

PREPARED BY AND WHEN
RECORDED RETURN TO:

Victor A. Taylor, Esq.
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Salt Lake City, Utah 84111-1536
telephone: (801) 532-7840
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09/08/2000 03:42 PM 28.00
Book - 8386 Pg - 6109-6118
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
LANDMARK TITLE
BY: ZJN, DEPUTY - WI 10 P.

7715322

SPECIAL WARRANTY DEED
AND ASSIGNMENT

[TCAS, L.C. and Boyer Lubbock Associates/The Commons at Sugarhouse, L.C.]

THIS INSTRUMENT is entered into as of the 5th day of September, 2000, between TCAS, L.C., a Utah limited liability company, formerly known as The Commons at Sugarhouse, L.C. ("TCAS"), whose address is 127 South 500 East, Suite 500, Salt Lake City, Utah 84102, and BOYER LUBBOCK ASSOCIATES, a Texas general partnership ("Boyer Lubbock"), whose address is 127 South 500 East, Suite 500, Salt Lake City, Utah 84102 (TCAS and Boyer Lubbock are referred to in this instrument collectively as "Grantors"), and THE COMMONS AT SUGARHOUSE, L.C., a Utah limited liability company ("Grantee"), whose address is 127 South 500 East, Suite 500, Salt Lake City, Utah 84102.

FOR THE SUM OF TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged:

GRANTORS HEREBY CONVEY AND WARRANT to Grantee against all persons claiming by, through or under Grantors, but not otherwise, certain real property located in Salt Lake County, Utah, described as follows:

All of Lot 1 of The Commons at Sugarhouse Subdivision according to the official plat thereof.

TOGETHER WITH all buildings, other structures, landscaping, parking lots and walkways on, and fixtures attached to, such land (including, without limitation, plumbing, electrical, heating, ventilating, air conditioning and other lines and systems) and other physical improvements located on or affixed to such land, and all appurtenant easements and rights-of-way and all other appurtenances in any way appertaining to such land, including, without limitation, all oil, gas, water and mineral rights, and all right, title and interest of Grantors in and to any land lying in the bed of any street, road, avenue or alley, whether open, closed or proposed, and any strips and gores, in front of or adjoining such land, and in and to any award for damages to such land by reason of the change of any street or a condemnation or taking for a public use.

210-20-207-012

BK8386PG6109

LTC 22312/23824

SUBJECT TO current taxes and assessments and all liens, encumbrances, rights-of-way, easements, restrictions, reservations and other matters of record or enforceable at law or in equity.

GRANTORS HEREBY ASSIGN AND TRANSFER to Grantee all of Grantors' right, title and interest in, to and under the following (collectively, the "RDA Documents"):

(i) the Reimbursement Agreement, dated July 21, 1998, entered into between the Redevelopment Agency of Salt Lake City, a public agency (the "RDA"), as the Agency, and TCAS, as Developer, as the same has previously been amended; and

(ii) the Declaration of Easements, Covenants, Conditions and Restrictions, dated July 21, 1998, executed by TCAS, as Declarant, and recorded October 2, 1998 as Entry No. 7107888 in Book 8114 at Page 2483 of the official records of the Salt Lake County Recorder's Office.

GRANTEE HEREBY ACCEPTS such assignment and transfer and assumes and agrees to perform timely all obligations of Grantors under the RDA Documents.


GRANTORS AND GRANTEE have executed this instrument on the respective dates set forth below, to be effective as of the date first set forth above.

TCAS:

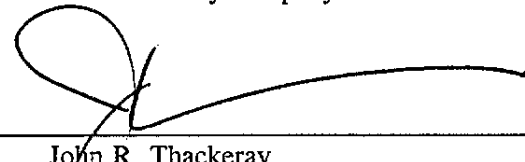
TCAS, L.C.,
by its managers:

BOYER POST OFFICE PLACE, L.C.,
a Utah limited liability company,
by its manager:

THE BOYER COMPANY, L.C.,
a Utah limited liability company

By 
Kem C. Gardner
Manager and President
Date 9-7-00

JT COMMONS AT SUGAR HOUSE, L.C.,
a Utah limited liability company

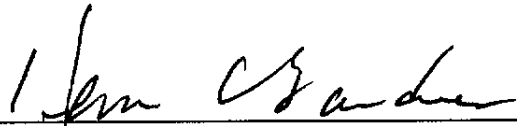
By 
John R. Thackeray
Manager
Date 9-8-00

BOYER LUBBOCK:

BOYER LUBBOCK ASSOCIATES,
by its general partner:

LUBBOCK G.C. ASSOCIATES, LTD.,
a Utah limited partnership,
by its general partner:

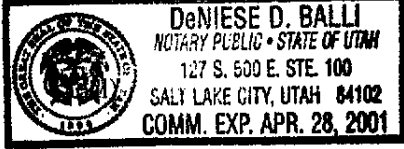
THE BOYER COMPANY, L.C.,
a Utah limited liability company

By 
Ken C. Gardner
Manager and President

Date 9-7-00

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 7th day of Sept., 2000, by Kem C. Gardner, the president and one of the managers of The Boyer Company, L.C., the manager of Boyer Post Office Place, L.C., one of the managers of TCAS, L.C.



Denise D. Balli
Notary Public

My Commission Expires:

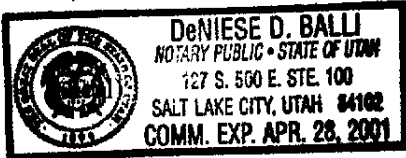
4-28-01

Residing at:

Salt Lake County

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 8 day of Sept, 2000, by John R. Thackeray, one of the managers of JT Commons at Sugar House, L.C., one of the managers of TCAS, L.C.



Denise D. Balli
Notary Public

My Commission Expires:

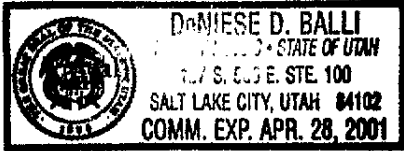
4-28-01

Residing at:

Salt Lake County

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 7th day of Sept, 2000, by Kem C. Gardner, the president and one of the managers of The Boyer Company, L.C., the general partner of Lubbock G.C. Associates, Ltd., the general partner of Boyer Lubbock Associates.



Donièse D. Balli
Notary Public

My Commission Expires:

4-28-01

Residing at:

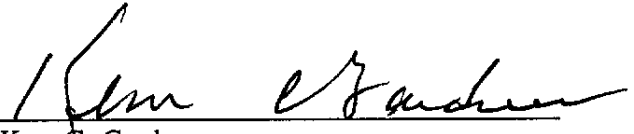
Salt Lake County

GRANTEE:

THE COMMONS AT SUGARHOUSE, L.C.,
by its managers:

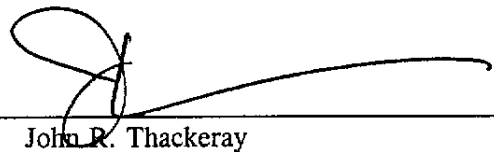
BOYER POST OFFICE PLACE, L.C.,
a Utah limited liability company,
by its manager:

THE BOYER COMPANY, L.C.,
a Utah limited liability company

By 
Kem C. Gardner
Manager and President

Date 9-7-00

JT COMMONS AT SUGAR HOUSE, L.C.,
a Utah limited liability company

By 
John R. Thackeray
Manager

Date 9-8-00

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 7th day of Sept., 2000, by Kem C. Gardner, the president and one of the managers of The Boyer Company, L.C., the manager of Boyer Post Office Place, L.C., one of the managers of The Commons at Sugarhouse, L.C.



Denise D. Balli
Notary Public

My Commission Expires:

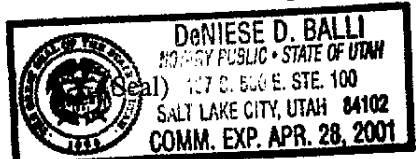
4-28-01

Residing at:

Salt Lake County

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 8th day of Sept., 2000, by John R. Thackeray, one of the managers of JT Commons at Sugar House, L.C., one of the managers of The Commons at Sugarhouse, L.C.



Denise D. Balli
Notary Public

My Commission Expires:

4-28-01

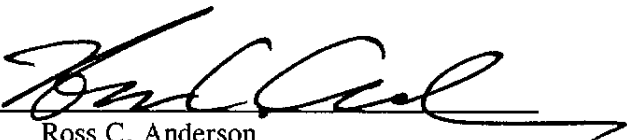
Residing at:

Salt Lake County

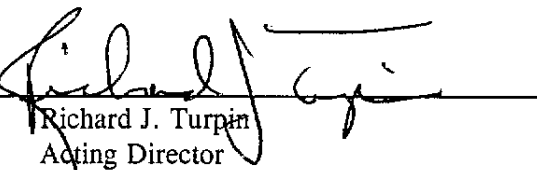
CONSENT
[Redevelopment Agency of Salt Lake City]

THE UNDERSIGNED, the REDEVELOPMENT AGENCY OF SALT LAKE CITY, a public agency, consents to (i) the prior conveyance of an interest in the subject property to Boyer Lubbock Associates, a Texas general partnership, and (ii) the conveyance, assignment, transfer and assumption set forth in the foregoing Special Warranty Deed.

REDEVELOPMENT AGENCY OF SALT LAKE CITY

By 
Ross C. Anderson
Chief Administrative Officer


Date 9/7/2000

By 
Richard J. Turpin
Acting Director

Date 9/5/2000

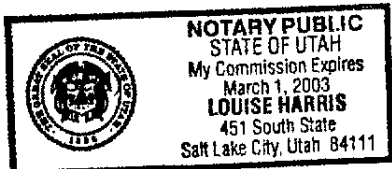
APPROVED AS TO LEGAL FORM BY COUNSEL:

Jones, Watts, Holbrook & McDonough

By: 

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 7th day of September, 2000,
by Ross C. Anderson, the Chief Administrative Officer of the Redevelopment Agency of Salt Lake City.



My Commission Expires:

March 1 - 2003

Louise Harris
Notary Public

Residing at:

Salt Lake City Utah

State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 6th day of Sept, 2000,
by Richard J. Turpin, the Acting Director of the Redevelopment Agency of Salt Lake City.

(Seal)

Valda E Garbet
Notary Public

My Commission Expires:

9/20/03

Residing at:

S.L.C., Utah

