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WHEN RECORDED, RETURN TO:
HEARTLAND WEST VALLEY COMMERCIAL
LIMITED PARTNERS

77 WEST 200 SOUTH, #200
SALT LAKE CITY, UTAH 84101

5961751
11/08/94 11:08 AM 25.00
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
REC BY: B GRAY , DEPUTY - WI

CERTIFICATE OF COMPLETION

5961751
WHEREAS, on July 18, 1989, the REDEVELOPMENT AGENCY OF WEST VALLEY CITY, a public body, corporate and politic of the State of Utah, hereinafter called "Agency", entered into an Agreement for Disposition of Land for Private Development (the "A.D.L."), with HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, hereinafter called "Developer"; and

WHEREAS, Section 4.09 of the A.D.L. provides that:

First American Title
No. 33900

Promptly after completion of the Improvements, in accordance with the provisions of this Agreement, the Agency will furnish the Developer with an appropriate instrument so certifying. Such certificate by the Agency shall be a conclusive determination of satisfaction and termination of the agreements and covenants to this Agreement with respect to the obligation of the Developer, and its successors and assigns, to construct the Improvements in accordance with Final Construction Documents and the dates for the beginning and completion thereof: Provided, that such determination shall only be withheld because of failure to carry out specific requirements of the Redevelopment Plan, this Agreement or complete the Improvements in accordance with this Agreement: Provided further, that such certification and such determination shall not constitute evidence of compliance with or satisfaction of any obligation of the Developer to any holder of a mortgage, or any insurer of a mortgage, securing money loaned to finance the Improvements, or any part thereof.

All certifications provided for in this section shall be in such form as will enable them to be recorded with the Recorder of Salt Lake County, Utah.

WHEREAS, the Developer has completed the Improvements (as defined in the A.D.L.) in accordance with those provisions of the A.D.L., and the Developer desires the

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Agency to furnish a Certificate of Completion with respect to the property on which the Improvements have now been completed, as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by this reference (the "Property"), in order to evidence the Developer's satisfaction of its duties and obligations under the A.D.L.

NOW, THEREFORE, this CERTIFICATE OF COMPLETION is made and issued this 3rd day of November 1994, by the Agency in favor of the Developer.

WITNESSETH:

The Agency hereby certifies, for the benefit of the Developer and all third parties dealing with the Developer and the Property, that the Developer has fully and completely completed the Improvements in accordance with the terms and provisions of the A.D.L., and has satisfied all of its other duties and obligations under the A.D.L., subject to the Developer's continuing duty, as owner of the Property, to comply with covenants numbered FIRST and FIFTH of Section 5.01 of the A.D.L. which, as provided therein, continue to affect the Property after the issuance of a Certificate of Completion. Nothing in this Certificate of Completion shall affect or interfere with the rights, remedies, or controls which the Agency or the United States may otherwise have, or be entitled to exercise, with respect to the covenants numbered FIRST and FIFTH of Section 5.01 of the A.D.L.

This Certificate shall not release or in any way modify the Developer's outstanding obligations to the Agency pursuant to the promissory note and deed of trust from the Developer to the Agency dated October 24, 1991 in the original principal sum of \$31,500.00.

EXHIBIT "A"

PARCEL NO. 1:

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point which is 815.125 feet South $0^{\circ}00'44''$ West along the East line of said Northwest Quarter and 200.00 feet South $89^{\circ}56'30''$ West from the Northeast Corner of said Northwest Quarter of Section 33; running thence South $89^{\circ}56'30''$ West 331.90 feet to the East line of Market Street; thence North $0^{\circ}00'20''$ East 95.50 feet along said Easterly line of Market Street; thence leaving said Easterly line North $89^{\circ}56'30''$ East 130.00 feet; thence North $0^{\circ}00'44''$ East 113.92 feet; thence North $89^{\circ}56'30''$ East 201.91 feet; thence South $0^{\circ}00'44''$ West 209.42 feet to the point of BEGINNING.

PARCEL NO. 2:

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point which is 815.125 feet South $0^{\circ}00'44''$ West along the East line of said Northwest Quarter and 33.00 feet South $89^{\circ}56'30''$ West from the Northeast Corner of said Northwest Quarter of Section 33; running thence South $89^{\circ}56'30''$ West 167.00 feet; thence North $0^{\circ}00'44''$ East 165.00 feet; thence North $89^{\circ}56'30''$ East 167.00 feet; thence South $0^{\circ}00'44''$ West 165.00 feet to the point of BEGINNING.

PARCEL 3

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point on the West line of 2700 West Street, being 501.25 feet South 0°00'44" West along the East line of said Northwest Quarter and 33.00 feet South 89°53'20" West from the Northeast Corner of said Northwest Quarter of Section 33; and running thence South 0°00'44" West 51.845 feet; thence South 89°56'30" West 167.00 feet; thence South 0°00'44" West 52.58 feet; thence South 89°56'30" West 201.91 feet; thence South 0°00'44" West 113.92 feet; thence South 89°56'30" West 130.00 feet to the East line of Market Street; thence along the Easterly line of Market Street as follows: North 0°00'20" East 46.88 feet; thence Northwesterly along the arc of a 526.66 foot radius curve to the left 183.99 feet (Long Chord bears North 10°00'10" West 183.06 feet, Central Angle equals 20°01'00") and Northwesterly along the arc of a 466.66 foot radius curve to the right 16.87 feet (Long Chord bears North 18°58'32" West 16.87 feet, Central Angle equals 2°04'16"); thence leaving said Easterly line North 89°53'20" East 276.24 feet; thence South 0°00'44" West 25.30 feet; thence North 89°53'20" East 260.00 feet to the point of BEGINNING.

PARCEL 4

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point on the East line of Market Street, being 592.00 feet South 89°53'20" West along the Section line and 273.95 feet South 0°00'20" West from the Northeast Corner of said Northwest Quarter of Section 33; and running thence North 89°53'20" East 541.97 feet; thence South 0°00'44" East 46.05 feet; thence North 89°23'20" East 17.00 feet to the West line of 2700 West Street, said West line being 33.00 feet Westerly of and parallel to the East line of said Northwest Quarter of Section 33; thence South 0°00'44" West 181.25 feet along said West line; thence South 89°53'20" West 260.00 feet; thence North 0°00'44" East 25.30 feet; thence South 89°53'20" West 276.24 feet to the East line of Market Street at a point in a curve in which the radius point bears North 72°03'36" East; thence along the Easterly line of Market Street as follows: Northwesterly along the arc of a 466.66 foot radius curve to the right 146.16 feet (Long Chord bears North 8°58'02" West 145.57 feet, Central Angle equals 17°56'44") and North 0°00'20" East 58.17 feet to the point of BEGINNING.

PARCEL NO. 5:

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point which is South $89^{\circ}53'20''$ West 330.00 feet along the North line of said Northwest Quarter and South $0^{\circ}00'44''$ West 198.952 feet from the Northeast corner of said Northwest Quarter of Section 33; running thence South $0^{\circ}00'44''$ West 29.048 feet; thence North $89^{\circ}53'20''$ East 280.00 feet to a point 50.00 feet perpendicularly distant West of the East line of said Northwest Quarter; thence South $0^{\circ}00'44''$ West 45.95 feet parallel to said East line; thence South $89^{\circ}53'20''$ West 422.00 feet; thence North $0^{\circ}00'44''$ East 75.00 feet; thence North $89^{\circ}53'20''$ East 142.00 feet to the point of BEGINNING.

PARCEL NO. 6:

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

BEGINNING at a point which is South $89^{\circ}53'20''$ West 330.00 feet along the North line of said Northwest Quarter and South $0^{\circ}00'44''$ West 48.00 feet from the Northeast corner of said Northwest Quarter of Section 33; running thence South $0^{\circ}00'44''$ West 150.952 feet; thence South $89^{\circ}53'20''$ West 142.00 feet; thence North $0^{\circ}00'44''$ East 150.952 feet; thence North $89^{\circ}53'20''$ East 142.00 feet to the point of BEGINNING.