ASSIGNMENT OF BENEFICIAL INTERESTS ACQUIRED BY FRANCIS J. NIELSON FROM LONG MILE RUBBER COMPANY OF DALLAS, TEXAS, MCGEE COMPANY OF DENVER, COLORADO, NYAL STAMOULIS, JIM HORI, AND PENNSYLVANIA RUB-BER COMPANY and DOW CHEMICAL COMPANY

WHEREAS, on July 12, 1968, M.B. Super Tire Market, Inc. assigned to Alvin I. Smith, as Trustee, for the benefit of Long Mile Rubber Company of Dallas, Texas, McGee Company of Denver, Dow Chemical Company Colorado,/Nyal Stamoulis, Jim Hori, and Pennsylvania Rubber Company, beneficiaries, a certain real estate contract in which M.B. Super Tire Market, Inc. is referred to as "Assignor" and Alvin I. Smith as "Assignee", and which "Assignment of Contract" was recorded in the records of the County Recorder of Salt Lake County, Utah on November 25, 1968 in Book 2710, Page 223 as Instrument Number 2268363, and,

WHEREAS, each of the above named beneficiaries have assigned their respective beneficial interests in and to said "Assignment of Contract" to Francis J. Nielson, as appears from Exhibits "1,2,3,4,5 and 6"attached hereto, and,

WHEREAS, Francis J. Nielson is now the owner and holder of the said beneficial interests formerly held by each of the above named beneficiaries,

NOW THEREFORE, Francis J. Nielson does hereby assign to Alvin I. Smith, in his own individual capacity, all of his right, title and interest in and to the said "Assignment of Contract" and particularly, the beneficial interests of each of the above named beneficiaries of the said "Assignment of Contract" above described, which he has acquired by the above referred to Exhibits.

DATED this 14th day of May, 1973.

STATE OF UTAH

SS.

COUNTY OF SALT LAKE

On this \_\_\_\_\_\_day of May, 1973, personally appeared before me Francis J. Nielson, who duly acknowledged to me that he executed the foregoing instrument.

The real property referred to in this document is described on the reverse side hereof.

in Salt

FRANCIS J. MIELSON

Lake City, Utah

STATE OF THE STATE in the same

The real property affected by this assignment is located in Salt Lake County, State of Utah and is described as follows:

BEGINNING 26 feet West of the Northeast corner of Lot 3, block 39, Plat "A", Salt Lake City Survey, thence South 24 feet; thence West 139 feet; thence North 24 feet; thence East 139 feet to the point of BEGINNING.

TOGETHER with a Right of Way one and one half rods wide across the East end of Lots 4 and 5, in Block 39, Plat "A", Salt Lake City Survey.

ALSO BEGINNING at the Northwest corner of Lot 3, Block 39, Plat "A", Salt Lake City Survey, and running thence South 5 rods, thence East 10 rods, thence North 122.50 feet, thence West 5 rods, thence South 15 feet, thence West 5 rods, thence South 25 feet to the place of BEGINNING.

ALSO BEGINNING at a point 12 feet East of the Southwest Corner of Lot 7, Block 39, Plat "A", Salt Lake City Survey, and running thence East 152 feet; thence North 39.5 feet; thence West 10 feet; thence North 5.6 feet; thence West 142 feet; thence South 45.1 feet to the point of BEGINNING.

ALSO BEGINNING at the Souteast corner of Lot 4, Block 39, Plat "A", Salt Lake City Survey, and running thence North 2 1/2 rods; thence West 10 rods, thence South 2 1/2 rods; thence East 10 rods to the place of BEGINNING.

TOGETHER with a Right of Way over: BEGINNING 2 1/2 rods North of the Southeast corner of said Lot 4, Block 39, Plat "A", Salt Lake City Survey; and running thence North 10 feet; thence West 10 rods, thence South 10 feet; thence East 10 rods to the place of BEGINNING.

SUBJECT to and with a Right of Way over the East 1 1/2 rods of both of said tracts.



KNOW ALL MEN BY THESE PRESENTS: that McGee Company of Denver does hereby assign to Francis J. Nielson all of its rights acquired by that certain Assignment of Contract executed by M.B. Super Tire Market, Inc. to the McGee Company of Denver, Colorado dated February 27, 1968 recorded March 5, 1968 in book 2637 page 82 as document number 2235910, in the office of the County Recorder of Salt Lake County, Utah.

McGee Company of Colorado also hereby assigns to Francis J. Nielson the entire beneficial interest it acquired by that certain "Assignment of Contract" executed by M.B. Super Tire Market Inc. dated July 12, 1968, in which M.B. is referred to as "Assignor" and Alvin I. Smith as "Assignee" and which Assignment of Contract was recorded in the records of the County Recorder of Salt Lake County on November 25, 1968 in book 2710 page 223.

DATED at Denver, Colorado this 2 day of May, 1973.

MCGEE COMPANY OF DENVER

STATE OF COLORADO SS. COUNTY OF DENVER.

On this 29th day of May, 1973, personally appeared before me Benjamin F. Stapleton , who duly acknowledged to me that he is the secretary of McGee Company of Denver, Colorado, a corporation of the state of Colorado, and that he executed the foregoing document pursuant to the authority granted by a Resolution of its Board of Directors.

> Notary Public residing in Wheatridge, Colorado

pires:

September 18, 1975.

EXHIBIT 1

KNOW ALL MEN BY THESE PRESENTS: That Long Mile Rubber Company of Dallas Texas does hereby assign to Francis J. Nielson all of its rights acquired by that certain Assignment of Contract, executed by M.B. Super Tire Market, Inc. to Long Mile Rubber Company of Dallas, Toxas, dated February 27, 1968, recorded March 5, 1968 in book 2637, page 84 as instrument number 2235911.

Long Mile Rubber Company of Dallas, Texas also hereby assigns to Francis J. Nielson the entire beneficial interest it acquired by that certain "Assignment of Contract" executed by M.B. Super Tire Market, Inc. dated July 12, 1968, in which M.B. is referred to as "Assignor" and Alvin I. Smith as "Assignee" and which Assignment of Contract was recorded in the records of the County Recorder of Salt Lake County on November 25, 1968 in book 2710 page 223,

DATED at Dallas, Texas this 3/ day of May, 1973.

LONG MILE RUBBER COMPANY OF DALLAS,

By: Claud Mentjan
Ass. Secretary

STATE OF TEXAS ) ; ss. COUNTY OF DALLAS )

On this <u>3/st</u> day of May, 1973, personally appeared before me <u>Cldred Mentgen</u>, who duly acknowledged to me that he is the secretary of Long Mile Rubber Company of a Delaware Corporation Dallas, Texas, a corporation of the state of Texas, and that he executed the foregoing document pursuant to the authority granted by a Resolution of its Board of Directors.

Notary Public Residing in Dallas,

My Commission Expires:

EXHIBIT Z

THE SECONDS

## TRANSFER BY NYAL STAMOULIS INTEREST IN "ASSIGNMENT OF CONTRACT" BETWEEN M. B. SUPER TIRE MARKET, INC., AND ALVIN I. SMITH

WHEREAS, Nyal Stamoulis holds a claim in the principal amount of \$7,500.00 against M. B. Super Tire Market, Inc., corporation of the State of Utah, and is one of the creditors of M. B. Super Tire Market, Inc., named in that certain "Assignment of Contract" dated July 12, 1968 in which M. B. Super Tire Market, Inc., is referred to as "Assignor" and Alvin I. Smith as "Assignee," and which Assignment of Contract" was recorded in the records of the County Recorder of Salt Lake County on November 25, 1968 in Book 2710, page 223, and

WHEREAS, Nyal Stamoulis has agreed to assign all his rights and interest acquired in and to the said "Assignment of Contract" and in and to the real property described in said "Assignment of Contract."

NOW, THEREFORE, Nyal Stamoulis, for consideration in hand paid does hereby assign, transfer, and deliver to F. J. Nielson all of his right, title, and interest as a creditor under the said "Assignment of Contract," herein above referred to.

DATED this \_\_\_\_\_\_ day of September, 1971.

NYAL STAMOULIS

STATE OF UTAH

: 55

COUNTY OF SALT LAKE )

On this \_\_\_\_\_\_ day of September, 1971, personally appeared

before me Myll - Hansuls

, who duly acknow

that he executed the foregoing Instrument.

NOTARY PUBLIC, res

EXHIBIT 3

 $\mathcal{V}$ 

TRANSFER OF DOW CHEMICAL COMPANY OF INTEREST IN "ASSIGNMENT OF CONTRACT" BETWEEN M. B. SUPER TIRE MARKET, INC. AND ALVIN I. SMITH

The WHEREAS Dow Chemical Company holds a claim in the principal amount of \$3,248.70 against M. B. Super Tire Market, Inc., corporation of the State of Utah, and is one of the creditors of M. B. Super Tire Market, Inc. named in that certain "Assignment of Contract" dated July 12, 1968 in which M. B. Super Tire Market, Inc. is referred to as "Assignor" and Alvin I. Smith as "Assignee", and which "Assignment of Contract" was recorded in the records of the County Recorder of Salt Lake County on November 25, 1968 in Book 2710, page 223, and

WHEREAS Dow Chemical Company has agreed to assign all of its rights and interest acquired in and to the said "Assignment of Contract" and in and to the real property described in said "Assignment of Contract,"

NOW, THEREFORE, Dow Chemical Company, for consideration in hand paid does hereby assign, transfer, and deliver to F. J. Nielson all of its right title and interest as a creditor under the said "Assignment of Contract", herein above referred to.

DATED this 24th day of September, 1971.

THE DOW CHEMICAL COMPANY

STATE OF MICHIGAN

A. P. Hanmer, Assistant Secretary

SS

County of MIDLAND

On this 28th day of September, 1971 personally appeared A. P. Hanmer , who duly acknowledged to me that

he executed the foregoing Instrument.

residing

SHIRLEY J. MOORE Notary Public, Midland County, Michigan My Commission Expires December 26, 1972

EXHIBIT 4

西京公司公司

TRANSFER BY JIM HORI OF HIS INTEREST IN "ASSIGNMENT OF CONTRACT" BETWEEN M-B SUPER TIRE MARKET, INC., AND ALVIN I. SMITH

WHEREAS, Jim Hori holds a claim in the principal amount of \$3282.00 gaainst M-B Super Tire Market, Inc., a corporation of the State of Utah, and is one of the creditors of M-B Super Tire Market, Inc. named in that certain "Assignment of Contract" dated July 12, 1968, in which M-B Super Tire Market, Inc. is referred to as "Assignor" and Alvin I. Smith as "Assignee", and which "Assignment of Contract" was recorded in the office of the County Recorder of Salt Lake County on November 25, 1968 in book 2710, page 223, and,

WHEREAS, Jim Hori has agreed to assign all of his right, title and interest acquired in and to the said "Assignment of Contract", and has agreed to quit claim of all of his right, title and interest in and to the real property described in said "Assignament of Contract",

NOW, THEREFORE, Jim Hori, for consideration in hand paid does hereby assign, transfer and deliver to F.J. Nielson, all of his right, title and interest as a creditor and beneficiary under the said "Assignment of Contract" hereinabove referred to and has executed and delivered a Quit Claim Deed to Francis J. Nielson of all of his right, title and interest in and to the several parcels of real property described in said "Assignment of Contract."

DATED this 11th day of April, 1973.

THE SCHOOL

STATE OF UTAH SS.

COUNTY OF SALT LAKE

On the 11th day of April, 1973, personally appeared before

EXHIBIT 5

ARNOVITZ, SMITH & NIELSON A Professional Corporation Attorneys at Law 1305 J. C. Penney Building lt Lake City, Utah 84101 (801) 322-0524

me, Jim Hori, a single man who duly acknowledged to me that he executed the foregoing instrument.

NOTARY PUBLIC Residing in Salt Lake City, Utah

My Commission Expires:

TRANSFER BY PENNSYLVANIA TIRE COMPANY OF INTEREST IN "ASSIGNMENT OF CONTRACT" BETWEEN M. B. SUPER TIRE MARKET, INC. AND ALVIN I. SMITH

WHEREAS Pennsylvania Tire Company holds a claim in the principal amount of \$8,041.52 against M. B. Super Tire Market, Inc. corporation of the State of Utah, and is one of the creditors of M. B. Super Tire Market, Inc., named in that certain "Assignment of Contract" dated July 12, 1968 in which M. B. Super Tire Market, Inc. is referred to as "Assignor" and Alvin I. Smith as "Assignee", and which "Assignment of Contract" was recorded in the records of the County Recorder of Salt Lake County on November 25, 1968 in Book 2710, page 223, and

WHEREAS Pennsylvania Tire Company has agreed to assign all its rights and interest acquired in and to the said "Assignment of Contract" and in and to the real property described in said "Assignment of Contract,"

NOW, THEREFORE, Pennsylvania Tire Company, for consideration in hand paid does hereby assign, transfer, and deliver to F. J. Nielson all of its right title and interest as a creditor under the said "Assignment of Contract," herein above referred to.

DATED this 2/st day of September, 1971.

PENNSYLVANIA TIRE COMPANY

By BECC.

STATE OF BENTSYLVANIA )

County of Richland )

S.S.

On this 2/57 day of September, 1971 personally appeared before me A. C. Bellis, who duly acknowledged to me that he executed the foregoing Instrument.

NOTARY PUBLIC, residing
WM. M. KOCHHEISER. Notary Public;
Attorney at Law State of Ohlo

Afformer at Law State of Onio Lifating Commission, O. R. C. Sec. 147.09

EXHIBIT 6

の一個などの