

AFTER RECORDING RETURN TO:

Gregg Christensen, Chief Legal Officer
33rd and 13th, LLC
6340 S 3000 E Suite 500
Salt Lake City, Utah 84121

13375314
8/27/2020 2:24:00 PM \$40.00
Book - 11007 Pg - 3457-3463
RASHELLE HOBBS
Recorder, Salt Lake County, UT
FIRST AMERICAN NCS
BY: eCASH, DEPUTY - EF 7 P.

SPECIAL WARRANTY DEED

ATHABASCA LAND COMPANY, LLC, a Utah limited liability company, and **BOW VALLEY INVESTMENTS, LLC**, a Utah limited liability company (collectively, "**Grantor**"), in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, hereby conveys and warrants against all claiming by, through or under Grantor only, to **33RD AND 13TH, LLC**, a Delaware limited liability company ("**Grantee**"), having an address at 6340 S 3000 E Suite 500, Salt Lake City, Utah 84121, the following described tract of land located in Salt Lake County, State of Utah:

See Exhibit A, attached hereto and incorporated herein by reference (the "Property").

TOGETHER WITH all easements, improvements, fixtures, rights, tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto; and together with all improvements located thereon.

SUBJECT ONLY TO those "Permitted Exceptions" set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the Property above bargained and described unto Grantee forever;

AND Grantor, covenants and agrees to and with Grantee, to forever warrant and defend the quiet and peaceable possession of the Property, by Grantee, against every person who lawfully claims the Property or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions attached hereto as Exhibit B, and incorporated herein by this reference.

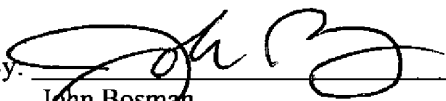
[Signature Page Follows]

IN WITNESS WHEREOF, Grantors executed this Special Warranty Deed this 12th day of March, 2020

GRANTORS:

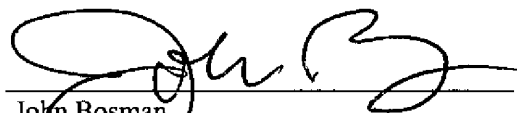
ATHABASCA LAND COMPANY, LLC,
a Utah limited liability company

By: MNG Management, LLC
a California limited liability company
Its: Manager

By: 
John Bosman
Its: Manager

BOW VALLEY INVESTMENTS, LLC,
a Utah limited liability company

By: MNG Management, LLC
a California limited liability company
Its: Manager

By: 
John Bosman
Its: Manager

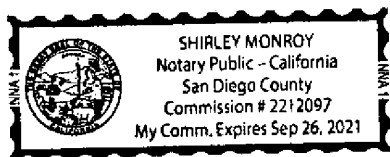
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On March 12, 2020, before me, Shirley Monroy, Notary Public, personally appeared John Bosman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



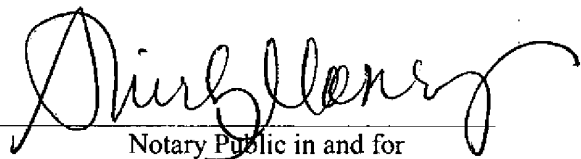

Notary Public in and for
said County and State

Exhibit A

Legal Description

PARCEL 1:

BEGINNING AT A POINT ON THE SOUTH LINE OF 3300 SOUTH STREET, SAID POINT BEING NORTH 89°48'00" EAST 50.00 FEET ALONG THE MONUMENT LINE AND SOUTH 00°18'43" WEST 40.00 FEET FROM A SALT LAKE COUNTY MONUMENT ON THE INTERSECTION OF 3300 SOUTH STREET AND 1300 EAST STREET, SAID POINT ALSO BEING NORTH 89°48'00" EAST 17.00 FEET AND SOUTH 00°18'43" WEST 7.00 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE NORTH 89°48'00" EAST 225.01 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 00°18'50" WEST 199.01 FEET; THENCE SOUTH 89°48'00" WEST 110.00 FEET; THENCE NORTH 00°18'50" EAST 97.76 FEET; THENCE SOUTH 89°48'00" WEST 125.01 FEET TO A POINT ON THE EAST LINE OF 1300 EAST STREET; THENCE NORTH 00°18'50" EAST 91.25 FEET ALONG SAID EAST LINE; THENCE NORTH 45°03'25" EAST 14.21 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 16-29-477-014-0000

PARCEL 2:

BEGINNING AT A POINT ON THE SOUTH LINE OF 3300 SOUTH STREET AT A POINT 1115.4 FEET NORTH AND 198.5 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN THE DEED TO BAYWAY BLIND AND DRAPERY, INC., RECORDED FEBRUARY 14, 1969 AS ENTRY NO. 2277151 IN BOOK 2730 AT PAGE 291 OF OFFICIAL RECORDS; AND RUNNING THENCE SOUTH 89°48'36" WEST 132.5 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF 3300 SOUTH STREET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN THE DEED TO GORDON H. CHRISTENSEN, RECORDED JULY 11, 1973 IN BOOK 3370 AT PAGE 162 OF OFFICIAL RECORDS; THENCE SOUTH 0°18'43" WEST 206.00 FEET ALONG THE EAST LINE OF SAID CHRISTENSEN PROPERTY; THENCE NORTH 89°48'36" EAST 16.30 FEET;

THENCE SOUTH 0°18'43" WEST 25.83 FEET; THENCE EAST 119 FEET, MORE OR LESS, TO A POINT DUE SOUTH FROM THE POINT OF BEGINNING; THENCE NORTH 232.24 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTH 7 FEET OF THE WEST 82.5 FEET OF SAID PROPERTY. ALSO, LESS AND EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THAT CERTAIN QUITCLAIM DEED TO SALT LAKE COUNTY, FOR THE PURPOSE OF WIDENING 33RD SOUTH STREET, RECORDED JUNE 8, 1971, AS ENTRY NO. 2390209, IN BOOK 2966 AT PAGE 1000 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH SEVEN (7) FEET OF THE FOLLOWING TRACT:

BEGINNING AT A POINT ON THE SOUTH LINE OF A 4 ROD STREET KNOWN AS 33RD SOUTH STREET, AT A POINT NORTH 89°45' EAST 18 RODS FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY AND RUNNING THENCE SOUTH 14' WEST 16 RODS; THENCE NORTH 89°45' EAST 5 RODS; THENCE NORTH

14' EAST 16 RODS TO THE SOUTH LINE OF SAID STREET; THENCE SOUTH 89°45' WEST, ALONG THE SOUTH LINE OF SAID STREET, 5 RODS TO THE POINT OF BEGINNING. PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN.

PARCEL NO. 16-28-351-052-0000

PARCEL 3:

COMMENCING NORTH 89°45' EAST 242 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY; THENCE SOUTH 0°14' WEST 206 FEET, MORE OR LESS; THENCE NORTH 89°45' EAST 55 FEET; THENCE NORTH 0°14' EAST 206 FEET, MORE OR LESS; THENCE SOUTH 89°45' WEST 55 FEET TO BEGINNING.

LESS AND EXCEPTING THE FOLLOWING: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 3300 SOUTH, SAID POINT BEING NORTH 89°45' EAST ALONG SAID SOUTH RIGHT OF WAY LINE 242.00 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY; AND RUNNING THENCE NORTH 89°45' EAST ALONG SAID SOUTH LINE 55.00 FEET; THENCE SOUTH 0°14'00" WEST 120.28 FEET TO A FENCE LINE; THENCE SOUTH 89°45'54" WEST ALONG SAID FENCE 55.00 FEET; THENCE NORTH 0°14'00" EAST 120.27 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 16-28-351-049-0000

PARCEL 4:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 3300 SOUTH STREET, SAID POINT BEING NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID SOUTH RIGHT OF WAY LINE 242.00 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY; AND RUNNING THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID SOUTH LINE 55.00 FEET; THENCE SOUTH 0 DEGREES 14 MINUTES 00 SECONDS WEST 120.28 FEET TO A FENCE LINE; THENCE SOUTH 89 DEGREES 45 MINUTES 54 SECONDS WEST ALONG SAID FENCE 55.00 FEET; THENCE NORTH 0 DEGREES 14 MINUTES 00 SECONDS EAST 120.27 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO SALT LAKE COUNTY BY THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 02, 1999 AS ENTRY NO. 7242525 IN BOOK 8245 AT PAGE 6042 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 3300 SOUTH STREET, SAID POINT BEING NORTH 89°45' EAST ALONG SAID SOUTH RIGHT OF WAY LINE 242.00 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 23, TEN ACRE PLAT A, BIG FIELD SURVEY, AND RUNNING THENCE NORTH 89°45' EAST ALONG SAID SOUTH LINE 55.00 FEET; THENCE SOUTH 0°14'00" WEST 7.00 FEET; THENCE SOUTH 89°45' WEST 55.00 FEET; THENCE NORTH 0°14'00" EAST 7.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 16-28-351-048-0000

Exhibit B

Permitted Exceptions

Exceptions 1 through 4 affect all Parcels:

1. General property taxes for the year 2020 and subsequent years, a lien not yet due or payable.
2. The land is included within the boundaries of Millcreek City, Mount Olympus Improvement District, Wasatch Front Waste & Recycling District, Salt Lake Valley Fire Service Area, Millcreek Fire Flow SID, Greater Salt Lake Municipal Services District, and is subject to charges and assessments made thereby.
3. Certificate of Creation of the Millcreek Community Reinvestment Agency recorded May 7, 2018 as Entry No. 12767700 in Book 10672 at Page 1947 of Official Records.

Millcreek, Utah Ordinance No. 16-12 Adopting an Official Plan for the Millcreek Center Community Reinvestment Project Area recorded May 3, 2019 as Entry No. 12981249 in Book 10777 at Page 929 of Official Records.
4. Vehicular access to 3300 South Street is limited to openings permitted by the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2005.

Exceptions 5 through 8 affect Parcel 1 only:

5. Terms, conditions, restrictions and right of way for a 16" steel pipeline as disclosed in that certain Bill of Sale recorded January 19, 1949 as Entry No. 1146085 in Book 657 at Page 575 of Official Records.
6. Abstract of Decision wherein the Salt Lake County Board of Adjustment granted a variance to reduce the rear yard from 10' to 0' recorded April 14, 1989 as Entry No. 4758898 in Book 6118 at Page 640 of Official Records.
7. An easement over, across or through the Land for underground electric power transmission, distribution and communication lines and related facilities and incidental purposes, as granted to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns by Instrument recorded August 21, 2013 as Entry No. 11709646 in Book 10171 at Page 30 of Official Records, the approximate location of which is shown on that certain ALTA/NSPS Land Title Survey prepared by Bruce D. Pimper of Anderson Wahlen & Associates dated October 16, 2019 (the "Survey").
8. A perpetual easement for the purpose of removing, constructing and maintaining highway appurtenances including but not limited to la sidewalk, curbing, and appurtenances thereof including street and lighting facilities, directional and traffic information signs and related appurtenances thereof, the construction and maintenance pedestrian ramps along 3300 South Street (SR-171) recorded June 20, 2018 as Entry No. 12794651 in Book 10685 at Page 7122 of Official Records, the approximate location of which is shown on the Survey.

Exception 9 affects Parcels 1 and 4:

9. Environmental Covenant and the terms and conditions contained therein recorded October 2, 2018 as Entry No. 12860485 in Book 10718 at Page 3252 of Official Records.

Exceptions 10 thru 16 affects Parcels 2 and 3:

10. An easement over, across or through the Land for electrical transmission lines and incidental purposes (exact location not disclosed), as granted to Utah Power Company by Deed, recorded October 23, 1912 as Entry No. 301265 in Book 9-L of Deeds at Page 106 of Official Records, the approximate location of which is shown on the Survey.

The interest of Utah Power Company was conveyed to Utah Power & Light Company by that certain Warranty Deed recorded February 8, 1913 as Entry No. 305830 in Book 9-M of Deeds at Page 69 of Official Records.

11. An easement over, across or through the Land for a pipe line and related facilities and incidental purposes, as granted to Salt Lake City Suburban Sanitary District by a Right of Way Agreement for Salt Lake City Suburban Sanitary District No. Pipe Line, recorded May 9, 1966 as Entry No. 2154810 in Book 2457 at Page 78 of Official Records, the approximate location of which is shown on the Survey.
12. A right-of-way, 20 feet wide to be used for ingress and egress to and from 3300 South and 1300 East Street (exact location not disclosed), but to be determined by a survey, as disclosed by that certain Quit-Claim Deed, recorded October 28, 1971 as Entry No. 2418036 in Book 3011 at Page 218 of Official Records, the approximate location of which is shown on the Survey.
13. An easement over, across or through the Land for pipe lines and related facilities and incidental purposes (exact location not disclosed), as granted to Salt Lake City Suburban Sanitary District by a Right of Way Agreement for Salt Lake City Suburban Sanitary District Pipe Line, recorded January 21, 1972 as Entry No. 2433133 in Book 3035 at Page 418 of Official Records, the approximate location of which is shown on the Survey.
14. Hold Harmless Agreement and the terms and conditions contained therein, between Salt Lake City Suburban Sanitary District and Gordon Christensen, in reference to an existing main line sewer pipe, recorded October 3, 1975 as Entry No. 2748257 in Book 3988 at Page 94 of Official Records.
15. Right of way for ingress and egress for deliveries and garbage collection over and across existing roads, as contained in Warranty Deed recorded March 21, 1978 as Entry No. 3080808 in Book 4642 at Page 352, the approximate location of which is shown on the Survey.
16. Right of way for ingress and egress for deliveries and garbage collection over and across existing roads, as contained in Warranty Deed recorded March 21, 1978 as Entry No. 3080809 in Book 4642 at Page 353, the approximate location of which is shown on the Survey.

Exception 17 affects the easterly boundary of Parcel 2:

17. Effects of a Boundary Line Agreement by and between 33rd South Investors, LLC and Sammy K. Wong and Ling Jing Wong, husband and wife, as joint tenants, wherein, among other things, the parties thereto agree that a common line set at a mid-point between buildings, shall be the

boundary between their respective properties, recorded July 7, 1998 as Entry No. 7020063 in Book 8030 at Page 962 of Official Records. Reference is made to the original document for the exact legal descriptions.

Exception 18 affects Parcel 2:

18. An easement over, across or through the Land for underground electric power transmission, distribution and communication lines and related facilities and incidental purposes, as granted to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns by Instrument recorded November 1, 2011 as Entry No. 11272091 in Book 9963 at Page 3604 of Official Records, the approximate location of which is shown on the Survey.

Exception 19 affects Parcel 3:

19. An easement over, across or through the Land for underground electric power transmission distribution and communication lines and related facilities and incidental purposes, as granted to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns by Instrument recorded December 6, 2011 as Entry No. 11292286 in Book 9972 at Page 3833 of Official Records, the approximate location of which is shown on the Survey.

Exception 20 affects Parcel 2:

20. An easement over, across or through the Land for underground electric power transmission, distribution and communication lines and related facilities and incidental purposes, as granted to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns by Instrument recorded December 6, 2011 as Entry No. 11292287 in Book 9972 at Page 3836 of Official Records, the approximate location of which is shown on the Survey.

Exception 21 affects Parcels 2 and 3:

21. Rooftop Easement and Assignment Agreement, by and between 3300 South Properties, LLC, Limited Liability Company and AP Wireless Investments II, LLC, a Delaware limited liability company, recorded November 13, 2012 as Entry No. 11513517 in Book 10076 at Page 8934 of Official Records.

Non-Disturbance & Attornment Agreement, by and among AP Wireless Investments II, LLC, a Delaware limited liability company (Grantee), 3300 S. Properties, LLC (Grantor) and Cyprus Federal Credit Union (Lender), recorded November 13, 2012 as Entry No. 11513518 in Book 10076 at Page 8963 of Official Records.

Assignment of Easement, by and between AP Wireless Investments II, LLC, a Delaware limited liability company, as Assignor and AP Wireless Investments I, LLC, a Delaware limited liability company, as Assignee, recorded August 21, 2013 as Entry No. 11709578 in Book 10170 at Page 9599 of Official Records.

Exception 22 affects Parcel 2:

22. Rights of Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, as tenant, under that certain Option and Building and Rooftop Lease Agreement dated February 19, 2011.