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 12/15/2009 2:33:00 PM \$13.00  
 Book - 9788 Pg - 7749-7750  
 Gary W. Ott  
 Recorder, Salt Lake County, UT  
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 BY: eCASH, DEPUTY - EF 2 P.

When Recorded mail to:  
 Smith's Food & Drug Centers, Inc., an Ohio corporation  
 c/o Law Department  
 1014 Vine Street  
 Cincinnati, OH 45202-1100  
 Parcel number 16-17-456-029-0000  
 NCS-408382-71

**SPECIAL WARRANTY DEED**

Sinclair Marketing, Inc., a Wyoming corporation, ("Grantor"), having a mailing address of P.O. Box 30825, Salt Lake City, Utah 84130-0825, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration the sufficiency of which is hereby acknowledged, does hereby grant, convey and warrant against all claiming by through and under Grantor to Smith's Food & Drug Centers, Inc., an Ohio corporation, having a mailing address of 1550 South Redwood Road, Salt Lake City, Utah 84104 ("Grantee"), the following described tract of land known as 1974 South 1100 East, Salt Lake City, Utah, parcel number 16-17-456-029-0000, (the "Property") also described as follows:

PARCEL 1:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 19, BLOCK 1, 5-ACRE PLAT A, BIG FIELD SURVEY AND RUNNING THENCE SOUTH 00°04'07" WEST 27.06 FEET ALONG THE WESTERLY LINE OF ELEVENTH EAST STREET; THENCE WEST 90.88 FEET; THENCE NORTH 00°00'20" WEST 19.19 FEET; THENCE SOUTH 89°25'18" WEST 44.99 FEET TO THE EASTERLY LINE OF A 14.75 FOOT WIDE RIGHT-OF-WAY; THENCE NORTH 05°04'09" EAST 83.02 FEET ALONG SAID EASTERLY LINE TO THE SOUTHERLY LINE OF HOLLYWOOD AVENUE; THENCE SOUTH 89°55'18" EAST 128.65 FEET ALONG SAID SOUTHERLY LINE TO SAID WESTERLY LINE OF ELEVENTH EAST STREET; THENCE SOUTH 00°04'07" WEST 74.19 FEET ALONG SAID WESTERLY LINE OF ELEVENTH EAST STREET TO THE POINT OF BEGINNING.

PARCEL 2:

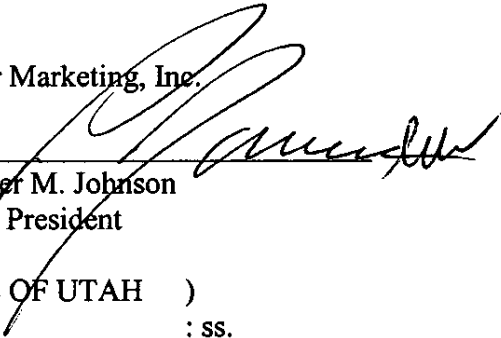
A RIGHT-OF-WAY OVER THE 14.75 FOOT BY 85.459 FOOT RIGHT-OF-WAY ADJOINING ON THE WEST, GOING NORTH TO HOLLYWOOD AVENUE AS DISCLOSED BY QUIT CLAIM DEED RECORDED OCTOBER 26, 2005, AS ENTRY NO. 9534297 IN BOOK 9208, PAGES 3014-3016 OF OFFICIAL RECORDS.

Subject to any covenants, conditions, restrictions and easements of record; roads and highways, if any; and taxes and assessments for the year 2010 and subsequent years, not due and payable as of the date hereof.

Grantee shall not use, directly or indirectly, any part of the Property for residential purposes. This restrictions shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the Property or any part thereof.

WITNESS the hand and seal of said Grantor this 14<sup>th</sup> day of December 2009.

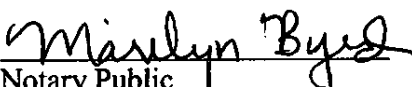
Sinclair Marketing, Inc.

By   
Peter M. Johnson  
Its: President

STATE OF UTAH     )  
                                  : ss.  
County of Salt Lake    )

On this 14<sup>th</sup> day of December 2009, personally appeared before Peter M. Johnson who, being duly sworn, did say he is the President of Sinclair Marketing Inc., a Wyoming corporation, and that the foregoing instrument was signed on behalf of said corporation.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day and year in this certificate above written.

  
Notary Public

