

When Recorded, Mail to:
C & C PROPERTIES, LLC
8505 WINDHAVEN DRIVE
PARKER, CO 80134

E 1973549 B 3506 P 2057
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 MAR 29 4:38 PM FEE 16.00 DEP MEC
REC'D FOR EQUITY TITLE AGENCY

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ETA # 2152304

WARRANTY DEED

SB CLINTON L.C., A UTAH LIMITED LIABILITY COMPANY, Grantor(s), hereby convey(s) and warrant(s) to

C & C PROPERTIES, LLC, Grantee(s)

for the sum of ten dollars and other good and valuable consideration, the following described tract of land in DAVIS County, State of Utah, to wit:

LOT 11, CLINTON TOWNE CENTER, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

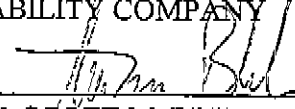
SUBJECT TO EXCLUSIVE USES SEE ATTACHED EXHIBIT "A"

14.266.0011

Subject to covenants, conditions and restrictions of record and other recorded governing documents as of this date..


IN WITNESS WHEREOF, Grantor(s) has/have executed this Warranty Deed the 25th day of March, 2004.

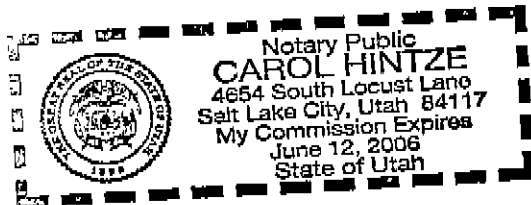
SB CLINTON L.C., A UTAH LIMITED LIABILITY COMPANY


BY: SCOTT M. BRUBAKER,
MANAGING MEMBER

COUNTY OF ~~DAVIS~~ *Salt Lake*
STATE OF UTAH)
:ss

The foregoing instrument was acknowledged before me the 25th day of March, 2004, by SCOTT M. BRUBAKER, MANAGING MEMBER OF SB CLINTON L.C., A UTAH LIMITED LIABILITY COMPANY.


Notary Public



CLINTON TOWNE CENTER EXCLUSIVES & RESTRICTIONS

Tenant	Area Restricted	Restrictive Clause
Albertson's	Entire Shopping Center	no automotive maintenance or repair except parcel 7
		no second hand or surplus store, entertainment or recreational facility or training or educational facility. (theater, bowling alley, skating rink, gym, health spa, dance hall, pool hall, massage parlor, video arcade)
		no beauty school, barber college, reading room or operation catering to students
		no bar, tavern, cocktail lounge, adult book or adult video store, hotel, motel, car wash, (exception noted below), warehouse,
		no mobile home park, trailer court for renting or, leasing or selling, no boat or trailer for leasing or selling or for any bankruptcy sales or going out of business sales.
		no animal kennel (except single vet clinic shall be permitted over 100 feet from parcel 2)
	1,3,4,5,6,8,9,10,11,12	no supermarket, or store containing more than 2,000 sq ft of floor area devoted to retail sale of food for off-premises consumption. Super market being defined further to include bakery, delicatessen, cigarette or smoke shop or store whose primary business is to sell tobacco; sale of fresh or frozen meats, fish poultry or produce for off-premises consumption; alcoholic beverages for off-premises consumption; pharmaceutical products requiring the use of a pharmacist.
	1,3,4,5,6,8,9,10,11,12	no gasoline station or gasoline products or accessories
	1,3,4	sandwich shop (such as Subway or Blimpies), pizza (such as Domino's, Little Caesars, Papa Murphy's or Pizza Hut Deliver) are permitted users. Restaurants that have drive thru or take out where the majority of the restaurant's sales are not from the drive-thru or take out are also permitted
	1,3,9,	shall be used for retail sales, retail services or restaurants. restaurant or medical, eye or chiropractic, dental or professional or business office use allowed if primary entrance are more than 150 feet away from parcel 2
	4	may only be used as restaurant or office if public entrance doors are not located on the northern 1/3

EXHIBIT "A"

Tenant

Area Restricted

Restrictive Clause

Center
no karate facility, gymnasium, health club, physical fitness facility, exercise or dance studio, dance hall, bar, off-track betting, billiard or pool hall, bingo or similar games of chance, massage parlor, game arcade, bowling alley, skating rink, automobile sales, car wash (except parcel 7) car repair or car rental agency, night club or adult book store, video tape store, hotel or other lodging facilities, flea market.

Center
no school within 250 feet

Center
no sit down restaurant within 250 feet from premises Article 1 pg 3 of lease

Wendy's
Center
No restaurant whose primary business is the sale of hamburgers, hamburger products or chicken sandwiches or any combinations thereof. Primary means 15% or more of its

Subway
Center
Subway Sandwich restaurant. Menu items will be sold for on and off premises consumption. Landlord warrants that Tenant's use does not conflict with any exclusive clauses in this center. Tenant may remain open seven (7) days per week twenty-four (24) hours per day.

Greenbacks
Center
Greenbacks All a Dollar Store. Restriction to any other dollar store or discount type store.

Sally's Beauty
Center
Excluding existing tenants, Sally's restricts sales of similar products.

Hello China
Center
Restriction for any Chinese Food or Oriental restaurant

Time to talk
Shops space & Greenbacks Bldg
Exclusive on sales of wireless communications devices on shop space and in space where Greenbacks shop space is located for future leases.

MBE
Applicable to lots 1,3,6,8,9,10,11,&12 (all parcels of Clinton Towne Center Shopping Center currently owned by Landlord)

Exclusive Use: Applicable to lots 1,3,6,8,9,10,11,&12 (all parcels of Clinton Towne Center Shopping Center currently owned by Landlord, Landlord agrees not to lease any space to a Tenant, nor allow current tenants to offer sell or provide any of the following products or services: Shipping and packaging supplies and services, including overnight delivery services; copy and printing services for tenants such as Alphagraphics, Kinko's or similar, where such products or services are more than incidental, generally more than 5% to any given users gross sales except Albertsons & Scrapbook stores who are currently using copy machines; mailbox rentals; postal and metered mail services; office supplies (unless an incidental use such as Greenbacks, Albertsons & Scrapbook store) or for single users over 10,000 sq ft such as Office Max or Staples; fax for profit; and computer time rentals

Tenant	Area Restricted	Restrictive Clause
5	Not a full service restaurant, but fast food or take out delivery operations are permitted	
6	Not to be used as a restaurant unless primary public entrance doors face north or east	
1,3,4,5,6,	total floor area of restaurants shall not exceed 12,000 sq ft	
1,3,4,5,6,7,8,9,10,11,12,	no financial institution other than FSB or related entity	
1,3,4,5,6,7,8,9,10,11,12,	no ATM's exception pg 27 dec of restriction & easements	
Drive thru's must have approval from consenting owners		
Great Clips	1,3,4,5,6,7,8,9,10,11,12,	Landlord shall not lease to any other entity whose primary use is the cutting of hair, with the exception of Albertsons or other subsequent anchor user and any locations in the shopping center not owned by landlord
Little Caesars	1,3,5,6	Retail sales and consumption of food and beverages which shall include, but not be limited to Pizza, Italian specialties, pasta, bread products, salads, sandwiches, dessert items, promotional items, and other items sold by any Little Caesar Store.
	all parcels	no pizza unless pizza comprises less than 10% of business sales
Blockbuster	1,3,4,5,6,8,9,10,11,12, contiguous or adjacent to shopping owned or leased by owner or any affiliate of landlord	no adult type bookstore or entertainment facility, billiard hall, cocktail bar or lounge
	Center	No telephones, newspaper machines, vending machines, ATM machines or signage on the exterior walls of the demised premises or on sidewalks in front of premises
	Center	exclusive right to sell, rent and or distribute prerecorded video cassettes, video tapes, video discs, laser discs, video games, dvd, vix, or other video software.
	Center	Incidental selling of religious, instructional, educational or specifically related items to such tenants primary business is allowed. Incidental means not more than 50 items available for sale at such tenants premises at any time
	Center	no theater, auditorium, meeting hall, place of public assembly.