

8410053

When Recorded Return to:
Alele E. Lucas 8313
Wal-mart Real Estate Business Trust
2001 S.E. 10th Street
Bentonville, AR 72716-0550

8410053
11/04/2002 10:28 AM NO FEE
Book - 8678 Pg - 8090-8092
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH VALLEY SEWER DISTRICT
PO BOX 908
874 E 12400 S
DRAPER UT 84020
BY: RDJ, DEPUTY - WI 3 P.

PARCEL NO.: 27-08-178-013
GRANTOR: Wal-mart Real Estate Business Trust
as owner of Lot 1 of the South Jordan
Neighborhood Market Subdivision
Page 1 of 3

EASEMENT

A ten (10) wide lateral easement located in the Northwest Quarter of Section 08, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey;

For the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned GRANTOR(S) hereby grant, convey, sell, and set over unto Wal-mart Real Estate Business Trust, as owner of Lot 2 of the South Jordan Neighborhood Market Subdivision hereinafter referred to as GRANTEE, its successors and assigns, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace sewer laterals, and other sewer collection and transmission structures and facilities, hereinafter called Facilities, insofar as they lie within the property of the GRANTOR(S), said right-of-way and easement, being situate in Salt Lake County, State of Utah, over and through a parcel of the GRANTOR'S land lying within a strip ten (10) feet wide, more particularly described as follows:

Wal-mart Lateral Easement - 5120

Commencing at the Southeast corner of the Northwest Quarter of said Section 8 and considering the East line of said Northwest Quarter as bearing N 00°03'50" W, with all bearings contained herein being relative thereto; and running thence N 89°40'41" W along the South line of said Northwest Quarter, a distance of 558.29 feet; thence N 00°19'19" E 49.05 feet to a point on the north right of way line of 9800 South Street, thence N 89°39'18" W along said North line of 9800 South, 20.73 feet to the Southwest corner of an existing sanitary sewer easement; thence N 14°52'28" W along the West line of said sewer easement, a distance of 95.65 feet to the true point of beginning;

Thence N 89°18'24" W 99.39 feet to the East line of Lot 2, South Jordan Neighborhood Market Subdivision, County of Salt Lake, State of Utah;
Thence N 00°00'00" E 10.00 feet along said East line;
Thence S 89°18'24" E 98.44 feet to the West line of said existing sewer easement;
Thence S 00°00'00" W 6.43 feet;
Thence S 14°52'28" E 3.71 feet to the true point of beginning.

Contains: 0.02 acres (approx. 986 sq. ft.)

TO HAVE AND TO HOLD the same unto the said GRANTEE, its successors and assigns, so long as

BK 8678 PG 8090

such Facilities shall be maintained, with the right of ingress and egress in said GRANTEE, its officers, employees, representatives, agents, and assigns to enter upon the above described property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace said Facilities.

During construction periods, GRANTEE and its agents may use such portions of GRANTOR'S property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of said Facilities. The contractor performing the work shall restore all property through which the work traverses, to as near its original condition as is reasonably possible.

GRANTOR(S) shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the said GRANTEE, provided such use shall not interfere with the Facilities or with the collection and conveyance of sewage through said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTOR(S) shall not build or construct or permit to be built or constructed over or across said right-of-way, any building or other improvements, nor change the contour thereof without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of the GRANTOR(S) and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTOR(S) have executed their right-of-way and easement this day of _____, 2002.

County Parcel No. 27-08-178-013
Acreage 0.02 (approx. 986 s.f.)

GRANTOR(S)
[Signature]
Assistant Vice President

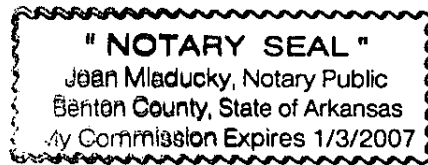
AR
STATE OF UTAH)
:SS Benton
COUNTY OF SALT LAKE)

On the 26 day of August, 2002 Robert M. Behard, the signers of the above instrument, personally appeared before me and duly acknowledged to me they executed the same.

[Signature]
Notary Public

My Commission Expires: 1-3-2007

Residing in: Bentonville, AR



Approved as to legal terms only
By [Signature]
WAL-MART LEGAL TEAM
Date 8-23-02

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EXHIBIT A



LOT 1
227,344 SQ FT
5.22 ACRES

SOUTH JORDAN NEIGHBORHOOD MARKET

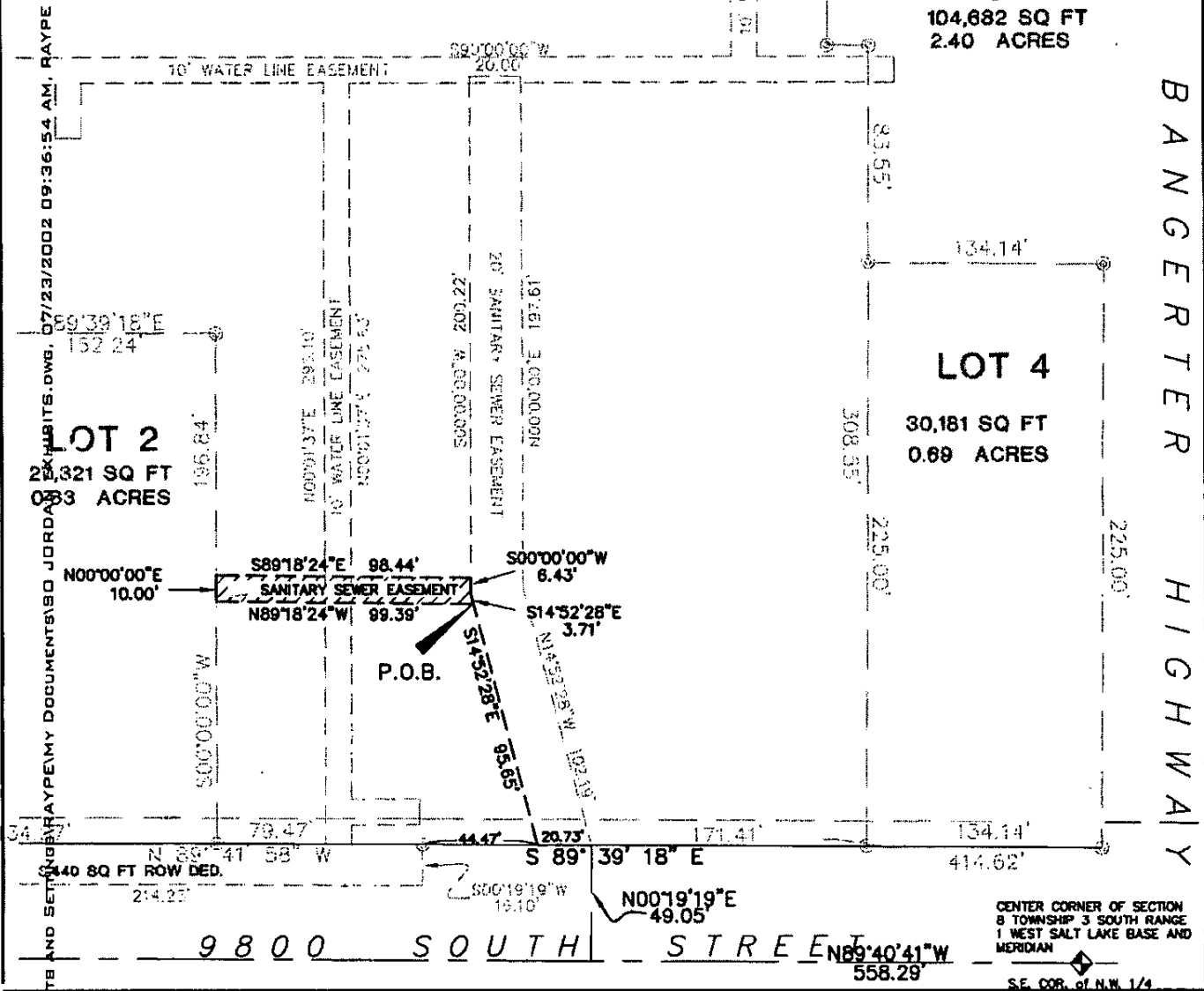
LOT 3
104,682 SQ FT
2.40 ACRES

SUBMITTALS DWS, 07/23/2002 09:36:54 AM, RAYPE

LOT 2
132,321 SQ FT
3.03 ACRES

LOT 4
30,181 SQ FT
0.69 ACRES

BANGERTER HIGHWAY



CENTER CORNER OF SECTION 8 TOWNSHIP 3 SOUTH RANGE 1 WEST SALT LAKE BASE AND MERIDIAN
SE COR. of N.W. 1/4

PROJ #: 010-383
DATE: JULY 18 02
REV#: 0
C:\DWS\RAYPE\MY DOCUMENTS\SO JORDAN

SANITARY SEWER EASEMENT
SO. JORDAN NEIGHBORHOOD MARKET
9800 S. BANGERTER HWY
SO. JORDAN UTAH

CLC ASSOCIATES
850 SOUTH 400 EAST
SUITE 304
SALT LAKE CITY
UTAH 84111
P 801 363 8805
F 801 363 8804
CLCASSO.DDM
ARCHITECTURE
ENGINEERING PLANNING
LANDSCAPE ARCHITECTURE
LAND SURVEYING



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SHEET 1

EXHIBIT