

Recorded DEC 20 1973 1139
Request of MCGHE LAND TITLE COMPANY
5.90 by [Signature]
Ref.

2589379

130826
MCGHE LAND TITLE COMPANY

ASSIGNMENT OF REAL ESTATE CONTRACT

THIS ASSIGNMENT OF REAL ESTATE CONTRACT is made and executed this 7th day of April, 1973 by ALVIN I. SMITH and BERNICE E. SMITH, his wife, residents of Salt Lake County, State of Utah (hereinafter referred to as "ASSIGNORS") to and in favor of SPERRY REALTY, INC., a Utah corporation (hereinafter referred to as "ASSIGNEE");

W I T N E S S E T H:

WHEREAS, on the 1st day of March, 1965, Blair Enterprises, a Utah corporation, as Seller, entered into a Uniform Real Estate Contract with M-B Super Tire Market, Inc., a Utah corporation, as Buyer, which contract was recorded June 26, 1968 in Book 2669 at Page 223, Records of Salt Lake County, said Uniform Real Estate Contract covering the purchase and sale of that certain real property situated at 445 South Main Street, Salt Lake City, Utah and more particularly described in Exhibit "A" attached hereto, incorporated herein and by reference made a part hereof; and

WHEREAS, M-B Super Tire Market, Inc., under date of July 12, 1968, assigned all of its interest in and to said Uniform Real Estate Contract to Assignors; and

WHEREAS, the Supreme Court of the State of Utah, by a decision dated August 7, 1972, held that said contract was in full force and effect and that the assignment thereof to the Assignors was valid, legal and effective; and

WHEREAS, Assignors desire to assign to Assignee all of their right, title and interest in and to said Uniform Real Estate Contract;

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Assignors hereby sell, assign, transfer and convey unto Assignee all of their right, title and interest in and to said Uniform Real Estate Contract hereinabove described and in and to the real property described in Exhibit "A" hereto, it being the intention of the Assignors that by this assignment Assignee shall become the contract purchaser under said Uniform Real Estate Contract with the right to purchase said real property in accordance with the terms thereof.

IN WITNESS WHEREOF, this Assignment of Real Estate Contract

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EXHIBIT "A"

PARCEL I.

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

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 COMMENCING at the Southeast 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 COMMENCEMENT.

TOGETHER with a right of way over: COMMENCING 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 COMMENCEMENT.

SUBJECT to and with a right of way over the East 1-1/2 rods of said tracts.

PARCEL II.

COMMENCING 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 COMMENCEMENT.

PARCEL III.

COMMENCING 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 COMMENCEMENT.