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RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Robert H. Breinholt and Jane T. Breinholt
Capitol Industries, Inc.
2880 South Main Street, Suite 114
Salt Lake City, Utah 84110

5479167
16 APRIL 93 11:38 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: SHARON WEST , DEPUTY

Space Above This Line for Recorder's Use

SPECIAL WARRANTY DEED

STATE OF UTAH | KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF SALT LAKE |

Attc D127309

THAT, THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, a New York corporation, hereinafter called "Grantor," whose address is 1740 Broadway, New York, New York 10019, for a good and valuable consideration in hand paid by ROBERT H. BREINHOLT AND JANE T. BREINHOLT, husband and wife as joint tenants hereinafter called "Grantee", the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto Grantee that certain tract of land and all improvements thereon, lying and being situated in Salt Lake County, Utah, described as follows:

See Exhibit A attached hereto, incorporated herein, and made a part hereof by this reference (the "Property").

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, anywise appertaining, and any rights-of-way or easements appurtenant thereto, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances, but subject to all future taxes not yet due and payable and all permitted exceptions listed in Exhibit B attached hereto and incorporated herein by reference;

TO HAVE AND TO HOLD the Property unto Grantee, their respective heirs, executors, administrators, legal representatives, successors and assigns forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property in the quiet and peaceable possession of Grantee, their respective heirs, executors, administrators, legal representatives, successors and assigns, against every person lawfully claiming by, through, or under Grantor, but not otherwise; provided, that this conveyance and the warranty of Grantor herein contained are expressly limited to the covenants stated herein and excluding all covenants arising or to arise by statutory or other implication.

Dated effective the 15th day of April, 1993.

GRANTOR

THE MUTUAL LIFE INSURANCE COMPANY
OF NEW YORK, a New York corporation

By: Thomas M. Cahill
Thomas M. Cahill
Vice President-Real Estate

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 13th day of April, 1993, by Thomas M McCahill as Vice President-Real Estate of The Mutual Life Insurance Company of New York, a New York corporation.



Linda Jaeh
Notary Public
Residing at: 7609 E. Eastman
St. 350, Denver, Co.

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EXHIBIT A
LEGAL DESCRIPTION

BEGINNING AT A POINT EAST 175 FEET, MORE OR LESS, AND NORTH 339.26 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER 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 DEGREES 04 MINUTES 57 SECONDS WEST 34.69 FEET AND EAST 175 FEET, MORE OR LESS, AND NORTH 339.26 FEET, MORE OR LESS, FROM AN UNMARKED COUNTY SURVEY MONUMENT WHICH IS SOUTH 89 DEGREES 57 MINUTES 27 SECONDS WEST 2,539.8 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 153.02 FEET, THENCE NORTH 19 DEGREES 28 MINUTES 15 SECONDS WEST 6.06 FEET; THENCE NORTH 360 FEET TO THE SOUTH LINE OF NORTH TEMPLE STREET, THENCE SOUTH 89 DEGREES 58 MINUTES 38 SECONDS WEST 151 FEET; THENCE SOUTH 365.65 FEET TO THE POINT OF BEGINNING.

Also known as:

1977 West North Temple
Salt Lake City, Utah

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
 3. Easements, claims of easement or encumbrances which are not shown by the public records.
 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
 5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
 6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
 7. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the proposed insured acquiring of record for value the estate or interest or mortgage thereon covered by this commitment.
 8. Taxes for the year 1993 are now accruing as a lien, but are not yet due and payable. Taxes for the year 1992 were paid in the amount of \$10,558.15. (Tax Parcel No. 08-34-353-013)
- (THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)
9. Said property is located within the boundaries of Salt Lake City and is subject to charges and assessments levied thereunder.

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(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY)

10. Right of Way and Easement Grant, dated March 23, 1973, in favor of MOUNTAIN FUEL SUPPLY COMPANY, a Corporation of the State of Utah, a right of way and easement twelve (12) feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject property, more particularly described as follows:

The land of the Grantors located in the Southwest quarter of the Southwest quarter of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian;

the center line of said right of way and easement shall extend through and across the above described land and premises as follows, to-wit:

Beginning at a point 322 feet East and 693 feet North from the Southwest corner of said Section 34, thence South 275 feet.

Said Right of Way and Easement Grant recorded April 09, 1973, as Entry No. 2533458, in Book 3306, at Page 15, Salt Lake County Recorder's Office.

11. Right-of-Way Easement, dated July 22, 1974, in favor of the MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, its successors, assigns, lessees, licensees and agents, a Right-of-Way Easement and the right to construct, operate, maintain and remove such communication and other facilities, from time to time, as may be required upon, over, under and across a portion of the subject property, more particularly described as follows:

An easement 5 feet in width being 2 1/2 feet on each side of the telephone facilities as shown on the attached Exhibit "A" on the following described property: commencing 558 feet East from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence East 192 feet North 693 feet West 575 feet South 607 feet, more or less, to the right of way East 323 feet to canal, Southeasterly along said canal to beginning.

Said Right-of-Way Easement recorded October 01, 1974, as Entry No. 2655196, in Book 3692, at Page 493, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

12. Right-of-Way Easement, dated September 08, 1980, in favor of the MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, its successors, assigns, lessees, licensees and agents, a Right-of-Way Easement and the right to construct, operate, maintain and remove such communication and other facilities, from time to time, as may be required upon, over, under and across a portion of the subject property, more particularly described as follows:

A five foot easement being 2 1/2 feet on each side of the buried telephone cables as shown on Exhibit "A" attached thereto and made a part thereof on the following described property:

Beginning 175 feet East and 329.26 feet, more or less, North from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence running North 453.74 feet, more or less, thence East 805 feet, thence South 728 feet, more or less, thence Westerly 649 feet, more or less, thence North 261.57 feet, more or less, thence North 19°28'15" West 8.9 feet, thence West 153.09 feet to beginning, less street.

Said Right-of-Way Easement recorded October 03, 1980, as Entry No. 3485264, in Book 5159, at Page 528, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

13. Agreement, dated May 13, 1974, by and between JACOBSEN CONSTRUCTION COMPANY, INC. and M.S.A. FINANCE CORPORATION, and subject to the terms and conditions contained therein. Said Agreement recorded May 15, 1974, as Entry No. 2521884, in Book 3587, at Page 24, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

14. Abstract of Findings and Order, dated December 13, 1976, wherein the Salt Lake City Board of Adjustment did grant JACOBSEN CONSTRUCTION COMPANY, INC., Stephen S. Jacobsen, agent, a variance to permit the proposed office-warehouse complex, with a portion of the buildings facing on a private roadway as requested and the master plan calling for four new buildings facing on the

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private street be approved, provided at least a 15' landscaped setback is provided in front of each building and parking area, as provided in Case No. 7313, recorded December 13, 1976, as Entry No. 2886322; in Book 4425, at Page 707, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY)

15. Subject to the rights of parties in possession of the subject property under unrecorded Leases, Rental or Occupancy Agreements and any claims thereunder.