

DOCUMENT PREPARED BY AND  
WHEN RECORDED, RETURN TO:

Polsinelli  
900 W. 48<sup>th</sup> Place, Suite 900  
Kansas City, Missouri 64112  
Attention: Arnold A. Ressin

13662271  
5/13/2021 2:55:00 PM \$40.00  
Book - 11173 Pg - 9418-9483  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
METRO NATIONAL TITLE  
BY: eCASH, DEPUTY - EF 66 P.

APN(s): 27-13-227-021; 27-13-227-022; 27-13-227-012; 27-13-227-014; 27-13-226-010; 27-12-476-031; 27-12-476-032; 27-12-476-042; 27-13-227-019-4001; 27-13-227-019-4002

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**MODIFICATION AGREEMENT**

Dated: As of May 13, 2021

## MODIFICATION AGREEMENT

This Modification Agreement (this “**Agreement**”) is dated as of the 13th day of May, 2021 (the “**Effective Date**”), by and between **SOUTH TOWN OWNER PR, LLC**, a Delaware limited liability company, having an address at c/o Pacific Retail Capital Partners, 100 North Pacific Coast Highway, Suite 1925, El Segundo, California 90245 (together with its successors and permitted assigns “**Borrower**”), and **DEUTSCHE BANK TRUST COMPANY OF AMERICAS, AS TRUSTEE FOR THE REGISTERED HOLDERS OF CITIGROUP COMMERCIAL MORTGAGE SECURITIES INC., COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2014-FL2**, having an address at c/o KeyBank National Association, a national banking association, 8117 Preston Road, Suite 400, Dallas, TX 75225 (together with its successors and permitted assigns “**Lender**”).

### RECITALS OF FACT

The following recitals are a material part of this Agreement:

A. ST Mall Owner, LLC, a Delaware limited liability company (“**Original Borrower**”) borrowed from Cantor Commercial Real Estate Lending, L.P., a Delaware limited partnership (“**Original Lender**”) the principal amount of \$166,999,900 (as may be modified, amended or restated, including as modified or amended herein, the “**Loan**”) as evidenced by that certain Loan Agreement dated as of October 31, 2014 (as may be modified, amended or restated, including as modified and amended herein, the “**Loan Agreement**”), and that certain Promissory Note from Original Borrower to Original Lender dated as of October 31, 2014 (as may be modified, amended or restated, the “**Note**”), for the financing of certain property commonly known as South Towne Center, located at 10450 South State Street, Sandy, Utah 84070, and legally described on Exhibit A attached hereto and incorporated by reference (the real estate, together with all improvements thereon and personal property associated therewith, is hereinafter collectively called the “**Original Property**”).

B. As security for the Loan, Original Borrower executed and delivered to Original Lender (i) a Deed of Trust, Security Agreement, Assignment of Leases and Fixture Filing (as may be modified, amended or restated, including as modified or amended herein, the “**Security Instrument**”) encumbering Borrower’s interest in the Original Property, which is recorded in the Official Records of Salt Lake County, Utah (the “**Records**”) on November 3, 2014, as Entry No. 11939954 in Book 10272 commencing at Page 3256, as assigned to Lender, and (ii) an Assignment of Leases and Rents (as may be modified, amended or restated, including as modified or amended herein, the “**Assignment of Rents**”), which is recorded in the Records on November 3, 2014, as Entry No. 11939955 in Book 10272 commencing at Page 3292, as assigned to Lender. The Security Instrument, the Assignment of Rents, the Note and all other documents and instruments evidencing and/or securing the Note or now or hereafter executed by Borrower, Pacific Retail Capital Partners, LLC, a Delaware limited liability company (“**Guarantor**”), or others in connection with or related to the Loan including any assignments of leases and rents, other assignments, security agreements, financing statements, guaranties, indemnity agreements (including environmental indemnity agreements), letters of credit, or escrow/holdback arrangements, interest rate protection agreements and/or assignments, together with all amendments, modifications, substitutions or replacements thereof, are sometimes herein

collectively referred to as the "**Loan Documents**." All capitalized terms used in this Agreement that are not otherwise defined herein shall have the meanings ascribed to them in the Loan Documents, as in effect on the date of this Agreement.

D. Original Borrower assigned and transferred the Original Property and all of its obligations under the Loan Documents to Borrower and Borrower assumed all of the Obligations, as more fully set out in that certain Assumption Agreement, dated as of the date hereof, by and among Original Borrower, Borrower and Guarantor (the "**Assumption**"). Borrower is now the owner of the Original Property and the obligor and borrower under the Note, Security Instrument and other Loan Documents, as modified by the Assumption.

E. Original Lender has assigned its interests in the Loan Documents to Lender and Lender is the current holder thereof.

F. Pursuant to that certain Modification and Extension Agreement (the "**Modification**") dated as of the date hereof, by and among Borrower, Original Borrower, Guarantor, and Lender, Borrower and Lender have agreed to modify the Loan Documents to include the property described on Exhibit B attached hereto (the "**Additional Real Property**") as collateral for the Loan, and otherwise modify the terms of the Loan and Loan Documents.

G. The parties hereto have agreed that the Additional Real Property shall be encumbered by the Security Instrument, Assignment of Rents, and other applicable Loan Documents, subject to and in accordance with the terms and provisions of this Agreement.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **Modification of Loan Documents Generally.** The Loan Documents are hereby modified *mutatis mutandis* in all respects necessary to give effect to the modifications set forth herein, and only in such respects, and the provisions of this Agreement shall control over any contrary or inconsistent provisions of any of the other Loan Documents. In all other respects, all Loan Documents shall remain in full force and effect as originally written or previously modified by mutual written agreement of the parties. All references in any Loan Document to any other Loan Document shall hereafter be construed to refer to such other Loan Document as modified by this Agreement, and shall include all documents, instruments and agreements executed or delivered by Borrower in favor of or to Lender in connection with Borrower's acquisition of the Additional Real Property (including this Agreement). For all purposes of all Loan Documents, this Agreement shall be included within the definition of the term "Loan Documents."

2. **Modification of the Security Instrument and Assignment of Rents.**

- (a) The Security Instrument and Assignment of Rents are each hereby modified by deleting the property description contained on Exhibit A attached thereto and inserting in lieu thereof the property description contained on Exhibit C attached hereto. The intended effect of such modification is to add the Additional Real Property as additional property encumbered by the lien and security interest of the Security Instrument and the Assignment of Rents, and such Additional Real Property and

related Property (as defined in the Security Instrument) is hereby mortgaged, granted, conveyed, warranted, transferred, pledged and assigned to Lender or Trustee (which herein shall have the meaning given such term in the Security Instrument and shall include, for the avoidance of doubt, Trustee's successors and assigns under the Security Instrument), as applicable, in accordance with the terms of the Security Instrument and the Assignment of Rents, such that the term "Land" (as used in the Security Instrument) and "Property" (as used in the Assignment of Rents) is deemed to include all of the property legally described on Exhibit C attached hereto. All provisions of the Security Instrument and Assignment of Rents (including all representations, warranties and covenants) shall be applicable thereto (and all such representations and warranties shall be deemed remade as of the date hereof) with the same force and effect as if the Additional Real Property had originally been described in Exhibit A to the Security Instrument and the Assignment of Rents. THE LIEN AND SECURITY INTEREST OF THE SECURITY INSTRUMENT AND ASSIGNMENT OF RENTS DOES HEREBY ENCUMBER THE ADDITIONAL REAL PROPERTY IN THE MANNER SET FORTH HEREIN AND SUCH ADDITIONAL REAL PROPERTY IS HEREBY MORTGAGED, GRANTED, CONVEYED, WARRANTED, TRANSFERRED, PLEDGED AND ASSIGNED TO LENDER OR TRUSTEE, AS APPLICABLE, IN ACCORDANCE WITH THE TERMS OF THE SECURITY INSTRUMENT AND THE ASSIGNMENT OF RENTS. All references in the Loan Documents (i) to the real property described on Exhibit A attached thereto, or (ii) to the legal description of the "Property" or "Land" are hereby amended to refer to the real property described on Exhibit C attached hereto.

- (b) Specifically, and without limiting the generality of the foregoing, with respect to the Additional Real Property, Borrower hereby agrees as follows:
- (i) For the purpose of securing payment and performance of the Obligations (as defined in the Deed of Trust), Borrower does hereby irrevocably mortgage, grant, bargain, sell, pledge, assign, warrant, transfer and convey to Trustee IN TRUST, WITH POWER OF SALE AND RIGHT OF ENTRY AND POSSESSION, for the benefit and security of Lender all of the real, personal, tangible and intangible property, rights, interests and estates now owned, or hereafter acquired by Borrower in the following (collectively, the "**Additional Property**"):
- (1) The real property referred to herein as the Additional Real Property;
  - (2) All buildings, structures, improvements, fixtures and appurtenances now or hereafter placed on the Additional

Real Property, and all apparatus and equipment now or hereafter attached in any manner to the Additional Real Property or any building on the Additional Real Property, including all pumping plants, engines, pipes, ditches and flumes, and also all gas, electric, cooking, heating, cooling, air conditioning, lighting, refrigeration and plumbing fixtures and equipment (collectively, the “**Additional Improvements**”);

- (3) All easements and rights of way appurtenant to the Additional Real Property; all development rights or credits and air rights; all water and water rights (whether riparian, appropriative, or otherwise, and whether or not appurtenant to the Additional Real Property) and shares of stock pertaining to such water or water rights, ownership of which affect the Additional Property; all minerals, oil, gas, and other hydrocarbon substances and rights thereto in, on, under, or upon the Additional Real Property;
- (4) All existing and future leases, subleases, subtenancies, licenses, occupancy agreements and concessions relating to the use and enjoyment of all or any part of the Additional Real Property or the Additional Improvements, and any and all guaranties and other agreements relating to or made in connection with any of the foregoing, and all rents and other amounts arising from any of the foregoing;
- (5) All proceeds, including all claims to and demands for them, of the voluntary or involuntary conversion of any of the Additional Real Property, Additional Improvements, or the other property described above into cash or liquidated claims, including proceeds of all present and future fire, hazard or casualty insurance policies, whether or not such policies are required by Lender, and all condemnation awards or payments now or later to be made by any public body or decree by any court of competent jurisdiction for any taking or in connection with any condemnation or eminent domain proceeding, and all causes of action and their proceeds for any breach of warranty, misrepresentation, damage or injury to, or defect in, the Additional Real Property, Additional Improvements, or the other property described above or any part of them;
- (6) All furniture, furnishings, objects of art, machinery, goods, tools, supplies, appliances, general intangibles, contract rights, accounts, accounts receivable, franchises, licenses, certificates and permits, and all other personal property of

any kind or character whatsoever as defined in and subject to the provisions of the Utah Uniform Commercial Code, whether tangible or intangible, other than fixtures, which are now or hereafter owned by Borrower, together with all accessories, replacements and substitutions thereto or therefor and the proceeds thereof (collectively, the "**Additional Personal Property**"), and the right, title and interest of Borrower in and to any of the Additional Personal Property which may be subject to any security interests, as defined in the Utah Uniform Commercial Code, superior in lien to the lien of the Security Instrument and all proceeds and products of the above; .

- (7) To the extent assignable, all agreements, contracts, certificates, instruments, franchises, permits, licenses, plans, specifications and other documents, now or hereafter entered into, and all rights therein and thereto, respecting or pertaining to the use, occupation, construction, management or operation of the Additional Land, and/or any part thereof and any Additional Improvements; and
  - (8) All proceeds of, additions and accretions to, substitutions and replacements for, and changes in any of the property described above.
- (ii) Borrower, as additional security for the Obligations, does hereby grant a security interest to Lender, as secured party, in the portion of the Additional Property which is or may be subject to the provisions of the Utah Uniform Commercial Code which are applicable to secured transactions. This Agreement constitutes and shall be deemed to be a "security agreement" for all purposes of the Utah Uniform Commercial Code and Lender shall be entitled to all the rights and remedies of a "secured party" under such Utah Uniform Commercial Code or other applicable law. Upon its recording in the Records, this Agreement shall be effective as a financing statement filed as a fixture filing. Borrower is "debtor" and Lender is the "secured party" and their respective addresses are set forth above.
- (c) Borrower, as additional security for the Obligations, hereby collateral assigns to Lender and grants Lender a security interest in all existing and future Leases of the Additional Property granted by Borrower and all Rents (including but not limited to "rents" as defined in the Utah Uniform Assignment of Rents Act, Utah Code Ann. § 57-26-101 et seq.), Bankruptcy Claims, and Lease Guaranties with respect to the Additional Property, and all proceeds of the sale or disposition of the same. Capitalized terms set forth in this Section 2(c) not otherwise defined in

this Agreement shall have the meanings given such terms in the Assignment of Rents..

3. **Representations and Warranties.** In addition to the ratification of representations and warranties in the Loan Documents contained herein, the Borrower Parties each hereby represents and warrants to Lender as follows:

a. Authorization and Power. Borrower has the power and requisite authority to execute, deliver and perform its obligations under this Agreement and any other document executed in connection herewith and are duly authorized to, and have taken all action necessary to authorize it to, execute, deliver and perform its obligations under this Agreement and any other document executed in connection herewith. Borrower is duly organized, validly existing and in good standing under the laws of its state of organization and Borrower is duly qualified to transact business and is in good standing in the state where the Property is located, as applicable.

b. Valid and Binding Obligations. This Agreement constitutes the legal, valid and binding obligations of Borrower enforceable in accordance with its terms, subject to applicable bankruptcy, insolvency and similar laws affecting the rights of creditors generally, and general principles of equity.

c. Consents, Etc. No consent, approval, authorization or order of any court or Governmental Authority or any third party is required in connection with the execution and delivery by Borrower of this Agreement or to consummate the transactions contemplated hereby, which consent has not been obtained.

d. No Amendments. Except as provided to Lender in connection with this Agreement, the Assumption, or the Modification, there have been no amendments, modifications or other changes to the organizational documents of Borrower since the date of the closing of the Loan.

e. Status of Loan. To Borrower's knowledge, no Default or Event of Default by Borrower, Guarantor, or Lender (nor any event which, with the passage of time or the giving of notice (or both) would constitute a default, Default, or Event of Default) has occurred under the Loan Documents, and there are no counterclaims, defenses or offsets of any nature whatsoever to any of Borrower's or Guarantor's respective obligations under the Loan Documents or otherwise to the enforcement by Lender of the Loan Documents.

4. **Ratification and Reaffirmation of Borrower.** Borrower hereby (a) ratifies and reaffirms each grant, pledge, mortgage, assignment and conveyance to Lender in the Loan Documents and (b) ratifies and reaffirms, as of the Modification Date, that all of the terms, representations, warranties, obligations, waivers, indemnities, and covenants made by Borrower under the Loan Documents remain in full force and effect, without modification, and are true and correct with respect to Borrower as "Borrower" thereunder, and with respect to the Property (including the Additional Real Property), each except as necessary to implement the terms and provisions of this Agreement.

5. **Successors and Assigns.** This Agreement shall be binding upon and shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

6. **Governing Law.** With respect to all matters relating to the creation, perfection and procedures relating to the enforcement of the liens or security interests created pursuant this Agreement, as well as all matters relating to the amendment or modification of the Assignment of Rents or the Security Instrument, this Agreement shall be governed by, and construed in accordance with, the laws of the State of Utah (without regard to conflict of law provisions thereof), it being understood that, except as expressly set forth in this paragraph and to the fullest extent permitted by the law of such State, the law of the State of New York (without regard to conflict of law provisions thereof) shall govern all matters relating to this Agreement and the other Loan Documents and all of the indebtedness or obligations arising hereunder or thereunder.

7. **Miscellaneous.** All references in any Loan Document to the Loan Agreement or any other Loan Document shall, from and after the date hereof, mean the Loan Agreement or such Loan Document, as amended by this Agreement (as the same may further be amended, restated, replaced, severed, split, supplemented or otherwise modified from time to time). The Borrower Parties each hereby agree to execute and deliver to Lender, and authorize the filing and/or recording by Lender of, any and all further documents and instruments required by Lender to effectuate the modifications contemplated by this Agreement, to create, perfect and/or modify the liens and security interests granted to Lender under the Loan Documents and/or to give effect to the terms and provisions of this Agreement, including, without limitation, appropriate UCC financing statements or amendments.

8. **Costs and Expenses.** Any and all reasonable fees, costs and expenses, including attorneys' fees incurred by Lender in connection with the negotiation, preparation, filing and/or recording of this Agreement and all other documents and instruments executed pursuant to this Agreement and/or to create, perfect or modify the liens, security interests, assignments and/or pledges contemplated hereunder shall be paid from funds in the "Excess Cash Reserve Account" (as defined in the Loan Documents).

9. **Severability.** If any one or more of the provisions of this Agreement are deemed unenforceable, the remainder of this Agreement shall, at the sole option of Lender, remain enforceable in accordance with its original terms to the fullest extent possible.

10. **Delay Not a Waiver.** Neither the failure nor any delay on the part of Lender to exercise any right, power or privilege under this Agreement or under any document executed in connection herewith shall operate as a waiver of such right, power or privilege and any single or partial exercise of any such right, power or privilege shall not preclude any other or further exercise thereof.

11. **No Impairment.** All of the Property described in the Security Instrument and the other Loan Documents shall remain in all respects subject to the lien, charge and encumbrance of the Security Instrument and the other Loan Documents. Nothing in this Agreement shall be deemed to or shall in any manner prejudice or impair any of the Loan Documents or any security granted or held by Lender for the Loan or the original priority of the Security Instrument or any of the other Loan Documents. This Agreement shall not be deemed to be nor shall it constitute



any alteration, waiver, annulment or variation of the lien and encumbrance of the Security Instrument or any of the other Loan Documents or the terms and conditions of or any rights, powers or remedies under such documents, except as expressly set forth herein.

**12. Waiver of Jury Trial.** EACH OF LENDER AND BORROWER HEREBY AGREES NOT TO ELECT A TRIAL BY JURY OF ANY ISSUE TRIABLE OF RIGHT BY JURY, AND WAIVES ANY RIGHT TO TRIAL BY JURY FULLY TO THE EXTENT THAT ANY SUCH RIGHT SHALL NOW OR HEREAFTER EXIST WITH REGARD TO THIS AGREEMENT OR ANY OTHER LOAN DOCUMENT, OR ANY CLAIM, COUNTERCLAIM OR OTHER ACTION ARISING IN CONNECTION THEREWITH. THIS WAIVER OF RIGHT TO TRIAL BY JURY IS GIVEN KNOWINGLY AND VOLUNTARILY BY BORROWER AND LENDER, AND IS INTENDED TO ENCOMPASS INDIVIDUALLY EACH INSTANCE AND EACH ISSUE AS TO WHICH THE RIGHT TO A TRIAL BY JURY WOULD OTHERWISE ACCRUE. LENDER IS HEREBY AUTHORIZED TO FILE A COPY OF THIS PARAGRAPH IN ANY PROCEEDING AS CONCLUSIVE EVIDENCE OF THIS WAIVER BY BORROWER AND LENDER.

**13. Joint and Several Liability.** If Borrower consists of more than one person or entity, then the obligations and liabilities of each person or entity shall be joint and several with the other Borrowers.

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# CALIFORNIA NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA

On MAY 7, 2021 before me, **Nels C. Henderson, Notary Public**, personally appeared

Steven M. Plenge

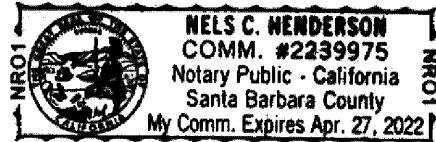
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Nels C. Henderson



[SEAL]

| Description of Attached Document (Optional)  | Method of Signer Identification  |
|--|--|
| <p>The preceding Certificate of Acknowledgement is attached to a document titled/for the purpose of:<br/><u>Modification Agreement</u></p> <p>Containing _____ pages, and dated <u>5/7/2021</u></p> <p>The signer(s) capacity or authority is/are as:</p> <p><input checked="" type="checkbox"/> Individual(s)<br/><input type="checkbox"/> Attorney-in-Fact<br/><input type="checkbox"/> Corporate Officer(s): _____<br/><input type="checkbox"/> Guardian/Conservator<br/><input type="checkbox"/> Partner - Limited/General<br/><input type="checkbox"/> Trustee(s)<br/>Representing: _____</p> | <p>Proved to me on the basis of satisfactory evidence:</p> <p><input checked="" type="checkbox"/> Form(s) of Identification<br/><input type="checkbox"/> Credible Witness(es)</p> <p><b>Notarial Event is detailed in notary journal on:</b><br/>Page # <u>99</u> Entry # <u>2</u></p> <p>Notarized by:<br/><b>Nels C. Henderson, Notary Public</b><br/>Santa Barbara Mobile Notary<br/><a href="http://www.sbmobilenotary.com">http://www.sbmobilenotary.com</a><br/>(805) 335-8360</p> |

**LENDER:**

**DEUTSCHE BANK TRUST COMPANY OF AMERICAS, AS TRUSTEE FOR THE REGISTERED HOLDERS OF CITIGROUP COMMERCIAL MORTGAGE SECURITIES INC., COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2014-FL2**

By: KeyBank National Association,  
a national banking association,  
as authorized agent

By: [Signature]  
Name: Michael O'Hanlon  
Title: VP

STATE OF TEXAS            )  
  ) ss.  
COUNTY OF DALLAS        )

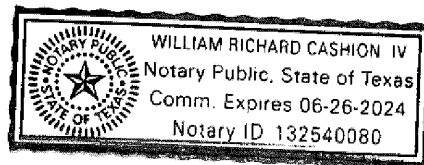
On this 12 day of May, 2021, before me, the undersigned notary public, personally appeared Michael O'Hanlon, the Vice President of KeyBank National Association, a national banking association, the authorized agent for Deutsche Bank Trust Company of Americas, as Trustee for the Registered Holders of Citigroup Commercial Mortgage Securities Inc. Commercial Mortgage Pass-Through Certificates, Series 2014-FL2, known to me to be the person who executed the document on behalf of Deutsche Bank Trust Company of Americas, as Trustee for the Registered Holders of Citigroup Commercial Mortgage Securities Inc. Commercial Mortgage Pass-Through Certificates, Series 2014-FL2 and acknowledged to me that s/he executed the same for the purposes therein stated.

[Signature]  
Notary Public in and for Said County and State

William R. Cashion IV  
(Type, print or stamp the Notary's name below his or her signature)

My Commission Expires:

6/26/2024



[Signatures Continue on Following Page]

[Signature Page to Modification Agreement]

**EXHIBIT A**

**Legal Description of the Original Property**

Parcel 1:

Lot 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION , part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, and part of the Northwest Quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the Official Plat thereof recorded August 15, 2005 as Entry No. 9461246 in Book 2005P at Page 250 in the Official Records of Salt Lake County.

Less and Excepting from Parcel 1:

Those 13 parcels as identified below of the lands as set forth in that certain Final Judgment of Condemnation in favor of Utah Department of Transportation for street widening and related purposes as recorded August 27, 2008 as Entry No. 10508774 in Book 9638 at Page 3207 and that duplicate Final Judgment of Condemnation recorded December 11, 2008 as Entry No. 10577204 in Book 9664 at Page 4033 in the Official Records of Salt Lake County, being described as follows:

Parcel No. 0089:13

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North 89°50'56" East 41.33 feet and South 00°01'50" East 583.17 feet and South 00°50'43" East 70.31 feet and South 00°01'50" East 53.16 feet and S. 00°01'50" E. 36.74 feet and S. 89°58'10" W. 6.50 feet and S. 00°01'50" E. 1317.26 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 89+19.93, and running thence S. 00°01'50" E. 444.47 feet along the westerly right of way line of said highway parallel with and 56.50 feet perpendicularly distant westerly from the said control line; thence S. 89°58'10" W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S. 00°01'43" E. 10.82 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S. 45°11'14" W. 28.39 feet to the existing northerly right of way line of 10600 South Street at a point 62.50 feet perpendicularly distant northerly from the centerline of said 10600 South Street opposite engineer station 316+13.78, thence N. 89°35'00" W. 5.43 feet along said northerly right of way line to a point 62.50 feet radially distant northerly from said centerline, which point is the beginning of a 7610.00-foot radius tangent curve to the

right; thence westerly 4.24 feet along the arc of said curve (Note: Chord to said curve bears N. 89°34'03" W. for a distance of 4.22 feet) to a point of non-tangency, which point is 62.50 feet radially distant northerly from said centerline; thence N. 45°11'14" E. 39.88 feet to a point 64.50 feet perpendicularly distant westerly from the control line of said highway opposite engineer station 84+72.81, thence N. 00°01'50" W. 409.52 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 02°15'36" E. 37.53 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N. 89°01'10" E. 6.50 feet to the point of beginning.

(Note: Rotate all bearing in the above description 0°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and except: Parcel No. 0089:13:2

A Parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E, S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North 89°50'56" East 41.33 feet and South 00°01'50" East 583.17 feet and South 00°50'43" East 70.31 feet and South 00°01'50" East 53.16 feet and S. 00°01'50" E. 36.74 feet and S. 89°58'10" W. 6.50 feet and S. 00°01'50" E. 647.23 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 95+90.03, and running thence S. 00°01'50" E. 595.75 feet along the westerly right of way line of said existing highway parallel with and 56.50 feet perpendicularly distant westerly from said control line; thence S. 89°30'10" W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 118.93 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line; thence West 6.50 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 113.38 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence N. 02°40'57" E 147.89 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 202.48 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N. 45°00'25" W. 33.96 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 7.34 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence S. 89°59'00" E. 6.00 feet to the beginning of a 25.00-foot radius tangent curve to the right at a point 80.50 feet perpendicularly distant westerly from said control

line; thence southeasterly 32.23 feet along the arc of said curve through a delta of  $73^{\circ}51'31''$  (Note: Chord to said curve bears S.  $53^{\circ}03'14''$  E. for a distance of 30.04 feet) to the point of beginning.

(Note: Rotate all bearings in the above description  $0^{\circ}14'33''$  clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:3

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 and the NW1/4NW1/4 of Section 18, T.3S., R. 1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North  $89^{\circ}50'56''$  East 41.33 feet and South  $00^{\circ}01'50''$  East 583.17 feet and South  $00^{\circ}50'43''$  East 70.31 feet and South  $00^{\circ}01'50''$  East 53.16 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South  $00^{\circ}01'50''$  East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South  $89^{\circ}53'20''$  West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 50.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 102+73.82, and running thence S.  $00^{\circ}01'50''$  E. 36.63 feet along the westerly right of way line of said existing highway parallel with and 50.00 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}58'10''$  W. 6.50 feet to a point 56.50 feet perpendicularly distant westerly from said control line; thence S.  $00^{\circ}01'50''$  E. 555.16 feet along said westerly right of way line parallel with and 56.50 feet perpendicularly distant westerly from said control line to the beginning of a 25.00-foot radius non-tangent curve to the left (Note: Radius bears N.  $73^{\circ}46'06''$  W.); thence southwesterly 32.19 feet along the arc of said curve through a delta of  $73^{\circ}47'06''$  (Note: Chord to said curve bears S.  $53^{\circ}07'27''$  W. for a distance of 30.02 feet) to a point of tangency, said point is 80.52 feet perpendicularly distant westerly from said control line; thence N.  $89^{\circ}59'00''$  W. 5.98 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 10.35 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence N.  $44^{\circ}31'19''$  E. 34.21 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 538.43 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}58'10''$  W. 0.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 28.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the northerly boundary line of said entire tract at the beginning of a 25.00-foot radius non-tangent curve to the left (Note: Radius bears N.  $13^{\circ}52'57''$  W.); thence northeasterly 15.52 feet along the arc of said curve

through a delta of 35°33'39" (Note: Chord to said curve bears N. 58°20'14" E. for a distance of 15.27 feet) to the point of beginning.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 68.59 feet radially distant northerly from the centerline of 10600 South Street opposite Engineer Station 316+02.65, which point is 2529.98 feet South 00°54'28" East along the Section line and 39.60 feet East from the Northwest Corner of said Section 18, said point is also the beginning of a 7603.91 foot radius non-tangent curve to the left, and running thence Easterly 5.64 feet along the arc of said curve through a delta of 00°02'33" (Note: Chord to said curve bears South 89°33'43" East for a distance of 5.64 feet) to a point 68.59 feet radially distant northerly from said centerline; thence South 89°35'00" East 1.82 feet to a point 68.59 feet perpendicularly distant northerly from said centerline; thence South 45°11'14" West 8.58 feet to the northerly right of way line of said 10600 South Street at the beginning of a 7610.00 foot radius non-tangent curve to the right, said point is 62.50 feet radially distant northerly from said centerline; thence westerly 2.51 feet along the arc of said curve through delta of 00°01'08" (Note: Chord to said curve bears North 89°32'31" West for a distance of 2.51 feet) to a point of non-tangency, said point is 62.50 feet radially distant northerly from said centerline; thence North 10°31'51" East 6.18 feet to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:2C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:



Beginning at a point 67.70 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 84+77.25, which point is 2503.53 feet South 00°54'28" East along the Section line and 65.64 feet East from the Northwest Corner of said Section 18, and running thence North 71°07'46" East 3.39 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 5.54 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence South 45°11'14" West 4.51 feet to a point 67.70 feet perpendicularly distant westerly from said control line; thence North 00°01'50" West 7.62 feet along a line parallel with said control line to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:3C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 85+83.55, which point is 2397.21 feet South 00°54'28" East along the Section line and 64.92 feet East from the Northwest Corner of said Section 18, and running thence North 15°28'24" East 8.17 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 8.89 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 65°12'28" West 2.41 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:4C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 86+17.52, which point is 2363.24 feet South 00°54'28" East along the Section line and 64.06 feet East from the Northwest Corner of said Section 18, and running thence North 71°14'13" East 2.63 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 8.28 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 18°33'24" West 7.84 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:5C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 69.71 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 88+79.16, which point is 2101.57 feet South 00°54'28" East along the Section line and 57.06 feet East from the Northwest Corner of said Section 18, and running thence North 18°19'01" East 18.35 feet to a point 63.93 feet perpendicularly distant westerly from said control line; thence South 02°15'36" West 14.26 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 5.31 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 67°38'09" West 5.63 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:6C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 1946.74 feet South 00°54'28" East along the Section line and 61.23 feet East from the Northwest Corner of said Section 18, said point is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 90+33.96, and running thence South 89°58'10" West 1.05 feet to the beginning of a 23.00 foot radius non-tangent curve to the left (Note: Radius bears South 72°37'39" West) at a point 64.05 feet perpendicularly distant westerly from said control line; thence northwesterly 27.26 feet along the arc of said curve through a delta of 67°54'13" (Note: Chord to said curve bears North 51°19'27" West for a distance of 25.69 feet) to a point 81.82 feet perpendicularly distant westerly from said control line; thence North 84°46'58" West 12.95 feet to a point 96.99 feet perpendicularly distant westerly from said control line; thence North 6.90 feet to a point 96.98 feet perpendicularly distant westerly from said control line; thence East 11.00 feet to the beginning of a 31.00 foot radius curve to the right at a point 85.98 feet perpendicularly distant westerly from said control line; thence southeasterly 25.90 feet along the arc of said curve through a delta of 47°51'58" (Note: Chord to said curve bears South 66°04'01" East for a distance of 25.15 feet) to a point of non-tangency, said point is 63.00 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 13.93 feet along a line parallel with said control line to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:7C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 75.57 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 91+18.11, which point is 1862.59 feet South 00°54'28" East along the Section line and 47.27 feet East from the Northwest Corner of said Section 18, and running thence North 04°02'13" East 37.41 feet to a point 72.92 feet perpendicularly distant westerly from said control line; thence North 64°21'57" East 3.79 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 38.95 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence South 89°58'10" West 6.07 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:8C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 74.44 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 92+29.47, which point is 1751.21 feet South 00°54'28" East along the Section line and 46.58 feet East from the Northwest Corner of said Section 18, and running thence North 29°05'50" East 11.42 feet to a point 68.89 feet perpendicularly distant westerly from said control line; thence South 02°40'57" West 12.99 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence North 58°49'24" West 5.78 feet to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:9C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 1656.63 feet South 00°54'28" East along the Section line and 42.28 feet East from the Northwest Corner of said Section 18, said point is approximately 77.19 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite Engineer Station 93+25.20, and running thence North 69°04'28" East 6.00 feet to a point 71.59 feet perpendicularly distant westerly from said control line opposite Engineer Station 93+26.19; thence North 89°58'10" East 6.81 feet to a point 64.78 feet perpendicularly distant westerly from said control line opposite Engineer Station 96+26.19; thence South 02°40'57" West 41.39 feet to a point 66.73 feet perpendicularly distant westerly from said control line opposite Engineer Station 92+84.85; thence North 14°58'10" West 40.57 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:10C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 69.07 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 102+06.42, which point is 715.46 feet South 00°54'28" East along the Section line and 35.95 feet East from the Northwest Corner of said Section 18, said point is at the beginning of a 25.00 foot radius non-tangent curve to the right (Note: Radius bears South 27°10'49" West), and running thence southeasterly 8.22 feet along the arc of said curve through a delta of 18°50'37" (Note: Chord to said curve bears South 53°23'53" East for a distance of 8.18 feet) to a point of non-tangency, said point is 62.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 23.53 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence North 56°26'50" West 7.88 feet to a point 69.07 feet perpendicularly distant westerly from said control line; thence North 00°01'50" West 24.06 feet along a line parallel with said control line to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and Excepting from Parcel 1:

Those 2 parcels of a total of 3 parcels of land as set forth in that certain Final Judgment of Condemnation in favor of Utah Department of Transportation for street widening and related purposes as recorded December 11, 2008 as Entry No. 10577205 in Book 9664 at Page 4058 in the Official Records of Salt Lake County.

Parcel No. 0089:21B

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning in the westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along said westerly right of way line and

continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 50.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 103+30.67, and running thence S. 00°01'50" E. 56.85 feet along said westerly right of way line to the beginning of a 25.00-foot radius non-tangent curve to the right; thence southeasterly 15.52 feet along the arc of said curve (Note: Chord to said curve bears S. 58°20'14" W. for a distance of 15.27 feet) to a point of non-tangency; thence N. 00°01'50" W. 71.92 feet to the northerly boundary line of said entire tract; thence S. 61°30'58" E. 14.79 feet along said northerly boundary line to the point of beginning.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-way appurtenant to this conveyance.

ALSO Less and except Parcel No. 0089:13:21B:C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along the westerly right of way line of the existing highway State Route 89 and continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. and 14.73 feet N. 61°30'58" W. and 53.30 feet S. 00°01'50" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 102+84.44, and running thence S. 00°01'50" E. 18.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the southerly boundary line of said entire tract at the beginning of a non-tangent 25.00-foot radius curve to the right; thence southwesterly along said southerly boundary line 6.06 feet along the arc of said curve (Note: Chord to said curve bears S. 83°04'01" W. for a distance of 6.05 feet) to a point of non-tangency, said point is 69.01 feet perpendicularly distant westerly from said control line; thence N. 89°58'51" W. 26.06 feet along said southerly boundary line to a point 95.06 feet perpendicularly distant westerly from said control line; thence N. 00°04'58" E. 6.40 feet to a point 95.05 feet perpendicularly distant westerly from said control line; thence S. 89°55'02" E. 11.00 feet to the beginning of a 23.50-foot radius curve to the left at a point 84.05 feet perpendicularly distant westerly from said control line; thence northeasterly 26.02 feet along the arc of said curve (Note: chord to said curve bears N. 58°21'38" E. for a distance of 24.71 feet) to the point of beginning.

Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO less and excepting therefrom that portion of the subject property as disclosed by that certain Special Warranty Deed in favor of Sandy City recorded September 26, 2016 as Entry No. 12373436 in Book 10480 at Page 3381, being described as follows:

A parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, being a portion of Lot 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 9461246 in Book 2005P of plats at Page 250 in the office of the Salt Lake County Recorder described by metes and bounds as follows:

Beginning at a point on the northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, said point lies South 0°01'50" East 455.399 feet along the centerline and monument line in State Street and North 89°49'53" West 1771.00 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North 89°53'20" East 92.33 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence South 0°57'40" East 46.555 feet; thence South 87°49'12" West 24.00 feet; thence Southeasterly 18.88 feet along the arc of a non-tangent curve to the right whose center bears South 87°49'12" West 558.50 feet, has a central angle of 1°56'13" and a chord bearing and length of South 1°12'41" East 18.88 feet to a point of tangency; thence South 0°14'35" East 9.89 feet to a point of curvature; thence Southeasterly 34.56 feet along the arc of a tangent curve to the left having a radius of 22.00 feet, a central angle of 90°00'00" and a chord bearing and length of South 45°14'35" East 31.11 feet; thence South 0°14'35" East 13.00 feet; thence North 89°45'25" East 93.46 feet to a point of curvature; thence Northeasterly 269.47 feet along the arc of a tangent curve to the left having a radius of 900.00 feet, a central angle of 17°09'18" and a chord bearing and length of North 81°10'46" East 268.47 feet; thence North 9.47 feet to an angle point in the northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION; thence along said northerly boundary the following two (2) courses: (1) Northeasterly 299.68 feet along the arc of a non-tangent curve to the right whose center bears South 21°27'29" East 768.00 feet, has a central angle of 22°21'25" and a chord bearing and length of North 79°43'13" East 297.78 feet; (2) South 0°00'36" West 9.98 feet; thence South 0°54'37" West 44.00 feet; thence Southwesterly 252.80 feet along the arc of a non-tangent curve to the left whose center bears South 0°54'37" West 714.00 feet, has a central angle of 20°17'10" and a chord bearing and length of South 80°46'02" West 251.48 feet to a point of reverse curvature; thence Southwesterly 229.13 feet along the arc of a reverse curve to the right whose center bears North 19°22'33" West 944.00 feet, has a central angle of 13°54'25" and a chord bearing and length of South 77°34'40" West 228.57 feet to intersect the an easterly line of Lot 3 of SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 6644162 in Book 97-5P of plats at Page 152 in the office of said Salt Lake County Recorder; thence along said easterly line of said Lot 3, North 0°42'21" East 27.39 feet; thence along the

northerly line of said Lot 3, North 89°49'53" West 298.90 feet; thence North 0°14'35" West 55.43 feet to a point of curvature; thence Northwesterly 53.00 feet along the arc of a tangent curve to the left having a radius of 461.50 feet, a central angle of 6°34'48" and a chord bearing and length of North 3°31'59" West 52.97 feet; thence North 70°55'18" West 28.51 feet; thence North 0°10'07" East 5.00 feet to intersect said northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION; thence along said northerly boundary South 89°49'53" East 150.00 feet to the point of beginning.

ALSO less and excepting therefrom that portion of the subject property as disclosed by that Special Warranty Deed in favor of Utah Department of Transportation recorded September 26, 2017 as Entry No. 12623955 in Book 10602 at Page 4441, being described as follows:

A parcel of land in fee for a highway known as Project No. F-I15-7(314)294, being part of an entire tract of property situate in LOT 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, recorded as Entry No. 9461246, Book 2005P, Page 250 in the office of the Salt Lake County Recorder, and in the SW1/4NE1/4 of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing easterly right of way and no-access line of Interstate 15 and in the westerly boundary line of said Lot 1, which point is 2245.75 feet South 00°54'30" West along the section line and 1601.63 feet North 89°05'30" West from the Northeast Corner of said Section 13, said point is also approximately 50.00 feet radially distant easterly from the Monroe Street Ramp Control Line opposite Engineer Station 115+56.17; and running thence along said right of way and no-access line and said boundary line the following two (2) courses: (1) North 34°54'34" West 243.66 feet to the beginning of a 1740.85 foot radius non-tangent curve to the right (Note: radius bears North 57°49'06" East); thence (2) Northerly 378.10 feet along the arc of said curve through a delta of 12°26'39" (Note: chord to said curve bears North 25°57'35" West for a distance of 377.36 feet) to a point 52.85 feet radially distant westerly from said control line opposite Engineer Station 121+48.00; thence North 84°49'43" East 88.85 feet to the beginning of a 321.00 foot radius non-tangent curve to the left (Note: radius bears North 84°49'43" East) at a point 36.00 feet radially distant easterly from said control line opposite Engineer Station 121+48.00; thence southerly 109.45 feet along the arc of said curve concentric with said control line through a delta of 19°32'12" (Note: chord to said curve bears South 14°56'23" East for a distance of 108.92 feet) to a point opposite Engineer Station 120+26.27; thence South 24°42'29" East 252.39 feet along a line parallel with said control line to the beginning of a 930.00 foot radius curve to the right at a point opposite Engineer Station 117+73.88; thence southerly 76.86 feet along the arc of said curve concentric with said control line through a delta of 04°44'07" (Note: chord to said curve bears South 22°20'26" East for a distance of 76.84 feet) to a point opposite Engineer Station 117+00.00; thence North 70°01'37" East 14.00 feet to the beginning of a 944.00 foot radius non-tangent curve to the right (Note: radius bears South 70°01'37" West) at a point 50.00 feet radially distant easterly from said control line opposite Engineer Station 117+00.00; thence southerly 151.88 feet along the arc of said curve concentric with said control line through a delta of 09°13'06" (Note: chord to said curve bears South 15°21'50" East for a distance of 151.72 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.



(Note: Rotate all bearings in the above description 00°14'33" clockwise to obtain highway bearings)

ALSO less and excepting therefrom that portion of the subject property as disclosed by that Special Warranty Deed in favor of Utah Department of Transportation recorded September 26, 2017 as Entry No. 12623956 in Book 10602 at Page 4444, being described as follows:

A parcel of land in fee for a highway known as Project No. F-I15-7(314)294, being part of an entire tract of property situate in LOT 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, recorded as Entry No. 9461246, Book 2005P, Page 250 in the office of the Salt Lake County Recorder, and in the SW1/4NE1/4 and the NW1/4NE1/4 of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 2245.75 feet South 00°54'30" West along the section line and 1601.63 feet North 89°05'30" West and 151.88 feet northerly along the arc of a 944.00 foot radius non-tangent curve to the left through a delta of 09°13'06" (Note: radius bears South 79°14'43" West, chord to said curve bears North 15°21'50" West for a distance of 151.72 feet) from the Northeast Corner of said Section 13, said point is also 50.00 feet radially distant easterly from the Monroe Street Ramp Control Line opposite Engineer Station 117+00.00, and running thence South 70°01'37" West 14.00 feet to the beginning of a 930.00 foot radius non-tangent curve to the left (Note: radius bears South 70°01'37" West) at a point 36.00 feet radially distant easterly from said control line opposite Engineer Station 117+00.00; thence northerly 76.86 feet along the arc of said curve concentric with said control line through a delta of 04°44'07" (Note: chord to said curve bears North 22°20'27" West for a distance of 76.84 feet) to a point opposite Engineer Station 117+73.88; thence North 24°42'29" West 252.39 feet along a line parallel with said control line to the beginning of a 321.00 foot radius curve to the right at a point opposite Engineer Station 120+26.27; thence northerly 109.45 feet along the arc of said curve concentric with said control line through a delta of 19°32'12" (Note: chord to said curve bears North 14°56'23" West for a distance of 108.92 feet) to a point opposite Engineer Station 121+48.00; thence South 84°49'43" West 46.00 feet to the beginning of a 367.00 foot radius non-tangent curve to the right (Note: radius bears North 84°49'43" East) at a point 10.00 feet radially distant westerly from said control line opposite Engineer Station 121+48.00; thence northerly 91.24 feet along the arc of said curve concentric with said control line through a delta of 14°14'42" (Note: chord to said curve bears North 01°57'04" East for a distance of 91.01 feet) to a point opposite Engineer Station 122+36.76, said point is also 30.00 feet perpendicularly distant southwesterly from the Monroe Street Control Line opposite Engineer Station 208+75.40; thence North 21°13'42" West 6.89 feet along a line parallel with said control line to the beginning of a 363.00 foot radius curve to the right at a point 30.00 feet perpendicularly distant southwesterly from said control line opposite Engineer Station 208+82.29; thence northerly 263.52 feet along the arc of said curve concentric with said control line through a delta of 41°35'40" (Note: chord to said curve bears North 00°25'52" West for a distance of 257.77 feet) to a point of reverse curvature having a radius of 504.00 feet, said point is opposite Engineer Station 211+24.04; thence northerly 152.31 feet along the arc of said curve concentric with said control line through a delta

of 17°18'54" (Note: chord to said curve bears North 11°42'31" East for a distance of 151.73 feet) to a point in a southerly boundary line of Lot 3 of said subdivision; thence North 89°47'55" East 36.82 feet along said southerly lot line to a westerly lot line of said Lot 3; thence along said westerly lot line the following two (2) courses: (1) South 291.55 feet to the beginning of a 938.25 foot radius curve to the left; thence (2) southerly 172.07 feet along the arc of said curve through a delta of 10°30'28" (Note: chord to said curve bears South 05°15'14" East for a distance of 171.83 feet) to a southwest corner of said Lot 3; thence East 3.94 feet along a southerly boundary line of said Lot 3 to a point in a 326.50 foot radius non-tangent curve to the left (Note: radius bears North 73°42'19" East); thence southerly 28.11 feet along the arc of said curve through a delta of 04°56'01" (Note: chord to said curve bears South 18°45'42" East for a distance of 28.11 feet) to a point 28.00 feet perpendicularly distant northeasterly from said control line opposite Engineer Station 207+70.93; thence South 21°13'42" East 113.34 feet along a line parallel with said control line to the beginning of a 1147.00 foot radius curve to the left at a point opposite Engineer Station 206+57.59; thence southeasterly 122.60 feet along the arc of said curve concentric with said control line through a delta of 06°07'27" (Note: chord to said curve bears South 24°17'26" East for a distance of 122.54 feet) to the beginning of a 1151.00 foot radius non-tangent curve to the left (Note: radius bears North 63°45'51" East) at a point opposite Engineer Station 205+32.00; thence southeasterly 177.97 feet along the arc of said curve through a delta of 08°51'33" (Note: chord to said curve bears South 30°39'56" East for a distance of 177.79 feet) to a point 24.50 feet radially distant northeasterly from said control line opposite Engineer Station 203+50.00; thence South 53°29'28" West 68.87 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to obtain highway bearings)

The following is shown for information purposes only: Tax Parcel No. 27-13-227-021-4001 and 27-13-227-022-4002.

Parcel 2:

Lot 2, of the SOUTH TOWNE CENTER MALL SUBDIVISION, being a part of the Northeast Quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest Quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the Official Plat thereof recorded May 14, 1997 as Entry No. 6644162 in Book 97-5P at Page 152 in the Official Records of Salt Lake County.

Being more particularly described as follows:

A parcel of land in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being even more particularly described as follows:

Beginning at a point 926.18 feet West and 700.84 feet South from the Northeast corner of said Section 13 (Basis bearing being South 00°01'50" East along the State Street Monument line between the monuments opposite the Northeast corner and the East quarter corner of said Section

13), said point being on a 315.48 foot radius curve to the right (Radius point bears North 76°12'01" West) and running thence Southwesterly 6.61 feet along the arc of said curve through a central angle of 01°12'01" to a point of tangency; thence South 15°00'00" West 113.39 feet; thence South 83°05'00" East 19.20 feet to a point on a 147.50 foot radius curve to the left (radius point bears South 83°05'00" East ); thence Southerly 17.73 feet along the arc of said curve through a central angle of 06°53'25" to a point of tangency; thence South 00°01'35" West 184.00 feet; thence South 89°59'52" West 263.49 feet; thence North 00°01'35" East 10.50 feet to the point of curvature with a 49.50 foot radius curve to the right; thence Northeasterly 35.99 feet along the arc of said curve through a central angle of 41°39'23" to a point of reverse curvature with a 50.50 foot radius curve to the left; thence Northeasterly 36.72 feet along the arc of said curve through a central angle of 41°39'23" to a point of tangency; thence North 00°01'35" East 128.85 feet to the point of curvature with a 14.50 foot radius curve to the right; thence Northeasterly 22.78 feet along the arc of said curve through a central angle 90°00'00" to a point of tangency; thence South 89°58'25" East 103.56 feet to the point of curvature with a 75.50 foot radius curve to the left; thence Northeasterly 69.60 feet along the arc of said curve through a central angle of 52°48'57" to a point of tangency; thence North 37°12'38" East 32.85 feet; thence North 15°00'00" East 56.14 feet; thence South 75°00'00" East 39.93 feet to the point of Beginning.

The following is shown for information purposes only: Tax Parcel No. 27-13-227-012

Parcel 3:

Perpetual easements for parking and access created by that certain General Warranty Deed dated October 19, 1993 by and between South Towne Investors Limited Partnership, an Illinois Limited Partnership (Grantor) and Mervyn's, a California Corporation (Grantee) recorded October 21, 1993 as Entry No. 5634888 in Book 6781 at Page 764 and amendments thereto, of Official Records.

Being more particularly described as follows:

A parcel of land in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point 1506.28 feet West and 627.79 feet South from the Northeast corner of said Section 13 (Basis of bearing being South 00°01'50" East along the State Street Monument Line between the monuments opposite the Northeast corner and the East quarter corner of said Section 13); said point being on the Northerly line of the South Towne Mall Ring Road at a point on a 758.00 foot radius curve to the right (Radius point bears South 38°01'35" East); and running thence Northeasterly 215.26 feet along the arc of said curve through a central angle of 16°16'15" (Chord bears North 60°06'32" East 214.53 feet); thence North 10.75 feet to the Southerly line of the future Sandy Boulevard Right of Way, said point being on 768.00 foot radius curve to the right (Radius point bears South 21°27'29" East); thence Northeasterly 299.68 feet along the arc of said curve through a central angle of 22°21'25" (Chord bears North 79°43'14" East 297.78 feet); thence South 00°00'06" West 9.99 feet to said Northerly line of the South Towne Mall Ring Road, said point being on a 758.00 foot radius curve to the right (Radius point bears South

00°54'37" West); thence Southeasterly 300.10 feet along the arc of said curve through a central angle of 22°41'04" (Chord bears South 77°44'52" East 298.14 feet); thence South 15°51'56" West 509.94 feet; thence South 89°59'52" West 63.92 feet to a point on Mervyn's Parcel 1; thence running along said parcel North 00°01'35" East 184.00 feet to the point of curvature with a 147.50 foot radius curve to the right; thence Northeasterly 17.73 feet along the arc of said curve through a central angle of 06°53'25"; thence North 83°05'00" West 19.20 feet; thence North 15°00'00" East 113.39 feet to a point of curvature with a 315.48 foot radius curve to the left; thence Northeasterly 6.61 feet along the arc of said curve through a central angle of 01°12'01"; thence North 75°00'00" West 39.93 feet; thence South 15°00'00" West 56.14 feet; thence South 37°12'38" West 32.85 feet to the point of curvature with a 75.50 foot radius curve to the right; thence Southwesterly 69.60 feet along the arc of said curve through a central angle of 52°48'57" to a point of tangency; thence North 89°58'25" West 103.56 feet to a point of curvature with a 14.50 foot radius curve to the left; thence Southwesterly 22.78 feet along the arc of said curve through central angle of 90°00'00" to a point of tangency; thence South 00°01'35" West 128.85 feet to point of curvature with a 50.50 foot radius curve to the right; thence Southwesterly 36.72 feet along the arc of said curve through a central angle of 41°39'23" to a point of reverse curvature with a 49.50 foot radius curve to the left; thence Southwesterly 6.15 feet along the arc of said curve through a central angle of 07°07'19"; thence leaving said Mervyn's Parcel North 44°58'25" West 324.58 feet; thence North 45°01'35" East 29.75 feet; thence North 44°58'25" West 147.00 feet to the point of beginning.

Parcel 4:

Lot 4, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, part of the Northeast Quarter of Section 13, Township 3 South, Range 1 West, and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the official plat thereof recorded August 15, 2005 as Entry No. 9461246 in Book 2005P at Page 250 in the Official Records of Salt Lake County.

The following is shown for information purposes only: Tax Parcel No. 27-13-227-014

Parcel 5:

Those non-exclusive easements created and described in that certain Grant of Reciprocal Easements, Declaration of Covenants running with the land and Development Agreement dated October 21, 1993 by and between Mervyn's, a California Corporation, and South Towne Investors Limited Partnership, an Illinois Limited Partnership, recorded in the Official Records of Salt Lake County, Utah, as Entry No. 5634889 in Book 6781 at Page 765 and as amended by that First Amendment to Grant of Reciprocal Easements, Declaration of Covenants running with the land and Development Agreement dated May 16, 1997 and recorded May 16, 1997 as Entry No. 6646767 in Book 7668 at Page 2882 and re-recorded May 30, 1997 as Entry No. 6657114 in Book 7679 at Page 787 of Official Records by and between Mervyn's, a California Corp., Macerich South Towne Limited Partnership, a California Limited Partnership, and Dillard USA, Inc., a Nevada Corporation and amendments thereto(The "REA").

Parcel 6:

Beginning at a point on the Westerly right of way line of State Street, which point is North 89°50'56" East 41.33 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 00°01'50" East 583.24 feet along said line; thence South 00°50'43" East 70.31 feet along said line; thence South 00°01'50" East 53.16 feet along said line to the Northerly line of an access road and a point on a 25.00 foot radius curve to the right; thence running along said Northerly line for the next five courses, Southwesterly 21.60 feet along the arc of said curve through a central angle of 49°30'41" (chord bearing South 65°15'40" West 20.94 feet); thence North 89°59'00" West 192.15 feet to the point of tangency with a 306.00 foot radius curve to the left; thence Southwesterly 162.31 feet along the arc of said curve through a central angle of 30°23'31"; thence South 59°37'30" West 74.04 feet to the point of tangency with a 25.00 foot radius curve to the right; thence Northwesterly 37.15 feet along the arc of said curve through a central angle of 85°08'19" to a point of tangency with a 758.00 foot radius curve to the left and being the North line of the South Towne Mall Ring Road; thence Northwesterly 712.45 feet along the arc of said curve through a central angle of 53°51'11" along said line; thence North 00°00'36" East 1300.81 feet; thence South 89°57'20" East 519.88 feet; thence North 86°50'50" East 266.48 feet; thence South 89°59'01" East 280.57 feet to said West right of way line of State Street; thence South 00°07'35" East 847.85 feet along said line to the point of beginning.

The following is shown for informational purposes only: Tax ID No. 27-13-226-010, 27-12-476-031 & 27-12-476-032

Less and Excepting from Parcel 6 the following: (The following being the Relocated Canal Strip):

Beginning at a point on the Westerly right of way line of State Street, which point is North 89°50'56" East 41.33 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 00°01'50" East 142.94 feet along said line; thence North 45°00'00" West 32.77 feet to a point on a 116.00 foot radius curve to the right; thence Southwesterly 38.99 feet along the arc of said curve through a central angle of 19°15'29" (chord bears South 39°19'27" West 38.81 feet); thence South 41°02'50" East 28.93 feet; thence South 50°28'54" West 7.88 feet to a point of curvature with a 102.00 foot radius curve to the left; thence Southwesterly 89.92 feet along the arc of said curve through a central angle of 50°30'43"; thence South 13°14'00" West 71.92 feet; thence South 00°01'50" East 190.71 feet to a point of curvature with a 17.00 foot radius curve to the left; thence Southeasterly 18.24 feet along the arc of said curve through a central angle of 61°29'08"; thence South 61°30'58" East 67.84 feet; thence North 00°01'50" West 308.03 feet to a point of curvature with a 50.00 foot radius curve

to the right; thence Northeasterly 44.08 feet along the arc of said curve through a central angle of 50°30'43"; thence North 50°28'54" East 2.33 feet to said Westerly right of way line of State Street; thence South 00°01'50" East 367.99 feet along said line; thence South 00°50'43" East 66.61 feet along said line; thence North 61°30'58" West 86.65 feet to a point on a 25.00 foot radius curve to the right; thence Southwesterly 36.21 feet along the arc of said curve through a central angle of 82°58'40" (chord bears South 48°31'41" West 33.12 feet); thence North 89°59'14" West 63.53 feet; thence North 00°01'50" West 590.56 feet; thence North 89°52'57" East 89.62 feet; thence North 00°07'35" West 469.81 feet to a point of curvature with a 113.00 foot radius curve to the right; thence Northeasterly 89.42 feet along the arc of said curve through a central angle of 45°20'24"; thence North 45°12'48" East 56.83 feet to said Westerly right of way; thence South 00°07'35" East 550.60 feet to the point of beginning.

Also Less and Excepting from Parcel 6 that portion of subject property conveyed to Sandy City Corporation, a Utah municipal corporation by that certain Special Warranty Deed recorded May 18, 2001 as Entry No. 7900117 in Book 8458 at Page 7480 of Official Records, being a tract of land, lying in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said tract described as Lot 1, Marketplace Subdivision, said tract being further described as follows:

Commencing as the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Southeast Corner of Section 12 being South 89°53'20" West, 92.33 feet from the monument at the intersection of 10200 South and State Streets, thence North 89°50'56" East for 41.33 feet to a point on the Western right of way of State Street; thence North 00°07'35" West along said West right of way line for 847.85 feet; thence leaving said right of way North 89°59'01" West for 280.57 feet; thence South 86°50'50" West for 266.48 feet; thence North 89°57'20" West for 519.88 feet to a point on the East right of way line of Centennial Parkway; thence South 00°00'36" West along said East right of way line for 90.98 feet to the Point of Beginning; said point being a point on the arc of a 45.00 foot radius curve to the right whose center bears South 19°44'10" East; thence Easterly 16.18 feet along the arc of said curve through a central angle of 20°35'49"; thence South 89°08'21" East for 11.58 feet to the beginning of a 70.00 foot radius curve to the left; thence Northeasterly 30.93 feet along the arc of said curve through a central angle of 25°18'45"; thence North 65°32'54" East 58.01 feet; thence South 00°00'00" East for 585.21 feet to a point on the arc of a 33.00 foot radius curve to the right whose center bears North 43°21'20" West; thence Southwesterly 25.07 feet along the arc of said curve through a central angle of 43°31'06"; thence North 89°50'14" West for 72.06 feet to the beginning of a 45.00 foot radius curve to the right; thence Northwesterly 15.90 feet along the arc of said curve through a central angle of 20°14'42"; thence North 00°00'36" East for 558.44 feet to the Point of Beginning.

Also Less and Excepting that portion of Parcel 6 contained within the Neff's Grove and 10080 South Street Dedication Plat recorded October 18, 2004 as Entry No. 9200501 in Book 2004P at Page 304 of Official Records.

Also Less and Excepting from Parcel 6, Parcel No. 0089:21B, Parcel No. 0089:13:21B:C and Parcel No. 0089:21B:2C as shown in that certain Final Judgment of Condemnation in favor of the Utah Department of Transportation recorded December 11, 2008 as Entry No. 10577205 in Book 9664 at Page 4058 of Official Records, being more particularly described as follows:

Parcel No. 0089:21B

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the Westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along said Westerly right of way line and continuing along said Westerly right of way line 70.31 feet S. 00°50'43" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 50.00 feet perpendicularly distant Westerly from the control line of said existing highway opposite engineer station 103+30.67, and running thence S. 00°01'50" E. 56.85 feet along said Westerly right of way line to the beginning of a 25.00 foot radius non-tangent curve to the right; thence Southeasterly 15.52 feet along the arc of said curve (Note: Chord to said curve bears S. 58°20'14" W. for a distance of 15.27 feet) to a point of non-tangency; thence N. 00°01'50" W. 71.92 feet to the Northerly boundary line of said entire tract; thence S. 61°30'58" E. 14.79 feet along said Northerly boundary line to the point of beginning.

(NOTE: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 41.33 N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along the Westerly right of way line of the existing highway State Route 89 and continuing along said Westerly right of way line 70.31 feet S. 00°50'43" E. and 14.73 feet N. 61°30'58" W. and 53.30 feet S. 00°01'50" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 63.00 feet perpendicularly distant Westerly from the control line of said existing highway opposite engineer station 102+84.44, and running thence S. 00°01'50" E. 18.62 feet along a line parallel with and 63.00 feet perpendicularly distant Westerly from said control line to the Southerly boundary line of said entire tract at the

beginning of a non-tangent 25.00 foot radius curve to the right; thence Southwesterly along said Southerly boundary line 6.06 feet along the arc of said curve (Note: Chord to said curve bears S. 83°04'01" W. for a distance of 6.05 feet) to a point of non-tangency, said point is 69.01 feet perpendicularly distant Westerly from said control line; thence N. 89°58'51" W. 26.06 feet along said Southerly boundary line to a point 95.06 feet perpendicularly distant Westerly from said control line; thence N. 00°04'58" E. 6.40 feet to a point 95.05 feet perpendicularly distant Westerly from said control line; thence S. 89°55'02" E. 11.00 feet to the beginning of a 23.50 foot radius curve to the left at a point 84.05 feet perpendicularly distant Westerly from said control line; thence Northeasterly 26.02 feet along the arc of said curve (Note: Chord to said curve bears N. 58°21'38" E. for a distance of 24.71 feet) to the point of beginning.

(NOTE: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:21B:2C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4SW1/4 of Section 7, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the Westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 790.97 feet N. 00°07'35" W. along said Westerly right of way line from the Southwest Corner of said Section 7, (Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian by record), which said Southwest Corner of said Section 7 is 92.33 feet S. 89°54'01" W. (S. 89°53'20" W. by record) from a monument in the intersection of 10200 South Street and State Street, said point of beginning is approximately 51.00 feet perpendicularly distant Westerly from the control line of said highway opposite engineer station 117+71.61, and running thence N. 47°29'15" W. 18.41 feet to a point 64.54 feet perpendicularly distant Westerly from said control line opposite engineer station 117+84.08; thence N. 02°11'27" E. 9.34 feet to a point 64.16 feet perpendicularly distant Westerly from said control line opposite engineer station 117+93.41; thence N. 89°52'25" E. 13.16 feet to said Westerly right of way line at a point 51.00 feet perpendicularly distant Westerly from said control line opposite engineer station 117+93.41; thence S. 00°07'35" E. 21.80 feet along said right of way line parallel with said control line to the point of beginning.

(Note: Rotate all bearings in the above description 00°14'39" clockwise to match highway bearings.)

Parcel 6A:

The property first described above as Parcel 6 being together with the benefits that are appurtenant thereto created in that certain No Barricade Agreement dated September 22, 1995 and recorded September 26, 1995 as Entry No. 6175088 in Book 7235 at Page 1011 of Official Records.



Parcel 7:

A Right-of-Way and Easement for the purpose of access to and from the "Served Parcel" as reserved, set forth and defined under Paragraph (a) in that certain Special Warranty Deed [conveying relocated canal strip and reserving certain easements and rights] dated October 26, 1995 and recorded November 7, 1995 as Entry No. 6208148 in Book 7265 at Page 2716 of Official Records.

Parcel 8:

An Easement for drainage and discharge of storm waters from the "Served Parcel" and an Easement for the installation, maintenance, use and replacement of a pipe, conduit or other mechanism to convey storm waters from the "Served Parcel" as reserved, set forth and defined in Paragraphs (a) and (b) in that certain Special Warranty Deed [conveying street and wetlands property and reserving certain easements and rights] dated February 5, 1996 and recorded February 9, 1996 as Entry No. 6277216 in Book 7327 at Page 1430 of Official Records.

Parcel 9:

An Easement for Utility Facilities as set forth and defined under Paragraph (5.3) of that certain Declaration of Restrictions and Grant of Easements dated May 17, 2001 and recorded May 18, 2001 as Entry No. 7900119 in Book 8458 at Page 7489 of Official Records.

Parcel 12:

Description of a portion of 10080 South Street located in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, vacated by Sandy City by Ordinance #18-20, recorded August 13, 2018 as Entry No. 12828206 in Book 10702 at Pages 2849-2850, which lies immediately adjacent to that certain parcel of land currently (June 2018) identified by the Salt Lake County Assessor as Parcel No. 27-13-226-010, more particularly described as follows:

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street, North 0°07'35" West 847.85 feet along said westerly right-of-way line, North 89°59'01" West 280.57 feet, South 86°50'50" West 266.48 feet, North 89°57'20" West 519.88 feet, South 0°00'36" West 53.33 feet and North 89°55'00" East 110.278 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South); thence North 89°55'00" East 11.172 feet along the southerly edge of an existing concrete sidewalk to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder; thence along said southerly right-of-way line, South 65°32'54" West 12.273 feet to the northeast corner of that parcel of land

described in that certain Special Warranty Deed recorded October 24, 2007 as Entry No. 10257422 in Book 9529 at Pages 6162-6163 in the Office of the Salt Lake County Recorder; thence North 5.064 feet along the northerly extension of the easterly boundary of said parcel of land to the Point of Beginning.

**EXHIBIT B**

**Legal Description of the Additional Property**

Parcel 1:

Lot 3, of that certain SOUTH TOWNE CENTER MALL SUBDIVISION, part of the Northeast quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, recorded May 14, 1997, in the Salt Lake County Recorder's Office as Entry No. 6644162, and amended by Affidavit dated May 19, 1997, and recorded May 30, 1997, as Entry No. 6657112, of Official Records, the boundary of said Lot 3 being described as follows:

Beginning at a point which is West 1254.27 feet and South 982.43 feet from the Northeast corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersection of 10600 South and 10200 South Streets), said Northeast corner of Section 13, being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 355.31 feet; thence South 45°00'05" West 421.59 feet; thence West 264.62 feet to a non-tangent 938.25 foot radius curve to the right (radius point bears North 79°29'32" East); thence Northwesterly 172.07 feet along the arc of said curve through a central angle of 10°30'28" (chord bears North 05°15'14" West 171.83 feet); thence North 291.55 feet; thence South 89°47'55" West 180.00 feet; thence North 00°10'07" East 57.00 feet; thence South 89°47'55" West 36.00 feet; thence North 00°10'07" East 355.50 feet; thence South 89°49'53" East 240.27 feet; thence North 00°10'07" East 189.99 feet; thence South 89°49'53" East 307.61 feet; thence South 00°42'21" West 49.64 feet to the boundary line of the Mervyn's Primary Parking Area on a non-tangent 758.00 foot radius curve to the left (radius point bears South 37°23'49" East); thence Southwesterly 8.33 feet along the arc of said curve and said boundary line through a central angle of 00°37'46" (chord bears South 52°17'18" West 8.33 feet); thence South 44°58'25" East 147.00 feet along said boundary line; thence South 45°01'35" West 29.75 feet along said boundary line; thence South 44°58'25" East 324.58 feet along said boundary line; thence West 60.25 feet to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Special Warranty Deed in favor of Sandy City recorded September 26, 2016 as Entry No. 12373437 in Book 10480 at Page 3384, being described as follows:

A parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, being a portion of Lot 3, SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 6644162 in Book 97-5P of plats at Page 152 in the office of the Salt Lake County Recorder described by metes and bounds as follows:

Beginning at a point on the northerly line of Lot 3 of SOUTH TOWNE CENTER MALL SUBDIVISION, said point lies South 0°01'50" East 455.399 feet along the centerline and

monument line in State Street, North 89°49'53" West 1877.57 feet and South 122.53 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North 89°53'20" East 92.33 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along the northerly and easterly lines of said Lot 3 the following two (2) courses: (1) South 89°49'53" East 285.90 feet; (2) South 0°42'21" West 27.39 feet; thence Southwesterly 86.10 feet along the arc of a non-tangent curve to the right whose center bears North 5°28'08" West 944.00 feet, has a central angle of 5°13'33" and a chord bearing and length of South 87°08'39" West 86.07 feet to a point of tangency; thence South 89°45'25" West 93.63 feet to a point of curvature; thence Southwesterly 54.13 feet along the arc of a tangent curve to the left having a radius of 35.00 feet, a central angle of 88°36'28" and a chord bearing and length of South 45°27'11" West 48.89 feet to a point of reverse curvature; thence Southwesterly 115.38 feet along the arc of a reverse curve to the right whose center bears North 88°51'03" West 545.50 feet, has a central angle of 12°07'06" and a chord bearing and length of South 7°12'30" West 115.16 feet to a point of tangency thence South 13°16'03" West 246.56 feet to a point of curvature; thence Southwesterly 111.89 feet along the arc of a tangent curve to the left having a radius of 474.50 feet, a central angle of 13°30'38" and a chord bearing and length of South 6°30'44" West 111.63 feet; thence South 89°45'25" West 71.00 feet; thence Northeasterly 128.63 feet along the arc of a curve to the right whose center bears North 89°45'25" East 545.50 feet, has a central angle of 13°30'38" and chord bearing and length of North 6°30'44" East 128.33 feet to a point of tangency; thence North 13°16'03" East 246.56 feet to a point of curvature; thence Northeasterly 111.89 feet along the arc of a tangent curve to the left having a radius of 474.50, a central angle of 13°30'38" and a chord bearing and length of North 6°30'44" East 111.63 feet to a point of tangency; thence North 0°14'35" West 54.26 feet to the point of beginning.

Parcel 2:

Beneficial easements created by that certain Grant of Reciprocal Easements, Declaration of Covenants, Running with the Land and Development Agreement dated October 21, 1993, by and between the Insured, Mervyn's, a California Corporation, and South Towne Investors Limited Partnership, an Illinois Limited Partnership, recorded in the Official Records of Salt Lake County, Utah, as Entry No. 5634889, in Book 6781, at page 765, as amended by First Amendment to Grant of Reciprocal Easements, Declaration of Covenants Running with the Land and Development Agreement dated May 16, 1997 recorded in the Official Records of Salt Lake County, Utah, as Entry No. 6646767, in Book 7668, at page 2882, and re-recorded May 30, 1997, as Entry No. 6657114, in Book 7679, at page 787. The interest of South Towne Investors Limited Partnership having been assigned to Macerich South Towne Limited Partnership, by that certain Assignment and Assumption of Operating Agreements dated March 27, 1997, and recorded March 28, 1997, as Entry No. 6605595, in Book 7630 and amendments thereto, at page 119, of Official Records.

A non-exclusive easement and right of way, described as follows:

Lot 1, of that certain South Towne Center Mall Subdivision, part of the Northeast quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, recorded May 14, 1997, in the

Salt Lake County Recorder's Office as Entry No. 6644162, and as amended by Affidavit dated May 19, 1997, and recorded May 30, 1997, as Entry No. 6657112, of Official Records.

**EXHIBIT C**

**Legal Description of the Property**

Parcel 1:

Lot 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION , part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, and part of the Northwest Quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the Official Plat thereof recorded August 15, 2005 as Entry No. 9461246 in Book 2005P at Page 250 in the Official Records of Salt Lake County.

Less and Excepting from Parcel 1:

Those 13 parcels as identified below of the lands as set forth in that certain Final Judgment of Condemnation in favor of Utah Department of Transportation for street widening and related purposes as recorded August 27, 2008 as Entry No. 10508774 in Book 9638 at Page 3207 and that duplicate Final Judgment of Condemnation recorded December 11, 2008 as Entry No. 10577204 in Book 9664 at Page 4033 in the Official Records of Salt Lake County, being described as follows:

Parcel No. 0089:13

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North 89°50'56" East 41.33 feet and South 00°01'50" East 583.17 feet and South 00°50'43" East 70.31 feet and South 00°01'50" East 53.16 feet and S. 00°01'50" E. 36.74 feet and S. 89°58'10" W. 6.50 feet and S. 00°01'50" E. 1317.26 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13

being South  $89^{\circ}53'20''$  West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 89+19.93, and running thence S.  $00^{\circ}01'50''$  E. 444.47 feet along the westerly right of way line of said highway parallel with and 56.50 feet perpendicularly distant westerly from the said control line; thence S.  $89^{\circ}58'10''$  W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S.  $00^{\circ}01'43''$  E. 10.82 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S.  $45^{\circ}11'14''$  W. 28.39 feet to the existing northerly right of way line of 10600 South Street at a point 62.50 feet perpendicularly distant northerly from the centerline of said 10600 South Street opposite engineer station 316+13.78, thence N.  $89^{\circ}35'00''$  W. 5.43 feet along said northerly right of way line to a point 62.50 feet radially distant northerly from said centerline, which point is the beginning of a 7610.00-foot radius tangent curve to the right; thence westerly 4.24 feet along the arc of said curve (Note: Chord to said curve bears N.  $89^{\circ}34'03''$  W. for a distance of 4.22 feet) to a point of non-tangency, which point is 62.50 feet radially distant northerly from said centerline; thence N.  $45^{\circ}11'14''$  E. 39.88 feet to a point 64.50 feet perpendicularly distant westerly from the control line of said highway opposite engineer station 84+72.81, thence N.  $00^{\circ}01'50''$  W. 409.52 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N.  $02^{\circ}15'36''$  E. 37.53 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N.  $89^{\circ}01'10''$  E. 6.50 feet to the point of beginning.

(Note: Rotate all bearing in the above description  $0^{\circ}14'33''$  clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and except: Parcel No. 0089:13:2

A Parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E, S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North  $89^{\circ}50'56''$  East 41.33 feet and South  $00^{\circ}01'50''$  East 583.17 feet and South  $00^{\circ}50'43''$  East 70.31 feet and South  $00^{\circ}01'50''$  East 53.16 feet and S.  $00^{\circ}01'50''$  E. 36.74 feet and S.  $89^{\circ}58'10''$  W. 6.50 feet and S.  $00^{\circ}01'50''$  E. 647.23 feet from the Northeast Corner of Section 13, Township 3

South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 95+90.03, and running thence S. 00°01'50" E. 595.75 feet along the westerly right of way line of said existing highway parallel with and 56.50 feet perpendicularly distant westerly from said control line; thence S. 89°30'10" W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 118.93 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line; thence West 6.50 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 113.38 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence N. 02°40'57" E 147.89 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 202.48 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N. 45°00'25" W. 33.96 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 7.34 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence S. 89°59'00" E. 6.00 feet to the beginning of a 25.00-foot radius tangent curve to the right at a point 80.50 feet perpendicularly distant westerly from said control line; thence southeasterly 32.23 feet along the arc of said curve through a delta of 73°51'31" (Note: Chord to said curve bears S. 53°03'14" E. for a distance of 30.04 feet) to the point of beginning.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:3

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 and the NW1/4NW1/4 of Section 18, T.3S., R. 1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:



Beginning at a point on the West line of State Street (50.00 feet from monument line) North 89°50'56" East 41.33 feet and South 00°01'50" East 583.17 feet and South 00°50'43" East 70.31 feet and South 00°01'50" East 53.16 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 50.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 102+73.82, and running thence S. 00°01'50" E. 36.63 feet along the westerly right of way line of said existing highway parallel with and 50.00 feet perpendicularly distant westerly from said control line; thence S. 89°58'10" W. 6.50 feet to a point 56.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 555.16 feet along said westerly right of way line parallel with and 56.50 feet perpendicularly distant westerly from said control line to the beginning of a 25.00-foot radius non-tangent curve to the right (Note: Radius bears N. 73°46'06" W.); thence southwesterly 32.19 feet along the arc of said curve through a delta of 73°47'06" (Note: Chord to said curve bears S. 53°07'27" W. for a distance of 30.02 feet) to a point of tangency, said point is 80.52 feet perpendicularly distant westerly from said control line; thence N. 89°59'00" W. 5.98 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 10.35 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence N. 44°31'19" E. 34.21 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 538.43 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence S. 89°58'10" W. 0.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 28.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the northerly boundary line of said entire tract at the beginning of a 25.00-foot radius non-tangent curve to the left (Note: Radius bears N. 13°52'57" W.); thence northeasterly 15.52 feet along the arc of said curve through a delta of 35°33'39" (Note: Chord to said curve bears N. 58°20'14" E. for a distance of 15.27 feet) to the point of beginning.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 68.59 feet radially distant northerly from the centerline of 10600 South Street opposite Engineer Station 316+02.65, which point is 2529.98 feet South 00°54'28" East along the Section line and 39.60 feet East from the Northwest Corner of said Section 18, said point is also the beginning of a 7603.91 foot radius non-tangent curve to the left, and running thence Easterly 5.64 feet along the arc of said curve through a delta of 00°02'33" (Note: Chord to said curve bears South 89°33'43" East for a distance of 5.64 feet) to a point 68.59 feet radially distant northerly from said centerline; thence South 89°35'00" East 1.82 feet to a point 68.59 feet perpendicularly distant northerly from said centerline; thence South 45°11'14" West 8.58 feet to the northerly right of way line of said 10600 South Street at the beginning of a 7610.00 foot radius non-tangent curve to the right, said point is 62.50 feet radially distant northerly from said centerline; thence westerly 2.51 feet along the arc of said curve through delta of 00°01'08" (Note: Chord to said curve bears North 89°32'31" West for a distance of 2.51 feet) to a point of non-tangency, said point is 62.50 feet radially distant northerly from said centerline; thence North 10°31'51" East 6.18 feet to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:2C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 67.70 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 84+77.25, which point is 2503.53 feet South 00°54'28" East along the Section line and 65.64 feet East from the Northwest Corner of said Section 18, and running thence North 71°07'46" East 3.39 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 5.54 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence South 45°11'14" West 4.51 feet to a point 67.70 feet perpendicularly distant westerly from said control line; thence North 00°01'50" West 7.62 feet along a line parallel with said control line to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:3C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 85+83.55, which point is 2397.21 feet South 00°54'28" East along the Section line and 64.92 feet East from the Northwest Corner of said Section 18, and running thence North 15°28'24" East 8.17 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 8.89 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 65°12'28" West 2.41 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:4C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 86+17.52, which point is 2363.24 feet South 00°54'28" East along the Section line and 64.06 feet East from the Northwest Corner of said Section 18, and running thence North 71°14'13" East 2.63 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 8.28 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 18°33'24" West 7.84 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:5C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 69.71 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 88+79.16, which point is 2101.57 feet South 00°54'28" East along the Section line and 57.06 feet East from the Northwest Corner of said Section 18, and running thence North 18°19'01" East 18.35 feet to a point 63.93 feet perpendicularly distant westerly from said control line; thence South 02°15'36" West 14.26 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 5.31 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence North 67°38'09" West 5.63 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:6C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 1946.74 feet South 00°54'28" East along the Section line and 61.23 feet East from the Northwest Corner of said Section 18, said point is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 90+33.96, and running thence South 89°58'10" West 1.05 feet to the beginning of a 23.00 foot radius non-tangent curve to the left (Note: Radius bears South 72°37'39" West) at a point 64.05 feet perpendicularly distant westerly from said control line; thence northwesterly 27.26 feet along the arc of said curve through a delta of 67°54'13" (Note: Chord to said curve bears North 51°19'27" West for a distance of 25.69 feet) to a point 81.82 feet perpendicularly distant westerly from said control line; thence North 84°46'58" West 12.95 feet to a point 96.99 feet perpendicularly distant westerly from said control line; thence North 6.90 feet to a point 96.98 feet perpendicularly distant westerly from said control line; thence East 11.00 feet to the beginning of a 31.00 foot radius curve to the right at a point 85.98 feet perpendicularly distant westerly from said control line; thence southeasterly 25.90 feet along the arc of said curve through a delta of 47°51'58" (Note: Chord to said curve bears South 66°04'01" East for a distance of 25.15 feet) to a point of non-tangency, said point is 63.00 feet

perpendicularly distant westerly from said control line; thence South 00°01'50" East 13.93 feet along a line parallel with said control line to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:7C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 75.57 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 91+18.11, which point is 1862.59 feet South 00°54'28" East along the Section line and 47.27 feet East from the Northwest Corner of said Section 18, and running thence North 04°02'13" East 37.41 feet to a point 72.92 feet perpendicularly distant westerly from said control line; thence North 64°21'57" East 3.79 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 38.95 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence South 89°58'10" West 6.07 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:8C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 74.44 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 92+29.47, which point is 1751.21 feet South 00°54'28" East along the Section line and 46.58 feet East from the Northwest Corner of said Section 18, and running thence North 29°05'50" East 11.42 feet to a point 68.89 feet perpendicularly distant westerly from said control line; thence South 02°40'57" West 12.99 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence North 58°49'24" West 5.78 feet to the point of beginning.

Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:9C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 1656.63 feet South 00°54'28" East along the Section line and 42.28 feet East from the Northwest Corner of said Section 18, said point is approximately 77.19 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite Engineer Station 93+25.20, and running thence North 69°04'28" East 6.00 feet to a

point 71.59 feet perpendicularly distant westerly from said control line opposite Engineer Station 93+26.19; thence North 89°58'10" East 6.81 feet to a point 64.78 feet perpendicularly distant westerly from said control line opposite Engineer Station 96+26.19; thence South 02°40'57" West 41.39 feet to a point 66.73 feet perpendicularly distant westerly from said control line opposite Engineer Station 92+84.85; thence North 14°58'10" West 40.57 feet to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and excepting: Parcel No. 0089:13:10C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 69.07 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite Engineer Station 102+06.42, which point is 715.46 feet South 00°54'28" East along the Section line and 35.95 feet East from the Northwest Corner of said Section 18, said point is at the beginning of a 25.00 foot radius non-tangent curve to the right (Note: Radius bears South 27°10'49" West), and running thence southeasterly 8.22 feet along the arc of said curve through a delta of 18°50'37" (Note: Chord to said curve bears South 53°23'53" East for a distance of 8.18 feet) to a point of non-tangency, said point is 62.50 feet perpendicularly distant westerly from said control line; thence South 00°01'50" East 23.53 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence North 56°26'50" West 7.88 feet to a point 69.07 feet perpendicularly distant westerly from said control line; thence North 00°01'50" West 24.06 feet along a line parallel with said control line to the point of beginning. Note: The correct bearing for the Section Line is South 00°54'28" West.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings)



Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO Less and Excepting from Parcel 1:

Those 2 parcels of a total of 3 parcels of land as set forth in that certain Final Judgment of Condemnation in favor of Utah Department of Transportation for street widening and related purposes as recorded December 11, 2008 as Entry No. 10577205 in Book 9664 at Page 4058 in the Official Records of Salt Lake County.

Parcel No. 0089:21B

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning in the westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along said westerly right of way line and continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 50.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 103+30.67, and running thence S. 00°01'50" E. 56.85 feet along said westerly right of way line to the beginning of a 25.00-foot radius non-tangent curve to the right; thence southeasterly 15.52 feet along the arc of said curve (Note: Chord to said curve bears S. 58°20'14" W. for a distance of 15.27 feet) to a point of non-tangency; thence N. 00°01'50" W. 71.92 feet to the northerly boundary line of said entire tract; thence S. 61°30'58" E. 14.79 feet along said northerly boundary line to the point of beginning.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-way appurtenant to this conveyance.

ALSO Less and except Parcel No. 0089:13:21B:C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along the westerly right of way line of the existing highway State Route 89 and continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. and 14.73 feet N. 61°30'58" W. and 53.30 feet S. 00°01'50" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 102+84.44, and running thence S. 00°01'50" E. 18.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the southerly boundary line of said entire tract at the beginning of a non-tangent 25.00-foot radius curve to the right; thence southwesterly along said southerly boundary line 6.06 feet along the arc of said curve (Note: Chord to said curve bears S. 83°04'01" W. for a distance of 6.05 feet) to a point of non-tangency, said point is 69.01 feet perpendicularly distant westerly from said control line; thence N. 89°58'51" W. 26.06 feet along said southerly boundary line to a point 95.06 feet perpendicularly distant westerly from said control line; thence N. 00°04'58" E. 6.40 feet to a point 95.05 feet perpendicularly distant westerly from said control line; thence S. 89°55'02" E. 11.00 feet to the beginning of a 23.50-foot radius curve to the left at a point 84.05 feet perpendicularly distant westerly from said control line; thence northeasterly 26.02 feet along the arc of said curve (Note: chord to said curve bears N. 58°21'38" E. for a distance of 24.71 feet) to the point of beginning.

Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

ALSO less and excepting therefrom that portion of the subject property as disclosed by that certain Special Warranty Deed in favor of Sandy City recorded September 26, 2016 as Entry No. 12373436 in Book 10480 at Page 3381, being described as follows:

A parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, being a portion of Lot 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 9461246 in Book 2005P of plats at Page 250 in the office of the Salt Lake County Recorder described by metes and bounds as follows:

Beginning at a point on the northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, said point lies South  $0^{\circ}01'50''$  East 455.399 feet along the centerline and monument line in State Street and North  $89^{\circ}49'53''$  West 1771.00 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North  $89^{\circ}53'20''$  East 92.33 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence South  $0^{\circ}57'40''$  East 46.555 feet; thence South  $87^{\circ}49'12''$  West 24.00 feet; thence Southeasterly 18.88 feet along the arc of a non-tangent curve to the right whose center bears South  $87^{\circ}49'12''$  West 558.50 feet, has a central angle of  $1^{\circ}56'13''$  and a chord bearing and length of South  $1^{\circ}12'41''$  East 18.88 feet to a point of tangency; thence South  $0^{\circ}14'35''$  East 9.89 feet to a point of curvature; thence Southeasterly 34.56 feet along the arc of a tangent curve to the left having a radius of 22.00 feet, a central angle of  $90^{\circ}00'00''$  and a chord bearing and length of South  $45^{\circ}14'35''$  East 31.11 feet; thence South  $0^{\circ}14'35''$  East 13.00 feet; thence North  $89^{\circ}45'25''$  East 93.46 feet to a point of curvature; thence Northeasterly 269.47 feet along the arc of a tangent curve to the left having a radius of 900.00 feet, a central angle of  $17^{\circ}09'18''$  and a chord bearing and length of North  $81^{\circ}10'46''$  East 268.47 feet; thence North 9.47 feet to an angle point in the northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION; thence along said northerly boundary the following two (2) courses: (1) Northeasterly 299.68 feet along the arc of a non-tangent curve to the right whose center bears South  $21^{\circ}27'29''$  East 768.00 feet, has a central angle of  $22^{\circ}21'25''$  and a chord bearing and length of North  $79^{\circ}43'13''$  East 297.78 feet; (2) South  $0^{\circ}00'36''$  West 9.98 feet; thence South  $0^{\circ}54'37''$  West 44.00 feet; thence Southwesterly 252.80 feet along the arc of a non-tangent curve to the left whose center bears South  $0^{\circ}54'37''$  West 714.00 feet, has a central angle of  $20^{\circ}17'10''$  and a chord bearing and length of South  $80^{\circ}46'02''$  West 251.48 feet to a point of reverse curvature; thence Southwesterly 229.13 feet along the arc of a reverse curve to the right whose center bears North  $19^{\circ}22'33''$  West 944.00 feet, has a central angle of  $13^{\circ}54'25''$  and a chord bearing and length of South  $77^{\circ}34'40''$  West 228.57 feet to intersect the an easterly line of Lot 3 of SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 6644162 in Book 97-5P of plats at Page 152 in the office of said Salt Lake County Recorder; thence along said easterly line of said Lot 3, North  $0^{\circ}42'21''$  East 27.39 feet; thence along the northerly line of said Lot 3, North  $89^{\circ}49'53''$  West 298.90 feet; thence North  $0^{\circ}14'35''$  West

55.43 feet to a point of curvature; thence Northwesterly 53.00 feet along the arc of a tangent curve to the left having a radius of 461.50 feet, a central angle of 6°34'48" and a chord bearing and length of North 3°31'59" West 52.97 feet; thence North 70°55'18" West 28.51 feet; thence North 0°10'07" East 5.00 feet to intersect said northerly boundary of said AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION; thence along said northerly boundary South 89°49'53" East 150.00 feet to the point of beginning.

ALSO less and excepting therefrom that portion of the subject property as disclosed by that Special Warranty Deed in favor of Utah Department of Transportation recorded September 26, 2017 as Entry No. 12623955 in Book 10602 at Page 4441, being described as follows:

A parcel of land in fee for a highway known as Project No. F-115-7(314)294, being part of an entire tract of property situate in LOT 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, recorded as Entry No. 9461246, Book 2005P, Page 250 in the office of the Salt Lake County Recorder, and in the SW1/4NE1/4 of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing easterly right of way and no-access line of Interstate 15 and in the westerly boundary line of said Lot 1, which point is 2245.75 feet South 00°54'30" West along the section line and 1601.63 feet North 89°05'30" West from the Northeast Corner of said Section 13, said point is also approximately 50.00 feet radially distant easterly from the Monroe Street Ramp Control Line opposite Engineer Station 115+56.17; and running thence along said right of way and no-access line and said boundary line the following two (2) courses: (1) North 34°54'34" West 243.66 feet to the beginning of a 1740.85 foot radius non-tangent curve to the right (Note: radius bears North 57°49'06" East); thence (2) Northerly 378.10 feet along the arc of said curve through a delta of 12°26'39" (Note: chord to said curve bears North 25°57'35" West for a distance of 377.36 feet) to a point 52.85 feet radially distant westerly from said control line opposite Engineer Station 121+48.00; thence North 84°49'43" East 88.85 feet to the beginning of a 321.00 foot radius non-tangent curve to the left (Note: radius bears North 84°49'43" East) at a point 36.00 feet radially distant easterly from said control line opposite Engineer Station 121+48.00; thence southerly 109.45 feet along the arc of said curve concentric with said control line through a delta of 19°32'12" (Note: chord to said curve bears South 14°56'23" East for a distance of 108.92 feet) to a point opposite Engineer Station 120+26.27; thence South 24°42'29" East 252.39 feet along a line parallel with said control line to the beginning of a 930.00 foot radius curve to the right at a point opposite Engineer Station 117+73.88; thence southerly 76.86 feet along the arc of said curve concentric with said control line through a delta of 04°44'07" (Note: chord to said curve bears South 22°20'26" East for a distance of 76.84 feet) to a point opposite Engineer Station 117+00.00; thence North 70°01'37" East 14.00 feet to the beginning of a 944.00 foot radius non-tangent curve to the right (Note: radius bears South 70°01'37" West) at a point 50.00 feet radially distant easterly from said control line opposite Engineer Station

117+00.00; thence southerly 151.88 feet along the arc of said curve concentric with said control line through a delta of 09°13'06" (Note: chord to said curve bears South 15°21'50" East for a distance of 151.72 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to obtain highway bearings)

ALSO less and excepting therefrom that portion of the subject property as disclosed by that Special Warranty Deed in favor of Utah Department of Transportation recorded September 26, 2017 as Entry No. 12623956 in Book 10602 at Page 4444, being described as follows:

A parcel of land in fee for a highway known as Project No. F-115-7(314)294, being part of an entire tract of property situate in LOT 1, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, recorded as Entry No. 9461246, Book 2005P, Page 250 in the office of the Salt Lake County Recorder, and in the SW1/4NE1/4 and the NW1/4NE1/4 of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 2245.75 feet South 00°54'30" West along the section line and 1601.63 feet North 89°05'30" West and 151.88 feet northerly along the arc of a 944.00 foot radius non-tangent curve to the left through a delta of 09°13'06" (Note: radius bears South 79°14'43" West, chord to said curve bears North 15°21'50" West for a distance of 151.72 feet) from the Northeast Corner of said Section 13, said point is also 50.00 feet radially distant easterly from the Monroe Street Ramp Control Line opposite Engineer Station 117+00.00, and running thence South 70°01'37" West 14.00 feet to the beginning of a 930.00 foot radius non-tangent curve to the left (Note: radius bears South 70°01'37" West) at a point 36.00 feet radially distant easterly from said control line opposite Engineer Station 117+00.00; thence northerly 76.86 feet along the arc of said curve concentric with said control line through a delta of 04°44'07" (Note: chord to said curve bears North 22°20'27" West for a distance of 76.84 feet) to a point opposite Engineer Station 117+73.88; thence North 24°42'29" West 252.39 feet along a line parallel with said control line to the beginning of a 321.00 foot radius curve to the right at a point opposite Engineer Station 120+26.27; thence northerly 109.45 feet along the arc of said curve concentric with said control line through a delta of 19°32'12" (Note: chord to said curve bears North 14°56'23" West for a distance of 108.92 feet) to a point opposite Engineer Station 121+48.00; thence South 84°49'43" West 46.00 feet to the beginning of a 367.00 foot radius non-tangent curve to the right (Note: radius bears North 84°49'43" East) at a point 10.00 feet radially distant westerly from said control line opposite Engineer Station 121+48.00; thence northerly 91.24 feet

along the arc of said curve concentric with said control line through a delta of  $14^{\circ}14'42''$  (Note: chord to said curve bears North  $01^{\circ}57'04''$  East for a distance of 91.01 feet) to a point opposite Engineer Station 122+36.76, said point is also 30.00 feet perpendicularly distant southwesterly from the Monroe Street Control Line opposite Engineer Station 208+75.40; thence North  $21^{\circ}13'42''$  West 6.89 feet along a line parallel with said control line to the beginning of a 363.00 foot radius curve to the right at a point 30.00 feet perpendicularly distant southwesterly from said control line opposite Engineer Station 208+82.29; thence northerly 263.52 feet along the arc of said curve concentric with said control line through a delta of  $41^{\circ}35'40''$  (Note: chord to said curve bears North  $00^{\circ}25'52''$  West for a distance of 257.77 feet) to a point of reverse curvature having a radius of 504.00 feet, said point is opposite Engineer Station 211+24.04; thence northerly 152.31 feet along the arc of said curve concentric with said control line through a delta of  $17^{\circ}18'54''$  (Note: chord to said curve bears North  $11^{\circ}42'31''$  East for a distance of 151.73 feet) to a point in a southerly boundary line of Lot 3 of said subdivision; thence North  $89^{\circ}47'55''$  East 36.82 feet along said southerly lot line to a westerly lot line of said Lot 3; thence along said westerly lot line the following two (2) courses: (1) South 291.55 feet to the beginning of a 938.25 foot radius curve to the left; thence (2) southerly 172.07 feet along the arc of said curve through a delta of  $10^{\circ}30'28''$  (Note: chord to said curve bears South  $05^{\circ}15'14''$  East for a distance of 171.83 feet) to a southwest corner of said Lot 3; thence East 3.94 feet along a southerly boundary line of said Lot 3 to a point in a 326.50 foot radius non-tangent curve to the left (Note: radius bears North  $73^{\circ}42'19''$  East); thence southerly 28.11 feet along the arc of said curve through a delta of  $04^{\circ}56'01''$  (Note: chord to said curve bears South  $18^{\circ}45'42''$  East for a distance of 28.11 feet) to a point 28.00 feet perpendicularly distant northeasterly from said control line opposite Engineer Station 207+70.93; thence South  $21^{\circ}13'42''$  East 113.34 feet along a line parallel with said control line to the beginning of a 1147.00 foot radius curve to the left at a point opposite Engineer Station 206+57.59; thence southeasterly 122.60 feet along the arc of said curve concentric with said control line through a delta of  $06^{\circ}07'27''$  (Note: chord to said curve bears South  $24^{\circ}17'26''$  East for a distance of 122.54 feet) to the beginning of a 1151.00 foot radius non-tangent curve to the left (Note: radius bears North  $63^{\circ}45'51''$  East) at a point opposite Engineer Station 205+32.00; thence southeasterly 177.97 feet along the arc of said curve through a delta of  $08^{\circ}51'33''$  (Note: chord to said curve bears South  $30^{\circ}39'56''$  East for a distance of 177.79 feet) to a point 24.50 feet radially distant northeasterly from said control line opposite Engineer Station 203+50.00; thence South  $53^{\circ}29'28''$  West 68.87 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate all bearings in the above description  $00^{\circ}14'33''$  clockwise to obtain highway bearings)

The following is shown for information purposes only: Tax Parcel No. 27-13-227-021-4001 and 27-13-227-022-4002.

Parcel 2:

Lot 2, of the SOUTH TOWNE CENTER MALL SUBDIVISION, being a part of the Northeast Quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest Quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the Official Plat thereof recorded May 14, 1997 as Entry No. 6644162 in Book 97-5P at Page 152 in the Official Records of Salt Lake County.

Being more particularly described as follows:

A parcel of land in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being even more particularly described as follows:

Beginning at a point 926.18 feet West and 700.84 feet South from the Northeast corner of said Section 13 (Basis bearing being South 00°01'50" East along the State Street Monument line between the monuments opposite the Northeast corner and the East quarter corner of said Section 13), said point being on a 315.48 foot radius curve to the right (Radius point bears North 76°12'01" West) and running thence Southwesterly 6.61 feet along the arc of said curve through a central angle of 01°12'01" to a point of tangency; thence South 15°00'00" West 113.39 feet; thence South 83°05'00" East 19.20 feet to a point on a 147.50 foot radius curve to the left (radius point bears South 83°05'00" East ); thence Southerly 17.73 feet along the arc of said curve through a central angle of 06°53'25" to a point of tangency; thence South 00°01'35" West 184.00 feet; thence South 89°59'52" West 263.49 feet; thence North 00°01'35" East 10.50 feet to the point of curvature with a 49.50 foot radius curve to the right; thence Northeasterly 35.99 feet along the arc of said curve through a central angle of 41°39'23" to a point of reverse curvature with a 50.50 foot radius curve to the left; thence Northeasterly 36.72 feet along the arc of said curve through a central angle of 41°39'23" to a point of tangency; thence North 00°01'35" East 128.85 feet to the point of curvature with a 14.50 foot radius curve to the right; thence Northeasterly 22.78 feet along the arc of said curve through a central angle 90°00'00" to a point of tangency; thence South 89°58'25" East 103.56 feet to the point of curvature with a 75.50 foot radius curve to the left; thence Northeasterly 69.60 feet along the arc of said curve through a central angle of 52°48'57" to a point of tangency; thence North 37°12'38" East 32.85 feet; thence North 15°00'00" East 56.14 feet; thence South 75°00'00" East 39.93 feet to the point of Beginning.

The following is shown for information purposes only: Tax Parcel No. 27-13-227-012

Parcel 3:

Perpetual easements for parking and access created by that certain General Warranty Deed dated October 19, 1993 by and between South Towne Investors Limited Partnership, an Illinois Limited Partnership (Grantor) and Mervyn's, a California Corporation (Grantee) recorded October 21, 1993 as Entry No. 5634888 in Book 6781 at Page 764 and amendments thereto, of Official Records.

Being more particularly described as follows:

A parcel of land in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point 1506.28 feet West and 627.79 feet South from the Northeast corner of said Section 13 (Basis of bearing being South 00°01'50" East along the State Street Monument Line between the monuments opposite the Northeast corner and the East quarter corner of said Section 13); said point being on the Northerly line of the South Towne Mall Ring Road at a point on a 758.00 foot radius curve to the right (Radius point bears South 38°01'35" East); and running thence Northeasterly 215.26 feet along the arc of said curve through a central angle of 16°16'15" (Chord bears North 60°06'32" East 214.53 feet); thence North 10.75 feet to the Southerly line of the future Sandy Boulevard Right of Way, said point being on 768.00 foot radius curve to the right (Radius point bears South 21°27'29" East); thence Northeasterly 299.68 feet along the arc of said curve through a central angle of 22°21'25" (Chord bears North 79°43'14" East 297.78 feet); thence South 00°00'06" West 9.99 feet to said Northerly line of the South Towne Mall Ring Road, said point being on a 758.00 foot radius curve to the right (Radius point bears South 00°54'37" West); thence Southeasterly 300.10 feet along the arc of said curve through a central angle of 22°41'04" (Chord bears South 77°44'52" East 298.14 feet); thence South 15°51'56" West 509.94 feet; thence South 89°59'52" West 63.92 feet to a point on Mervyn's Parcel 1; thence running along said parcel North 00°01'35" East 184.00 feet to the point of curvature with a 147.50 foot radius curve to the right; thence Northeasterly 17.73 feet along the arc of said curve through a central angle of 06°53'25"; thence North 83°05'00" West 19.20 feet; thence North 15°00'00" East 113.39 feet to a point of curvature with a 315.48 foot radius curve to the left; thence Northeasterly 6.61 feet along the arc of said curve through a central angle of 01°12'01"; thence North 75°00'00" West 39.93 feet; thence South 15°00'00" West 56.14 feet; thence South 37°12'38" West 32.85 feet to the point of curvature with a 75.50 foot radius curve to the right; thence Southwesterly 69.60 feet along the arc of said curve through a central angle of 52°48'57" to a point of tangency; thence North 89°58'25" West 103.56 feet to a point of curvature with a 14.50 foot radius curve to the left; thence Southwesterly 22.78 feet along the



arc of said curve through central angle of 90°00'00" to a point of tangency; thence South 00°01'35" West 128.85 feet to point of curvature with a 50.50 foot radius curve to the right; thence Southwesterly 36.72 feet along the arc of said curve through a central angle of 41°39'23" to a point of reverse curvature with a 49.50 foot radius curve to the left; thence Southwesterly 6.15 feet along the arc of said curve through a central angle of 07°07'19"; thence leaving said Mervyn's Parcel North 44°58'25" West 324.58 feet; thence North 45°01'35" East 29.75 feet; thence North 44°58'25" West 147.00 feet to the point of beginning.

Parcel 4:

Lot 4, AMENDED LOT 1, SOUTH TOWNE CENTER MALL SUBDIVISION, part of the Northeast Quarter of Section 13, Township 3 South, Range 1 West, and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, according to the official plat thereof recorded August 15, 2005 as Entry No. 9461246 in Book 2005P at Page 250 in the Official Records of Salt Lake County.

The following is shown for information purposes only: Tax Parcel No. 27-13-227-014

Parcel 5:

Those non-exclusive easements created and described in that certain Grant of Reciprocal Easements, Declaration of Covenants running with the land and Development Agreement dated October 21, 1993 by and between Mervyn's, a California Corporation, and South Towne Investors Limited Partnership, an Illinois Limited Partnership, recorded in the Official Records of Salt Lake County, Utah, as Entry No. 5634889 in Book 6781 at Page 765 and as amended by that First Amendment to Grant of Reciprocal Easements, Declaration of Covenants running with the land and Development Agreement dated May 16, 1997 and recorded May 16, 1997 as Entry No. 6646767 in Book 7668 at Page 2882 and re-recorded May 30, 1997 as Entry No. 6657114 in Book 7679 at Page 787 of Official Records by and between Mervyn's, a California Corp., Macerich South Towne Limited Partnership, a California Limited Partnership, and Dillard USA, Inc., a Nevada Corporation and amendments thereto(The "REA").

Parcel 6:

Beginning at a point on the Westerly right of way line of State Street, which point is North 89°50'56" East 41.33 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 00°01'50" East 583.24 feet along said line; thence South 00°50'43" East 70.31 feet along said line; thence South 00°01'50" East 53.16 feet along said line to the Northerly line of an access road and a point on a 25.00 foot radius curve to the right; thence running along said Northerly line for the next five courses, Southwesterly 21.60 feet along the arc of said curve through a central angle of 49°30'41" (chord bearing South 65°15'40" West 20.94 feet); thence North 89°59'00" West 192.15 feet to the point of tangency with a 306.00 foot radius curve to the left; thence Southwesterly 162.31 feet along the arc of said curve through a central angle of 30°23'31"; thence South 59°37'30" West 74.04 feet to the point of tangency with a 25.00 foot radius curve to the right; thence Northwesterly 37.15 feet along the arc of said curve through a central angle of 85°08'19" to a point of tangency with a 758.00 foot radius curve to the left and being the North line of the South Towne Mall Ring Road; thence Northwesterly 712.45 feet along the arc of said curve through a central angle of 53°51'11" along said line; thence North 00°00'36" East 1300.81 feet; thence South 89°57'20" East 519.88 feet; thence North 86°50'50" East 266.48 feet; thence South 89°59'01" East 280.57 feet to said West right of way line of State Street; thence South 00°07'35" East 847.85 feet along said line to the point of beginning.

The following is shown for informational purposes only: Tax ID No. 27-13-226-010, 27-12-476-031 & 27-12-476-032

Less and Excepting from Parcel 6 the following: (The following being the Relocated Canal Strip):

Beginning at a point on the Westerly right of way line of State Street, which point is North 89°50'56" East 41.33 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 00°01'50" East 142.94 feet along said line; thence North 45°00'00" West 32.77 feet to a point on a 116.00 foot radius curve to the right; thence Southwesterly 38.99 feet along the arc of said curve through a central angle of 19°15'29" (chord bears South 39°19'27" West 38.81 feet); thence South 41°02'50" East 28.93 feet; thence South 50°28'54" West 7.88 feet to a point of curvature with a 102.00 foot radius curve to the left; thence Southwesterly 89.92 feet along the arc of said curve through a central angle of 50°30'43";

thence South 13°14'00" West 71.92 feet; thence South 00°01'50" East 190.71 feet to a point of curvature with a 17.00 foot radius curve to the left; thence Southeasterly 18.24 feet along the arc of said curve through a central angle of 61°29'08"; thence South 61°30'58" East 67.84 feet; thence North 00°01'50" West 308.03 feet to a point of curvature with a 50.00 foot radius curve to the right; thence Northeasterly 44.08 feet along the arc of said curve through a central angle of 50°30'43"; thence North 50°28'54" East 2.33 feet to said Westerly right of way line of State Street; thence South 00°01'50" East 367.99 feet along said line; thence South 00°50'43" East 66.61 feet along said line; thence North 61°30'58" West 86.65 feet to a point on a 25.00 foot radius curve to the right; thence Southwesterly 36.21 feet along the arc of said curve through a central angle of 82°58'40" (chord bears South 48°31'41" West 33.12 feet); thence North 89°59'14" West 63.53 feet; thence North 00°01'50" West 590.56 feet; thence North 89°52'57" East 89.62 feet; thence North 00°07'35" West 469.81 feet to a point of curvature with a 113.00 foot radius curve to the right; thence Northeasterly 89.42 feet along the arc of said curve through a central angle of 45°20'24"; thence North 45°12'48" East 56.83 feet to said Westerly right of way; thence South 00°07'35" East 550.60 feet to the point of beginning.

Also Less and Excepting from Parcel 6 that portion of subject property conveyed to Sandy City Corporation, a Utah municipal corporation by that certain Special Warranty Deed recorded May 18, 2001 as Entry No. 7900117 in Book 8458 at Page 7480 of Official Records, being a tract of land, lying in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said tract described as Lot 1, Marketplace Subdivision, said tract being further described as follows:

Commencing as the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Southeast Corner of Section 12 being South 89°53'20" West, 92.33 feet from the monument at the intersection of 10200 South and State Streets, thence North 89°50'56" East for 41.33 feet to a point on the Western right of way of State Street; thence North 00°07'35" West along said West right of way line for 847.85 feet; thence leaving said right of way North 89°59'01" West for 280.57 feet; thence South 86°50'50" West for 266.48 feet; thence North 89°57'20" West for 519.88 feet to a point on the East right of way line of Centennial Parkway; thence South 00°00'36" West along said East right of way line for 90.98 feet to the Point of Beginning; said point being a point on the arc of a 45.00 foot radius curve to the right whose center bears South 19°44'10" East; thence Easterly 16.18 feet along the arc of said curve through a central angle of 20°35'49"; thence South 89°08'21" East for 11.58 feet to the beginning of a 70.00 foot radius curve to the left; thence Northeasterly 30.93 feet along the arc of said curve through a central angle of 25°18'45"; thence North 65°32'54" East 58.01 feet; thence South 00°00'00" East for 585.21 feet to a point on the arc of a 33.00 foot radius curve to the right whose center bears North 43°21'20" West; thence Southwesterly 25.07 feet along the arc of said curve through a central angle of 43°31'06"; thence North 89°50'14" West for 72.06 feet to the beginning of a 45.00 foot radius curve to the right; thence Northwesterly 15.90 feet

along the arc of said curve through a central angle of  $20^{\circ}14'42''$ ; thence North  $00^{\circ}00'36''$  East for 558.44 feet to the Point of Beginning.

Also Less and Excepting that portion of Parcel 6 contained within the Neff's Grove and 10080 South Street Dedication Plat recorded October 18, 2004 as Entry No. 9200501 in Book 2004P at Page 304 of Official Records.

Also Less and Excepting from Parcel 6, Parcel No. 0089:21B, Parcel No. 0089:13:21B:C and Parcel No. 0089:21B:2C as shown in that certain Final Judgment of Condemnation in favor of the Utah Department of Transportation recorded December 11, 2008 as Entry No. 10577205 in Book 9664 at Page 4058 of Official Records, being more particularly described as follows:

Parcel No. 0089:21B

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the Westerly right of way of said existing highway State Route 89 at a point 41.33 feet N.  $89^{\circ}50'56''$  E. and 583.27 feet S.  $00^{\circ}01'50''$  E. along said Westerly right of way line and continuing along said Westerly right of way line 70.31 feet S.  $00^{\circ}50'43''$  E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S.  $89^{\circ}54'07''$  W. (S.  $89^{\circ}53'20''$  W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 50.00 feet perpendicularly distant Westerly from the control line of said existing highway opposite engineer station 103+30.67, and running thence S.  $00^{\circ}01'50''$  E. 56.85 feet along said Westerly right of way line to the beginning of a 25.00 foot radius non-tangent curve to the right; thence Southeasterly 15.52 feet along the arc of said curve (Note: Chord to said curve bears S.  $58^{\circ}20'14''$  W. for a distance of 15.27 feet) to a point of non-tangency; thence N.  $00^{\circ}01'50''$  W. 71.92 feet to the Northerly boundary line of said entire tract; thence S.  $61^{\circ}30'58''$  E. 14.79 feet along said Northerly boundary line to the point of beginning.

(NOTE: Rotate all bearings in the above description  $00^{\circ}14'33''$  clockwise to match highway bearings.)

Parcel No. 0089:13:21B:C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 41.33 N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along the Westerly right of way line of the existing highway State Route 89 and continuing along said Westerly right of way line 70.31 feet S. 00°50'43" E. and 14.73 feet N. 61°30'58" W. and 53.30 feet S. 00°01'50" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 63.00 feet perpendicularly distant Westerly from the control line of said existing highway opposite engineer station 102+84.44, and running thence S. 00°01'50" E. 18.62 feet along a line parallel with and 63.00 feet perpendicularly distant Westerly from said control line to the Southerly boundary line of said entire tract at the beginning of a non-tangent 25.00 foot radius curve to the right; thence Southwesterly along said Southerly boundary line 6.06 feet along the arc of said curve (Note: Chord to said curve bears S. 83°04'01" W. for a distance of 6.05 feet) to a point of non-tangency, said point is 69.01 feet perpendicularly distant Westerly from said control line; thence N. 89°58'51" W. 26.06 feet along said Southerly boundary line to a point 95.06 feet perpendicularly distant Westerly from said control line; thence N. 00°04'58" E. 6.40 feet to a point 95.05 feet perpendicularly distant Westerly from said control line; thence S. 89°55'02" E. 11.00 feet to the beginning of a 23.50 foot radius curve to the left at a point 84.05 feet perpendicularly distant Westerly from said control line; thence Northeasterly 26.02 feet along the arc of said curve (Note: Chord to said curve bears N. 58°21'38" E. for a distance of 24.71 feet) to the point of beginning.

(NOTE: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:21B:2C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in

the SW1/4SW1/4 of Section 7, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the Westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 790.97 feet N. 00°07'35" W. along said Westerly right of way line from the Southwest Corner of said Section 7, (Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian by record), which said Southwest Corner of said Section 7 is 92.33 feet S. 89°54'01" W. (S. 89°53'20" W. by record) from a monument in the intersection of 10200 South Street and State Street, said point of beginning is approximately 51.00 feet perpendicularly distant Westerly from the control line of said highway opposite engineer station 117+71.61, and running thence N. 47°29'15" W. 18.41 feet to a point 64.54 feet perpendicularly distant Westerly from said control line opposite engineer station 117+84.08; thence N. 02°11'27" E. 9.34 feet to a point 64.16 feet perpendicularly distant Westerly from said control line opposite engineer station 117+93.41; thence N. 89°52'25" E. 13.16 feet to said Westerly right of way line at a point 51.00 feet perpendicularly distant Westerly from said control line opposite engineer station 117+93.41; thence S. 00°07'35" E. 21.80 feet along said right of way line parallel with said control line to the point of beginning.

(Note: Rotate all bearings in the above description 00°14'39" clockwise to match highway bearings.)

Parcel 6A:

The property first described above as Parcel 6 being together with the benefits that are appurtenant thereto created in that certain No Barricade Agreement dated September 22, 1995 and recorded September 26, 1995 as Entry No. 6175088 in Book 7235 at Page 1011 of Official Records.

Parcel 7:

A Right-of-Way and Easement for the purpose of access to and from the "Served Parcel" as reserved, set forth and defined under Paragraph (a) in that certain Special Warranty Deed [conveying relocated canal strip and reserving certain easements and rights] dated October 26, 1995 and recorded November 7, 1995 as Entry No. 6208148 in Book 7265 at Page 2716 of Official Records.

Parcel 8:

An Easement for drainage and discharge of storm waters from the "Served Parcel" and an Easement for the installation, maintenance, use and replacement of a pipe, conduit or other mechanism to convey storm waters from the "Served Parcel" as reserved, set forth and defined in Paragraphs (a) and (b) in that certain Special Warranty Deed [conveying street and wetlands property and reserving certain easements and rights] dated February 5, 1996 and recorded February 9, 1996 as Entry No. 6277216 in Book 7327 at Page 1430 of Official Records.

Parcel 9:

An Easement for Utility Facilities as set forth and defined under Paragraph (5.3) of that certain Declaration of Restrictions and Grant of Easements dated May 17, 2001 and recorded May 18, 2001 as Entry No. 7900119 in Book 8458 at Page 7489 of Official Records.

Parcel 10:

Lot 3, of that certain SOUTH TOWNE CENTER MALL SUBDIVISION, part of the Northeast quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, recorded May 14, 1997, in the Salt Lake County Recorder's Office as Entry No. 6644162, and amended by Affidavit dated May 19, 1997, and recorded May 30, 1997, as Entry No. 6657112, of Official Records, the boundary of said Lot 3 being described as follows:

Beginning at a point which is West 1254.27 feet and South 982.43 feet from the Northeast corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, (Basis of bearing being South 00°01'50" East 2599.11 feet along the monument line of State Street between the monuments found marking the intersection of 10600 South and 10200 South Streets), said Northeast corner of Section 13, being South 89°53'20" West 92.33 feet from the monument at the intersection of 10200 South and State Streets, and running thence South 355.31 feet; thence South 45°00'05" West 421.59 feet; thence West 264.62 feet to a non-tangent 938.25 foot radius curve to the right (radius point bears North 79°29'32" East); thence Northwesterly 172.07 feet along the arc of said curve through a central angle of 10°30'28" (chord bears North 05°15'14" West 171.83 feet); thence North 291.55 feet; thence South 89°47'55" West 180.00 feet; thence

North 00°10'07" East 57.00 feet; thence South 89°47'55" West 36.00 feet; thence North 00°10'07" East 355.50 feet; thence South 89°49'53" East 240.27 feet; thence North 00°10'07" East 189.99 feet; thence South 89°49'53" East 307.61 feet; thence South 00°42'21" West 49.64 feet to the boundary line of the Mervyn's Primary Parking Area on a non-tangent 758.00 foot radius curve to the left (radius point bears South 37°23'49" East); thence Southwesterly 8.33 feet along the arc of said curve and said boundary line through a central angle of 00°37'46" (chord bears South 52°17'18" West 8.33 feet); thence South 44°58'25" East 147.00 feet along said boundary line; thence South 45°01'35" West 29.75 feet along said boundary line; thence South 44°58'25" East 324.58 feet along said boundary line; thence West 60.25 feet to the point of beginning.

Less and excepting therefrom that portion of the subject property as disclosed by that certain Special Warranty Deed in favor of Sandy City recorded September 26, 2016 as Entry No. 12373437 in Book 10480 at Page 3384, being described as follows:

A parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, in the City of Sandy, Salt Lake County, Utah, being a portion of Lot 3, SOUTH TOWNE CENTER MALL SUBDIVISION, according to the official plat thereof found as Entry No. 6644162 in Book 97-5P of plats at Page 152 in the office of the Salt Lake County Recorder described by metes and bounds as follows:

Beginning at a point on the northerly line of Lot 3 of SOUTH TOWNE CENTER MALL SUBDIVISION, said point lies South 0°01'50" East 455.399 feet along the centerline and monument line in State Street, North 89°49'53" West 1877.57 feet and South 122.53 feet from a Salt Lake County monument located on the centerline of State Street at 10200 South, said monument lies North 89°53'20" East 92.33 feet, more or less, from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along the northerly and easterly lines of said Lot 3 the following two (2) courses: (1) South 89°49'53" East 285.90 feet; (2) South 0°42'21" West 27.39 feet; thence Southwesterly 86.10 feet along the arc of a non-tangent curve to the right whose center bears North 5°28'08" West 944.00 feet, has a central angle of 5°13'33" and a chord bearing and length of South 87°08'39" West 86.07 feet to a point of tangency; thence South 89°45'25" West 93.63 feet to a point of curvature; thence Southwesterly 54.13 feet along the arc of a tangent curve to the left having a radius of 35.00 feet, a central angle of 88°36'28" and a chord bearing and length of South 45°27'11" West 48.89 feet to a point of reverse curvature; thence Southwesterly 115.38 feet along the arc of a reverse curve to the right whose center bears North 88°51'03" West 545.50 feet, has a central angle of 12°07'06" and a chord bearing and length of South 7°12'30" West 115.16 feet to a point of tangency thence South 13°16'03" West 246.56 feet to a point of curvature; thence Southwesterly 111.89 feet along the arc of a tangent curve to the left having a radius of 474.50 feet, a central angle of 13°30'38" and a chord bearing and length of South 6°30'44" West 111.63 feet; thence South 89°45'25" West 71.00 feet; thence Northeasterly 128.63 feet along the arc of a curve to the



right whose center bears North 89°45'25" East 545.50 feet, has a central angle of 13°30'38" and chord bearing and length of North 6°30'44" East 128.33 feet to a point of tangency; thence North 13°16'03" East 246.56 feet to a point of curvature; thence Northeasterly 111.89 feet along the arc of a tangent curve to the left having a radius of 474.50, a central angle of 13°30'38" and a chord bearing and length of North 6°30'44" East 111.63 feet to a point of tangency; thence North 0°14'35" West 54.26 feet to the point of beginning.

Parcel 11:

Beneficial easements created by that certain Grant of Reciprocal Easements, Declaration of Covenants, Running with the Land and Development Agreement dated October 21, 1993, by and between the Insured, Mervyn's, a California Corporation, and South Towne Investors Limited Partnership, an Illinois Limited Partnership, recorded in the Official Records of Salt Lake County, Utah, as Entry No. 5634889, in Book 6781, at page 765, as amended by First Amendment to Grant of Reciprocal Easements, Declaration of Covenants Running with the Land and Development Agreement dated May 16, 1997 recorded in the Official Records of Salt Lake County, Utah, as Entry No. 6646767, in Book 7668, at page 2882, and re-recorded May 30, 1997, as Entry No. 6657114, in Book 7679, at page 787. The interest of South Towne Investors Limited Partnership having been assigned to Macerich South Towne Limited Partnership, by that certain Assignment and Assumption of Operating Agreements dated March 27, 1997, and recorded March 28, 1997, as Entry No. 6605595, in Book 7630 and amendments thereto, at page 119, of Official Records.

A non-exclusive easement and right of way, described as follows:

Lot 1, of that certain South Towne Center Mall Subdivision, part of the Northeast quarter of Section 13, Township 3 South, Range 1 West and part of the Northwest quarter of Section 18, Township 3 South, Range 1 East, Salt Lake Base and Meridian, recorded May 14, 1997, in the Salt Lake County Recorder's Office as Entry No. 6644162, and as amended by Affidavit dated May 19, 1997, and recorded May 30, 1997, as Entry No. 6657112, of Official Records.

Parcel 12:

Description of a portion of 10080 South Street located in the Southeast Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, vacated by Sandy City by Ordinance #18-20, recorded August 13, 2018 as Entry No. 12828206 in Book 10702 at Pages

2849-2850, which lies immediately adjacent to that certain parcel of land currently (June 2018) identified by the Salt Lake County Assessor as Parcel No. 27-13-226-010, more particularly described as follows:

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street, North 0°07'35" West 847.85 feet along said westerly right-of-way line, North 89°59'01" West 280.57 feet, South 86°50'50" West 266.48 feet, North 89°57'20" West 519.88 feet, South 0°00'36" West 53.33 feet and North 89°55'00" East 110.278 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South); thence North 89°55'00" East 11.172 feet along the southerly edge of an existing concrete sidewalk to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder; thence along said southerly right-of-way line, South 65°32'54" West 12.273 feet to the northeast corner of that parcel of land described in that certain Special Warranty Deed recorded October 24, 2007 as Entry No. 10257422 in Book 9529 at Pages 6162-6163 in the Office of the Salt Lake County Recorder; thence North 5.064 feet along the northerly extension of the easterly boundary of said parcel of land to the Point of Beginning.