

When Recorded, Return To:

Heartland West Valley Commercial
Limited Partners
46 West Broadway, Ste. 111
Salt Lake City, Utah 84101

1990

4921413
25 MAY 90 01:40 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: SHARON WEST , DEPUTY

4921413

Partnership Special Warranty Deed

SNI 606 LIMITED, a Utah limited partnership, hereby conveys and warrants against all claiming by, through or under SNI 606 LIMITED, to HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership ("Grantee"), in consideration of the payment of Ten Dollars (\$10.00), and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described tract of land, situated in Salt Lake County, Utah, and more particularly described on attached Exhibit "A", subject to, and without any warranty with respect to, the following:

1. Rights of way, covenants, conditions, restrictions, easements and encroachments of record as reflected in attached Exhibit "B";
2. Tenants' rights under leases affecting said property including, but not limited to, those of record;
3. All easements and encroachments that can be ascertained by observation or physical inspection of said property;
4. Liens for taxes and assessments not yet due;
5. The effects of that Quitclaim Deed, in favor of Dickerson & Sons, Inc., recorded October 8, 1987, as Entry No. 4534409, Book 5969, Page 941, Records; and
6. Any lien or encumbrance created or suffered to be created by Grantee.

DATED this 24th day of May, 1990.

SNI 606 LIMITED, a Utah
Limited Partnership
By: First Associated Management, Inc.,
a Texas corporation,
its general partner,

By: [Signature]
Its: Vice President

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STATE OF Texas)
COUNTY OF Dallas) SS.

On the 24th day of May, 1990, personally appeared before me CLARK A ZIMMERMAN who, being sworn, said that he is the VICE PRESIDENT of First Associated Management, Inc., a Texas corporation, that said corporation is the general partner of SNI 606 Limited, a Utah limited partnership, that he executed the foregoing instrument on behalf of the foregoing partnership and corporation, and that the foregoing partnership and corporation executed the same under authority of their respective bylaws or valid resolutions of their respective governing boards.

Lucy J. Wilkin
Notary Public



My Commission: 11-22-93

EXHIBIT "A"

Description of Property

Parcel 1:

Commencing at a point which is North $89^{\circ}52'34''$ West 330.00 feet and South $0^{\circ}07'26''$ West 48.00 feet from the Northeast corner of the Northwest quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South $0^{\circ}07'26''$ West 287.00 feet; thence South $89^{\circ}52'34''$ East 297.00 feet to the Westerly boundary of 2700 West Street; thence along the Westerly boundary of 2700 West Street South $0^{\circ}07'26''$ West 745.10 feet; thence North $89^{\circ}52'34''$ West 499.00 feet to the Easterly boundary of Market Street; thence along the Easterly boundary of Market Street North $0^{\circ}07'26''$ East 393.10 feet; thence along a 526.66 foot radius curve to the left 107.49 feet; thence along a 526.66 foot radius curve to the left 76.50 feet; thence along a 466.66 foot radius curve to the right 163.03 feet; thence South $89^{\circ}52'34''$ East 120.00 feet; thence North $0^{\circ}07'26''$ East 299.00 feet to the Southerly boundary of 3500 South Street; thence along the Southerly boundary of 3500 South Street South $89^{\circ}52'34''$ East 142.00 feet to the point of commencement.

Parcel 2:

A non-exclusive 60.0 foot easement and right-of-way for road and incidental purposes over the following:

Commencing 33.0 feet West and 33.0 feet South of the Northeast corner of the Northwest quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence along the West line of 2700 West Street, South 287.00 feet; thence West 60.0 feet; thence North 287.0 feet to the South line of 3500 South Street; thence along the South line of 3500 South Street, East 60.0 feet to the point of commencement.

As created by that certain Warranty Deed dated June 16, 1955, and recorded June 17, 1955, as Entry No. 1432054, in Book 1208, at Page 444, of Official Records.

Less and excepting therefrom that parcel of property conveyed to Dickerson & Sons, Inc., via that Quitclaim Deed, recorded October 8, 1987, as Entry No. 4534409, Book 5969, Page 941, in the Office of the Salt Lake County Recorder.

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EXHIBIT "B"

(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY)

1. Subordination, Non-Disturbance and Attornment Agreement, dated April 29, 1988, by and between HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, as Landlord, SNI 606 LIMITED, a Utah limited partnership, as Mortgagee and TRACY COLLINS BANK AND TRUST CO., as Tenant, subject to the terms and conditions contained therein. Said Subordination, Non-Disturbance and Attornment Agreement recorded June 24, 1988, as Entry No. 4641418, in Book 6041, at Page 1648, Salt Lake County Recorder's Office.

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(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY)

2. Notice of Interest and Memorandum of Lease, executed July 11, 1988, wherein KENT D. DICKERSON & SONS, INC., a Utah corporation give notice of their interest in and to said property by way of Ground Lease, dated April 20, 1988, by and between HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, as Lessor, and KENT D. DICKERSON & SONS, INC., a Utah corporation, as Lessee. Said Notice of Interest and Memorandum of Lease recorded July 27, 1988, as Entry No. 4655174, in Book 6050, at Page 1299, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY)

3. Subordination, Non-Disturbance, Attornment Agreement and Grant of Easement, dated April 29, 1988, by and between HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, as Landlord, SNI 606 LIMITED, a Utah limited partnership, as Mortgagee and KENT D. DICKERSON & SONS, INC., a Utah corporation, as Tenant, subject to the terms and conditions contained therein. Said Subordination, Non-Disturbance Attornment Agreement and Grant of Easement recorded June 24, 1988, as Entry No. 4641419, in Book 6041, at Page 1655, Salt Lake County Recorder's Office.
4. Non-Disturbance Agreement, dated October 06, 1987, by and between HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership and DICKERSON & SONS, INC., an Arizona corporation, subject to the terms and conditions contained therein. Said Non-Disturbance Agreement recorded October 08, 1987, as Entry No. 4534413, in Book 5969, at Page 951, Salt Lake County Recorder's Office.

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5. Certificate of Appropriation of Water, dated May 29, 1959, in favor of A.T.P. INCORPORATED, the period of use being from January 1 to December 31 inclusive of each year for miscellaneous purposes, wherein:

"The water appropriated is yielded by a valve-controlled flowing well, fully cased with 3-in. diameter pipe driven to a depth of 314 feet below ground surface, situated South 495.0 feet and West 205.0 feet from North Quarter Corner Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The water is diverted from the well by means of artisan pressure, conveyed therefrom by means of 20.0 feet of 2-in. diameter pipe to a set of cooling coils, which are a part of the cooling and refrigeration equipment used within a grocery store. After passing through said coils, the water is discharged into a 4-in. diameter pipe line which conveys the water to an open-joint tile drain field constructed under the parking, where it is dissipated. The water is intermittently used during the aforesaid period, for cooling purposes within Albertson's Food Center located in Granger, Utah."

Said Certificate recorded June 03, 1959, as Entry No. 1656267, in Book 1618, at Page 687, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS THE SUBJECT PROPERTY TOGETHER WITH OTHER PROPERTY)

6. Easement, dated May 21, 1902, in favor of the TELLURIDE POWER COMPANY, a Colorado corporation,

"the right to erect and maintain one (2) line of poles and electric transmission circuits across the following described tracts of land in Salt Lake County, Utah, to-wit:

THE EAST ONE-HALF (1/2) OF THE NORTH WEST ONE QUARTER (1/4) AND THE SOUTH WEST ONE QUARTER (1/4) OF THE NORTH EAST ONE QUARTER (1/4) OF SECTION NUMBERED THIRTY-THREE (33) IN TOWNSHIP NUMBERED ONE (1) SOUTH OF RANGE NUMBERED ONE (1) WEST OF THE SALT LAKE BASE MERIDIAN."

Said Easement recorded September 08, 1902, as Entry No. 161304, in Book 6-C of Deeds, at Page 244, Salt Lake County Recorder's Office.

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(THE FOLLOWING AFFECTS THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

7. Right of Way and Easement Grant, dated November 22, 1955, in favor of MOUNTAIN FUEL SUPPLY COMPANY, a Utah corporation, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject property, more particularly described as follows:

"THE LAND OF THE GRANTOR, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN;

THE CENTERLINE OF SAID RIGHT OF WAY AND EASEMENT SHALL EXTEND THROUGH AND ACROSS THE ABOVE LAND AND PREMISES AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 392 FEET SOUTH AND 592 FEET WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 33, THENCE EAST 401 FEET; THENCE SOUTH 924.02 FEET."

Said Right of Way and Easement Grant recorded November 29, 1955, as Entry No. 1457919, in Book 1262, at Page 55, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

8. Right of Way Easement, dated March 16, 1957, in favor of THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, to construct, operate, maintain and remove such communication and other facilities, from time to time, upon, over, under and across a portion of the subject property, more particularly described as follows:

"COMMENCING 592 FEET WEST AND 320 FEET SOUTH FROM THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; EAST 559 FEET TO WEST LINE OF 2700 WEST STREET; SOUTH 1000 FEET; WEST 499 FEET TO EAST LINE OF ROAD; NORTH 648 FEET; NORTHERLY ALONG SAID EAST LINE OF ROAD 347.02 FEET; NORTH 12 FEET TO BEGINNING.

Said Right of Way Easement recorded March 20, 1957, as Entry No. 1530700, in Book 1398, at Page 372, Salt Lake County Recorder's Office.

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9. Reservation for Easement as contained within that certain Quit Claim Deed, dated March 20, 1963, by and between ESTEL L. WRIGHT AND LEAH M. WRIGHT, his wife, as joint tenants, as Grantors and ESTEL L. WRIGHT AND LEAH M. WRIGHT, his wife, as equal tenants in common, as Grantee, which reads in part, to-wit:

"...COMMENCING ON THE POINT OF THE SOUTH LINE OF 3500 SOUTH STREET, 33 FEET SOUTH AND 330 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, IN THE COUNTY OF SALT LAKE, STATE OF UTAH; AND RUNNING THENCE WEST 10 FEET; THENCE SOUTH 287 FEET; THENCE EAST 10 FEET; THENCE NORTH 287 FEET TO THE PLACE OF BEGINNING."

Said Quit Claim Deed recorded March 21, 1963, as Entry No. 1907511, in Book 2030, at Page 256, Salt Lake County Recorder's Office.

10. Easement For Joint Parking Privileges, granted in that certain Warranty Deed dated July 22, 1963, by and between KENNETH GIETZ and CHERYL GIETZ, his wife; GENE O'DELL and COREENE O'DELL, his wife; and LINTON S. CLARIDGE and LENORA L. CLARIDGE, his wife, as Grantors and ESTEL L. WRIGHT, as Grantee, which reads in part as follows, to-wit:

"BEGINNING ON THE EAST LINE OF MARKET STREET, SAID POINT BEING NORTH 89°52'34" WEST 592.00 FEET AND SOUTH 00°07'26" WEST 183.00 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE 89°52'34" EAST, 120.00 FEET; THENCE SOUTH 0°07'26" WEST 149.00 FEET; THENCE NORTH 89°52'34" WEST 120.00 FEET TO THE EAST LINE OF MARKET STREET; THENCE NORTH 0°07'26" EAST 149.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH JOINT PARKING PRIVILEGES, WITHOUT CHARGE TO THE GRANTEE, FOR AUTO VEHICLE PARKING ON A TRACT 142 FEET EAST AND WEST BY 149 FEET NORTH AND SOUTH, IMMEDIATELY ADJACENT ON THE EAST OF THE TRACT HEREINABOVE DESCRIBED, EXCEPTING ANY PART THEREOF USED FOR ROADWAYS."

Said Warranty Deed recorded August 27, 1963, as Entry No. 1942190, in Book 2091, at page 329, Salt Lake County Recorder's Office.

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11. Easement, dated September 10, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT A NEW POLE IN AN EXISTING POWER LINE ON THE GRANTOR'S LAND AT A POINT 867 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE WEST 139.5 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 181 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded November 07, 1975, as Entry No. 2758323, in Book 4020, at Page 239, Salt Lake County Recorder's Office.

12. Easement, dated September 10, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT A NEW POLE IN AN EXISTING POWER LINE OF THE GRANTOR'S LAND AT A POINT 867 FEET SOUTH AND 41 FEET WEST, MORE OR LESS FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH,

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RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE WEST 139.5 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 181 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded November 7, 1975, as Entry No. 2758324, in Book 4020, at Page 240, Salt Lake County Recorder's Office.

13. Easement, dated November 07, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT AN EXISTING POLE ON THE GRANTOR'S LAND AT A POINT 878 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 74°13' WEST 41.5 FEET; THENCE WEST 64 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 145 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

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TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS NECESSARY OR CONVENIENT FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE EASEMENT HEREBY GRANTED, AND ALL RIGHTS AND PRIVILEGES INCIDENT THERETO, INCLUDING THE RIGHT TO CUT AND REMOVE TIMBER, TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT."

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Said Easement recorded December 03, 1975, as Entry No. 2765743, in Book 4043, at Page 199, Salt Lake County Recorder's Office.

14. Easement, dated November 07, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT AN EXISTING POLE ON THE GRANTOR'S LAND AT A POINT 878 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 74°13' WEST 41.5 FEET; THENCE WEST 64 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 145 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS NECESSARY OR CONVENIENT FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE EASEMENT HEREBY GRANTED, AND ALL RIGHTS AND PRIVILEGES INCIDENT THERETO, INCLUDING THE RIGHT TO CUT AND REMOVE TIMBER, TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT."

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Said Easement recorded December 03, 1975, as Entry No. 2765744, in Book 4043, at Page 200, Salt Lake County Recorder's Office.

15. Consent to Easement, dated January 16, 1978, in favor of the UTAH DEPARTMENT OF TRANSPORTATION, which reads in part as follows, to-wit:

"A PERPETUAL EASEMENT, UPON PART OF AN ENTIRE TRACT OF PROPERTY, IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, IN SALT LAKE COUNTY, UTAH, FOR THE PURPOSE OF CONSTRUCTING THEREON CUT AND/OR FILL SLOPES AND APPURTENANT PARTS THEREOF INCIDENT TO THE CONSTRUCTION OF A HIGHWAY KNOWN AS PROJECT NO. 0134.

SAID PART OF AN ENTIRE TRACT IS A PARCEL OF LAND 5.0 FEET WIDE, ADJOINING SOUTHERLY THE SOUTH RIGHT OF WAY LINE OF SAID PROJECT. THE BOUNDARIES OF SAID PARCEL ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON AN EAST BOUNDARY LINE OF SAID PARCEL, SAID POINT BEING 330.0 FEET WEST AND 48.0 FEET SOUTH FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE SOUTH 5.0 FEET ALONG SAID EAST BOUNDARY LINE; THENCE WEST 142.0 FEET, PARALLEL TO SAID SOUTH RIGHT OF WAY LINE, TO THE WEST BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 5.0 FEET ALONG SAID WEST BOUNDARY LINE; THENCE EAST 142.0 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

AFTER CUT AND/OR FILL SLOPES ARE CONSTRUCTED ON THE ABOVE DESCRIBED PART OF AN ENTIRE TRACT AT THE EXPENSE OF SAID UTAH DEPARTMENT OF TRANSPORTATION, SAID UTAH DEPARTMENT OF TRANSPORTATION IS THEREAFTER RELIEVED OF ANY FURTHER CLAIM OR DEMAND FOR COSTS, DAMAGES OR MAINTENANCE CHARGES WHICH MAY ACCRUE AGAINST SAID CUT AND/OR FILL SLOPES AND APPURTENANT PARTS THEREOF."

Said Consent recorded March 16, 1978, as Entry No. 3078288, in Book 4639, at Page 554, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY)

16. Easement, dated August 16, 1977, in favor of the UTAH DEPARTMENT OF TRANSPORTATION, which reads in part as follows, to-wit:

"A PERPETUAL EASEMENT, UPON PART OF AN ENTIRE TRACT OF PROPERTY, IN THE NORTHEAST QUARTER NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, IN SALT

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LAKE COUNTY, UTAH, FOR THE PURPOSE OF CONSTRUCTING THEREON CUT AND/OR FILL SLOPES AND APPURTENANT PARTS THEREOF INCIDENTAL TO THE CONSTRUCTION OF A HIGHWAY KNOWN AS PROJECT NO. 0134.

SAID PART OF AN ENTIRE TRACT IS A PARCEL OF LAND 5.0 FEET WIDE, ADJOINING SOUTHERLY THE SOUTH RIGHT OF WAY LINE OF SAID PROJECT. THE BOUNDARIES OF SAID PARCEL ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF SAID PARCEL, SAID POINT BEING 330.0 FEET WEST AND 48.0 FEET SOUTH FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE SOUTH

5.0 FEET ALONG SAID EAST BOUNDARY LINE; THENCE WEST 142.0 FEET, PARALLEL TO SAID SOUTH RIGHT OF WAY LINE, TO THE WEST BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 5.0 FEET ALONG SAID WEST BOUNDARY LINE; THENCE EAST 142.0 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

AFTER CUT AND/OR FILL SLOPES ARE CONSTRUCTED ON THE ABOVE DESCRIBED PART OF AN ENTIRE TRACT AT THE EXPENSE OF SAID UTAH DEPARTMENT OF TRANSPORTATION, SAID UTAH DEPARTMENT OF TRANSPORTATION IS THEREAFTER RELIEVED OF ANY FURTHER CLAIM OR DEMAND FOR COSTS, DAMAGES OR MAINTENANCE CHARGES WHICH MAY ACCRUE AGAINST SAID CUT AND/OR FILL SLOPES AND APPURTENANT PARTS THEREOF."

Said Easement recorded March 16, 1978, as Entry No. 3078290, in Book 4639, at Page 557, Salt Lake County Recorder's Office.

17. Easement, dated April 30, 1977, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING ON THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 53 FEET SOUTH AND 470 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°51' WEST 110 FEET, MORE OR LESS, TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded October 15, 1979, as Entry No. 3350295, in Book 4964, at Page 94, Salt Lake County Recorder's Office.

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18. Right of Way Easement, dated February 04, 1988, in favor of THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, to construct, operate, maintain and remove communication and other facilities, from time to time, upon, over, under and across a portion of the subject property, more particularly described as follows:

AN EASEMENT 6 FEET IN WIDTH BEING 3 FEET ON EACH SIDE OF THE CENTERLINE HEREINAFTER DESCRIBED:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°00'44" WEST 780.124 FEET; THENCE SOUTH 89°56'20" WEST 33 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE DESCRIBED; THENCE WEST 163 FEET, MORE OR LESS, TO BUILDING.

IMMEDIATELY AFTER THE CONSTRUCTION OF THE COMMUNICATION FACILITIES, MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY AGREES TO RESTORE THE ABOVE-DESCRIBED PROPERTY TO AS GOOD OR BETTER CONDITION AS IT WAS BEFORE COMMENCEMENT OF SUCH CONSTRUCTION.

Said Right of Way Easement recorded April 20, 1988, as Entry No. 4612468, in Book 6021, at Page 1521, Salt Lake County Recorder's Office.

19. Effects of that certain instrument entitled "Notice of Adoption of Redevelopment Plan" entitled 'MARKET STREET NEIGHBORHOOD DEVELOPMENT PLAN' and dated September 01, 1987, recorded December 28, 1987, as Entry No. 4567373, in Book 5991, at Page 1517, Salt Lake County Recorder's Office.
20. Said property is located within the boundaries of West Valley City and Granger-Hunter Improvement District and is subject to charges and assessments levied thereunder. 974-5501 and 968-3551

-FROM COPY-
CO. RECORDED

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