

WHEN RECORDED, RETURN TO:

Land America Commercial Services
NCS National Accounts Administrator
1850 N. Central Ave., Ste. 300
Phoenix, AZ 85004
Attn: Allen Brown
07-51335
Sidwell Parcel No. 35-413-0001

SPECIAL WARRANTY DEED

SOVEREIGN SK LLC, a Delaware limited liability company ("Grantor"), with its principal place of business at c/o Sovereign Investment Company, 777 California Avenue, Palo Alto, CA 94304, Attn: General Counsel hereby conveys and warrants against all who claim by, through or under Grantor to RS OREM PARTNERS, LLC, a Delaware limited liability company ("Grantee"), with its principal place of business at 30342 Esperanza, Rancho Santa Margarita, CA 92688, for good and valuable consideration, that certain real property located in Utah County, State of Utah, more particularly described on Exhibit A attached hereto (the "Property").

SUBJECT TO (i) all matters of record, (ii) real property taxes and assessments for 2007, (iii) matters affecting title that would be disclosed by an accurate survey of the Property, (iv) underground utilities existing on the date hereof, if any, and (v) any exception to title created by Grantee or any person claiming by, through or under Grantee. This conveyance is made and accepted subject to all matters of public record; provided, however, that nothing contained in this deed shall be deemed or construed as an acknowledgment of the validity of the aforementioned matters or as an extension or renewal thereof if they, or any of them, have expired or become unenforceable by their own terms or by limitation, violation or for any other reason.

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TW 47223

EXHIBIT A

Legal Description of the Property

That certain real property located in Utah County, Utah more particularly described as follows:

PARCEL NO. 1:

LOT 1, PLAT "D", BOYER RETAIL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED OCTOBER 17, 2002 AS ENTRY NO. 122669:2002 UNDER MAP NO. 9755 OF OFFICIAL RECORDS.

PARCEL NO. 2:

THOSE RIGHTS APPURTENANT TO PARCEL 1, AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTION EXECUTED BY FAMILY FIRST FEDERAL CREDIT UNION, F.K.A. OREM GENEVA FEDERAL CREDIT UNION, DATED AUGUST 29, 1989 AND RECORDED SEPTEMBER 08, 1989 AS ENTRY NO. 26561 IN BOOK 2626 AT PAGE 66 OF OFFICIAL RECORDS AND THAT CERTAIN CORRECTED DECLARATION OF RESTRICTION RECORDED FEBRUARY 28, 1990 AS ENTRY NO. 6182 IN BOOK 2669 AT PAGE 113 AND RE-RECORDED MARCH 06, 1990 AS ENTRY NO. 6818 IN BOOK 2670 AT PAGE 555 OF OFFICIAL RECORDS.

PARCEL NO. 3:

THOSE RIGHTS APPURTENANT TO PARCEL 1, AS SET FORTH IN THAT CERTAIN GRANT OF EASEMENT RECORDED SEPTEMBER 08, 1989 AS ENTRY NO. 26564 IN BOOK 2626 AT PAGE 74 AND RE-RECORDED SEPTEMBER 11, 1989 AS ENTRY NO. 26675 IN BOOK 2626 AT PAGE 385 AND RE-RECORDED FEBRUARY 15, 1990 AS ENTRY NO. 4759 IN BOOK 2665 AT PAGE 860 OF OFFICIAL RECORDS AND ALSO IN THAT CERTAIN AMENDED AND RESTATED GRANT OF EASEMENTS RECORDED APRIL 30, 2001 AS ENTRY NO. 41575:2001 OF OFFICIAL RECORDS.

PARCEL NO. 4:

THOSE RIGHTS APPURTENANT TO PARCEL 1, AS SET FORTH IN THAT CERTAIN CROSS-EASEMENT AGREEMENT DATED AUGUST 31, 1989, BY AND BETWEEN SHOPKO STORES, INC., D/B/A UVALKO SHOPKO STORES, INC., A MINNESOTA CORPORATION, SMITH'S FOOD KING PROPERTIES, INC., A UTAH CORPORATION, AND BOYER OREM ASSOCIATES, A UTAH LIMITED PARTNERSHIP, RECORDED SEPTEMBER 08, 1989 AS ENTRY NO. 26572 IN BOOK 2626 AT PAGE 123, RE-RECORDED FEBRUARY 15, 1990 AS ENTRY NO. 4760 IN BOOK 2665 AT PAGE 869, UTAH COUNTY RECORDER'S OFFICE, FIRST AMENDMENT RECORDED FEBRUARY 14, 1991 AS ENTRY NO. 6165 IN BOOK 2764 AT PAGE 50, SECOND AMENDMENT TO CROSS-EASEMENT AGREEMENT RECORDED OCTOBER 12, 1995 AS ENTRY NO. 69315 IN BOOK 3790 AT PAGE 187, THIRD AMENDMENT TO CROSS-EASEMENT AGREEMENT RECORDED APRIL 11, 2001 AS ENTRY NO. 33819:2001 AND FOURTH AMENDMENT TO CROSS-EASEMENT AGREEMENT RECORDED JUNE 01, 2005 AS ENTRY NO. 58459:2005 OF OFFICIAL RECORDS.