

WHEN RECORDED MAIL TO:
Avalon Properties, L.C.
4425 South 500 West, Suite A
Murray, Utah 84123

E 1098326 B 1726 350
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1994 FEB 18 1:07 PM FEE 13.00 DEP CSP
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

File 19 keys 0
File 18 " 0

File 17 keys 0
NW 34 4N-1W

CAPITOL INDUSTRIES, INC., a Utah corporation, of Murray, County of Salt Lake, State of Utah, as grantor, hereby CONVEYS and WARRANTS to HARDEN W. BREINHOLT and KEITH ROMNEY, JR., as tenants in common, as grantees, for the sum of Ten and No/100 Dollars, and for other good and valuable consideration, the following described tract of land in Davis County, State of Utah:

Part of the Northwest quarter of Section 34, Township 4 North, Range 1 West, Salt Lake Base and Meridian described as follows:

Beginning on the Easterly right-of-way line of State Highway 106 at a point which is North 46° 25' West 703.50 feet and North 75° 10' West 249.27 feet from the Southwest corner of Block 17, Plat D, Kaysville Townsite Survey, part of which lies in Section 34, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 75° 10'00" West 35.36 feet along the said Easterly right-of-way line; thence North 43° 35'00" East 159.67 feet; thence North 75° 10'00" West 478.29 feet to the Southeasterly line of 600 North Street; thence North 14° 12'00" East 43.64 feet along said Southeasterly line to a point of curve; thence Northeasterly 275.94 feet along an 1132.00 foot radius curve to the right to a point of reverse curve (radius point bears North 61° 50'00" West); thence Northeasterly 190.31 feet along a 431.36 foot radius curve to the left to a point of reverse curve (radius point bears South 87° 06'39" East); thence Northeasterly 143.26 feet along a 255.51 foot radius curve to the right to a point (radius point bears South 54° 59'09" East) on said curve; thence South 43° 14'00" East 725.47 feet; thence South 43° 35'00" West 459.96 feet to the point of beginning.

pt 11-100-0044

Beginning on the Easterly right-of-way line of State Highway 106 at a point which is North 46° 25' West 703.50 feet and North 75° 10' West 423.99 feet along said Easterly line from the Southwest corner of Block 17, Plat D, Kaysville Townsite Survey, part of which lies in Section 34, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 75° 10'00" West 260.58 feet to the Southerly line of 600 North Street; thence North 14° 12'00" East 140.00 feet along said Southerly line; thence South 75° 10'00" East 262.13 feet; thence South 14° 50'00" West 139.99 feet to the point of beginning.

Rein 0044

This document is being re-recorded for the purposes of completing the legal description

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E 1101544 B 1732 P 58
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1994 MAR 7 9:57 AM FEE 17.00 DEP JB
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

E 1101544 B 1732 P 58

Subject to all easements, covenants, restrictions, rights of way and reservations appearing of record and taxes for the year 1994 and thereafter.

Subject to a Trust Deed, dated May 17, 1990, executed by Capitol Industries, Inc., as Trustor, in the amount of \$1,500,000, to Zions First National Bank, as Beneficiary, recorded May 18, 1990, as Entry No. 891353, in book 1351, Page 1156, of Official Records, and modifications thereto, and to financing statements and assignments of leases executed in connection therewith.

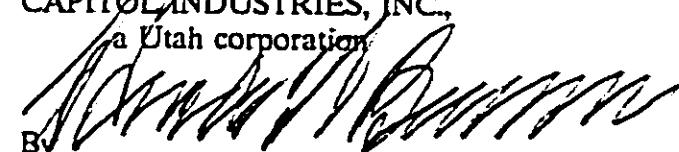
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The officer who signs this deed hereby certifies that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the grantor has caused the name of its duly authorized officer to be signed hereunder this 10th day of February A.D. 1994.

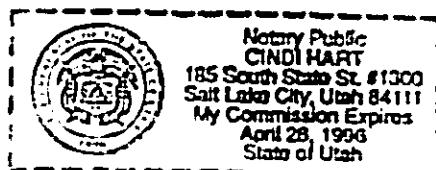
CAPITOL INDUSTRIES, INC.,
a Utah corporation

By


Harden W. Breinholt, President

STATE OF UTAH
County of Salt Lake

On the 11th day of February, 1994, personally appeared before me HARDEN W. BREINHOLT, who being by me duly sworn did state that he is the President of CAPITOL INDUSTRIES, INC., a Utah corporation, and that the foregoing document was signed in behalf of said corporation by authority of a resolution of its board of directors and said HARDEN W. BREINHOLT acknowledged to me that said corporation executed the same.




NOTARY PUBLIC

EXHIBIT A

SUBJECT TO THE FOLLOWING DESCRIBED RIGHT-OF-WAY AND EASEMENT FOR ACCESS AND PARKING.

BEGINNING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 106 AT A POINT WHICH IS NORTH 46°25' WEST, 703.50 FEET AND NORTH 75°10' WEST 249.27 FEET FROM THE SOUTHWEST CORNER OF BLOCK 17, PLAT D, KAYSVILLE TOWNSITE SURVEY, A PART OF WHICH LIES IN SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 75°10'00" WEST 35.36 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 43°35'00" EAST 159.67 FEET; THENCE NORTH 75°10'00" WEST 478.29 FEET TO THE SOUTHEASTERLY LINE OF 600 NORTH STREET; THENCE NORTH 14°12'00" EAST 43.64 FEET ALONG SAID SOUTHEASTERLY LINE TO A POINT OF CURVE; THENCE NORTHEASTERLY 21.36 FEET ALONG AN 1132.00 FOOT RADIUS CURVE TO THE RIGHT TO A POINT (RADIUS POINT BEARS SOUTH 74°43'08" EAST) ON SAID CURVE; THENCE SOUTH 75°10'00" EAST 549.83 FEET; THENCE SOUTH 43°35'00" WEST 233.81 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED RIGHT-OF-WAY FOR ACCESS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF STATE HIGHWAY 106 AT A POINT WHICH IS NORTH 46°25'00" WEST 703.50 FEET AND NORTH 75°10'00" WEST 423.99 FEET FROM THE SOUTHWEST CORNER OF BLOCK 17, PLAT "D", KAYSVILLE TOWNSITE SURVEY, A PART OF WHICH LIES IN SECTION 34, TOWNSHIP 4 NORTH RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 75°10'00" WEST 30.00 FEET ALONG SAID EASTERLY LINE; THENCE NORTH 14°50'00" EAST 139.99 FEET; THENCE SOUTH 75°10'00" EAST 30.00 FEET, THENCE SOUTH 14°50'00" WEST 139.99 FEET TO THE POINT OF BEGINNING.

ALL EASEMENT AND RIGHT-OF-WAYS OVER PREMISES DESCRIBED IN EXHIBIT "A" IN THAT CERTAIN EASEMENT AGREEMENT DATED MARCH 1, 1978 AND RECORDED MARCH 22, 1978 IN BOOK 697 PAGE 366 OF RECORDS, FOR THE BENEFIT OF PARCEL A UNDER THE TERMS OF SAID AGREEMENT.



State of Utah
County of Salt Lake SS:

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On the 24th day of February, 1994, personally appeared before me Harden W. Beinholt as president of Capitol Industries, Inc., a Utah corporation who initialed the changes in the foregoing instrument for the purposes of correcting and re-recording said instrument.

Harden W. Beinholt

