

8908493

WHEN RECORDED, MAIL TO:

David E. Gee, Esq.
Parr Waddoups Brown Gee & Loveless
185 South State Street, Suite 1300
Salt Lake City, Utah 84111

8908493
11/26/2003 11:01 AM 35.00
Book - 8916 Pg - 7014-7020
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
LANDMARK TITLE
BY: SBM, DEPUTY - WL 7 P.

Mail Tax Notice to:

SPECIAL WARRANTY DEED

GATEWAY ASSOCIATES, LTD., a Utah limited partnership, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, CONVEY AND WARRANT against all claiming by, through or under it to GATEWAY RETAIL HOLDINGS, L.C., a Utah limited liability company, Grantee, of Salt Lake City, County of Salt Lake, State of Utah, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following described tract of land in Salt Lake County, State of Utah:

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

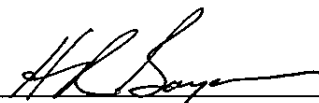
Subject to all matters of record.

WITNESS, the hand of said Grantor, this 21st day of November, 2003.

GATEWAY ASSOCIATES, LTD., a Utah limited
partnership, by its general partner,

Boyer Gateway, L.C., a Utah limited liability
company, by its Manager,

The Boyer Company, L.C., a Utah limited liability
company

By: 
Name: H. Roger Boyer
Its: Chairman and Manager

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 21st day of November, 2003, by H. Roger Boyer, the Chairman and Manager of The Boyer Company, L.C., a Utah limited liability company, which is the manager of Boyer Gateway, L.C., a Utah limited liability company, which is the general partner of GATEWAY ASSOCIATES, LTD., a Utah limited partnership.

Constance Miller

NOTARY PUBLIC

Residing at: Salt Lake County, Utah

My Commission Expires:

9-22-2007

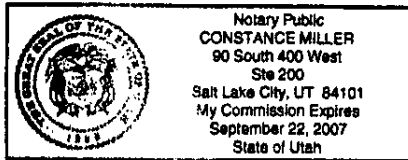


EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

RETAIL UNITS 1, 2 and 3, and PARKING UNITS 1 and 2, contained within the **GATEWAY BLOCK A**, a Utah Condominium Project, as the same is identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828968, in Book "2001P", at Page 38 of Plats (as said Record of Survey Map shall have heretofore been amended or supplemented by that certain Record of Survey Map entitled "**GATEWAY PLANETARIUM Amending Gateway Block A, Parking Units 1 And 2, And Retail Units 3 And 4, A Utah Condominium Project**", recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 6, 2002 as Entry No. 8448732, in Book "2002P", at Page 352 of Plats), and as further identified in the Declaration Of Condominium Gateway Block A Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828969, in Book 8427 at Page 4676 (as said Declaration may have heretofore been amended or supplemented). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that is appurtenant to said Units as more particularly described in said Declaration (as heretofore amended and/or supplemented).

EXCEPTING FROM THE FOREGOING PARCEL:

- (a) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, in that certain Quitclaim Deed recorded September 29, 1960 as Entry No. 1739045, in Book 1745 at Pages 447-449, inclusive, of the Official Records of the Salt Lake County Recorder.
- (b) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

[FOR REFERENCE PURPOSES ONLY: Tax Parcel/Sidwell Nos. 15-01-177-002, 15-01-177-003, 15-01-177-010, 15-01-177-012 and 15-01-177-008]

EXHIBIT "A"

LEGAL DESCRIPTION

(continued)

PARCEL 2:

RETAIL UNITS 1, 2, and 3, PARKING UNIT 1, and CP UNIT 1, all contained within the **GATEWAY BLOCK B**, a Utah Condominium Project as the same is identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828970, in Book "2001P", at Page 39 of Plats (as said Record of Survey Map has been amended by that certain First Amendment To Declaration Of Condominium Gateway Block B Condominium Project And Amendment Of Record Of Survey Map, recorded May 16, 2002 as Entry No. 8235748, in Book 8598 at Page 7012, of the Official Records of the Salt Lake County Recorder) and in the Declaration Of Condominium Gateway Block B Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on February 26, 2001 as Entry No. 7828971, in Book 8427 at Page 4752 (as said Declaration has been amended or supplemented by that certain First Amendment To Declaration Of Condominium Gateway Block B Condominium Project And Amendment To Record Of Survey Map, recorded May 16, 2002 as Entry No. 8235748, in Book 8598 at Page 7012, of the Official Records of the Salt Lake County Recorder). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that is appurtenant to said Units as more particularly described in said Declaration (as heretofore amended and/or supplemented).

EXCEPTING FROM THE FOREGOING PARCEL:

- (a) The minerals and mineral rights reserved by UNION PACIFIC LAND RESOURCES CORPORATION in that certain QuitClaim Deed recorded July 26, 1976 as Entry No. 2838121 in Book 4277 at Page 335 of the Official Records of the Salt Lake County Recorder.
- (b) The minerals and mineral rights conveyed to UNION PACIFIC LAND RESOURCES CORPORATION in that certain Mineral Deed dated as of April 1, 1971, the existence of which Mineral Deed and mineral rights is disclosed by that certain Donative Quitclaim Deed recorded July 25, 1991 as Entry No. 5101661, in Book 6339 at Pages 2004-2007, inclusive, of the Official Records of the Salt Lake County Recorder.
- (c) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

[FOR REFERENCE PURPOSES ONLY: Tax Parcel/Sidwell Nos. 15-01-131-001, 15-01-131-002, 15-01-131-003, 15-01-131-007 and 15-01-131-008]

EXHIBIT "A"

LEGAL DESCRIPTION

(continued)

PARCEL 3:

The RETAIL UNIT contained within the **GATEWAY BLOCK C1**, a Utah Condominium Project as the same is identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788087, in Book "2000P", at Page 364 of Plats (as said Record of Survey Map may be amended or supplemented) and in the Declaration Of Condominium Gateway Block C-1 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788088, in Book 8410 at Page 8862, as said Declaration has been amended and restated in its entirety by the Amended And Restated Declaration Of Condominium Gateway Block C1 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on April 27, 2001 as Entry No. 7881708, in Book 8450 at Page 4761 (as said Amended And Restated Declaration may be further amended or supplemented). TOGETHER WITH the undivided ownership interest in said Project's Common Elements that is appurtenant to said Unit as more particularly described in said Declaration (as heretofore amended and/or supplemented).

EXCEPTING FROM THE FOREGOING PARCEL:

- (a) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

[FOR REFERENCE PURPOSES ONLY: Tax Parcel/Sidwell No. 15-01-185-001]

EXHIBIT "A"

LEGAL DESCRIPTION

(continued)

PARCEL 4:

RETAIL UNIT 1 contained within the **GATEWAY BLOCK C2**, a Utah Condominium Project as the same is identified in the Record of Survey Map recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788089, in Book "2000P", at Page 365 of Plats (as said Record of Survey Map may be amended or supplemented) and in the Declaration Of Condominium Gateway Block C-2 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on December 27, 2000 as Entry No. 7788090, in Book 8410 at Page 8942, as said Declaration has been amended and restated in its entirety by the Amended And Restated Declaration Of Condominium Gateway Block C2 Condominium Project, recorded in the office of the Salt Lake County Recorder, Salt Lake County, Utah, on April 27, 2001 as Entry No. 7881709, in Book 8450 at Page 4843 (as said Amended And Restated Declaration may be further amended or supplemented) . TOGETHER WITH the undivided ownership interest in said Project's Common Elements that is appurtenant to said Unit as more particularly described in said Declaration (as heretofore amended and/or supplemented).

EXCEPTING FROM THE FOREGOING PARCEL:

- (a) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

[FOR REFERENCE PURPOSES ONLY: Tax Parcel/Sidwell No. 15-01-130-001]

EXHIBIT "A"

LEGAL DESCRIPTION

(continued)

PARCEL 5:

LOTS 3 and 4, **BOYER GATEWAY**, according to the Subdivision Plat thereof, filed on February 26, 2001 as Entry No. 7828967, in Book "2001P" of Plats at Page 37 of the Official Records of the Salt Lake County Recorder.

EXCEPTING FROM THE FOREGOING PARCEL:

- (a) The minerals and mineral rights conveyed to **UNION PACIFIC LAND RESOURCES CORPORATION** in that certain Mineral Deed dated as of April 1, 1971, the existence of which Mineral Deed and mineral rights is disclosed by that certain Donative Quitclaim Deed recorded July 25, 1991 as Entry No. 5101661, in Book 6339 at Pages 2004-2007, inclusive, of the Official Records of the Salt Lake County Recorder.
- (b) The minerals and mineral rights reserved by **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein **GATEWAY ASSOCIATES, LTD.**, a Utah limited partnership, is the Grantee.

[FOR REFERENCE PURPOSES ONLY: Tax Parcel/Sidwell Nos. 08-36-376-016 and 08-36-376-015]

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