

08-103-0058
PLATED VERIFIED
ENTERED MICROFILMED

1046187

DOUG CROFTS
RECORDED
MAY 12 9 35 AM '88

WHEN RECORDED, MAIL TO:
Keith Willner, Esq.
Lane and Edson, P.C.
2300 M Street, N.W.
Washington, D.C. 20037

FILED AND RECORDED FOR
Security Title

61036

SPECIAL WARRANTY DEED
(Corporate)

ZIONS FIRST NATIONAL BANK, a national banking association, with its principal office at One South Main Street, Salt Lake City, County of Salt Lake, State of Utah 84111, GRANTOR, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to AMERIBANC SAVINGS BANK, a Virginia stock savings and loan association, whose address is 7630 Little River Turnpike, Annandale, County of Fairfax, State of Virginia, GRANTEE, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following described tract(s) of land in Weber County, State of Utah, and more particularly described as follows (the "Property"):

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Beginning at a point on the West right of way line of 1500 West Street, said point being South 0°16'00" West 942.60 feet along the North-South Quarter Section line and North 87°35'00" West, 3.95 feet from the North Quarter corner of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian; said point being the South line of property conveyed to Allen G. Nel and Colonel Doner by Warranty Deed recorded in Book 1354, Page 253 of Records, and running thence North 87°35'00" West, 495.91 feet along said South line; thence South 3°02'10" West, 408.26 feet to the South line of the Northeast Quarter of the Northwest Quarter; thence North 89°37'13" East, 408.06 feet along the South line of said Northeast Quarter of the Northwest Quarter to the Westerly line of the David Grow et. al. property; thence North 19°25'34" East 338.82

feet to the East line of said Northwest Quarter; thence North $0^{\circ}16'00''$ East, 52.60 feet along said East line to a point on the West right of way line of 1500 West Street, said point also being on a 1687.02 foot radius curve to the right (radius point bears North $71^{\circ}45'48''$ East); thence Northerly along said curve and said right of way line 12.57 feet to the point of beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED RIGHT-OF-WAY:

A part of the Northeast Quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian; described as follows: Beginning at a point South $0^{\circ}16'00''$ West, 954.39 feet (962.40 feet Dead) along the North-South Quarter Section line from the North Quarter corner of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian; said point also being on the Westerly right of way line of 1500 West Street, and running thence South $22^{\circ}36'00''$ East along said right of way line, 41.50 feet; thence South $77^{\circ}13'25''$ West 17.12 feet to the East line of the Northwest Quarter of said Section 13; thence North $0^{\circ}16'00''$ East along said East line, 44.00 feet to the point of beginning.

SUBJECT TO AN EASEMENT OVER THE FOLLOWING 3 PARCELS:

A Twenty six foot easement over the following: Beginning at a point on the West right of way line of 1500 West Street, said point being South $0^{\circ}16'00''$ West 964.91 feet along the North-South Quarter Section line and East, 4.34 feet from the North Quarter corner of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence South $22^{\circ}36'00''$ East 26.01 feet along said West right of way line to a point on a 32.00 foot radius curve to the left (radius point bears South $24^{\circ}09'43''$ East); thence Southwesterly along the arc of said curve 71.97 feet; thence South

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23°00'00" West 245.00 feet to a point on a 105.00 foot radius curve to the right (radius point bears North 67°00'00" West); thence Southwesterly along the arc of said curve 76.97 feet; thence South 65°00'00" West 40.00 feet to a point on a 154.00 foot radius curve to the right (radius point bears North 25°00'00" West); thence Southwesterly along the arc of said curve 66.18 feet; thence South 89°37'13" West 270.01 feet; thence North 3°02'10" East 26.05 feet; North 89°37'13" East 268.46 feet to a point on a 128.00 foot radius curve to the left (radius point bears North 0°22'47" West); thence Northeasterly along the arc of said curve 55.00 feet; thence North 65°00'00" East 40.00 feet to a point on a 79.00 foot radius curve to the left (radius point bears North 25°00'00" West); thence Northeasterly along the arc of said curve 57.91 feet; thence North 23°00'00" East 245.00 feet to a point on a 58.00 foot radius curve to the right (radius point bears South 67°00'00" East); thence Northeasterly along the arc of said curve 44.09 feet to the point of beginning.

A five foot easement over the following: Beginning at a point on the West right-of-way line of 1500 West Street; said point being South 0°16'00" West 942.60 feet along the North-South Quarter Section line and North 87°35'00" West 3.95 feet from the North Quarter corner of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence North 87°35'00" West 495.31 feet; thence South 3°02'10" West 5.00 feet; thence South 87°35'00" East 497.82 feet to a point on the West right-of-way line of 1500 West Street; said point being on a 1687.02 foot radius curve to the right (radius point bears North 72°00'32" East); thence Northerly along the arc of said curve and right-of-way line, 5.33 feet to the point of beginning.

An eight foot easement over the following:
Beginning at a point which is South 0°16'00"
West, 1329.22 feet along the North-South
Quarter Section line and West 519.24 feet
from the North Quarter corner of Section 13,
Township 5 North, Range 2 West, Salt Lake
Base and Meridian, and running thence North
3°02'10" East 8.01 feet; thence North
89°37'13" East 401.91 feet; thence North
18°56'51" East 376.05 feet to a point on the
west right-of-way line of 1500 West Street;
thence South 22°34'00" East 12.07 feet along
said right-of-way line; thence leaving said
right-of-way line South 18°56'51" West
372.68 feet; thence South 89°37'13" West
408.06 feet to the point of beginning.

This Special Warranty Deed is further subject to the following described exceptions to title:

1. Property taxes payable with respect to the Property for the years including and subsequent to 1985.
2. Any charges and/or assessment that may be levied by the Weber Basin Water Conservancy District and the Central Weber Sewer Improvement District.
3. Grant to State Road Commission of Utah by permission to locate and construct within said property and outside the limits of the highway all irrigation ditches and an 8 inch tile pipe line made necessary by the construction of said highway project; as appears from instrument dated November 27, 1942, and recorded March 15, 1943, in Book 172, Page 473 of Records.
4. Right of way easement for pipeline dated May 4, 1944, and recorded June 13, 1944, in Book 190, Page 359 of Leases, whereby State Road Commission of Utah is permitted to construct and thereafter Frank Warner and Alma L. Ellis, their heirs, successors and assigns, thereafter termed "Licensees" to maintain, operate

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and remove a pipeline for the purpose of conveying irrigation water across that portion of the Grantors property described as follows: A strip of land 8 feet wide, 4 feet on each side of the following described centerline: Beginning at a point on Boundary line of Northeast Quarter of the Northwest Quarter of Section 13, Township 3 North, Range 2 West, Salt Lake Base and Meridian, which point is 85.3 feet North of the Southeast corner of said Northeast Quarter of Section 13, said point being also 117 feet radially distance Northwesterly from the centerline survey of that section relocated Highway No. U.S. 91, known as F.A. Project 114-A at Engineers Station 42+18.3; thence South 57°05' West 156.3 feet to the South boundary line of said Northeast Quarter of the Northwest Quarter of Section 13. The said Grantors to fully use the described premises except for the purpose herein above granted to said Licensees.

5. The Southerly line of said property adjoining the Northerly line of the State Highway over and across the Southerly line is now and forever closed to the Owners, their heirs, successors and assigns, as appears from Final Order of Condemnation dated April 12, 1968 and recorded April 22, 1968 in Book 887, Page 440 of Records.
6. A 5-foot wide easement for communication facilities and necessary rights of ingress and egress, conveyed to The Mountain States Telephone and Telegraph Company, by instrument recorded July 18, 1974 in Book 1059, Page 436 of Records.
7. Reservation in Quit Claim Deed from the State Road Commission of Utah to N.K. Dellstra, recorded October 25, 1955 in Book 494, Page 374 of Records, as follows: The land is made subject to the following conditions, which shall run with the land and shall be a limitation upon the use of said land by the Grantee, his heirs, assigns and successors in interest, irrigation and/or flood water shall be so controlled by the Grantee, his heirs, assigns, lessors, and successors in interest that no damage shall result from such waters to the adjoining State Highway. (Affects right of way.)

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8. Reservations in mesne deeds of record whereby access from the subject property to the adjoining State Highway to the South is barred.
9. Reservation in Quit Claim Deed from State Road Commission of Utah to Henry Dee and I.M. Dee his wife, recorded December 1, 1965 in Book 823, Page 248 of Records, as follows: "Pursuant to Section 15, Chapter I, Title 65, Utah Code Annotated 1953, the State of Utah reserved all coal and other mineral deposits in the land hereby conveyed.
10. A perpetual easement and right of way for the erection and continued maintenance etc., of the Electric Transmission and Distribution circuits over and across the subject property as follows: Beginning on the North boundary line of the Grantors land at a point 962 feet South and 19 feet East more or less, from the North Quarter corner of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian, thence South 1°10' East 275 feet, more or less, to the South boundary line of said boundary line of said land and being in the Northwest Quarter of the Northeast Quarter of Section 13, as conveyed to Utah Power and Light Co., by instrument recorded June 7, 1978 in Book 1246, Page 666 of Records.
11. A right of way easement to lay, maintain, operate and repair pipelines, valves, valve boxes and other gas transmission and distribution over and across the subject property as follows: 6 feet on each side of the following described centerline: Beginning at a point 951.48 feet South and 4.42 feet East of the Northeast corner of the Northwest Quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian, running thence North 87°35' West 262.0 feet as conveyed to Mountain Fuel Supply Co., by instrument recorded November 16, 1983 in Book 1435, Page 2337 of Records.
12. Grant of Right-of-Way and Easements in which Player & Willyard, a Utah general partnership appears as Grantor and David Grow, Jeffrey R. Burton and Linda Burton appear as Grantee, which Grant of Right-of-Way and Easements was recorded in the Office of the County Recorder of Weber County, State of Utah on November 9,

1984, as Entry No. 923189, in Book 1457, at 603, et seq.

13. Subject to the rights of Grantee and the successors and assigns of Grantee, if any, in and to the Property.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be hereunto affixed by its duly authorized officers this 9 day of May, 1988.

ZIONS FIRST NATIONAL BANK,
a national banking association

By: *Paul G. Williams*
Its: Senior Vice Pres.

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STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the 9th day of May, 1988, personally appeared before me, Paul G. Williams, who being by me duly sworn, did say that he is the Vice President of ZIONS FIRST NATIONAL BANK, a national banking association, the national association that executed the above and foregoing instrument, and that said instrument was signed in behalf of said national association by authority of a Resolution of its Board of Directors and said Paul G. Williams duly acknowledged to me that said national association executed the same.

Duff Albrough
NOTARY PUBLIC

Residing At:
Salt Lake City, UT 84111

