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**DECLARATION OF RELEASE AND TERMINATION OF EASEMENTS
AND RIGHTS OF WAY**

This Agreement is entered into this 30 day of July, 1991, by and between **ROY CITY CENTRE REALTY LIMITED**, a Utah limited partnership (hereinafter "Roy City") and **FIRST SECURITY BANK OF UTAH, N.A.**, a Delaware corporation (hereinafter "First Security").

WHEREAS, First Security is the owner of real property which is located at the Southwest corner of the intersection of 5600 South and 1900 West Streets in Roy, Utah. Said property is described in the attached Exhibit "A" and referred to hereinafter as the "FIRST SECURITY PARCEL"; and

WHEREAS, Roy City owns the real property described in the attached Exhibit "B" which is contiguous on the West and South to the FIRST SECURITY PARCEL and referred to hereinafter as the "ROY CITY PARCEL"; and

WHEREAS, a number of easements and rights of way now appear in the records of the Weber County Recorder which affect the FIRST SECURITY PARCEL and the ROY CITY PARCEL; and

WHEREAS, the parties hereto desire to terminate and forever extinguish all rights and interests in and to the easements and rights of way, as specifically set forth in Exhibit "C" attached hereto and incorporated herein so that such interests no longer encumber or effect any portion of either parcel,

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and the recitals above being incorporated herein by this reference, the parties agree as follows:

1. Roy City hereby relinquishes and forever waives any claim, right, title, and/or interest in and to any of the rights of way and/or easements etc. as described in the attached Exhibit "C".
2. First Security hereby relinquishes and forever waives any claim, right, title and/or interest in and to any of the rights of way and/or easements, etc. as described in the attached Exhibit "C".
3. It is the intent of the parties hereto that the easements and rights of way specifically set forth in Exhibit "C" shall no longer be a benefit or burden to any portion or part of the FIRST SECURITY PARCEL or the ROY CITY PARCEL and shall no longer run with the land and shall be forever terminated and extinguished.

1
E# 1147266 BK1604 PG2120
DOUG CROFTS, WEBER COUNTY RECORDER
31-JUL-91 1042 AM FEE \$18.00 DEP MH
REC FOR: LANDMARK_TITLE

PLATTEED INDEXED
LTC 3701

DATED this 30 day of July, 1991.

**ROY CITY CENTRE REALTY LIMITED
PARTNERSHIP, a Utah limited
partnership**

By: **WOODBURY AMSOURCE,
INC., a Utah
corporation**
Its: **Managing General Partner**

By: *John R. Gaskill*
John R. Gaskill
Its: **President**

By: *W. Richards Woodbury*
W. Richards Woodbury
Its: **Vice President**

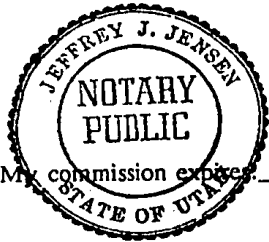
**FIRST SECURITY BANK OF UTAH, N.A.,
a Delaware corporation**

By: *W. L. Hamilton*
Its: *Exec. Vice Pres.*

ACKNOWLEDGEMENT

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

On the 27th day of July, 1991, personally appeared before me John R. Gaskill and W. Richards Woodbury, who being by me duly sworn, did execute the foregoing instrument.



[Signature]
Notary Public
Residing at: SALT LAKE CITY

My commission expires: 9.9.91

ACKNOWLEDGMENT

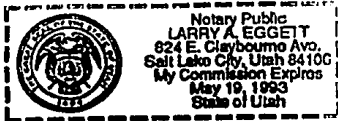
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 30 day of July, 1991, personally appeared before me W.L. Houghton, who being by me duly sworn did say, that he is the Exec. V.P. of FIRST SECURITY BANK, N.A., and he did execute the foregoing instrument in behalf of said corporation.

[Signature]
Notary Public
Residing at: SALT LAKE CITY, UT

My commission expires: 5-19-93

/A/WOODAMSO/DECLARATION.FRS



[Handwritten initials]

EXHIBIT A

E# 1147266 BK1604 PG2123

AMERICAN SAVINGS PARCEL

Part of the Northeast Quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at the Northeast corner of said Northeast Quarter of Section 23; running thence South 178.43 feet along the Quarter Section line; thence West 200 feet; thence North 178.43 feet to the Section line; thence East 200 feet to the point of beginning.

PARCEL D

Beginning at a point which is North 89 deg. 43'34" West 230.13 feet and South 0 deg. 16'26" West 40.05 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian; thence South 89 deg.43'34" East 29.88 feet along the South Right-Of-Way line of 5600 South (formerly described of record as North 89 deg. 59' East) to a point on an East Boundary line of the property conveyed to Albertson's, Inc. in that certain Warranty Deed recorded October 26, 1990 as Entry No. 1122324, in Book 1588 at page 2523, in the Office of the Weber County Recorder. Said boundary is also the East Boundary of "Parcel 3" as identified on an ALTA Survey for Roy City Centre prepared by Caldwell, Richards, and Sorenson, Inc., dated March, 1991 and is hereinafter referred to as the "Albertson's Parcel" (said boundary is also the West Boundary of the property conveyed to First Security Bank of Utah, N.A., in that certain Special Warranty Deed recorded January 8, 1991 as Entry No. 1128657, in Book 1592 at page 2128, in the Office of the Weber County Recorder); thence along said East Boundary of the Albertson's Parcel South 0 deg.37'51" 137.78 east (formerly described of record as South 0 deg.10' West 138.30 East) to a property corner common to the Albertson's Parcel and the said First Security Bank property; thence North 89 deg.32'09" West 29.48 feet (formerly described of record as South 89 deg.59' West); thence North 00 deg.27'51" East 137.62 feet to the point of beginning.

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09-101-0001
09-101-0002
09-101-0003
09-101-0007
09-101-0008
09-101-010

09-101-0004
09-101-0012
09-101-0015
09-113-031
09-113-025
09-113-030

E# 1147266 BK1.604 PG2124

**PARCEL 1
ROY CITY CENTRE**

EXHIBIT B'

Beginning at a point on the south right-of-way line of 5600 South Street, said point being North 89° 43'34" West 594.02 feet along the section line and South 00° 16'26" West 40.83 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

- Thence, South 00° 27'51" West 208.14 feet;
- Thence, South 89° 32'09" East 119.32 feet;
- Thence, North 00° 27'51" East 208.80 feet to the south right-of-way line of 5600 South Street;
- Thence, along the southerly right-of-way line of 5600 South Street, North 89° 50'57" West 119.32 feet to the point of beginning.

Area equals 24,873 sq. ft. (0.5710 acres).

Basis of bearing: Section line from the Northeast Corner to the East Corner South 00° 27'51" West.

09-101-0001

**PARCEL 3
ROY CITY CENTRE**

Beginning at a point on the south right-of-way line of 5600 South Street, said point being North 89° 43'34" West along the section line 459.71 feet and South 00° 16'26" West 40.45 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

- Thence, South 00° 27'51" West 213.88 feet;
- Thence, South 89° 32'09" East 245.23 feet;
- Thence, North 00° 27'51" East 56.25 feet;
- Thence, South 89° 32'09" East 164.33 feet to the west right-of-way line of 1900 West Street;
- Thence, along the west right-of-way line of 1900 West Street, North 00° 27'51" East 21.25 feet;
- Thence, North 89° 32'09" West 180.00 feet;
- Thence, South 00° 27'51" West 6.70 feet;
- Thence, North 89° 32'09" West 166.00 feet;
- Thence, North 00° 27'51" East 143.41 feet to the southerly right-of-way line of 5600 South Street;
- Thence, along the southerly right-of-way line of 5600 South Street, North 89° 50'57" West 63.57 feet to the point of beginning.

Area equals 29,900 sq. ft. (0.6864 acres).

Basis of bearing: Section line from the Northeast Corner to the East Corner South 00° 27'51" West.

09-101-0001

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K

PARCEL 4
PAYLESS DRUG PARCEL
ROY CITY CENTRE

EXHIBIT B

Beginning at a point on the west right-of-way line of 1900 West Street, said point being South 00° 27'51" West 612.63 feet along the section line and North 89° 32'09" West 50.00 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

Thence, North 89° 32'09" West 116.00 feet;
 Thence, North 00° 27'51" East 12.50 feet;
 Thence, North 89° 32'09" West 29.00 feet;
 Thence, North 00° 27'51" East 65.00 feet;
 Thence, North 89° 32'09" West 279.57 feet;
 Thence, North 00° 27'51" East 32.68 feet;
 Thence, North 89° 32'09" West 221.33 feet;
 Thence, South 00° 27'45" West 215.39 feet to the north right-of-way line of 5700 South Street;
 Thence, along the northerly right-of-way line of 5700 South Street, South 89° 40'56" East 555.89 feet;
 Thence, North 00° 27'51" East 90.00 feet;
 Thence, South 89° 40'56" East 90.00 feet to the west right-of-way line of 1900 West Street;
 Thence, along the westerly right-of-way line of 1900 West Street, North 00° 27'51" East 13.56 feet to the point of beginning.

Area equals 105,738 sq. ft. (2.4274 acres).

Basis of bearing: Section line from the Northeast Corner to the East Corner South 00° 27'51" West.

PARCEL 5
PAD A
ROY CITY CENTRE

Beginning at a point on the south right-of-way line of 5600 South Street, said point being North 89° 43'34" West along the section line 594.02 feet and South 00° 16'26" West 40.83 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

Thence, South 00° 27'51" West 208.14 feet;
 Thence, North 89° 32'09" West 32.01 feet;
 Thence, North 00° 27'51" East 6.00 feet;
 Thence, North 89° 32'09" West 70.80 feet;
 Thence, North 00° 27'45" West 201.58 feet to the south right-of-way line of 5600 South Street;
 Thence, along the southerly right-of-way line of 5600 South Street, south 89° 50'57" East 102.82 feet to the point of beginning.

Area equals 20,945 sq. ft. (0.4808 acres).

E# 1147266 BK1604 PG2126

PARCEL 6
PAD B
ROY CITY CENTRE

EXHIBIT B

Beginning at a point on the south right-of-way line of 5600 South Street, said point being North $89^{\circ} 43' 34''$ West 230.14 feet along the section line and South $00^{\circ} 16' 26''$ West 40.05 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

Thence, South $00^{\circ} 27' 51''$ West 144.32 feet;
Thence, North $89^{\circ} 32' 09''$ West 166.00 feet;
Thence, North $00^{\circ} 27' 51''$ East 143.41 feet to the south right-of-way line of 5600 South Street;
Thence, along the southerly right-of-way line of 5600 South Street, South $89^{\circ} 50' 57''$ East 166.00 feet to the point of beginning.

Area equals 23,882 sq. ft. (0.5482 acres).

Basis of bearing: Section line from the Northeast Corner to the East Corner South $00^{\circ} 27' 51''$ West.

PARCEL 7
PAD C
ROY CITY CENTRE

Beginning at a point on the West right-of-way line of 1900 West Street, said point being South $00^{\circ} 27' 51''$ West 386.43 feet along the section line and North $89^{\circ} 32' 09''$ West 50.00 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

Thence, North $89^{\circ} 32' 09''$ West 125.00 feet;
Thence, North $00^{\circ} 27' 51''$ East 48.00 feet;
Thence, North $89^{\circ} 39' 09''$ West 39.33 feet;
Thence, North $00^{\circ} 27' 51''$ East 138.75 feet;
Thence, South $89^{\circ} 32' 09''$ East 164.33 feet to the west right-of-way line of 1900 West Street;
Thence, along the westerly right-of-way line of 1900 West Street, South $00^{\circ} 27' 51''$ West 186.75 feet to the point of beginning.

Area equals 28,801 sq. ft. (0.6612 acres).

Basis of bearing: section line from the Northeast Corner to the East Corner South $00^{\circ} 27' 51''$ West.

EXHIBIT "B" E# 1.147266 BK1604 PG2127

PARCEL 8
PAD D
ROY CITY CENTRE

Beginning at a point on the west right-of-way line of 1900 West Street, said point being South $00^{\circ} 27'51''$ West 612.63 feet along the section line and North $89^{\circ} 32'09''$ West 50.00 feet from the Northeast Corner of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running;

Thence, North $89^{\circ} 32'09''$ West 116.00 feet;
Thence, North $00^{\circ} 27'51''$ East 12.50 feet;
Thence, North $89^{\circ} 32'09''$ West 29.00 feet;
Thence, North $00^{\circ} 27'51''$ East 175.00 feet;
Thence, South $89^{\circ} 32'09''$ East 145.00 feet to the west
right-of-way line of 1900 West Street;
Thence, along the westerly right-of-way line of 1900 West Street, South $00^{\circ} 27'51''$ West 187.50 feet to the point of beginning.

Area equals 26,825 sq.ft. (0.6158 acres).

Basis of bearing: Section line from the Northeast Corner to the East Corner, South $00^{\circ} 27'51''$ West. X

LSW/rg/#48/Parcel8.Des
July 12, 1991

EXHIBIT "C"

- 1) A non-exclusive right of way created by that certain Special Warranty Deed recorded June 21, 1947 as Entry No. 131842 in Book 269 at Page 267 of the records of the Weber County Recorder:
- 2) The recitals (and the effects thereof) contained in that certain deed recorded June 29, 1964 as Entry No. 429333 in Book 777 at Page 629 of the records of the Weber County Recorder, wherein CONTINENTAL OIL COMPANY, a Delaware corporation is Grantor, and ALBERTSON'S, INC., a Nevada corporation, is Grantee.

/A/WOODAMSO/FIRSTSEC.EXC

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