

MAIL TAX NOTICE TO:
Garff-Warner Automotive Group LLC
76 West 800 South
Salt Lake City, UT 84101

M-37441

ENT 45401:2004 PG 1 of 2 !!!
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Apr 21 10:48 am FEE 12.00 BY LJ
RECORDED FOR MOUNTAIN WEST TITLE CO

SPECIAL WARRANTY DEED (CORPORATE FORM)

City of Orem a Municipal Corporation and Political Subdivision of the state of Utah
organized and existing under the laws of the State of Utah, with its principal office at
, Orem County of Utah, State of Utah, GRANTOR,

hereby CONVEYS and WARRANTS against all claiming by, through or under it to

Garff-Warner Automotive Group, LLC

GRANTEE(S)

of Orem, County of Utah, State of Utah,
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following tract of land in UTAH COUNTY, STATE OF UTAH, to-wit

Commencing at a point in the South boundary of University Parkway, Orem, Utah, said point being located South 89°08'17" East along the section line 657.62 feet and South 721.01 feet from the North quarter corner of Section 27, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along the South boundary of University Parkway as follows: North 87°52'38" East 0.45 feet, North 86°11'21" East 16.39 feet, North 81°54'25" East 181.10 feet, North 89°59'50" East 243.15 feet; thence South 05°23'36" West along a fence line 98.93 feet; thence North 89°49'44" West partially along a fence line 204.45 feet; thence North 89°36'34" West along a fence line 93.13 feet; thence South 89°53'08" West partially along a fence line 118.57 feet; thence South 01°46'55" West along a fence line 358.17 feet; thence along the arc of a 56.00 foot radius curve to the left 18.01 feet (chord bears South 64°45'32" West 17.93 feet); thence North 01°46'43" East 436.73 feet to the point of beginning.

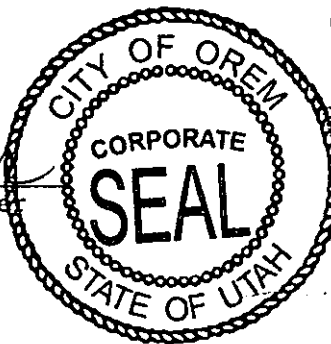
Subject to the deed restrictions as set forth on Exhibit "A"

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this day of April, 2004.

ATTEST:

Donna R. Weaver
Donna R. Weaver, City Recorder



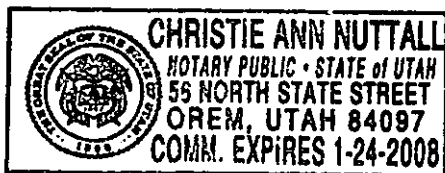
City of Orem

Stanford Sainsbury
By Stanford Sainsbury
Acting City Manager

STATE OF UTAH)
 :SS
COUNTY OF Utah)

On the 14th day of April, 2004, personally appeared before me, Stanford Sainsbury and Donna R. Weaver who being by me duly sworn did say, each for himself, that he, that said Stanford Sainsbury is the Acting CM and she, the said Donna R. Weaver is the City Recorder and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Acting CM and CR each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Christie Ann Nuttall
Notary Public
My Commission Expires:
Residing in: Utah County, Utah



DEED RESTRICTIONS

For purposes of the following deed restrictions, the term "Property" refers to the real property described and conveyed by this Special Warranty Deed. The term "CUWCD Property" refers to the real property currently owned by the Central Utah Water Conservancy District located to the south of the Property.

1. Lighting. All lighting on the property shall be installed and shielded in such a way that lighting from the Property is not directed onto the CUWCD Property. All lights on the property shall be fitted with metal shields that direct light away from the CUWCD Property.
2. Access. Access to the Property shall not be sought from over or across the CUWCD Property.
3. Fencing/barriers between the Property and CUWCD Property. The PD-5 ordinance (Orem City Code Section 22-11-17(H)(1)) requires a seven-foot high masonry fence to be constructed on the property line between commercial development and a residential zone. The Orem City Council may modify the height requirement of a fence and may approve a fence constructed of materials other than masonry pursuant to Orem City Code Section 22-1-19(F). The owner of the Property shall support an application to the Orem City Council to modify the fence requirement to require the following fencing along the shared boundary between the Property and the CUWCD Property:
 - 3.1. A seven-foot (7') masonry fence beginning seventy-five feet (75') from the back edge of the existing sidewalk adjacent to University Parkway to the south edge of the Property.
 - 3.2. A concrete curb wall at least eight inches (8") in height and a barrier consisting of poles with a chain(s) and/or cable(s) from the back edge of the existing sidewalk adjacent to University Parkway to the new masonry wall. The curb wall and chain/cable barrier must be sufficient to prevent any vehicles from crossing between the CUWCD Property and the Property.
 - 3.3. The fence, curb wall and chain/cable barrier shall be required as part of any site plan for the Property and shall be completed before commencement of any business activity on the Property.