

PROPERTY DESCRIPTION

That certain parcel of real property situated in Davis County, State of Utah and more particularly described as follows:

All of Lots 1A and 12A, LAYTON MARKET CENTER SUBDIVISION AMENDED, amending Lots 1, 2 and 12 of LAYTON MARKET CENTER SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Davis County Recorder.

AND

10-196-0001, 0012

All of lots 3, 4, 5, 6, 7, 8 and 9, LAYTON MARKET CENTER SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Davis County Recorder.

10-188-0003 to 0009



10-188-0001, 10-188-0003 — 0009

Mail Tax Notice to
Schlotzsky's Real Estate, Inc.
200 West Fourth
Austin, TX 78701

E 1347483 B 2176 P 569
JAMES ASHAUER, DAVIS CNTY RECORDER
1997 SEP 16 3:16 PM FEE 18.00 DEP DJW
REC'D FOR TITLE WEST TITLE COMPANY

10 2000 2000

SPECIAL WARRANTY DEED

SA Davis County 2nd road

IG, L.C., a Utah limited liability company
of Salt Lake County, State of Utah hereby

GRANTOR(S)

CONVEY and WARRANT against all claiming by, through or under to

Schlotzsky's Real Estate, Inc., a Texas Corporation
of Travis County, State of Texas

GRANTEE(S)

for the sum of Ten Dollars and other good and valuable consideration, the following described tract(s) of land
in Davis County, State of Utah:

See Exhibit "A" attached hereto and made a part hereof

Sidwell No.: 10-200-0006

Subject to City and/or County taxes and Assessments, not delinquent; Easements, Rights-Of-Way,
Covenants, Conditions and Restrictions as set forth in Exhibit "B" attached hereto and made a part hereof.

WITNESS the hand of said Grantor this September 16, 1997.

IG, L.C., a Utah limited liability company
By Woodbury Amsource, Inc., Its Manager

By: [Signature]
Its: Secretary

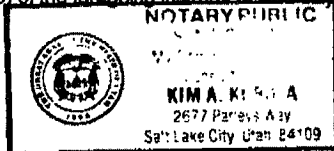
By: [Signature]
Its: Vice President

TW 16322

State of Utah)
) ss
County of Salt Lake)

E 1347483 B 2176 P 570

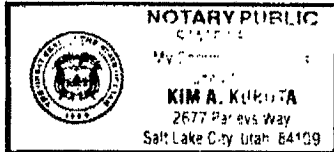
On September 16, 1997 personally appeared before me J. Kimball Johnson the
Secretary of Woodham Minerals, Manager of IG, L.C., a Utah limited liability company, the
signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.



Kim A. Kurota
Notary Public

State of Utah)
) ss
County of Salt Lake)

On September 16, 1997 personally appeared before me Gregory W. Blismeyer the
V.P. of Woodham Minerals, Manager of IG, L.C., a Utah limited liability company, the
signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.



Kim A. Kurota
Notary Public

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all

RECORDERS OFFICE
NOT A RESPONSIBILITY OF TYPING OR PRINTING
UNSATISFACTORY IN THE OCCURRENCE
WHEN RECEIVED

PARCEL A:

The Northerly Portion of Lot 6A, LAYTON MARKET CENTER SUBDIVISION, 2nd Amended, a part of the Northwest quarter of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian, Layton City, County of Davis, State of Utah, according to the official plat thereof on file and of record in the Davis County Recorder's Office, more particularly described as follows:

Beginning at the Northwest corner of said Lot 6A, LAYTON MARKET CENTER SUBDIVISION SECOND AMENDED, which point is also described as follows:

Beginning North 89 degrees 55'10" East 1029.98 feet along the Section line and South 00 degrees 22'10" West 327.34 feet from the Northwest corner of Section 17, Township 4 North, Range 1 West Salt Lake Base and Meridian; thence South 89 degrees 49'56" East 187.91 feet to the Northeast corner of said Lot 6A, thence South 00 degrees 15'31" West 161.50 feet; thence North 89 degrees 49'56" West 188.23 feet more or less to a point on the West line of said Lot 6A which is South 00 degrees 22'10" West 161.50 feet from the point of beginning; thence North 00 degrees 22'10" East 161.50 feet to the point of beginning. Excepting therefrom all oil, gas, minerals and ores situated in, upon, or under the above described tract of land, together with all rights in connection with or relative to the exploration, mining, removal or sale of the same.

PARCEL B:

THE EASEMENT RIGHTS ACCRUING TO PARCEL A UNDER THE FOLLOWING:

OPERATION AND EASEMENT AGREEMENT

Between DAYTON HUDSON CORPORATION, a Minnesota Corporation
And WOODBURY AMSOURCE, INC., a Utah Corporation
Recorded February 19, 1997
Entry No. 1305041
Book/Page 2098/1354

FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT:

Between DAYTON HUDSON CORPORATION, a Minnesota Corporation
And WOODBURY AMSOURCE, INC., a Utah Corporation
Recorded July 14, 1997
Entry No. 1334336
Book/Page 2151/721

SUBJECT TO the terms, conditions, limitations and obligations of said estate and any failure to comply with same.

*646
J.W.*

Lien of General Property Taxes for the current year, now accruing but not yet due and payable:
 Serial No. 10-200-0006
 (Prior years taxes were paid with other property)

The land described herein is located within the boundaries of Weber Basin Water Conservancy District, North Davis Sewer Improvement district (825-0712) and Layton City (546-8510) and is subject to charges and assessments levied thereby.

Easements for installation and maintenance of utilities and drainage facilities and/or incidental purposes are reserved, as shown on the recorded plat of said subdivision.

Easement, and the terms and conditions thereof:

| | |
|-----------|-------------------------------|
| Grantee | LAYTON CITY CORPORATION |
| Purpose | A seven foot utility easement |
| Recorded | October 4, 1994 |
| Entry No. | 1145713 |
| Book/Page | 1808/232 |

Mass Grading Easement Agreement and the terms and conditions thereof:

| | |
|-------------|---|
| In Favor of | DAYTON HUDSON CORPORATION, a Minnesota Corporation |
| Dated | June 11, 1996 |
| Recorded | June 20, 1996 |
| Entry No. | 1257068 |
| Book/Page | 2014/1085 |
| Provides | an easement and right of way to enter upon the subject property for the purpose of mass grading portion of the subject property in connection with mass grading of adjacent property. |

Easement, and the terms and conditions thereof:

| | |
|-------------|--|
| In Favor of | LAYTON CITY CORPORATION, a body politic |
| Purpose | to lay, maintain, operate, repair, inspect, protect, and remove and replace all piping equipment |
| Recorded | June 20, 1996 |
| Entry No. | 1257069 |
| Book/Page | 2014/1091 |

Operation and Easement Agreement and the terms and conditions thereof:

| | |
|-----------|--|
| Between | DAYTON HUDSON CORPORATION, a Minnesota Corporation |
| And | WOODBURY AMSOURCE, INC., a Utah Corporation |
| Dated | February 12, 1997 |
| Recorded | February 19, 1997 |
| Entry No. | 1305041 |
| Book/Page | 2096/1354 |

G. J. L.
PL

PERMITTED EXCEPTIONS: (continued)

FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT:
Between | DAYTON HUDSON CORPORATION, a Minnesota Corporation
And | WOODBURY AMSOURCE, INC., a Utah Corporation
Recorded | July 14, 1997
Entry No. | 1334336
Book/Page | 2151/721

Maintenance and Easement Agreement and the terms and conditions thereof:

Between | DAYTON HUDSON CORPORATION, a Minnesota Corporation
And | WOODBURY AMSOURCE, INC., a Utah Corporation
Dated | February 11, 1997
Recorded | February 19, 1997
Entry No. | 1305042
Book/Page | 2096/1451

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Kli

11/17-4N-1W

RETURNED
SEP 17 1997

Mail Tax Notice to:
IG, L.C., a Utah limited liability company
2677 East Parley's Way
Salt Lake City, UT 84109

E 1347667 B 2176 P 1031
JAMES ASHAUER, DAVIS CNTY RECORDER
1997 SEP 17 8:28 AM FEE 17.00 DEP JB
REC'D FOR TITLE WEST TITLE COMPANY

WARRANTY DEED

Robert J. Harris and Odessa H. Harris, Trustees of the Robert J. Harris Family Trust, dated March 29, 1976, Delbert J. Harris, Reid S. Harris and Edison G. Harris, each as to their 1/4 interest, GRANTOR(S)
of Salt Lake County, State of Utah hereby

CONVEY and WARRANT to

IG, L.C., a Utah limited liability company ,
GRANTEE(S)
of Salt Lake County, State of Utah

for the sum of Ten Dollars and other good and valuable consideration, the following described tract(s) of land in Davis County, State of Utah:

See Exhibit "A" attached hereto and made a part hereof

Sidwell No.: st 10-027-0086

Subject to City and/or County taxes and Assessments, not delinquent; Easements, Rights-Of-Way, Covenants, Conditions and Restrictions now of record.


WITNESS the hand of said Grantor this September 11, 1997.



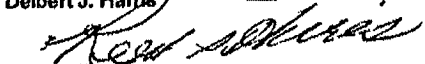
Robert J. Harris,
Trustee of the Robert J. Harris Family Trust




Odessa H. Harris,
Trustee of the Robert J. Harris Family Trust



Delbert J. Harris



Reid S. Harris



Edison G. Harris

TW 16521-A

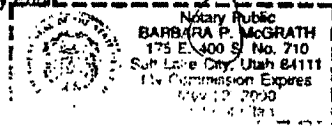
State of Utah)
County of Salt Lake) ss

E 1347667 B 2176 P 1032

On September 11, 1997 personally appeared before me Robert J. Harris and Odessa H. Harris, Trustees of the Robert J. Harris Family Trust, dated March 29, 1976, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Barbara P. McGrath
Notary Public

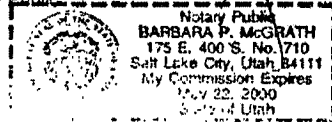
State of Utah)
County of Salt Lake) ss



On September 11, 1997 personally appeared before me Robert J. Harris, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Barbara P. McGrath
Notary Public

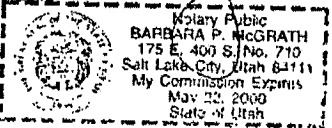
State of Utah)
County of Salt Lake) ss



On September 11, 1997 personally appeared before me Reid S. Harris, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Barbara P. McGrath
Notary Public

State of Utah)
County of Salt Lake) ss



On September 11, 1997 personally appeared before me Edison G. Harris, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Barbara P. McGrath
Notary Public

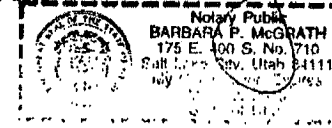


Exhibit "A"

E 1347667 B 2176 P 1033

A part of the Northwest Quarter of Section 17, Township 4 North, Range 1 West of the Salt Lake Base and Meridian, County of Davis, State of Utah, more particularly described as follows:

Beginning at an angle point in the East right of way line of 700 West Street as shown on the final plat of Layton Market Center Subdivision, said point being South 89 degrees 55'10" West 328.83 feet along the Section line and South 00 degrees 04'50" East 882.66 feet from the Northeast corner of said Northwest Quarter of Section 17, thence North 89 degrees 49'56" West along the South line of said Layton Market Center Subdivision and along the South line of Layton Market Center Subdivision Amended a distance of 781.42 feet to the Northeast corner of Lot 9A of Layton Market Center Subdivision 2nd Amended thence South 00 degrees 10'04" West, along the East line of said Lot 9A a distance of 263.74 feet; thence South 89 degrees 49'56" East 311.17 feet; thence South 00 degrees 10'04" West 3.00 feet; thence South 89 degrees 49'56" East 249.00 feet; thence North 00 degrees 10'04" East 51 feet; thence South 89 degrees 49'56" East 221.26 feet to a point which is South 00 degrees 10'04" West 215.74 more or less the point of beginning, thence North 00 degrees 10'04" East 215.74 feet to the point of beginning.

LEGAL DESCRIPTION

Lots 302, 303 and 304, Layton Market Center Subdivision Phase III, according to the official plat thereof on file and of record in office of the Davis County Recorder.

10.206.0302

10.206.0303

10.206.0304

