

<p>Recorded at the request of:  Michael D. Creer, Esq.  Ray, Quinney &amp; Nebeker  36 South State Street, #1400  Salt Lake City, Utah 84111</p>	<p>9331566  03/25/2005 11:30 AM \$12.00  Book - 9109 Pg - 5854-5855  <b>GARY W. OTT</b>  RECORDER, SALT LAKE COUNTY, UTAH  HOWARD O LONE  531 S STATE  SALT LAKE CITY UT 84111  BY: JLT, DEPUTY - WI 2 P.</p> <p style="text-align: center;">Space above for County Recorder's use</p>
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PARCEL I.D.# 16-07-153-003  
16-07-153-004

### QUIT CLAIM DEED

**Garff Enterprises, Inc.**, a Utah corporation ("Grantor"), located in Salt Lake City, Utah, hereby QUIT CLAIMS to **Garff Enterprises, Inc.**, a Utah corporation ("Grantee"), with an address of 531 South State Street, Salt Lake City, Utah 84111, for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, all of Grantors' interest in the real property and improvements located in Salt Lake County, Utah (collectively, the "Property"), which are more particularly described as:

SEE EXHIBIT "A" ATTACHED HERETO.

Subject to all County and/or City taxes not delinquent; Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, Leases and Reservations now of Record.

This Quit Claim Deed is being executed and recorded for the express purpose of combining two tax parcels into a single tax parcel.

WITNESS, the hand of said Grantors this 24<sup>th</sup> day of March, 2005

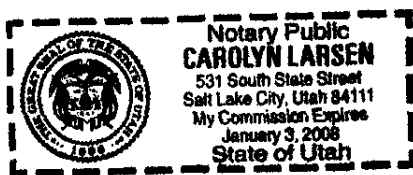
GRANTOR:

GARFF ENTERPRISES, INC.

By: *Robert H. Garff*  
Its: CEO

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

On the 24<sup>th</sup> day of March, 2005, personally appeared before me Robert H. Garff, the CEO of Garff Enterprises, Inc., the signer of the foregoing instrument, who duly acknowledged to me that he executed the same on behalf of said company for its stated purpose.



*Carolyn Larsen*  
Notary Public

**EXHIBIT "A"**

Beginning at a point being in the intersection of the South line of 900 South Street with the West line of State Street as now located, and which said point is 33.00 feet West of the Northeast Corner of Lot 12, Block 22, Five Acre Plat "A", Big Field Survey and running thence South  $0^{\circ}01'57''$  East along said West line of State Street 416.90 feet; thence South  $89^{\circ}56'37''$  West 355.00 feet; thence North  $0^{\circ}01'57''$  West 12.50 feet; thence South  $89^{\circ}56'37''$  West 65.00 feet; thence North  $0^{\circ}01'57''$  West 404.40 feet to the South line of 900 South Street; thence North  $89^{\circ}56'37''$  East along said South line 420.00 feet to the point of beginning.

Contains 4.001 acres

Recorded at Request of: METRO NATIONAL TITLE  
File Number: 04040123

9291119  
2/3/2005 1:06:00 PM \$20.00  
Book - 9091 Pg - 571-574  
Gary W. Ott  
Recorder, Salt Lake County, UT  
METRO NATIONAL TITLE  
BY: eCASH, DEPUTY - EF 4 P.

Mail Tax notice to:  
GARFF ENTERPRISES, INC.  
531 SOUTH STATE  
SALT LAKE CITY, UT 84111

WARRANTY DEED

16.07.153.002

MCCULLOUGH INVESTMENT COMPANY, a Limited partnership as to an undivided 1/3 interest, RICHARD WAYNE EBERT and GERALDINE M. EBERT, Trustees or to their successor trustees, of the EBERT FAMILY LIVING TRUST, Dated June 28, 1978 as to an undivided 1/3 interest and SCOTT R. HENDERSON FAMILY PARTNERSHIP, a Utah Limited Partnership, as to an undivided 1/3 interest

GRANTOR  
of Salt Lake, COUNTY OF SALT LAKE, STATE OF UTAH, hereby  
CONVEYS and WARRANTS TO:

GARFF ENTERPRISES, INC., a Utah corporation

GRANTEE  
of 531 SOUTH STATE, SALT LAKE CITY, UT 84111 for the sum of TEN AND 00/100'S DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract(s) of land in Salt Lake County, State of Utah:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

SUBJECT TO: County and/or City Taxes not delinquent; Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, Leases and Reservations now of Record.

WITNESS, the hand(s) of said grantor(s), this 3<sup>rd</sup> day of January, 2005.

MCCULLOUGH INVESTMENT COMPANY, a Limited Partnership

BY: Helen F. McCullough  
Helen F. McCullough, General Partner

BY: \_\_\_\_\_

EBERT FAMILY LIVING TRUST  
BY: Richard Wayne Ebert, Trustee  
RICHARD WAYNE EBERT, TRUSTEE

BY: Geraldine M. Ebert, Trustee  
GERALDINE M. EBERT

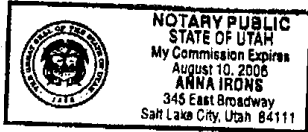
SCOTT R. HENDERSON FAMILY PARTNERSHIP,  
a Utah Limited Partnership

BY: Scott R. Henderson  
SCOTT R. HENDERSON, GENERAL PARTNER

BY: Victoria R. Henderson  
VICTORIA R. HENDERSON, GENERAL PARTNER

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

On the \_\_\_ day of January, personally appeared before me Helen F. McCullough, the general partner of MCCULLOUGH INVESTMENT COMPANY, a Limited Partnership, who by me being duly sworn (or affirmed) upon oath did say that such person(s) is/are the general partner(s) of the named partnership and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non executing partners as may be required by law, and Helen F. McCullough acknowledged to me that such person(s) executed the same as the act of said partnership.



Anna Irons  
Notary Public

My Commission Expires: August 10, 2006  
Residing at: Salt Lake City, Utah

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

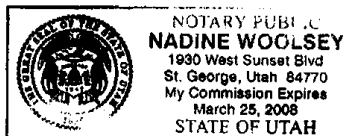
~~On the \_\_\_ day of January, personally appeared before me \_\_\_\_\_, the general partner of MCCULLOUGH INVESTMENT COMPANY, a Limited Partnership, who by me being duly sworn (or affirmed) upon oath did say that such person(s) is/are the general partner(s) of the named partnership and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non executing partners as may be required by law, and \_\_\_\_\_ acknowledged to me that such person(s) executed the same as the act of said partnership.~~

~~\_\_\_\_\_  
Notary Public~~

~~My Commission Expires: August 10, 2006  
Residing at: Salt Lake City, Utah~~

STATE OF UTAH )  
 ) ss:  
COUNTY OF ~~SALT LAKE~~ Washington

On the 31 day of January, personally appeared before me RICHARD WAYNE EBERT and GERALDINE M. EBERT, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who being by me duly sworn (or affirmed) did say that they are Trustees of the EBERT FAMILY LIVING TRUST, and that the foregoing instrument was signed by them in behalf of said trust by authority of the trust agreement, and RICHARD WAYNE EBERT and GERALDINE M. EBERT acknowledged to me that said trust executed the same.



Nadine Woolsey  
Notary Public

My Commission Expires: ~~August 10, 2006~~ 3-25-08  
Residing at: ~~Salt Lake City, Utah~~ St George, UT

STATE OF UTAH )

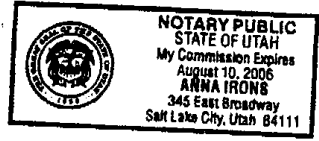
) ss:

COUNTY OF SALT LAKE)

On the 3<sup>rd</sup> day of January, personally appeared before me SCOTT R. HENDERSON, the general partner of SCOTT R. HENDERSON FAMILY PARTNERSHIP, a Utah Limited Partnership, who by me being duly sworn (or affirmed) upon oath did say that such person is a general partner of the named partnership and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non executing partners as may be required by law, and SCOTT R. HENDERSON acknowledged to me that such person executed the same as the act of said partnership.

*Anna Irons*  
\_\_\_\_\_  
Notary Public

My Commission Expires: August 10, 2006  
Residing at: Salt Lake City, Utah



STATE OF UTAH )

) ss:

COUNTY OF SALT LAKE)

On the 3<sup>rd</sup> day of January, personally appeared before me VICTORIA R. HENDERSON, the general partner of SCOTT R. HENDERSON FAMILY PARTNERSHIP, a Utah Limited Partnership, who by me being duly sworn (or affirmed) upon oath did say that such person is a general partner of the named partnership and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non executing partners as may be required by law, and VICTORIA R. HENDERSON acknowledged to me that such person executed the same as the act of said partnership.

*Anna Irons*  
\_\_\_\_\_  
Notary Public

My Commission Expires: August 10, 2006  
Residing at: Salt Lake City, Utah

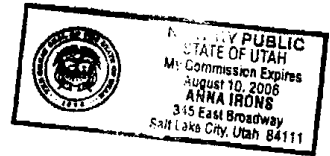


EXHIBIT A

Order Number: 04040123B

PARCEL 1:

Commencing at a point 158 feet East of the Northwest corner of Lot 12, Block 22, Five Acre Plat "A", Big Field Survey, and running thence East along the South line of Ninth South Street 148 feet to the West line of the property in the name of Crager Wire & Iron Works, a Utah corporation; thence South 404.4 feet, more or less; thence West 240 feet to the East line of Main Street; thence North on said Main Street 321.9 feet; thence East 92 feet; thence North 82.5 feet to the place of beginning.

PARCEL 1A:

Together with a right of way as disclosed by that certain Quit-Claim Deed, recorded December 31, 1947, as Entry No. 1106364, in Book 581 at Page 498: Beginning at the Southwest corner of the above described tract of land, thence East 240 feet; thence South 25 feet; thence West 240 feet to the East line of Main Street; thence North along said Main Street 25 feet to the place of beginning.

9282410  
1/26/2005 8:09:00 AM \$14.00  
Book - 9087 Pg - 3456-3458  
Gary W. Ott  
Recorder, Salt Lake County, UT  
METRO NATIONAL TITLE  
BY: eCASH, DEPUTY - EF 3 P.

Recording Requested by:  
SMITH'S FOOD & DRUG CENTERS, INC.

When Recorded Mail To:  
SMITH'S FOOD & DRUG CENTERS, INC.  
Attention: Director of Real Estate Legal Services  
1550 South Redwood Road  
Salt Lake City, UT 84104

Space Above for Recorder's Use

mnt # 0404124  
Mail Tax Notice To:  
GARFF ENTERPRISES, INC.  
531 South State Street  
Salt Lake City, UT84111

**SPECIAL WARRANTY DEED**

**SMITH'S FOOD & DRUG CENTERS, INC.**, an Ohio corporation, successor-in-interest to Smith's Management Corporation, a Utah corporation, Grantor, for the sum of Ten Dollars (\$10.00) and other valuable consideration, hereby conveys to **GARFF ENTERPRISES, INC.**, a Utah corporation, Grantee, the real property situate in Salt Lake County, State of Utah, described in Exhibit "A" attached hereto and incorporated herein.

**SUBJECT TO:** Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights-of-way and easements of record.

And Grantor warrants the title against all acts of Grantor and none other, subject to the matters set forth above.

WITNESS, the hand of said Grantor, this 24<sup>th</sup> day of January, 2005.

**SMITH'S FOOD & DRUG CENTERS, INC.**

By: [Signature]  
Its: Vice President

By: [Signature]  
Its: Vice President

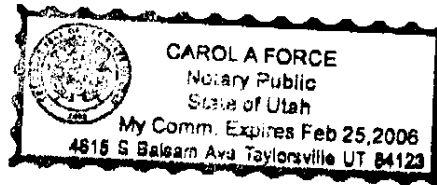
100.07.153.001

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

The foregoing instrument was acknowledged and executed before me this 24<sup>th</sup> day of January, 2005, by Kyle S McKay and H. David Nielson, the Vice President and Vice President, respectively, of SMITH'S FOOD & DRUG CENTERS, INC., an Ohio corporation, on behalf of the corporation.

Carol A. Force  
\_\_\_\_\_  
Notary Public  
Resident of the State of Utah

My Commission Expires:  
2-25-06





**EXHIBIT "A"**

Beginning on the East line of Main Street at a point 66 feet East of the Northwest corner of Lot 12, Block 22, Five Acre Plat "A", Big Field Survey, and running thence East 92.00 feet along the South line of 900 South Street; thence South 82.50 feet; thence West 92.00 feet to East line of Main Street; thence North 82.50 feet along said East line to the point of beginning.

Excepting therefrom all oil, gas and minerals and any rights appurtenant thereto.

16-07-153-001