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ENTRY # 1472341 AT 12:09 pm
BOOK # 2419 PAGE # 418
- DAVIS COUNTY RECORDER

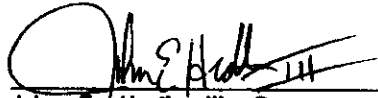
WARRANTY DEED

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JOHN E. HEATH, III, and LINDA WHITFORD, as successor co-trustees of TERTELING TRUST NO. 8, a trust organized and existing under the laws of the State of Idaho, Grantor, whose address is c/o Anteco Enterprises, 7964 Fairview Avenue, Boise, Idaho 83704, hereby CONVEY and WARRANT an undivided 42/100ths interest to Town Center, LLC, a Utah limited liability company, and an undivided 58/100ths interest to Morad Jacob and Rivka Jacob, husband and wife, as joint tenants with right of survivorship, Grantees, for good and valuable consideration, the following described real property, located in Davis County, Utah, to wit:

See Exhibit A Attached Hereto. Subject to the exceptions attached and made apart hereof as Exhibit B.

IN WITNESS WHEREOF, Grantor has caused Grantor's name to be hereunto subscribed this 16th day of December, 1998.



John E. Heath, III, Successor Co-Trustee of Terteling Trust No. 8 under Trust Agreement dated September 30, 1970.



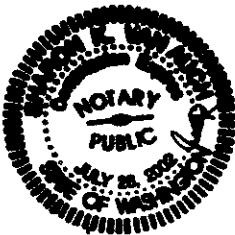
Linda Whitford, Successor Co-Trustee of Terteling Trust No. 8 under Trust Agreement dated September 30, 1970.

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WASHINGTON)
State of Idaho)
County of SPOKANE)

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On this 16th day of DECEMBER, 1998, before me, a Notary Public in and for said State, personally appeared JOHN E. HEATH, III, known or identified to me to be the Successor Co-Trustee of TERTELING TRUST NO. 8 under trust agreement dated September 30, 1970 and acknowledged to me that by said Trustees' signatures on the foregoing instrument, the foregoing named Trust executed the same.



Sharon K. Van Dusen
Notary Public for ~~Idaho~~ WASHINGTON
Residing at SPOKANE
My Commission Expires 7-26-02

State of Idaho)
County of Ada)

On this 17th day of December, 1998, before me, a Notary Public in and for said State, personally appeared LINDA WHITFORD, known or identified to me to be the Successor Co-Trustee of TERTELING TRUST NO. 8 under trust agreement dated September 30, 1970 and acknowledged to me that by said Trustees' signatures on the foregoing instrument, the foregoing named Trust executed the same.



Janice Strickland
Notary Public for Idaho
Residing at Boise
My Commission Expires 2/14/2003

EXHIBIT A

LEGAL DESCRIPTION

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The Entire Premises consist of all that certain lot, piece or parcel of land together with the improvements thereon, said land being located in the City of Bountiful, Count of Davis, State of Utah, bounded and described as follows:

Beginning on the Easterly line of a Highway (Highway #106) 46.0 feet perpendicularly distant Easterly from the centerline thereof at a point which is given as West 1826.73 feet along the Section line and South 31 deg. 15'30" West 26.08 feet along a street and West 488.46 feet and North 27 degrees 01'00" East 95.83 feet along the Easterly line of said highway from the North quarter corner of Section 31, Township 2 North, Range 1 East, Salt Lake Base and Meridian in the City of Bountiful, Utah and running thence Southeasterly 24.48 feet along the arc of a 15.00 foot radius curve to the left; thence Easterly along the arc of said curve for a distance of 168.26 feet (radius bears North 19 degrees 37'02" East); thence North 88 degrees 39'34" East 281.94 feet along said street to a point on a 30.00 foot radius curve to the left; thence Northerly along the arc of said curve 30.09 feet (radius bears North 01 degrees 20'26" West) along said street to the Westerly line of Main Street; thence North 31 deg. 11'30" East 634.19 feet along the Westerly line of a 5 rod road; thence North 88 deg. 18'40" East 9.93 feet along an angle corner in said road to the Westerly line of a 4 rod street; thence North 31 deg. 11'30" East 792.89 feet along the Westerly line of said street to the South line of 1500 South Street; thence South 89 deg. 46'00" West 624.15 feet along the South line of said street to the Easterly line of said Highway; thence South 26 deg. 55'00" West 1336.94 feet along the Easterly line of said Highway to the point of beginning. Contains 15.812 acres, more or less.

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EXHIBIT B

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1. Easements and conditions in favor of Mountain Fuel Supply company, which affects the easterly 10 feet of the Westerly 70 feet of the Northerly 191 feet approximately (being 10 feet wide), for the purpose of pipelines and incidental purposes, recorded in Book 153, at Page 563, of Official Records.
2. Easements and conditions in favor of Weber Basin Water Conservancy District, which affects the Westerly 20 feet of the Northerly 45 feet (approximately), for the purpose of pipelines and incidental purposes, recorded June 17, 1960, as Entry No. 204624, in Book 189 at Page 302 of official Records.
3. Easements and conditions in favor of the City of Bountiful, which affects the approximate West 50 feet from the Easterly boundary and 20 feet North of the Southerly boundary, for the purpose of power transmission line, anchor and incidental purposes, recorded September 7, 1961, as Entry No. 226029, in Book 225, at Page 645, of Official Records.
4. Right of Way and Easement in favor of Mountain Fuel Supply Company, a Corporation of the State of Utah, which affects the centerline of said right of way 10 feet wide, over and across the following: Beginning at a point approximately 1251.14 feet North and 1019.86 feet East and South $31^{\circ}13'$ West 191 feet from the Southwest corner of said Section 30, thence South $71^{\circ}50'$ West 62 feet; thence South $26^{\circ}50'45''$ West 570 feet, thence South $26^{\circ}44'$ West 350 feet for the purpose to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities through and across the above, recorded November 2, 1962, as Entry No. 243231, in Book 253 at page 461 of Official Records.
5. Easement and conditions contained therein, in favor of Bountiful, A Municipal Corporation, for eight inch sanitary sewer and a culinary water line created by instrument dated February 6, 1963 and recorded April 8, 1963, as Entry No. 249928, in Book 264, Page 493 of Official Records, being 10 feet wide, the centerline of which is described as follows: Beginning at a point 1254.89 feet North and 1000.88 feet East of the Southwest corner of said Section 30, the true point of beginning, thence South $26^{\circ}50'45''$ West 755.5 feet; thence south $26^{\circ}55'$ West 673.5 feet, the centerline of said culinary water line shall extend through and across the above described property on a line described as follows: Beginning at a point 1254.89 feet North and 1000.88 feet East of the Southwest corner of said Section 30, thence South $31^{\circ}11'30''$ West 182 feet; thence South $26^{\circ}50'45''$ West 975 feet; thence south $58^{\circ}48'30''$ East 220 feet; thence South $81^{\circ}00'$ East 224 feet; thence South $58^{\circ}48'30''$ east 15 feet to the West side of Alternate Highway 91 (Main Street), as reserved by Right of Way Easement, recorded April 8, 1963, as Entry No. 249928, in Book 264, Page 493 of Official Records.

(CONTINUED ON NEXT PAGE)

6. A Power Line Anchor Easement executed by TERTELING LAND COMPANY in favor of the CITY OF BOUNTIFUL, an easement to install an anchor for its power transmission line, which anchor will extend west eleven and seven-tenths feet upon the said tract of land from a point on the easterly line of said tract of land 208 feet more or less, northeasterly from the southeasterly corner of said tract of land, which point is also 132 feet more or less, Southwesterly from an established driveway into said property.

Said Easement was recorded April 22, 1963 as Entry No. 250534 in Book 265 at page 548 of Official Records.

7. Rights of Access to the Highway adjoining said land on the West has been limited by an instrument in favor of The State road Commission dated August 17, 1964 and recorded October 1, 1964, as Entry No. 273439, in Book 302, page 116 of Official Records.

8. Right of Way and Easement in favor of Mountain Fuel Supply company, a Corporation of the State of Utah, which affects the approximate easterly 10 feet of the Westerly 70 feet of the Northerly 70 feet (being 10 feet wide), also over and across the following: Beginning at a point North 1169.5 feet and East 970.4 feet from the Southwest corner of said Section 30 and running thence South $76^{\circ}13'00''$ West 6.5 feet; thence South $39^{\circ}41'59''$ West 70.5 feet; thence South $17^{\circ}54'1''$ East 20.5 feet and for the purpose to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities through and across the above, recorded September 16, 1976, as Entry No. 442682, in Book 616, at Page 592 of Official Records.

9. Easements and Conditions affecting a southwest portion of said land contained therein in favor of Bountiful, a Municipal Corporation for sanitary sewers and incidental purposes created by instrument dated May 5, 1972 and recorded June 27, 1972, as Entry No. 366582, in Book 491, Page 248 of Official Records, also across the following described tract of land: 10 feet wide sewer easement 5 feet each side of the following described center line: Beginning at a point on the North line of Bountiful City Street (1800 south Street) at a point which is West 1826.73 feet and North $31^{\circ}15'30''$ East 25.68 feet and South $88^{\circ}44'$ West 305.39 feet along the North line of said street from the North Quarter corner of Section 31, Township 2 North, Range 1 East, Salt Lake Base and Meridian, and running thence North $19^{\circ}30'$ East 140.0 feet; thence North $58^{\circ}30'$ West 137.00 feet; thence North $28^{\circ}00'$ East 125 feet, more or less to an existing sewer manhole, as reserved by Right of Way Agreement, recorded June 27, 1972, as Entry No. 366582, in Book 491, Page 248 of Official Records.

THE FOLLOWING EXCEPTIONS AFFECT PARCEL 2:

10. Easements and conditions affecting the approximate Westerly 10 feet of the Northerly 25 feet, in favor of State Road Commission of Utah, for drainage facilities and incidental purposes, created by instrument dated November 20, 1963 and December 27, 1963, as Entry No. 261494, in Book 283, Page 313 of official Records, also affecting a parcel of land, 10.0 feet wide, adjoining Easterly limited access line of highway known as Project
(CONTINUED ON NEXT PAGE)

No. 0116. Said parcel is contained within two side lines 5.0 feet distance Westerly and 5.0 feet distance Easterly from the following described center line: Beginning on the North boundary line of the Grantors land at a point 63.0 feet perpendicularly distance Easterly from the center line of said project, which point of beginning is also 57.75 feet south and approximate 440 feet West from the Northeast corner of said Lot 5; thence south 26°55' West 25 feet, more or less, to a point opposite Engineers Station 215+62, as reserved in Easement, recorded December 27, 1963, as Entry No. 261494, in Book 283, Page 313 of official Records.

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11. Right of Access from the Westerly boundary of said land has been relinquished by the State of Utah as disclosed by instrument recorded October 22, 1964, as Entry No. 274346, in Book 303, at Page 355, of Official Records.

12. Easement and conditions in favor of the Mountain States Telephone and Telegraph company, a Colorado Corporation, for the purpose to construct, operate, maintain and remove such communication and other facilities, upon, over, under and across an easement six (6) feet in width described by a center line with three (3) feet on each side as follows: Commencing South 89°51' West 446.82 feet from the Southeast corner of Lot 5, Block "K", North Mill Creek Plat, Bountiful Townsite Survey; thence North 16°30' East 57 feet; thence North 144 feet, more or less; thence West 12 feet, more or less to end, recorded July 11, 1978, as Entry No. 501706, in Book 717, at Page 714, of Official Records.

THE FOLLOWING EXCEPTIONS AFFECT PARCELS 1 AND 2:

13. Said Land lies within the boundaries of the Redevelopment Plan entitled "C.B.D' NEIGHBORHOOD DEVELOPMENT PLAN" dated April 22, 1981, as disclosed by instrument recorded November 28, 1984, as Entry No. 688677, in Book 1014, Page 736 of Official Records.

14. Rights of Tenants by virtue of Leasehold interests as disclosed by various documents of record, among which are:

Five Subordination, Non disturbance and Attornment Agreements as set out herein:

- a. MISSIONARY EMPORIUM, INC., recorded in Book 1684 at Page 1352.
- b. CARIBOU FOUR CORNERS, INC., recorded in Book 1684 at Page 1364.
- c. FIRST SECURITY BANK OF UTAH recorded in Book 1684 at Page 1370.
- d. MICHAEL HENRY PARSONS recorded in Book 1684 at page 1376.
- f. TINA'S HALLMARK/D. STEVEN CHRISTENSEN recorded in Book 1684 at Page 1406.
