

WHEN RECORDED RETURN TO:
W. Gregory Conway, Esq.
WALLER LANSDEN DORTCH & DAVIS
511 Union Street, Suite 2100
Nashville, Tennessee 37219

Document No. II-3
Parcel 3

EE 1306717 BK1726 PG2923
DOUG CROFTS, WEBER COUNTY RECORDER
15-AUG-94 1047 AM FEE \$42.00 DEP MH
REC FOR: FIRST.AMERICAN.TITLE

FATCO # 69751-W
H.C. # 12

WARRANTY DEED

ST. BENEDICT'S HOSPITAL, a Utah nonprofit corporation, whose address is c/o Holy Cross Health System Corporation, 3606 East Jefferson Boulevard, South Bend, Indiana 46615, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby conveys and warrants to OGDEN MEDICAL CENTER, INC., a Utah corporation, whose address is 4525 Harding Road, Nashville, Tennessee 37205, Grantee, the real property located in Weber County, Utah more particularly described in Exhibit A, attached hereto and made a part hereof;

SUBJECT TO the exceptions and encumbrances set forth in Exhibit B, attached hereto and made a part hereof.

IN WITNESS WHEREOF, said Grantor has executed this Warranty Deed this 8th day of August, 1994, effective as of August 15, 1994.

ST. BENEDICT'S HOSPITAL,
a Utah nonprofit corporation

By David L. Jones
David L. Jones, President

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

The foregoing instrument was acknowledged before me this 8th day of August, 1994, by David L. Jones, the President of St. Benedict's Hospital, a Utah nonprofit corporation.

My Commission Expires:

July 10, 1997

Linda Lilyquist
Notary Public
Residing at East Lake County, Utah

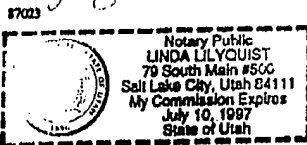




EXHIBIT A
Legal Description

PARCEL 1 (07-053-0027, 07-053-0028, 07-053-0036, 07-053-0037, 07-053-0038), (07-053-0054)

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 0°26' EAST 231.93 FEET (230.00 FEET RECORD) ALONG THE SECTION LINE AND NORTH 89°34' WEST 66 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 17 (SAID POINT IS ALSO ON THE WEST LINE OF AN EXISTING COUNTY ROAD KNOWN AS ADAMS AVENUE); RUNNING THENCE NORTH 0°26' EAST 1361.33 FEET; THENCE NORTH 89°34' WEST 435.00 FEET; THENCE NORTHERLY ALONG THE ARC OF A 582.06 FEET RADIUS CURVE TO THE RIGHT 452.75 FEET; THENCE NORTH 45°00' WEST 107 FEET (100 FEET RECORD); THENCE SOUTH 45°00' WEST 163.32 FEET; THENCE WESTERLY ALONG THE ARC OF A 1140.60 FOOT RADIUS CURVE TO THE RIGHT 307.07 FEET; THENCE SOUTH 60°25'30" WEST 94.10 FEET, MORE OR LESS; THENCE SOUTHERLY ALONG THE ARC OF A 156.35 FOOT RADIUS CURVE TO THE RIGHT 81.89 FEET; THENCE SOUTH 0°26' WEST 1415.49 FEET; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89°44'56" EAST 1008.50 FEET (EAST 1004.11 FEET RECORD); THENCE NORTH 0°28' EAST 31.93 FEET (30.00 FEET RECORDS); THENCE SOUTH 89°44'56" EAST 1.8 FEET; THENCE NORTH 0°26' EAST 200 FEET; THENCE SOUTH 89°44'56" EAST 326.70 FEET TO THE POINT OF BEGINNING.

EXCEPTING: PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 0°26' EAST 620.00 FEET ALONG THE SECTION LINE, NORTH 89°34' WEST 1096.00 FEET AND NORTH 0°26' EAST 936.99 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 17, RUNNING THENCE SOUTH 60°25'30" WEST 254.95 FEET, THENCE NORTH 29°34'30" WEST 100.00 FEET, THENCE NORTH 60°25'30" EAST 28.10 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF A REGULAR 1140.60 FOOT RADIUS CURVE TO THE LEFT 307.07 FEET, THENCE NORTH 45° EAST 163.32 FEET, THENCE SOUTH 45° EAST 7.0 FEET, THENCE SOUTH 45° WEST 164.31 FEET, THENCE SOUTH 0°26' WEST 154.83 FEET TO THE POINT OF BEGINNING. (07-053-0031)

ALSO EXCEPTING: A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE EAST OUTSIDE WALL OF THE MAIN HOSPITAL BUILDING OF ST. BENEDICTS HOSPITAL WHICH IS 1217.65 FEET NORTH 0°26'00" EAST ALONG THE EAST LINE OF SAID SECTION 17 AND 447.83 FEET NORTH 89°34'00" WEST FROM THE SOUTHEAST CORNER OF SAID SECTION 17; AND RUNNING THENCE NORTH 27°24'35" EAST 23.80 FEET; THENCE NORTH 72°24'35" EAST 86.67 FEET; THENCE NORTH 17°35'25" WEST 100.75 FEET ALONG THE EASTERLY WALL OF THE MRI BUILDING; THENCE SOUTH 72°24'35" WEST 103.50 FEET TO A POINT NORTH 17°35'25" WEST FROM THE NORTHEAST CORNER OF THE EXISTING RADIATION THERAPY BUILDING; THENCE SOUTH 17°35'25" EAST 117.58 FEET TO THE POINT OF BEGINNING. (07-053-0043)

ALSO EXCEPTING: A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE WEST LINE OF ADAMS AVENUE WHICH IS 1231.87 FEET NORTH 0°26'00" EAST ALONG THE EAST LINE OF SAID SECTION 17 AND 66.00 FEET NORTH 89°34'00" WEST FROM THE SOUTHEAST CORNER OF SAID SECTION 17; AND RUNNING THENCE SOUTH 72°24'35" WEST 268.99 FEET; THENCE NORTH 17°35'25" WEST 73.92 FEET; THENCE NORTH 62°35'25" WEST 28.28 FEET; THENCE NORTH 17°35'25" WEST 27.53 FEET; THENCE NORTH 72°24'35" EAST 20.00 FEET; THENCE SOUTH 17°35'25" EAST 23.39 FEET; THENCE NORTH 72°24'35" EAST 17.50 FEET; THENCE SOUTH 17°35'25" EAST 25.00 FEET; THENCE NORTH 72°24'35" EAST 275.26 FEET TO THE SAID WEST LINE OF ADAMS AVENUE; THENCE SOUTH 0°26'00" WEST 78.49 FEET ALONG SAID WEST LINE OF ADAMS AVENUE TO THE POINT OF BEGINNING. (07-053-0053)

PARCEL 2

ALL THOSE CERTAIN EASEMENT RIGHTS APPURTENANT TO PARCEL 1 CREATED BY THAT CERTAIN REPLACEMENT CROSS EASEMENT AGREEMENT DATED AUGUST 4, 1989 BY AND BETWEEN ST. BENEDICTS HOSPITAL AND NORTHERN UTAH IMAGING CENTER LIMITED PARTNERSHIP, A UTAH LIMITED PARTNERSHIP, RECORDED SEPTEMBER 6, 1989 AS ENTRY NO. 1088238 IN BOOK 1567 AT PAGE 755 OF RECORDS.

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EXHIBIT B

Exceptions and Encumbrances

1. Taxes for the year 1994 now a lien, not yet due.
2. Any charges and or assessments that may be levied by the Weber Basin Water Conservancy District, the Central Weber Sewer Improvement District, the South Ogden Conservation District, and the Southeast Redevelopment Plan. NO ASSESSMENTS ARE CURRENTLY A LIEN ON THE LAND DESCRIBED HEREIN.
3. Easement granted to CONSTRUCT, OPERATE, AND MAINTAIN LINES OF TELEPHONE AND TELEGRAPH IN FAVOR OF MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., by Easement recorded Book 1143, Page 187 of Records.
4. Easement granted to CONSTRUCT, OPERATE, AND MAINTAIN LINES OF TELEPHONE AND TELEGRAPH IN FAVOR OF MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., by Easement recorded Book 1176, Page 338 of Records.
5. Easement granted to CONSTRUCT, OPERATE, AND MAINTAIN LINES OF TELEPHONE AND TELEGRAPH IN FAVOR OF MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., by Easement recorded Book 1237, Page 751 of Records.
6. Easement granted to MOUNTAIN FUEL SUPPLY COMPANY, TO LAY, MAINTAIN, OPERATE, REPAIR, INSPECT, PROTECT, REMOVE AND REPLACE PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES THROUGH AND ACROSS SUBJECT PROPERTY, by Easement dated July 2, 1981, recorded July 28, 1981, Book 1386, Page 1055 of Records.
7. Easement granted to MOUNTAIN FUEL SUPPLY COMPANY, TO LAY, MAINTAIN, OPERATE, REPAIR, INSPECT, PROTECT, REMOVE AND REPLACE PIPE LINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION FACILITIES THROUGH AND ACROSS SUBJECT PROPERTY, by Easement recorded March 20, 1985, Book 1464, Page 561 of Records.
8. NOTICE OF CLAIM OF EASEMENT RECORDED MARCH 13, 1979 IN BOOK 1291 AT PAGE 443 OF RECORDS, WHEREBY ST. BENEDICT DEVELOPMENT COMPANY CLAIMS AN EASEMENT AND RIGHT OF WAY IN AN UNDISCLOSED LOCATION BY VIRTUE OF AN UNRECORDED INSTRUMENT DATED DECEMBER 19, 1978.
9. PERMANENT SEWER LINE EASEMENT DATED OCTOBER 31, 1985, EXECUTED BY ST. BENEDICT'S ENTERPRISES, INC., GRANTORS,

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AND THE CITY OF WASHINGTON TERRACE, A MUNICIPAL CORPORATION, GRANTEE, RECORDED NOVEMBER 7, 1985 IN BOOK 1479 OF RECORDS, PAGE 464, RECORDS OF WEBBER COUNTY, UTAH.

- 10. Amended Permanent Easement granted to CITY OF WASHINGTON TERRACE, for THE PURPOSE OF A SEWER LINE, by Easement dated MARCH 24, 1986 recorded MARCH 25, 1986, Book 1487, Page 1239 of Records.

Note: A portion of said easement was vacated pursuant to that certain ordinance recorded July 11, 1991 in Book 1603, at Page 1381 of Records.

- 11. TERMS, CONDITIONS, RESTRICTIONS AND RIGHT TO PURCHASE CONTAINED IN THAT CERTAIN AGREEMENT DATED FEBRUARY 24, 1986, EXECUTED BY PARSON DEVELOPMENT COMPANY, AND ST. BENEDICT'S HEALTH SYSTEM/ST. BENEDICTS HOSPITAL, RECORDED SEPTEMBER 12, 1986 IN BOOK 1498 OF RECORDS, PAGE 2262, RECORDS OF WEBER COUNTY, UTAH.

- 12. REPLACEMENT CROSS-EASEMENT AGREEMENT DATED AUGUST 4, 1989 BY AND BETWEEN ST. BENEDICTS HOSPITAL AND NORTHERN UTAH IMAGING CENTER LIMITED PARTNERSHIP, A UTAH LIMITED PARTNERSHIP, RECORDED SEPTEMBER 6, 1989 AS ENTRY NO. 1088238 IN BOOK 1567 AT PAGE 755 OF RECORDS.

- 13. A RIGHT OF WAY EASEMENT DATED OCTOBER 10, 1989, EXECUTED BY ST. BENEDICTS ENTERPRISES, INC., GRANTOR, TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, A COLORADO CORPORATION, ITS SUCCESSORS AND ASSIGNS, GRANTEES, RECORDED DECEMBER 20, 1989, IN BOOK 1573 OF RECORDS, PAGE 1066, RECORDS OF WEBER COUNTY, UTAH.

- 14. AN UNDERGROUND UTILITY EASEMENT EXECUTED BY ST. BENEDICTS HOSPITAL, A UTAH NON-PROFIT CORPORATION, GUARANTOR, TO PACIFICORP, AN OREGON CORPORATION, DBA UTAH POWER & LIGHT COMPANY, IS SUCCESSORS IN INTEREST AND ASSIGNS, GRANTEE, RECORDED MARCH 8, 1990, IN BOOK 1577 OF RECORDS, PAGE 59, RECORDS OF WEBER COUNTY, UTAH.

- 15. A RIGHT OF WAY DATED JUNE 20, 1991, EXECUTED BY ST. BENEDICT'S HOSPITAL IN FAVOR OF MOUNTAIN FUEL SUPPLY COMPANY, A CORPORATION OF THE STATE OF UTAH, GRANTEE, ITS SUCCESSORS AND ASSIGNS, RECORDED AUGUST 7, 1991 IN BOOK 1605 OF RECORDS, PAGE 494, RECORDS OF WEBER COUNTY, UTAH.

- 16. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER)

A Lease, dated January 25, 1977, executed by ST. BENEDICT'S HOSPITAL, as Lessor and MOUNT OGDEN CONVALESCENT as Lessee, recorded February 1, 1977 in Book 1161 at Page 228 of Official Records.

- 17. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 16 ABOVE.)

A Trust Deed dated January 25, 1977, executed by MT. OGDEN CONVALESCENT CENTER INC., as Trustor, in the amount of \$1,250,000.00, to BACKMAN ABSTRACT AND TITLE COMPANY, as Trustee, in favor of AMERICAN SAVINGS AND LOAN ASSOCIATION, as Beneficiary, recorded February 1, 1977, as Entry No. 687841, in Book 1161, page 345 of Records.

By Subordination Agreement recorded February 1, 1977 in Book 1161, Page 350 of Records, the Vestees interest in and to the subject property was made subordinate and inferior to the lien created by the Trust Deed.

A Trust Deed Non-Assumption Agreement executed by Mount Ogden Convalescent Center, Inc. in favor of American Savings and Loan Association recorded FEBRUARY 1, 1977 in Book 1161 at Page 352 of Official Records.

- 18. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 16 ABOVE.)

An Assignment of RENTS, INCOME, LEASE, LEASE OPTION AND CONTRACT PAYMENTS IN FAVOR OF AMERICAN SAVINGS AND LOAN ASSOCIATION recorded February 1, 1977 Book 1161 at Page 354 of Records.

- 19. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 1, AND A PORTION OF PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASES DESCRIBED IN EXCEPTION NOS. 22 AND 23 BELOW)

A Trust Deed dated March 30, 1979, executed by ST. BENEDICT DEVELOPMENT COMPANY, as Trustor, and ST. BENEDICT'S HOSPITAL, in the amount of \$1,250,000.00, to UTAH TITLE AND ABSTRACT COMPANY, as Trustee, in favor of NEW YORK LIFE INSURANCE COMPANY, as Beneficiary, recorded April 2, 1979, as Entry No. 772171, in Book 1295, Page 75 of Records.

Amendment to the above Trust Deed recorded December 29, 1981 as Entry No. 849551 in Book 1395 at Page 487 of Records.

- 20. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 1, AND A PORTION OF PHASE 2, BEING THAT PORTION OF

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THE PROPERTY SUBJECT TO THE LEASES DESCRIBED IN EXCEPTION NOS. 22 AND 23 BELOW)
THE INTEREST OF ST. BENEDICT DEVELOPMENT COMPANY IN AND TO SEVERAL LEASES AS ASSIGNED TO NEW YORK LIFE INSURANCE COMPANY BY ASSIGNMENT OF LEASE RECORDED APRIL 2, 1979, IN BOOK 1295 AT PAGE 94 OF OFFICIAL RECORDS.

21. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 16 ABOVE)
NOTICE OF INTEREST RECORDED DECEMBER 16, 1980 IN BOOK 1373, PAGE 450 OF RECORDS, WHEREBY WASATCH MEDICAL MANAGEMENT SERVICES, INC., AKA WASATCH MEDICAL MANAGEMENT, INC., CLAIMS AN INTEREST IN AND TO THE SUBJECT PROPERTY BY VIRTUE OF AN UNRECORDED LEASE DATED JANUARY 25, 1976.

22. (AFFECTS ST. BENEDICT DEVELOPMENT LEASE PARCEL, PHASE I) UNRECORDED LEASE DATED JULY 6, 1977 EXECUTED BY AND BETWEEN ST. BENEDICT'S HOSPITAL, AS LESSOR, AND LEON PETERSON AND KAREN F. PETERSON, HUSBAND AND WIFE, AS LESSEES.

AMENDMENT TO LEASE DATED AUGUST 24, 1977.
SECOND AMENDMENT TO LEASE DATED DECEMBER 19, 1978.

THIRD AMENDMENT TO LEASE DATED DECEMBER 14, 1981 BY AND BETWEEN ST. BENEDICT'S HOSPITAL, AS LESSORS, AND ST. BENEDICT'S DEVELOPMENT COMPANY, AS LESSEE, RECORDED DECEMBER 29, 1981 AS ENTRY NO. 849552 IN BOOK 1395 AT PAGE 497 OF RECORDS. HOSPITAL)

EFFECTS OF THAT CERTAIN QUIT CLAIM DEED BY AND BETWEEN ST. BENEDICT DEVELOPMENT COMPANY, A GENERAL PARTNERSHIP, AS GRANTOR, AND ST. BENEDICT'S HOSPITAL, AS GRANTEE, RECORDED OCTOBER 3, 1984 IN BOOK 1455, AT PAGE 442 OF RECORDS.

23. (AFFECTS ST. BENEDICT DEVELOPMENT LEASE PARCEL, PHASE II) REPLACEMENT OF LEASE "PHASE II PROPERTY" DATED DECEMBER 14, 1981 BY AND BETWEEN ST. BENEDICT'S HOSPITAL, AS LESSOR AND ST. BENEDICT DEVELOPMENT COMPANY, AS LESSEE, RECORDED DECEMBER 29, 1981 AS ENTRY NO. 849553 IN BOOK 1395 AT PAGE 504 OF RECORDS.

THE INTEREST OF ST. BENEDICT DEVELOPMENT COMPANY UNDER SAID LEASE WAS CONVEYED TO ST. BENEDICT'S INVESTMENT COMPANY, A UTAH LIMITED PARTNERSHIP, BY QUIT CLAIM DEED RECORDED DECEMBER 29, 1981 IN BOOK 1395, AT PAGE 559 OF RECORDS.

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24. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE) SUBLEASE AGREEMENT DATED DECEMBER 23, 1981 BY AND BETWEEN ST. BENEDICT DEVELOPMENT CO., AS LESSOR, AND ST. BENEDICT'S INVESTMENT CO., AS LESSEE, RECORDED DECEMBER 29, 1981 AS ENTRY NO. 849555 IN BOOK 1395 AT PAGE 546 OF RECORDS.

THE INTEREST OF ST. BENEDICT'S INVESTMENT CO. IN AND TO SAID SUBLEASE WAS ASSIGNED TO UNION MUTUAL STOCK LIFE INSURANCE CO. OF AMERICA BY ASSIGNMENT OF SUBLEASE DATED DECEMBER 28, 1981 AND RECORDED DECEMBER 29, 1981 IN BOOK 1395 AT PAGE 554 OF RECORDS.

25. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE) A Deed of Trust and Security Agreement dated December 28, 1981, executed by ST. BENEDICT'S INVESTMENT COMPANY, as Trustor, in the amount of \$1,230,000.00, to UTAH TITLE COMPANY, as Trustee, in favor of UNION MUTUAL STOCK LIFE INSURANCE CO. OF AMERICA, as Beneficiary, recorded December 29, 1981, as Entry No. 849558, in Book 1395, Page 562 of Records.

26. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE) An Assignment of RENTS AND LEASES dated December 28, 1981 and recorded December 29, 1981 as Entry No. 849559 in Book 1395 at Page 597 of Official Records, wherein ST. BENEDICT'S INVESTMENT COMPANY assigns, as additional security, all rents, income, profits, etc., accruing from said property. TO UNION MUTUAL STOCK LIFE INSURANCE CO. OF AMERICA.

27. DECLARATION OF RESTRICTIONS, EASEMENTS AND COMMON AREA MAINTENANCE recorded December 29, 1981 in Book 1395 at Page 518 of Official Records.

28. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE) NON-DISTURBANCE, ATTORNMEN T AND SUBORDINATION AGREEMENT EXECUTED BY VARIOUS PARTIES IN FAVOR OF UNION MUTUAL STOCK LIFE INSURANCE CO. OF AMERICA, AS BENEFICIARY, RECORDED APRIL 7, 1982 IN BOOK 1400, PAGES 1408 TO 1458, INCLUSIVE.

29. A Financing Statement executed by ST. BENEDICT'S HOSPITAL, in favor of FIRST SECURITY LEASING COMPANY, recorded July 16, 1985 as Entry No. 942278 in Book 1471 at Page 1279 of Official Records.

Assigned to FIRST SECURITY FINANCIAL, by that certain assignment recorded January 8, 1987 in Book 1507 at page 332 of official record.

STATEMENT OF CONTINUATION RECORDED OCTOBER 18, 1990 IN BOOK 1588 AT PAGE 963 OF RECORDS.

30. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE)
A Financing Statement executed by ST. BENEDICT'S INVESTMENT CO., in favor of UNION MUTUAL LIFE INSURANCE CO., recorded February 12, 1986 as Entry No. 999136 in Book 1509 at Page 1535 of Official Records.

STATEMENT OF CONTINUATION RECORDED AUGUST 29, 1991 IN BOOK 1606 AT PAGE 2298 OF RECORDS.

31. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 23 ABOVE)
A Financing Statement executed by WASHINGTON TERRACE, UTAH, in favor of UNION MUTUAL STOCK LIFE INS. COMPANY OF AMERICA, recorded February 24, 1987 as Entry No. 1000408 in Book 1510 at Page 879 of Official Records.

STATEMENT OF CONTINUATION RECORDED AUGUST 29, 1991 IN BOOK 1606 AT PAGE 2286 OF RECORDS.

32. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 1, AND A PORTION OF PHASE 2, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASES DESCRIBED IN EXCEPTION NOS. 22 AND 23 ABOVE)
A Financing Statement executed by ST. BENEDICTS DEVELOPMENT CO., in favor of NEW YORK LIFE INS. CO., recorded January 26, 1989 as Entry No. 1068852 in Book 1554 at Page 1322 of Official Records.

33. (AFFECTS ST. BENEDICT DEVELOPMENT COMPANY LEASE PARCEL PHASE 1 AND PHASE 2, BEING THE PROPERTY SUBJECT TO THE LEASES DESCRIBED IN EXCEPTION NOS. 22 AND 23 ABOVE)
LANDLORD AGREEMENT BY AND BETWEEN ST. BENEDICT'S PROFESSIONAL BLDG., LANDLORD, AND J. RICHARD REES, M.D., AS TENANT, RECORDED APRIL 2, 1987 IN BOOK 1513 AT PAGE 863 OF RECORDS.

34. (AFFECTS BOYER LEASE PHASE 1 AND PHASE 2)
MEMORANDUM OF LAND LEASE BETWEEN ST. BENEDICTS HOSPITAL,
A UTAH NON-PROFIT CORPORATION, LESSOR, AND BOYER OGDEN
MEDICAL ASSOCIATION, A UTAH LP, OVER PART OF PARCEL 0054,
RECORDED SEPTEMBER 11, 1989 IN BOOK 1567 OF RECORDS, PAGE
1416, RECORDS OF WEBER COUNTY, UTAH.

35. DECLARATION OF RESTRICTIVE COVENANTS recorded April 26,
1991 in Book 1598 at page 1103 of Official Records.

36. (AFFECTS BOYER LEASE PHASE 1, BEING A PORTION OF THAT
PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN
EXCEPTION NO. 34 ABOVE)
A Trust Deed dated September 28, 1989, executed by BOYER-
OGDEN MEDICAL ASSOCIATES, as Trustor, in the amount of
\$2,070,000.00, to VALLEY BANK AND TRUST COMPANY, as
Trustee, in favor of VALLEY BANK AND TRUST COMPANY, as
Beneficiary, recorded October 17, 1989, as Entry No.
1091674, in Book 1569, Page 1828 of Records.

An Assignment of LEASES AND RENTS dated September 28,
1989 and recorded October 17, 1989 as Entry No. 1091675
in Book 1569 at Page 1846 of Official Records, wherein
BOYER-OGDEN MEDICAL ASSOCIATES, A UTAH LIMITED
PARTNERSHIP assigns, as additional security, all rents,
income, profits, etc., accruing from said property.

ASSIGNMENT OF LEASE AND SECURITY AGREEMENT DATED
SEPTEMBER 28, 1989 AND RECORDED OCTOBER 17, 1989 AS ENTRY
NO. 1091676 IN BOOK 1569 AT PAGE 1852 OF OFFICIAL
RECORDS, WHEREIN BOYER-OGDEN MEDICAL ASSOCIATES, A UTAH
LIMITED PARTNERSHIP ASSIGNS, AS ADDITIONAL SECURITY, ITS
INTEREST UNDER THE GROUND LEASE REFERRED TO IN EXCEPTION
32 TO VALLEY BANK AND TRUST COMPANY.

37. (AFFECTS BOYER LEASE PHASE 1, BEING A PORTION OF THAT
PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN
EXCEPTION NO. 34 ABOVE)
A Financing Statement executed by BOYER-OGDEN MEDICAL
ASSOCIATES, UTAH LIMITED PARTNERSHIP, in favor of VALLEY
BANK AND TRUST, recorded October 17, 1989 as Entry No.
1091677 in Book 1569 at Page 1858 of Official Records.

38. A Financing Statement executed by AMERICAN HEALTH SERVICE
CORPORATION, in favor of GENERAL ELECTRIC COMPANY,
recorded June 18, 1991 as Entry No. 1143039 in Book 1601
at Page 2434 of Official Records.

39. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF
WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE
LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)

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A Trust Deed dated April 29, 1991, executed by ST. BENEDICT'S HOSPITAL as Trustor, in the amount of \$1,625,000.00, to KEY BANK OF UTAH, as Trustee, in favor of KEY BANK OF UTAH, as Beneficiary, recorded July 2, 1991, as Entry No. 1144831, in Book 1603, Page 99 of Records.

40. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)
A Trust Deed dated December 31, 1990, executed by BOYER OGDEN MEDICAL ASSOCIATES NO. 2, A UTAH LIMITED PARTNERSHIP, as Trustor, in the amount of \$1,625,000.00, to KEY BANK OF UTAH, as Trustee, in favor of KEY BANK OF UTAH, as Beneficiary, recorded July 2, 1991, as Entry No. 1144832, in Book 1603, Page 103 of Records.

41. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)
An Assignment of LEASES, RENTS, AND CONTRACTS dated DECEMBER 31, 1990 and recorded JULY 2, 1991 as Entry No. 1144833 in Book 1603 at Page 109 of Official Records, wherein BOYER OGDEN MEDICAL ASSOCIATES NO. 2, A UTAH LIMITED PARTNERSHIP assigns, as additional security, all rents, income, profits, etc., accruing from said property, TO KEY BANK OF UTAH.

42. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)
A Financing Statement executed by BOYER OGDEN MEDICAL ASSOCIATES NO. 2, A UTAH LIMITED PARTNERSHIP, in favor of KEY BANK OF UTAH, disclosing a security interest, recorded JULY 2, 1991, in Book 1603 at Page 117 of Official Records.

43. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)
A Financing Statement executed by BOYER OGDEN MEDICAL ASSOCIATES NO. 2, A UTAH LIMITED PARTNERSHIP, in favor of KEY BANK OF UTAH, disclosing a security interest, recorded JULY 2, 1991, in Book 1603 at Page 123 of Official Records.

44. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 50 BELOW)
A Financing Statement executed by ALBERT R. HARTMAN, M.D., A PROFESSIONAL CORPORATION, in favor of BANK OF

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UTAH, recorded April 24, 1992, in Book 1624 at Page 2767 of Official Records.

- 45. NOTICE OF COMMENCEMENT OF CONSTRUCTION EXECUTED BY BIG D CONSTRUCTION, RECORDED DECEMBER 18, 1992 IN BOOK 1647, AT PAGE 2687 OF RECORDS.
- 46. (AFFECTS BOYER LEASE PHASE 1, BEING A PORTION OF THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 34 ABOVE)
NOTICE AND MEMORANDUM OF LOAN MODIFICATION AND EXTENSION AGREEMENT EXECUTED BY BOYER-OGDEN MEDICAL ASSOCIATES, LTD., TO VALLEY BANK AND TRUST COMPANY, RECORDED DECEMBER 18, 1992 IN BOOK 1647 AT PAGE 2696 OF RECORDS. (NO REFERENCE TO ANY LOAN OF RECORD.)
- 47. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 16 ABOVE.)
A financing Statement executed by TURNER FAMILY LTD. PARTNERSHIP, in favor of ZIONS FIRST NATIONAL BANK, disclosing a security interest, recorded DECEMBER 23, 1992 as Entry No. 1205929 in Book 1648 at Page 1235 of Official Records.
- 48. (AFFECTS MOUNT OGDEN CONVALESCENT CENTER, BEING THAT PORTION OF THE PROPERTY SUBJECT TO THE LEASE DESCRIBED IN EXCEPTION NO. 16 ABOVE.)
An Assignment of RENTS AND LEASES dated NOVEMBER 25, 1992 and recorded DECEMBER 23, 1992 as Entry No. 1205930 in Book 1648 at Page 1237 of Official Records, wherein TURNER FAMILY LTD. PARTNERSHIP, A UTAH LIMITED PARTNERSHIP assigns, as additional security, all rents, income, profits, etc., Accruing from said property TO ZIONS FIRST NATIONAL BANK.
- 49. RIGHTS OF OCCUPANTS, TENANTS, LESSEES OR RENTERS WHICH MAY EXIST WITH RESPECT TO THE PROPERTY LEASED PURSUANT TO THE GROUND LEASES IDENTIFIED IN EXCEPTION NOS. 16, 22, 23, 34, 50 AND 51.
- 50. (AFFECTS MEDICAL OFFICE BUILDING AND APPURTENANT RIGHT OF WAY)
GROUND LEASE AGREEMENT, DATED APRIL 29, 1991, BETWEEN ST. BENEDICT'S HOSPITAL, AS LESSOR, AND BOYER OGDEN MEDICAL ASSOCIATES NO. 2, AS LESSEE.
- 51. (AFFECTS BONNEVILLE DIALYSIS CENTER)
LEASE AGREEMENT, DATED SEPTEMBER 19, 1993, BETWEEN ST. BENEDICT'S MANAGEMENT COMPANY, AS LESSOR, AND BONNEVILLE DIALYSIS CENTER, AS LESSEE.

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THE FOLLOWING MATTERS DISCLOSED ON THAT CERTAIN SURVEY DATED JULY 28, 1994, UPDATED AUGUST 9, 1994, PREPARED BY GREAT BASIN ENGINEERING, INC., DRAWING NO. (NONE GIVEN):

- ~~A) ENCROACHMENT OF BUILDING ONTO EASEMENT SHOWN HEREIN AS EXCEPTION 6.~~
- B) ENCROACHMENT OF BUILDING ONTO STORM DRAIN AND SEWER LINE IN 2 LOCATIONS.
- C) A PORTION OF THE SEWER EASEMENT REFERRED TO IN EXCEPTION NO. 10 HEREIN LIES OUTSIDE OF THE RECORDED EASEMENT.

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