 rods (379.50 feet) and South 100 feet across a certain 100 foot wide parcel of land conveyed to the Utah Department of Transportation as recorded in Book 5572 of deeds, at page 444, from the Northeast corner of the Northwest quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 197.00 feet; thence East 531.00 feet more or less to the Westerly property boundary of the Utah Department of Transportation as recorded in book 5572 of deeds, at page 444, thence 93.25 feet more or less along said boundary line; thence northerly on a 74.0 foot radius curve to the left (chord bears N. 21°35'14" W. 54.45 feet) a distance of 55.76 feet; thence N. 43°28'00" W. 64.81 feet to a point on boundary line of said 100 foot wide parcel, thence N.89°05'00" W. along said boundary line 468.00 feet more or less to the point of beginning.

Together with a right of way over the following described tract, to-wit:

Beginning at a point Beginning at a point which is 117.80 rods (1943.70 feet) South and N.89°30'00" W. 23 rods (379.50 feet) and South 100 feet across a certain 100 foot wide parcel of land conveyed to the Utah Department of Transportation as recorded in Book 5572 of deeds, at page 444, and South 197.00 feet; and East 80 feet of the Northeast corner of the Northwest Quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence East 20 feet; thence South 330 feet more or less, to the center line of 6600 South Street; thence West along said center line 20 feet; thence North 330 feet more or less to the point of beginning.

EXHIBIT "B" PAGE 2

00-111-1-1-00

8928708

~~8928708
12/19/2003 10:57 AM 15.00
Book - 8925 Pg - 4601-4602
GARY DTT
RECORDER, SALT LAKE COUNTY, UTAH
METRO NATIONAL TITLE
BY ZJM, DEPUTY - WI 2 P.~~

MNT: 03034222
MAIL TAX NOTICE TO:

BIC MURRAY MEDICAL PROPERTIES, LLC
C/o Block Investment Company
380 East Main Street
Building B, Second Floor
Midway, Utah 84049

Tax Parcel No: 22020-178-007

QUIT CLAIM DEED

**ALBENA B. AIELLO, Trustee of the Albena B. Aiello
Trust dated March 7, 2002**

,GRANTOR

of Murray, Utah, hereby QUIT CLAIMS to:

**BIC MURRAY MEDICAL PROPERTIES, LLC, a
Utah limited liability company**

,GRANTEE

of 380 East Main Street, Building B, Second Floor, Midway, Utah 84049 for the sum of TEN AND 00/100'S DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Salt Lake County, State of Utah:

LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A"
AND BY THIS REFERENCE MADE A PART HEREOF

SUBJECT TO: County and/or City taxes not delinquent; Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights of Way, Easements, Leases and Reservations now of Record.

WITNESS, the hand of said grantor, this 15th day of December 2003.

Albena B. Aiello
ALBENA B. AIELLO, Trustee of the Abena B. Aiello
Trust dated March 7, 2002

STATE OF UTAH)
) ss:
COUNTY OF SALT LAKE)

On the 15th day of December 2003, personally appeared before me ALBENA B. AIELLO, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same in her capacity as the Trustee of the Ablena B. Aiello Trust dated March 7, 2002.

[Signature]
NOTARY PUBLIC

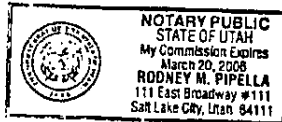


EXHIBIT "C", PAGE 1

~~BK 8925 PG 4604~~

SCHEDULE A

Order Number: 03034222C

LEGAL DESCRIPTION

PARCEL 1:

Commencing at a point located South 1941.65 feet and West 377.29 feet and South 100.00 feet from the North quarter corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as described on the Salt Lake County Surveyor Area Reference Plat of said section, dated October 1, 1992; said point also being North 00 deg. 19'30" East along the centerline of 900 East Street 525.07 feet and East 528.83 feet from the county surveyor's monument as described on said Area Reference Plat, at the intersection of 900 East Street and 6600 South Streets, said monument also being the basis for the survey conducted to describe this parcel; said point also being on the South line of the property conveyed to Utah Department of Transportation by Warranty Deed recorded July 10, 1984, as Entry No. 3965526 in Book 5572 at Page 444, said point also being the Northeast corner of the property conveyed to Norma Jean Ramoselli by Quit Claim Deed recorded November 20, 1995, as Entry No. 6217355 in Book 7273 at Page 2866; thence along said South line South 89 deg. 05'00" East 468.00 feet, more or less, (survey South 89 deg. 59'38" East along an existing fence line 531.03 feet to a fence intersection); thence South 43 deg. 28'00" West 64.81 feet (survey South 42 deg. 41'28" East along an existing fence line 64.81 feet to a rebar with surveyor cap #158397); thence continuing along said fence line, along the arc of a 74.00 foot radius curve to the right (chord bears South 21 deg. 35'14" East 54.45 feet) a distance of 55.76 feet (survey chord bears South 21 deg. 06'14" East to a rebar with survey cap #158397); thence Southerly 93.25 feet, more or less, (survey South 0 deg. 29'00" West 97.01 feet to a rebar with survey cap #158397), said point being on the North line extended of the PTR Homestead Village Incorporated property described by Special Warranty Deed recorded August 29, 1996, as Entry No. 6442920 in Book 7477 at Page 1871; thence West 531.00 feet, more or less, (survey South 89 deg. 56'19" West along an existing fence line 593.55 feet) to the Norma Jean Ramoselli property; thence North 197.00 feet (survey North 0 deg. 03'41" West 196.14 feet) to the point of beginning.

- POOR COPY -
CO. RECORDER

PARCEL 1A:

TOGETHER WITH a right of way over the following described tract to-wit:

Beginning at a point which is 117.80 rods (1943.70 feet) South and North 89 deg. 30'00" West 23 rods (379.50 feet) and South 100 feet across a certain 100 foot wide parcel of land conveyed to the Utah Department of Transportation as recorded in Book 5572, at Page 444, and the South 197.00 feet; and East 80 feet of the Northeast corner of the Northwest quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence East 20 feet; thence South 330 feet, more or less, to the center line of 6600 South Street; thence West along said center line 20 feet; thence North 330 feet, more or less, to the point of beginning.

EXHIBIT "C", Page 2

~~BK 8925 PG 4602~~

EXHIBIT "D"

**Description for Salt Lake County Parcel
to be used for a Boundary Line agreement**

A parcel of land being part of an entire tract, situate in the Northeast Quarter of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said entire tract is described in that Final Judgment of Condemnation recorded in Book 5795, Page 2416, Salt Lake County Recorder's Office. The boundaries of said parcel of land are as follows:

Beginning at a point in the north boundary line of said entire tract and in the south line of that certain 100 foot wide parcel of land conveyed to the Utah Department of Transportation as recorded in Book 5572, Page 444, in said Recorder's office, said point also being 117.8 rods South and 8 rods East and southerly 106.24 feet from the Northeast corner of the Northwest Quarter of said Section 20, said point also being 519.83 feet N. $00^{\circ}19'30''$ E. along the center line of 900 East Street and 1,128.41 feet East from the County Surveyor's monument at the intersection of 900 East and 6600 South Streets; thence West 63.74 feet along said north boundary line of said entire tract to a point in an existing fence line, said fence line is shown and located in that survey by Global Precision Surveying for Wentworth Development, LLC, said point is in the easterly boundary line of the property described in that Quit Claim Deed recorded in Book 8925, Page 4601, Salt Lake County Recorder's Office; thence southeasterly along said existing fence line and the easterly and southerly boundary lines of said Quit Claim Deed property the following 4 courses and distances: 1) S. $42^{\circ}41'28''$ E. 57.76 feet to a rebar and cap, being the point of tangency with a 74.00 foot radius curve to the right; 2) southeasterly 55.76 feet along the arc of said curve (chord bears S. $21^{\circ}06'14''$ E. 54.45 feet) having a central angle of $43^{\circ}10'28''$ to a rebar and cap; 3) S. $00^{\circ}29'00''$ W. 97.01 feet to a rebar and cap; 4) S. $89^{\circ}56'19''$ W. 0.73 feet to the west boundary line of said entire tract; thence South 39.96 feet along said west boundary line to the southwest corner of said entire tract; thence along the southerly, easterly and north boundary lines of said entire tract the following 7 courses and distances: 1) S. $83^{\circ}19'01''$ E. 26.19 feet; 2) S. $78^{\circ}59'03''$ E. 37.39 feet; 3) N. $29^{\circ}45'$ W. 32.14 feet; 4) N. $18^{\circ}53'$ E. 99.05 feet; 5) N. $01^{\circ}56'$ E. 50.06 feet; 6) N. $17^{\circ}17'$ W. 72.00 feet; 7) West 52.60 feet to the point of beginning.

The above described parcel of land contains 17,558 square feet in area, or 0.403 acre, more or less.

EXHIBIT "E"

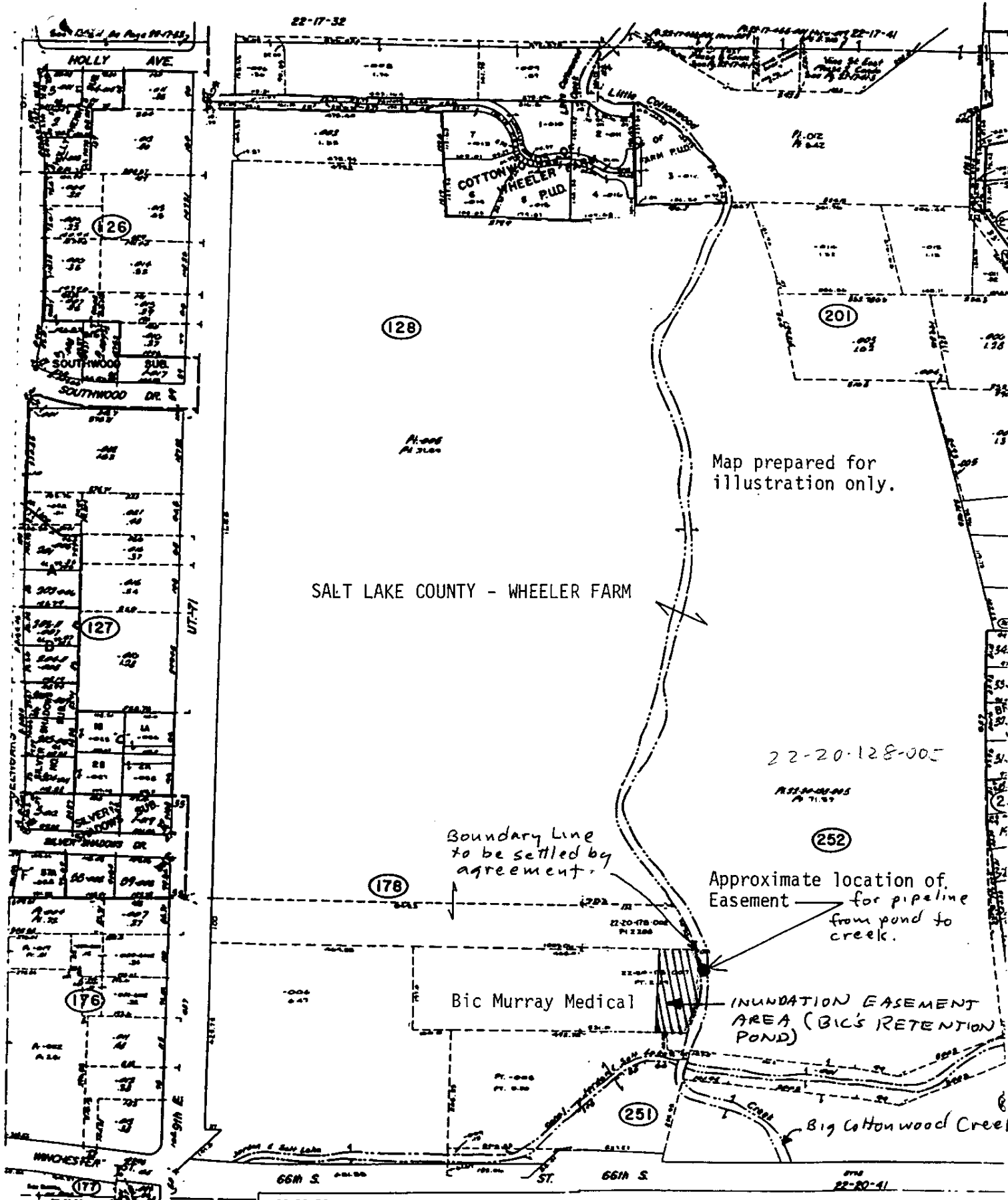
RE-DESCRIBED "BIC" PROPERTY

Order Number: 03034222C

LEGAL DESCRIPTION

PARCEL 1:

Commencing at a point located South 1941.65 feet and West 377.29 feet and South 100.00 feet from the North quarter corner of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as described on the Salt Lake County Surveyor Area Reference Plat of said section, dated October 1, 1992; said point also being North 00 deg. 19'30" East along the centerline of 900 East Street 525.07 feet and East 528.83 feet from the county surveyor's monument as described on said Area Reference Plat, at the intersection of 900 East Street and 6600 South Streets, said monument also being the basis for the survey conducted to describe this parcel; said point also being on the South line of the property conveyed to Utah Department of Transportation by Warranty Deed recorded July 10, 1984, as Entry No. 3965526 in Book 5572 at Page 444, said point also being the Northeast corner of the property conveyed to Norma Jean Ramoselli by Quit Claim Deed recorded November 20, 1995, as Entry No. 6217355 in Book 7273 at Page 2866; thence along said South line South 89 deg. 05'00" East 468.00 feet, more or less, (survey South 89 deg. 59'38" East along an existing fence line 531.03 feet to a fence intersection); thence South 43 deg. 28'00" East 64.81 feet (survey South 42 deg. 41'28" East along an existing fence line 64.81 feet to a rebar with surveyor cap #158397); thence continuing along said fence line, along the arc of a 74.00 foot radius curve to the right (chord bears South 21 deg. 35'14" East 54.45 feet) a distance of 55.76 feet (survey chord bears South 21 deg. 06'14" East to a rebar with survey cap #158397); thence Southerly 93.25 feet, more or less, (survey South 0 deg. 29'00" West 97.01 feet to a rebar with survey cap #158397), said point being on the North line extended of the PTR Homestead Village Incorporated property described by Special Warranty Deed recorded August 29, 1996, as Entry No. 6442920 in Book 7477 at Page 1871; thence West 531.00 feet, more or less, (survey South 89 deg. 56'19" West along an existing fence line 593.55 feet) to the Norma Jean Ramoselli property; thence North 197.00 feet (survey North 0 deg. 03'41" West 196.14 feet) to the point of beginning.



Map prepared for illustration only.

SALT LAKE COUNTY - WHEELER FARM

22-20-128-005

Boundary line to be settled by agreement.

Approximate location of Easement for pipeline from pond to creek.

Bic Murray Medical

INUNDATION EASEMENT AREA (BIC'S RETENTION POND)

Big Cottonwood Creek

SALT LAKE CO.
E 1/2 NW 1/4 SEC. 20 T.2S R.1E.

SALT LAKE CO.
W 1/2 NE 1/4 SEC. 20 T.2S R.1E.