

3535603

WHEN RECORDED RETURN TO:
Cary D. Jones
Ray, Quinn & Nebeker
400 Deseret Building
Salt Lake City, Utah 84111

gca
Cary D. Jones
SECRETARY
FEB 19 1 40 PM '81
\$ JACKMAN ABS. & TITLE
REF _____
SERP _____

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

NOTICE OF REAL ESTATE SALE AGREEMENT AND ASSIGNMENT

NOTICE OF REAL ESTATE SALE AGREEMENT AND ASSIGNMENT, made as of February 13th, 1981, pertaining to that certain Real Estate Sale Agreement dated October 10, 1980, by and between Jacobsen Brothers, Inc., a Utah corporation ("Seller"), and American Express Company, a New York corporation ("Buyer") (the "Real Estate Agreement"), and that certain Assignment of Real Estate Sale Agreement dated October 10, 1980, by and between Buyer and Heber S. Jacobsen ("Assignee") (the "Assignment").

W I T N E S S E T H:

A. Pursuant to the Real Estate Agreement, Seller has agreed to sell and convey to Buyer, and Buyer has agreed to buy from Seller, that certain real property, together with all existing improvements thereon, described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Property").

B. Pursuant to the Assignment, Buyer assigned and transferred to Assignee all of its right, title and interest in and to the Real Estate Agreement and the Property, and Assignee agreed to keep, perform, and fulfill all of the terms, covenants, conditions, and obligations required to be kept, performed, and fulfilled by Buyer under the Real Estate Agreement.

C. Seller and Assignee desire to record this Notice of Real Estate Sale Agreement and Assignment to reflect the agreement of the parties to the sale of the Property as set forth in the Real Estate Agreement and in the Assignment, and the Real Estate Agreement and Assignment are incorporated by reference as if set forth herein in full.

52723

EXHIBIT "A"

SW 1/4

Beginning 175 feet East of the Southwest corner of the Southwest 1/4 of Section 34, Township 1 North, Range 1 West, Salt Lake Meridian and running thence North 46 rods; thence East 805 feet; thence South 46 rods; thence West 805 feet to the place of beginning. Subject to a railroad right of way over the South portion thereof, and subject to all existing easements and rights of way.

There is reserved and excepted from the above described property the following described Parcel 1 and Parcel 2:

Parcel 1

SW 1/4 NW 1/4

Beginning at a point East 175 feet, more or less, and North 35.26 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said section corner being an unmarked County Survey Monument located at the South right of way line of the Salt Lake Garfield and Western Railroad, said beginning point is also South 0°04'57" West 34.69 feet and East 175 feet, more or less, and North 35.26 feet, more or less, from an unmarked County Survey Monument which is South 89°57'27" West 2639.80 feet from the North Quarter Corner of Section 3, Township 1 South, Range 1 West, Salt Lake Base and Meridian, as shown on the area reference plat on file in the Salt Lake County Surveyor's Office, and running thence from said beginning point East 156 feet, more or less; thence North 204 feet, more or less to a point 465.65 South of South line of North Temple Street; thence West 156 feet, more or less; thence South 204 feet, more or less, to the point of beginning.

Together with a 28 foot wide right-of-way described as follows: Beginning on the South line of North Temple Street at a point 323.33 feet North 89°58'38" East and South 66.60 feet from a Salt Lake City Survey Monument, said monument being South 89°58'38" West 2577.29 feet from a Salt Lake City Survey Monument at the intersection of North Temple Street and Redwood Road to the North, said point of beginning being also East 326 feet and North 704 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence South 360 feet, more or less; thence South 19°28'15" East 15 feet; thence South 310 feet, more or less, along the East line of the above-described property; thence East 28 feet; thence North 310 feet, more or less; thence North 19°28'15" West 15 feet; thence North 360 feet, more or less, to the South line of North Temple Street; thence West 28 feet to the point of beginning.

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Parcel 2

SW 34
NW

Beginning at a point East 175 feet, more or less, and North 239.26 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said section corner being an unmarked County Survey Monument located at the South right of way line of the Salt Lake Garfield and Western Railroad, said beginning point is also South 0°04'57" West 34.69 feet and East 175 feet, more or less, and North 69.29 feet, more or less, from an unmarked County Survey Monument which is South 89°57'27" West 2639.80 feet from the North Quarter Corner of Section 3, Township 1 South, Range 1 West, Salt Lake Base and Meridian, as shown on the area reference plat on file in the Salt Lake County Surveyor's Office, and running thence from said beginning point East 156 feet, more or less; thence North 91.57 feet; thence North 19°28'15" West 8.94 feet; thence West 153.02 feet, more or less; thence South 100.00 feet to the point of beginning, containing 0.3778 acre.

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