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WHEN RECORDED MAIL TO:

Kimball, Parr, Crockett & Waddoups
185 South State Street, Suite 1300
Salt Lake City, Utah 84111
Attention: Roger D. Henriksen, Esq.

4534411
08 OCTOBER 87 12:45 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: REBECCA GRAY, DEPUTY

4534411

EASEMENT

HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership ("Grantor") whose address is 4802 Nicollet Avenue South, Minneapolis, Minnesota 55409, Attention: William Munson, hereby grants, conveys and warrants to KENT D. DICKERSON & SONS, INC., a Utah corporation, whose address for the purposes hereof is 2200 East Camelback Road Suite 200, Phoenix, Arizona 85016 (the "Grantee") a temporary easement appurtenant to and upon the following parcels of real property situated in Salt Lake County, State of Utah (the "Grantor Property"):

[See Exhibit "A" attached hereto and incorporated herein by this reference]

Said easement shall be for the benefit of and appurtenant to the following described parcel of real property situated in Salt Lake County, State of Utah (the "Benefitted Property"):

[See Exhibit "B" attached hereto and incorporated herein by this reference]

TO HAVE AND TO HOLD for the purposes of inspecting, demolishing, repairing, remodeling, improving and constructing upon the Benefitted Property certain improvements relating to proposed municipal and court facilities and related site improvements. This easement and all provisions contained herein shall cease and all right, title and interest of Grantee, its successors and assigns, in and to this easement shall terminate automatically upon the completion of construction of said improvements on the Benefitted Property, but in any event shall automatically terminate upon the expiration of two years from the date hereof. This easement may be assigned by Grantee in whole or in part and shall be binding upon and inure to the benefit of the Grantor and Grantee hereto and their respective heirs, successors and assigns. Grantor and Grantee specifically and expressly agree that it is their intent that the burdens imposed upon the Grantor Property by this easement shall constitute a burden upon the Grantor Property as that term is used at law and that all persons hereafter claiming an interest in the Grantor Property shall be bound by such burdens. Grantee acknowledges by its acceptance of this easement that it agrees to indemnify and hold harmless Grantor from all claims and liabilities for personal injury and physical damage to the Grantor Property, or mechanic's or materialmen's liens which may be asserted against Grantor as a result of such entry for demolition of the existing structures on the Benefitted Property. The indemnity set forth in the immediately foregoing sentence shall not apply to claims and liabilities for tenant inconvenience, loss of rent or sales, environmental contamination from the Chevron station located on the Grantor Property and the Benefitted Property, or any other matter not expressly set forth in such sentence.

Dated this 6th day of OCTOBER, 1987.

HEARTLAND WEST VALLEY COMMERCIAL
LIMITED PARTNERS, a Minnesota
limited partnership, by its
Managing General Partner:

HEARTLAND REALTY INVESTORS,
INC., a Minnesota corporation

By William Munson
its President

5869-945

STATE OF MINNESOTA

County of Hennepin

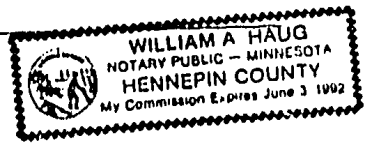
)
: ss.
)

AGENT AND ATTORNEY IN FACT
PURSUANT TO A POWER OF ATTORNEY

On the 6th day of OCTOBER, 1987, personally appeared before me ~~W. WILLIAM WAITE~~ by WILLIAM F. HAUG the signer of the foregoing Easement, who being by me duly sworn did acknowledge to me that he is the PRESIDENT of HEARTLAND REALTY INVESTORS, INC., a Minnesota corporation, and that HEARTLAND REALTY INVESTORS, INC. is the Managing General Partner of HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, and said PRESIDENT did acknowledge to me that he executed the foregoing Easement for and on behalf of Heartland Realty Investors, Inc. by authority of its bylaws or a resolution of its Board of Directors, and by that corporation for and on behalf of HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, by due authority of said partnership's Limited Partnership Agreement.

My Commission Expires:

William A. Haug
NOTARY PUBLIC
Residing at _____



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EXHIBIT "A"

to

EASEMENT

The "Grantor Property" referred to in the foregoing Easement is located in Salt Lake County, Utah, and is more particularly described as follows:

A parcel of land located in the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Meridian; being further described as follows:

Beginning at point South $89^{\circ}53'20''$ West 330.000 feet along the North line of the Northwest Quarter of said Section 33, and South $00^{\circ}00'44''$ West 48.000 feet from the North Quarter corner of said Section 33; thence South $00^{\circ}00'44''$ West 272.000 feet; thence North $89^{\circ}53'20''$ East 297.000 feet to the westerly right of way line of 2700 West Street; said westerly right of way line being 33.000 feet westerly of and parallel to the centerline of 2700 West Street, said centerline being the North/South center section line of said Section 33; thence South $00^{\circ}00'44''$ West 495.095 feet; thence South $89^{\circ}56'30''$ West 498.900 feet to the easterly right of way line of Market Street; thence North $00^{\circ}00'20''$ East 142.384 feet to the beginning of a 526.660 foot radius curve to the left bearing to radius point being North $89^{\circ}59'40''$ West; thence along the arc of said curve 183.992 feet through a central angle of $20^{\circ}01'00''$ to the beginning of a 466.660 foot radius curve to the right bearing to radius point being North $69^{\circ}59'20''$ East; thence along the arc of said curve 163.031 feet through a central angle of $20^{\circ}01'0''$; thence North $89^{\circ}53'20''$ East 119.961 feet; thence North $00^{\circ}00'44''$ East 284.122 feet; thence North $89^{\circ}53'20''$ East 142.000 feet to the point of beginning. Contains 294793.76 square feet or 6.77 acres more or less. Basis of bearing being the North line of the Northwest Quarter of said Section 33, which has a bearing of South $89^{\circ}56'20''$ West.

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EXHIBIT "B"

to

EASEMENT

Parcel 1:

A parcel of land located in the Northwest quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Meridian, being further described as follows:

Beginning at a point South $00^{\circ}00'44''$ West 1065.100 feet along the North/South center section line of said Section 33 and South $89^{\circ}56'20''$ West 33.000 feet from the North quarter corner of said Section 33, thence South $89^{\circ}56'20''$ West 498.872 feet to the Easterly right-of-way line of Market Street; thence along said Easterly right-of-way North $00^{\circ}00'20''$ East 250.000 feet; thence North $89^{\circ}56'30''$ East 498.901 feet to the Westerly right-of-way line of 2700 West Street; thence South $00^{\circ}00'44''$ West 249.976 feet to the point of beginning. Containing 2.86 acres, more or less. Basis of bearings being the North line of the Northwest quarter of said Section 33 which has a bearing of South $89^{\circ}53'20''$ West.

Parcel 2:

Commencing at a point South $0^{\circ}00'44''$ West 1065.1 feet and South $89^{\circ}56'20''$ West 33 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian; and running thence South $89^{\circ}56'20''$ West 226.9 feet, more or less; thence South $0^{\circ}00'20''$ West 254.53 feet, more or less; thence North $89^{\circ}56'20''$ East 226.9 feet, more or less; thence North $0^{\circ}00'44''$ East 254.9 feet, more or less, to the point of beginning.

Parcel 3:

Beginning at a point South $0^{\circ}00'44''$ West 1065.1 feet and South $89^{\circ}56'20''$ West 384.10 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian; and running thence South $0^{\circ}00'20''$ West 254.53 feet to the North line of said 3650 South Street; thence North $89^{\circ}56'20''$ East along the North line of said 3650 South Street, 124.10 feet; thence North $0^{\circ}00'20''$ East 254.53 feet; thence South $89^{\circ}56'20''$ West 124.10 feet to the point of beginning.

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