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04/09/2021 11:44 AM \$40.00  
Book - 11153 Pg - 8302-8304  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
FIDELITY NATIONAL TITLE GROUP  
STRATEGIC MARKET SERVICES  
7130 GLEN FOREST DR STE 300  
RICHMOND VA 23226-9902  
BY: DDK, DEPUTY - MA 3 P.

~~WHEN RECORDED RETURN TO:~~

Milbank LLP  
55 Hudson Yards  
New York, New York 10001  
Attn: Kevin O'Shea, Esq.

AFTER RECORDING, PLEASE RETURN TO:  
Fidelity National Title Group  
7130 Glen Forest Dr., Ste. 300  
Richmond, VA 23226  
Attn: \_\_\_\_\_

Tax Parcel No.: 27-20-301-028-0000

**SPECIAL WARRANTY DEED**

(J. C. Penney Properties, LLC) / (CTL Propco I LLC)

**THIS INSTRUMENT** is entered into as of the 30<sup>th</sup> day of January, 2021, between J. C. PENNEY PROPERTIES, LLC, a Delaware limited liability company, successor by conversion to J. C. Penney, Inc., a Delaware corporation (**Grantor**), whose address is 2401 S Stemmons Fwy Suite 4000, Lewisville, TX 75067-8797 and CTL PROPCO I LLC, a Delaware limited liability company (**Grantee**), whose address is c/o GLAS Trust Company LLC, 3 Second Street, Suite 206, Jersey City, New Jersey 07311.

**FOR THE SUM OF TEN DOLLARS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby conveys and warrants to Grantee against all who claim by, through or under Grantor, but not otherwise, certain real property (the **"Property"**) located in Salt Lake County, Utah described on Exhibit A attached hereto and incorporated herein.

**SUBJECT TO** the following:

(i) current taxes and assessments;

(ii) rights-of-way, easements, covenants, conditions, restrictions, reservations and other matters of record or enforceable at law or in equity, other than any mortgage, judgment or mechanic's lien created by, through, under or for Grantor; or

(iii) covenants, conditions, restrictions, easements, assessments, liens, charges, terms, provisions, limitations, notes and other matters of record in the Operation and Easement Agreement and amendments and supplements thereto and the Subdivision Plat recorded on and for the Property.


[Signature page follows.]

24228933

**THE GRANTOR** has executed this instrument on the respective date set forth below, to be effective as of the date first set forth above.


**GRANTOR:**

J. C. PENNEY PROPERTIES, LLC, a Delaware limited liability company, successor by conversion to J. C. PENNEY PROPERTIES, INC., a Delaware corporation

By:   
Name: Alan Carr  
Title: President

STATE OF NEW YORK        )  
                                  ) ss:  
COUNTY OF NEW YORK    )

On the 27<sup>th</sup> day of January in the year 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Alan Carr, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

APRIL B. ABRAMS  
Notary Public, State of New York  
No. 01AB5030907  
Qualified in Nassau County  
Commission Expires 07/25/2022

EXHIBIT A

Legal Description

The real property situated in Salt Lake County, Utah and more particularly described as follows:

PARCEL 1:

LOT 1, J.C. PENNEY AT THE DISTRICT, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK "2017" OF PLATS, AT PAGE 108 OF THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER.

PARCEL 2:

THOSE EASEMENTS APPURTENANT TO PARCEL 1 AS ESTABLISHED IN AND MORE PARTICULARLY DESCRIBED IN THAT CERTAIN OPERATION AND EASEMENT AGREEMENT, RECORDED JANUARY 27, 2005 AS ENTRY NO. 9283656 IN BOOK 9087 AT PAGE 8410 OF THE OFFICIAL RECORDS, AND AS AMENDED BY FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT, RECORDED JULY 19, 2006 AS ENTRY NO. 9787552 IN BOOK 9324 AT PAGE 3262 OF THE OFFICIAL RECORDS, AND AS SUPPLEMENTED BY THAT CERTAIN SUPPLEMENTAL DECLARATION, RECORDED JULY 20, 2006 AS ENTRY NO. 9787815 IN BOOK 9324 AT PAGE 4248 OF THE OFFICIAL RECORDS, AND AS AMENDED BY SECOND AMENDMENT TO OPERATION AND EASEMENT AGREEMENT, RECORDED OCTOBER 4, 2016 AS ENTRY NO. 12381580 IN BOOK 10484 AT PAGE 3172 OF THE OFFICIAL RECORDS.

**This instrument is being filed as an accommodation only. It has not been examined as to its execution, its validity or effect on title.**