

WHEN RECORDED MAIL TO:  
R. Scott Priest and Neil J. Wall  
1250 North Highway 89  
Layton, Utah 84040

475496-C-JB

Space above this line for Recorder's use

**SPECIAL WARRANTY DEED**  
[CORPORATE FORM]

**UTAH STATE RETIREMENT INVESTMENT FUND, A COMMON TRUST FUND, an Independent Agency of the State of Utah** organized and existing under the laws of the State of Utah created pursuant to Title 49, Code annotated 1953, as amended, **having obtained title as UTAH STATE RETIREMENT BOARD, as Trustees of the Utah State Retirement Fund as to Parcel 1 and having obtained title as UTAH STATE RETIREMENT OFFICE, an independent State Agency as to Parcel 2** with its principal office at 540 East 200 South, Salt Lake City, County of Salt Lake, State of Utah 84102, Grantor,

hereby **CONVEYS AND WARRANTS** against all claiming by through or under it to

R. SCOTT PRIEST AS TO AN UNDIVIDED THIRTY EIGHT PERCENT (38%) INTEREST, NEIL J. WALL AS TO AN UNDIVIDED THIRTY-EIGHT PERCENT (38%) INTEREST, MARK L. WALL AS TO AN UNDIVIDED TEN PERCENT (10%) INTEREST, AND SESSIONS ASSOCIATES, INC., A NEVADA CORPORATION AS TO AN UNDIVIDED FOURTEEN PERCENT (14%) INTEREST Grantee,  
of Layton, Davis County, State of Utah 84040

for the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** the following described tract of land in Carbon County, State of Utah:

See Exhibit "A" attached hereto and made a part hereof

SUBJECT TO the permitted exceptions on Exhibit "B" attached hereto and made a part hereof.

The officer(s) who sign this deed hereby certifies that this deed and the transfer represented thereby was duly authorized under the policies and procedures adopted by the board of directors.

DATED this 21<sup>st</sup> day of May, 1998.

SOUTH EASTERN UTAH  
TITLE COMPANY  
Layton, UT  
28581-C

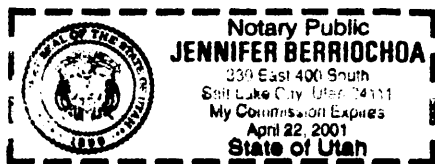
Utah State Retirement Investment Fund,  
a Common Trust Fund,  
an Independent Agency of the State of Utah

*Dell Clayton*

By: Dell Clayton  
Its: Senior Real Estate Portfolio Analyst

STATE OF UTAH )  
 )  
 ) :ss.  
County of Salt Lake )

On the 21<sup>st</sup> day of May, A.D., 1997 personally appeared before me DELL CLAYTON, who being be me duly sworn did say, for himself, that he, the said DELL CLAYTON, is the Senior Real Estate Portfolio Analyst of UTAH STATE RETIREMENT INVESTMENT FUND, A COMMON TRUST FUND, an Independent Agency of the State of Utah and that the within and foregoing instrument was signed in behalf of said Independent State Agency with the authority and approval of the Real Estate Investment Committee and said DELL CLAYTON duly acknowledged to me that said Independent State Agency executed the same.



*Jennifer Berriochoa*  
NOTARY PUBLIC

## EXHIBIT "A"

BEGINNING at a point on the South Right-Of-Way line of the State Highway, which point is East 2741.39 feet and South 25.21 feet from the Northwest Corner of Section 20, Township 14 South, Range 10 East, Salt Lake Base & Meridian; thence South 10°13'07" East 446.94 feet; thence along the arc of a 636.197 foot radius curve to the left 510.12 feet, the chord of which bears South 33°11'22" East 496.57 feet; thence South 56°09'37" East 91.37 feet; thence North 15°22'56" West 61.24 feet; thence North 56°09'37" West 45.00 feet; thence along the arc of a 596.197 foot radius curve to the right 5.00 feet; the chord of which bears North 55°55'13" West 5.00 feet; thence North 89°25'52" East 46.77 feet; thence South 15°30'40" East 30.11 feet to the Northeasterly line of a Carbon County parcel of land having Deed No. 1-2041 on file with the Carbon County Recorder's Office; thence South 56°49'38" East along said Northeasterly line 242.59 feet; thence South 33°10'22" West along said line 20.00 feet; thence continuing along said line and along the arc of a 558.66 foot radius curve to the right 203.31 feet; the chord of which bears South 46°19'24" East 202.19 feet; thence North 89°32'34" East partially along the Northline of Wedgewood Estates Subdivision 536.73 feet to a point on the West Right-Of-Way line of 600 West Street; thence North 00°34'08" West along said Right-Of-Way line 721.40 feet; thence along the arc of a 15.00 foot radius curve to the left 23.56 feet; the chord of which bears North 45°34'08" West 21.21 feet to the South Right-Of-Way line of Price River Drive; thence South 89°25'52" West along said Right-Of-Way line 357.63 feet; thence continuing along said Right-Of-Way line and along the arc of a 413.00 foot radius curve to the right 644.49 feet; the chord of which bears North 45°51'49" West 581.06 feet; thence North 01°09'29" West 5.39 feet to a point on the said South Right-Of-Way line of the State Highway; thence South 88°52'05" West along said Right-Of-Way line 502.17 feet to the point of beginning.

## PERMITTED EXCEPTIONS

1. Taxes for the year 1998, now accumulating, not yet due and any other Assessments including but not limited to Special Service Districts.
2. A pole line easement executed by J. M. Whitmore and Alice Whitmore, in favor of Utah Power & Light Company, recorded August 1, 1918, in Book 3-E at page 300.
3. A right of way executed by Clara H. Miller in favor of Utah Power & Light Company, recorded June 27, 1940 in Book 5Q at page 95.
4. Perpetual Irrigation Easement executed by Utah State Retirement Office, an independent state agency, in favor of Roger Koss, recorded May 14, 1992 in Book 319 at page 737.
5. An easement executed by Max and LaDonna Fausett and John Kurt and Anita LaRae Wright, in favor of Price River Water Improvement District, recorded January 6, 1971 in Book 122 at page 479. See copy attached.
6. An easement executed by Max and LaDonna Fausett in favor of Price River Water Improvement District, recorded December 15, 1971 in Book 129 at page 413.
7. An easement executed by Max and LaDonna Fausett and John Kurt and Anita LaRae Wright in favor of Price River Water Improvement District, recorded December 16, 1971 in Book 129 at Page 431.
8. An easement executed by Northbank, an Arizona limited partnership in favor of Utah Power & Light Company, recorded November 2, 1979 in Book 193 at page 108.
9. Right of Way and Easement grant executed by Franz C. Stangl III and Elizabeth Ann Stangl in favor of Mountain Fuel Supply Company, recorded November 20, 1980 in Book 203 at page 337.
10. Right of Way Easement executed by Bruce Lenger in favor of The Mountain States Telephone and Telegraph Company, recorded January 8, 1981 in Book 203 at 658.
11. Right of Way Easement executed by Franz C. Stangl, III and Elizabeth Ann Stangl in favor of Mountain Fuel Supply Company, recorded February 13, 1981 in Book 204 at page 488.
12. Right of Way Easement executed by Franz C. Stangl III in favor of The Mountain States Telephone and Telegraph Company, recorded March 12, 1981 in Book 205 at Page 113.

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13. Right of Way Easement executed by Franz C. Stangl III and Elizabeth Ann Stangl in favor of Mountain Fuel Supply Company, recorded March 18, 1981, in Book 205 at page 177.
14. Right of Way Easement executed by Franz C. Stangl III in favor of The Mountain States Telephone and Telegraph Company, recorded March 12, 1981 in Book 211 at page 279.
15. Right of Way Easement executed by Franz C. Stangl III in favor of The Mountain States Telephone and Telegraph Company, recorded March 12, 1981 in Book 211 at page 281.
16. Easement executed by Price K.M., a limited partnership in favor of Utah Power & Light Company, recorded February 23, 1982 in Book 214 at page 645.
17. Right of Way Easement executed by Franz C. Stangl III, and Elizabeth in favor of Utah Power & Light Company, recorded May 7, 1982, in Book 216 at page 562.
18. Right of Way Easement executed by Utah State Retirement Fund in favor of Mountain Fuel Supply Company, recorded June 1, 1983 in Book 228 at page 614.
19. Right of Way Easement executed by Utah State Retirement Fund in favor of Utah Power & Light Company, recorded March 15, 1984 in Book 237 at page 420.
20. Replacement Sewer Easement executed by Utah State Retirement Office, an independent state agency, in favor of Roger Koss, recorded May 14, 1992 in Book 316 at page 591.
21. Declaration of Easements and Covenants executed by Price K.M., a Utah limited partnership, recorded March 14, 1983 in Book 226 at page 159.  
  
First Amended Declaration of Easements and Covenants executed by Priceview LTD. A Utah limited partnership, The Utah State Retirement Fund and Kmart Corporation, recorded October 13, 1983 in Book 232, at page 665.  
  
Amendment to First Amended Declaration of Easements and Covenants executed by Utah State Retirement Office aka Utah State Retirement Fund, aka Utah State Retirement Board as Trustee, recorded April 24, 1992 in Book 315 at page 812.
22. Memorandum of Lease by and between Priceview LTD, a Utah Limited Partnership, as Landlord and Gart Bros. Sporting Goods Company, a Colorado Corporation, successor in interest to Hermans Sporting Goods, Inc., successor in interest to M&H Sporting Goods Inc., successor to Malone & Hyde, Inc., as Tenant, recorded April 30m 1990 in Book 296 at page 536.

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23. Memorandum of Lease by and between Utah State Retirement Office, an independent state agency, aka Utah State Retirement Fund, as landlord, and K mart Corporation, a Michigan Corporation, as Tenant, recorded April 24, 1992, in Book 315 at page 820.
24. Subject to Easement plat filing #162631, in Book 4 of Plats at Page 229, Filed March 11, 1982.
25. Rights of the following parties in possession under unrecorded leases, and those claiming by through or under thereof:
- Utah State Corrections
  - Army Recruiting
  - Taco Time
  - Soil Conservation
  - Vocational Rehab
  - Walton Books
  - Mad Platter
  - Commnet Cellular
  - Castle Rock Café
  - SOS Staffing
  - Shirly Fry/Allstate
  - All A Dollar
  - Video Verns
  - Discovery Research Group
  - City Market
  - Price Oil Express
  - Nelsons Outdoors
  - R&S Marketing
26. Those items disclosed by survey dated May 11, 1998 by RB&G Engineering, designated Project No. 9806-006:
- A. Transformer and electric box on the north property line along Price River Drive.
  - B. TV and Cable Risers along the south property line.
  - C. The most easterly building encroaches on a pole line easement executed by Clara Miller in favor of Utah Power & Light Company, recorded October 17, 1958 in Book 37 at Page 516 of Official Records.

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