



W2239481

7

WHEN RECORDED, MAIL TO:

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

EN 2239481 PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
01-FEB-07 152 PM FEE \$26.00 DEP JPM
REC FOR: LANKMARK TITLE

Mail Tax Notice to:

RIVERDALE CENTER IV, L.C.
The Boyer Company, L.C.
90 South 400 West, Suite 200
Salt Lake City, Utah 84101

**CONFIRMATORY
SPECIAL WARRANTY DEED**

BOYER PARKWAY 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 RIVERDALE CENTER IV, 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 Weber County, State of Utah:

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

Subject to all matters of record.

Acting pursuant to Section 48-2a-113 of the Utah Revised Uniform Limited Partnership Act (the "**Limited Partnership Act**") and Section 48-2c-1401 *et. seq.* of the Utah Revised Limited Liability Act (the "**LLC Act**"), BOYER PARKWAY ASSOCIATES, LTD., a Utah limited partnership, filed Articles of Conversion for the purpose of converting from a Utah limited partnership into a Utah limited liability company and, in conjunction with such conversion, changing its name to RIVERDALE CENTER IV, L.C. Pursuant to Section 48-2c-1403(3) of the Utah Revised Limited Liability Act, one effect of such conversion is that the limited liability company shall be deemed to have commenced its existence as of the date of the commencement of the existence of the limited partnership, and all of the real property belonging to BOYER PARKWAY ASSOCIATES, LTD. remains vested in RIVERDALE CENTER IV, L.C. This Special Warranty Deed is delivered to confirm such conversion. A certified copy of the Articles of Conversion is attached to this Affidavit as Exhibit "B". The purpose of this Special Warranty Deed is to confirm the facts regarding the entity which owns the Property.

[Signatures commence on following page]

WITNESS, the hand of said Grantor this 26th day of January, 2007.

BOYER PARKWAY ASSOCIATES, LTD., a Utah limited partnership, by its general partner:

THE BOYER COMPANY, L.C., a Utah limited liability company

By: [Signature]
Name: Deon Ingle
Title: Manager

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

The foregoing instrument was acknowledged before me this 26th day of January, 2007, by Deon Ingle, the Manager of THE BOYER COMPANY, L.C., a Utah limited liability company, which is the General Partner of BOYER PARKWAY ASSOCIATES, LTD., a Utah limited partnership.

Rachael N. Niusulu
NOTARY PUBLIC
Residing at: Salt Lake County, Utah

My Commission Expires: 8.20.07



EXHIBIT "A"
TO
SPECIAL WARRANTY DEED

Legal Description of Property

PARCEL 1:

A part of the Northwest corner of Section 8, Township 5 North, Range 1 West, Salt Lake Base and Meridian, US Survey: Beginning at the Northwest corner of Lot 4, Riverdale Center II Subdivision, a commercial subdivision in Riverdale City, Weber County, Utah which is 1064.81 feet South 1°00'35" West along the section line and 240.48 feet North 88°59'25" West from the Northwest corner said Section 8 and running thence South 78°05'28" East 647.93 feet along the South boundary of said subdivision; thence South 11°03'04" West 167.97 feet; thence South 79°50'28" East 188.07 feet to the West right of way line of Riverdale Road (SR-26); thence South 38°24'23" West 431.28 along said road right of way line; thence North 71°37'02" West 6.71 feet along said road right of way line; thence South 38°29'55" West 230.68 feet along said road right of way line; thence South 39°08'52" West 168.90 feet along said road right of way line; thence South 41°26'35" West 2.23 feet along said road right of way line; thence South 85°23'57" West 39.06 feet; thence South 75°59'23" West 21.89 feet; thence North 6°14'23" East 23.80 feet; thence South 75°59'23" West 119.80 feet; thence South 46°49'23" West 128.60 feet; thence North 43°10'37" West 5.50 feet; thence South 46°49'23" West 150.00 feet; thence North 41°02'41" West 29.41 feet; thence North 43°20'01" West 233.03 feet to the Easterly right of way line of the Union Pacific Railroad; thence North 13°49'01" East 875.48 feet along said railroad right of way line (parallel with a 50.00' perpendicular Easterly centerline of the mainline rail) to a point 0.632 feet South 71°32'37" East of the Southwest corner of said subdivision boundary; thence South 71°32'29" East 54.04 feet to the Southeast corner of Pacific Avenue right of way; thence North 13°53'52" East 161.17 feet along said avenue right of way to the point of beginning.

06-274-0005
For reference purposes only:

Affecting Tax Parcel Numbers ~~06-274-0005; 06-003-0003; 06-030-0030; 06-030-0031~~

06-030-0031, 0030 - 06-003-0003 - D.S.

PARCEL 2:

A part of the Northwest corner of Section 8, Township 5 North, Range 1 West, Salt Lake Base and Meridian, US Survey: Beginning at a point on the Northwesterly right of way line of State Road 26 (Riverdale Road) which is 510.26 feet North 1°00'35" East along the section line and 24.84 feet West of the West quarter corner of said Section 8 and running; thence North 51°32'44" West 10.33 feet; thence South 47°36'27" West 126.46 feet; thence South 38°24'20" West 199.87 feet; thence North 36°46'57" West 57.25 feet; thence South 45°04'13" West 8.72 feet; thence North 36°36'17" West 84.67 feet; thence North 46°49'23" East 149.51 feet; thence South 43°10'37" East 5.50 feet; thence North 46°49'23" East 128.60 feet; thence North 75°59'23" East 119.80 feet; thence South 6°14'23" West 23.80 feet; thence North 75°59'23" East 21.89 feet; thence North 85°23'57" East 39.06 feet to said right of way line; thence South 41°26'35" West 96.41 feet along said right of way line to the point of beginning.

06-003-0011
For reference purposes only:

Affecting Tax Parcel Nos. ~~06-003-010 (part); 06-003-0011; 06-003-0012 (part)~~

06-003-0011 - D.S.

EN 2239481 PG 4 OF 6

EXHIBIT "B"
TO
SPECIAL WARRANTY DEED
(Copy of Articles of Conversion)

RECEIVED

MAR 02 2006

Utah Div. of Corp. & Comm. Code

ARTICLES OF CONVERSION
OF
BOYER PARKWAY ASSOCIATES, LTD.
[Converting to RIVERDALE CENTER IV, L.C.]

Acting pursuant to Section 48-2a-113 of the Utah Revised Uniform Limited Partnership Act (the "Limited Partnership Act") and Section 48-2c-1401 *et. seq.* of the Utah Revised Limited Liability Act (the "LLC Act"), BOYER PARKWAY ASSOCIATES, LTD., a Utah limited partnership, adopts the following Articles of Conversion for the purpose of converting from a Utah limited partnership into a Utah limited liability company (the "Company"):

- FIRST:** BOYER PARKWAY ASSOCIATES, LTD. is a Utah limited partnership organized January 13, 1989 under the predecessor statute to the Limited Partnership Act. The Entity No. for BOYER PARKWAY ASSOCIATES, LTD. is 2112685-0180.
- SECOND:** The name of the entity immediately prior to the conversion is BOYER PARKWAY ASSOCIATES, LTD.
- THIRD:** The name of the limited liability company as set forth in its Articles of Organization filed in accordance with Subsection 48-2c-403(c) of the Act is RIVERDALE CENTER IV, L.C.
- FOURTH:** The effective date of conversion of BOYER PARKWAY ASSOCIATES, LTD. to a limited liability company is the date these Articles of Conversion are filed.
- FIFTH:** The conversion has been duly and unanimously approved by unanimous consent of all partners, including the General Partner, and all of the Limited Partners of BOYER PARKWAY ASSOCIATES, LTD.

IN WITNESS WHEREOF, the undersigned, who are the General Partners of BOYER PARKWAY ASSOCIATES, LTD., have executed these Articles of Conversion as of this 22nd day of February, 2006.

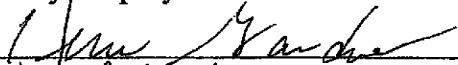
THE BOYER COMPANY, L.C., a Utah limited liability company

By: [Signature]
Name: Stanley B. Osth
Title: Manager

Date: 03/02/2006
Receipt Number: 1718303
Amount Paid: \$37.00

03-02-06P02:38 RCYD

**GARDNER PROPERTY HOLDINGS, L.C., a Utah
limited liability company**

By: 
Name: Ken C. Gardner
Title: Manager



W2239478

E# 2239478 PG 1 OF 2
ERNEST D ROWLEY, WEBER COUNTY RECORDER
01-FEB-07 149 PM FEE \$13.00 DEP JPM
REC FOR: LANKMARK TITLE

Return To:
Riverdale Center IV, L.C.
C/O The Boyer Company
90 South 400 West, Ste 200
Salt Lake City, UT 84101

WARRANTY DEED

U.S. INVESTMENTS TWO, L.L.C., a Utah limited liability company Grantor(s)
Of Salt Lake , County of Salt Lake , State of Utah , hereby
CONVEYS and WARRANTS to

RIVERDALE CENTER IV, L.C., a Utah limited liability company Grantee(s)
Of Ogden , County of Weber , State of Utah ,

for the sum of TEN DOLLARS AND NO/100 -----DOLLARS,
and other good and valuable consideration

the following described tract of land in Weber County , State of Utah:

See Attached Exhibit "A"

FOR REFERENCE PURPOSES ONLY: Tax Parcel/Serial No.: 06-030-0030

SUBJECT TO current general taxes, easements, restrictions and rights of way of record
or enforceable in law or in equity.

WITNESS, the hand of said grantor(s), this 26th day of January A.D. 2007

**U.S. Investments Two, L.L.C., a
Utah limited liability company**

By: [Signature]

Its: Partner/Member

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

On the 26th day of January , 2007, personally appeared before me Dean
Magnesen, Partner/ , Member of U.S. Investments Two, L.L.C., a
Utah Limited Liability Company. The signer of the within instrument, who duly
acknowledged to me that he executed the same, for and on behalf of U.S. Investments
Two, L.L.C., a Utah Limited Liability Company, as ~~Partner~~ therein.
Partner/Member

[Signature]
Notary Public

My Commission Expires: 4/25/07 Residing at: Salt Lake City, Utah

LTC#42468



**EXHIBIT A
LEGAL DESCRIPTION**

PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: Beginning at a point 794.30 feet North 1°00'36" East (Utah State Plane Grid Bearing) along the Section line from the Southwest corner of said Northwest Quarter of Section 8, Township 5 North, Range 1 West, Salt Lake Base and Meridian; running thence North 1°00'36" East 195.40 feet along said Section line to a point described as being on an old existing fence on the South side of a 2 rod right-of-way (said point is South 1°00'36" West 1634.29 feet along the Section line from the Northwest corner of said Quarter Section); thence South 71°37'01" East 303.57 feet to a point described as being the Westerly line of Riverdale Road; thence South 38°30'13" West 231.84 feet along said Westerly line to a point described as being on an existing chain link fence; thence North 60°56'15" West 168.39 feet along said fence to the point of beginning.

LESS AND EXCEPTING THEREFROM the following described parcel of land conveyed to the UTAH DEPARTMENT OF TRANSPORTATION in that certain Warranty Deed recorded May 2, 1997 as Entry No. 1469274, in Book 1860, at Page 396, of the Official Records of the Weber County Recorder, to-wit:

A parcel of land in fee for the Bridge Replacement of the existing highway State Route 26 known as Project No. 0026, being part of an entire tract of property, situate in the SW 1/4 NW 1/4 of Section 8, Township 5 North, Range 1 West, Salt Lake Base & Meridian. The boundaries of said parcel of land are described as follows: Beginning at the intersection of the southwesterly boundary line of said entire tract and the northwesterly existing right of way line of said existing highway State Route 26, at a point 242.103 meters (794.30 feet) North 1°00'36" East along the west line of said Section 8 and 51.325 meters (168.39 feet) South 60°56'15" East from the Southwest corner of the Northwest Quarter of said Section 8; and running thence North 38°30'13" East 70.668 meters (231.84 feet) along said northwesterly existing right of way line to the northwesterly boundary line of said entire tract; thence North 71°37'01" West 1.874 meters (6.15 feet) to a point 17.000 meters (55.77 feet) perpendicularly distant northwesterly from the centerline of said project at Engineer Station 4+217.780; thence South 38°30'13" West 70.316 meters (230.70 feet) along a line parallel to said centerline to said southwesterly boundary line; thence South 60°56'15" East 1.784 meters (5.85 feet) along said southwesterly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

+++

06-030-0030 *LS.*
~~06-030-0030~~ *LS.*

FOR REFERENCE PURPOSES ONLY: TAX PARCEL NO: ~~06-030-0030~~



W2193047

E# 2193047 PG 1 OF 2
DOUG CROFTS, WEBER COUNTY RECORDER
12-JUL-06 10:19 AM FEE \$25.00 DEP BB
REC FOR: LANDMARK TITLE COMPANY
ELECTRONICALLY RECORDED

WHEN RECORDED MAIL TO:
The Boyer Company
90 South 400 West, Ste 200
Salt Lake City, UT 84101

Quit-Claim Deed

Jocelyn Lelis

Grantor(s)

of Salt Lake / ^{City} County of Salt Lake , State of Utah, hereby **QUIT-CLAIMS** to

Riverdale Center IV, L.C., a Utah Limited Liability Company

Grantee(s)

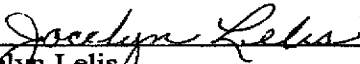
Of Salt Lake City, County of Salt Lake, State of Utah,
for the sum of TEN DOLLARS AND NO/100-----DOLLARS,
and other good and valuable consideration

the following described tract of land in Weber County, State of Utah:

See Attached Exhibit "A"

FOR REFERENCE PURPOSES ONLY TAX PARCEL/SERIAL NO.: 06-030-0031

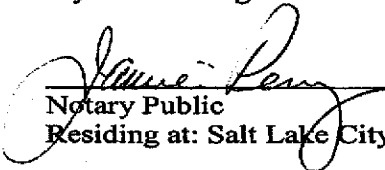
WITNESS the hand of said grantor(s), this 7th day of July, A.D., 2006



Jocelyn Lelis

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

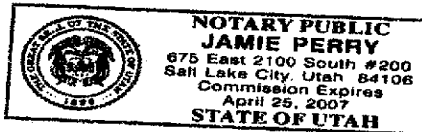
On the 7th day of July, 2006, personally appeared before me Jocelyn Lelis the signer of the within instrument who duly acknowledged to me that he executed the same.



Notary Public
Residing at: Salt Lake City Utah

My Commission Expires:
04/25/2007

LTC#38169



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**EXHIBIT A
LEGAL DESCRIPTION**

06-030-0031 & 06-074-0005 CLAIMS
06-003-0003 CLAIMS

Commencing at a point 1064.81 feet South 01°00'35" West along the Section line and 240.47 feet North 88°59'25" West from the Northwest corner of Section 8, Township 5 North, Range 1 West, Salt Lake Meridian (said point being the Northwest corner of Lot 4, Riverdale Center II Subdivision) and running thence South 78°05'26" East a distance of 647.88 feet; thence South 11°03'10" West a distance of 167.85 feet; thence South 79°50'29" East a distance of 187.70 feet to a point on the Westerly right-of-way line of Riverdale Road (SR-26); thence along said right-of-way line through the following ten (10) cells, to-wit: South 38°24'23" West a distance of 427.78 feet; thence North 71°42'51" West a distance of 6.15 feet; thence South 38°24'14" West a distance of 236.19 feet; thence along a curve to the right having a radius of 6504.89 feet and a central angle of 01°29'16" (chord bears South 39°09'01" West 168.89 feet); thence South 85°22'53" West a distance of 39.75 feet; thence South 76°59'23" West a distance of 21.89 feet; thence North 06°14'23" East a distance of 23.80 feet; thence South 75°59'23" West a distance of 119.80 feet; thence South 46°49'23" West a distance of 128.60 feet; thence North 43°10'37" West a distance of 5.50 feet; thence South 46°49'23" West a distance of 150.00 feet; thence leaving said right-of-way line North 41°02'41" West a distance of 29.41 feet; thence North 43°20'01" West 233.03 feet to a point on the easterly right-of-way line of the Union Pacific Railroad; thence North 13°49'01" East a distance of 875.48 feet along said right-of-way line (parallel with an 50.00 foot perpendicular easterly of the centerline of the mainline rail); thence South 71°32'37" East a distance of 54.04 feet to the Southwest corner of Lot 4, Riverdale Center II Subdivision; thence North 13°54'03" East a distance of 181.16 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

A part of the Northwest Quarter of Section 8, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey; Beginning at a point 794.30 feet North 1°00'36" East (Utah State Plane Grid Bearing) along the Section line from the Southwest corner of said Northwest Quarter of Section 8; running thence North 1°00'36" East 195.40 feet along said Section line to an old existing fence on the South side of a 2 rod right of way (said point is South 1°00'36" West 1634.29 feet along the Section line from the Northwest corner of said Quarter Section); thence South 71°37'01" East 303.57 feet to the Westerly line of Riverdale Road; thence South 38°30'13" West 231.84 feet along said Westerly line to an existing chainlink fence; thence North 80°56'15" West 168.39 feet along said fence to the point of beginning.

For reference purposes only: Tax Parcel/Serial Numbers:
06-274-0005; 06-028-0003; 06-028-0002; 06-003-0001; 06-030-0029;
06-030-0025; 06-030-0028; 06-030-0027; 06-003-0004; 06-003-0003;
06-030-0031; 06-003-0005; 06-030-0006; 06-031-0021

CB