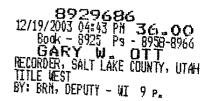
SPECIAL WARRANTY DEED (West Jordan)



FOR VALUE RECEIVED, CPI/WEST JORDAN, LLC, an Idaho limited liability company ("Grantor"), does hereby grant, convey and warrant to WRI/WEST JORDAN LLC, a Delaware limited liability company ("Grantee"), whose address is 2600 Citadel Plaza Drive, Suite 300, Houston, TX 77008, that certain real property situated in West Jordan, Salt Lake County, Utah, and more particularly described in Exhibit A attached hereto and made a part hereof ("Property").

SUBJECT TO: Current taxes and other assessments, reservations in patents and those matters stated in Exhibit B ("Permitted Exceptions").

TO HAVE AND HAVE HOLD the Property with its appurtenances, including, but not limited to all water rights and claims appurtenant to the Property, unto the Grantee, and Grantee's successors and assigns forever, subject only to those matters stated in <u>Exhibit B</u> ("Permitted Exceptions").

Grantor hereby covenants with Grantee that the Property is free from all encumbrances made by it, except the Deed of Trust in favor of Stewart Title Guaranty Company, as Trustee, for the benefit of Protective Life Insurance Company, Beneficiary, recorded as Instrument No. 8346739, Records of Salt Lake County, Utah ("Deed of Trust"), and that Grantor will warrant and defend the Property against the lawful claims of all persons claiming by, through or under it, but not otherwise, subject, however, to the Deed of Trust and the Permitted Exceptions.

Dated effective the 15th day of December, 2003.

GRANTOR:

CPI/WEST JORDAN LLC, an Idaho limited liability company

By: Cantlon Properties, Inc., an Idaho corporation, its Manager

C \$

Roger D. Cantlon, President

STATE OF IDAHO)
) ss
County of Ada)

On this day of December, the year 2003, before me, a Notary Public in and for the State of Idaho, personally appeared Roger D. Cantlon, known or identified to me to be a President of Cantlon Properties, Inc., an Idaho corporation, the manager of CPI/WEST JORDAN LLC, an Idaho limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such corporation executed the same in such limited liability company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



NOTARY PUBLICUTAR Idaho

Residing at Boise, Idaho

My commission expires: 12-10-04

Exhibit A – Legal Description Exhibit B – Permitted Exceptions

EXHIBIT "A" Legal Description (West Jordan)

Lots 1, 2, 3, 4 and 6, West Jordan Town Center, a commercial subdivision, according to the official plat recorded as Entry No. 7016834, in Book 98-7P, Page 176, Official Records.

Lots 5C, 5D, 5E and 5F, West Jordan Town Center No. 2, a commercial subdivision, according to the official plat recorded as Entry No. 7997307, in Book 2001P, Page 255, Official Records.

Lots 5G and 5H, West Jordan Town Center No. 2 Amended, according to the official plat thereof recorded as Entry No. 8293077, in Book 2003P, Page 389, Official Records of Salt Lake County, Utah.

EXHIBIT B

PERMITTED EXCEPTIONS

(West Jordan)

- 1. General property taxes for the year 2004, not yet due and payable.
- 2. Deed of Trust executed by CPI/West Jordan LLC, an Idaho limited liability company ("CPI"), to Stewart Title Guaranty Company, Trustee, for the benefit of Protective Life Insurance Company, a Tennessee corporation ("Lender"), Beneficiary, recorded September 9, 2002 as Entry No. 8346739 in Book 8645 at Page 5897; Assumption by and between WRI Utah Properties, LP, CPI and Lender to be executed concurrently herewith: Assignment of Rents and Leases executed by CPI to Lender recorded September 9, 2002 as Entry No. 8346740 in Book 8645 at Page 5933; Subordination, Lease Recognition, Non-Disturbance and Attornment Agreement by and between Albertson's, Inc., a Delaware corporation ("Albertson's"), CPI and Lender recorded September 9, 2002, as Entry No. 8346752, in Book 8645 at Page 6016; Subordination, Attornment and Non-Disturbance Agreement by and between Cindy & Sandy Saunders, dba Mail Boxes, Etc. 3608 and Lender recorded September 9, 2002, as Entry No. 8346753, in Book 8645 at Page 6038 of Official Records; Subordination, Attornment and Non-Disturbance Agreement by and between Papas MJV, Inc. and Lender recorded September 9, 2002, as Entry No. 8346754, in Book 8645, at Page 6044; Subordination, Attornment and Non-Disturbance Agreement by and between Thrifty Payless Inc. and Lender recorded September 9, 2002, as Entry No. 8346755, in Book 8645 at Page 6050; Subordination, Attornment and Non-Disturbance Agreement by and between Dollar Cuts Inc. and Lender recorded September 9, 2002, as Entry No. 8346756, in Book 8645 at Page 6054; Subordination, Attornment and Non-Disturbance Agreement by and between Omniserve Wireless and Lender recorded September 9, 2002, as Entry No. 8346757, in Book 8645 at Page 6060; Subordination, Attornment and Non-Disturbance Agreement by and between Del Taco, Inc. and Lender recorded September 9, 2002, as Entry No. 8346758, in Book 8645 at Page 6068; Subordination, Attornment and Non-Disturbance Agreement by and between CPI, Blockbuster, Inc., a Delaware corporation, and Lender recorded September 9, 2002, as Entry No. 8346759, in Book 8645 at Page 6075; Agreement of Attornment and Non-Disturbance by and between Lender and Wendy's Old Fashioned Hamburgers of New York, Inc. recorded September 9, 2002, as Entry No. 8346750, in Book 8645 at Page 6005; Subordination, Attornment and Non-Disturbance Agreement by and between Petco Animal Supplies, Inc. and Lender recorded September 9, 2002, as Entry No. 8346751, in Book 8645 at Page 6010; Subordination, Attornment and Non-Disturbance Agreement by and between Countrywide Home Loans, Inc. and Lender recorded September 9, 2002, as Entry No. 8346741, in Book 8645 at Page 5945;

Subordination Non-Disturbance and Attornment Agreement by and between Lender and Office Depot, Inc., a Delaware corporation recorded September 9, 2002, as Entry No. 8346742, in Book 8645 at Page 5951 of the Official Records: Subordination Non-Disturbance and Attornment Agreement by and between Lender, CPI and Payless Shoesource, Inc., a Missouri corporation, recorded September 9, 2002, as Entry No. 8346743, in Book 8645 at Page 5956; Subordination, Attornment and Non-Disturbance Agreement by and between Panda Express, Inc. and Lender recorded September 9, 2002, as Entry No. 8346744, in Book 8645 at Page 5965; Subordination, Attornment and Non-Disturbance Agreement by and between Purified Water to Go and Lender recorded September 9, 2002, as Entry No. 8346745, in Book 8645 at Page 5972; Subordination, Attornment and Non-Disturbance Agreement by and between Cold Stone Creamery Leasing Company Inc. and Lender recorded September 9, 2002, as Entry No. 8346746, in Book 8645 at Page 5978; Subordination, Attornment and Non-Disturbance Agreement by and between Washington Mutual Bank FSB and Lender recorded September 9, 2002, as Entry No. 8346747, in Book 8645 at Page 5984; Subordination, Attornment and Non-Disturbance Agreement by and between Club Rio Tanning, LLC and Lender recorded September 9, 2002, as Entry No. 8346748, in Book 8645 at Page 5992; Subordination, Attornment and Non-Disturbance Agreement by and between Party City Corporation and Lender recorded September 9, 2002, as Entry No. 8346749, in Book 8645 at Page 5998 of the Official Records of Salt Lake County, Utah (the "Official Records").

- 3. Notice of Adoption of Redevelopment Plan Entitled "6600 South 7000 South Redwood Road Neighborhood Development Plan" recorded December 20, 1989 as Entry No. 4861950, in Book 6185, at Page 747 of Official Records.
- 4. Easement in favor of Utah Power & Light Co. recorded August 14, 1979 as Entry No. 3321521, in Book 4922, at Page 154 of the Official Records.
- 5. Easement in favor of Utah Power & Light Co. recorded November 27, 1985 as Entry No. 4169363, in Book 5713, at Page 462 of the Official Records.
- 6. Easement in favor of Utah Department of Transportation recorded March 18, 1997 as Entry No. 6595966, in Book 7620, at Page 2847 of the Official Records.
- 7. Easement in favor of Questar Gas Company recorded August 4, 1998 as Entry No. 7045047, in Book 8054, at Page 2601 of the Official Records.
- 8. Easement in favor of Questar Gas Company recorded January 26, 1999 as Entry No. 7234277, in Book 8239, at Page 31 of the Official Records.

9. Easement in favor of Questar Gas Company recorded September 2, 1999 as Entry No. 7457840, in Book 8306, at Page 8151 of the Official Records.

- 10. Revocable Access License by and between Albertson's, CPI and The Southland Corporation, a Texas corporation, recorded September 9, 2002 as Entry No. 8346738, in Book 8645, at Page 5888 of the Official Records.
- 11. Super market and Pharmacy Restriction recorded March 27, 1996 as Entry No. 6313870, in Book 7360, at Page 2590 of the Official Records.
- Declaration of Restrictions and Easements by and among CPI, Albertson's, and Dayton Hudson Corporation, a Minnesota corporation ("Dayton Hudson"), recorded July 2, 1998 as Entry No. 7016835, in Book 8027, at Page 1563; as amended by First Amendment to Declaration of Restrictions and Easements recorded October 8, 1998 as Entry No. 7114083, in Book 8120, at Page 2006; and Second Amendment to Declaration of Restrictions and Easements recorded February 19, 1999 as Entry No. 7261935, in Book 8251, at Page 216 of the Official Records.
- 13. Common Area Maintenance Agreement by and among CPI, Albertson's and Dayton Hudson recorded July 2, 1998 as Entry No. 7016837, in Book 8027, at Page 1657 of the Official Records.
- 14. Declaration of Easements, Covenants, Conditions and Restrictions (West Jordan Town Center and Adjoining Property) by and between CPI and IHC Health Services, Inc., a Utah nonprofit corporation, recorded July 2, 1998 as Entry No. 7016838, in Book 8027, at Page 1715 of the Official Records.
- 15. Rights of tenants, as tenants only, under the written lease agreements described on Schedule 1 attached hereto and made a part hereof.

SCHEDULE OF LEASES West Jordan Town Center West Jordan, Idaho

Lease dated February 29, 1996 by and between CPI/West Jordan, LLC, an Idaho limited 1. liability company ("Landlord") and Albertson's, Inc. ("Albertson's"), as amended and supplemented by Supplemental Agreement dated February 29, 1996 between Landlord and Albertson's; Supplement to Memorandum of Shopping Center Lease dated April 29, 1996 between Landlord and Albertson's; Letter dated May 9, 1996 from Landlord's attorney to Albertson's; Letter Agreement dated June 13, 1997 between Landlord and Albertson's; Letter Agreement dated June 18, 1997 between Landlord and Albertson's attorney; Letter dated June 18, 1997 from Albertson's to Landlord; Subordination, Lease Recognition. Non-Disturbance and Attornment Agreement dated June 24, 1997 among Landlord, Albertson's and First Security Bank, N.A. ("First Security"); Letter Agreement dated May 6, 1998 between Landlord and Albertson's; Letter Agreement dated May 6, 1998 between Landlord's attorney and Albertson's attorney; First Amendment to Shopping Center Lease dated May 6, 1998 between Landlord and Albertson's; Letter Agreement dated June 30, 1998 between Landlord and Albertson's; Declaration of Restrictions and Easements dated July 2, 1998 among Landlord, Albertson's and Dayton Hudson Corporation ("Dayton"); Common Area Maintenance Agreement dated July 2, 1998 among Landlord, Albertson's and Dayton; Letter Agreement dated August 4, 1998 among Landlord, Albertson's and Thrifty Payless, Inc.; First Amendment to Declaration of Restrictions and Easements dated October 5, 1998 among Landlord, Albertson's and Dayton; Letter dated November 23, 1998 from Albertson's attorney to Landlord; Second Amendment to Declaration of Restrictions and Easements dated January 28, 1999 among Landlord, Albertson's and Dayton; Second Amendment to Shopping Center Lease dated January 28, 1999 between Landlord and Albertson's; First Amendment to Memorandum of Shopping Center Lease dated February 10, 1999 between Landlord and Albertson's; Letter Agreement dated February 23, 1999 between Landlord and Albertson's; Letter Agreement dated March 4, 1999 between Landlord and Albertson's; Letter dated March 10, 1999 from Albertson's to Landlord; Letter Agreement dated March 25, 1999 between Landlord and Albertson's; Letter Agreement dated April 9, 1999 between Landlord and Albertson's; Letter Agreement dated May 6, 1999 between Landlord and Albertson's; Letter Agreement dated June 11, 1999 between Landlord and Albertson's; Letter Agreement dated June 11, 1999 between Landlord and Albertson's; Subordination, Lease Recognition, Non-Disturbance and Attornment Agreement dated July 14, 1999 among Landlord, Albertson's and First Security; Letter Agreement dated August 9, 1999 between Landlord and Albertson's; Second Amendment to Memorandum of Shopping Center Lease dated August 11, 1999 between Landlord and Albertson's; Estoppel Certificate dated August 23, 2002 from Albertson's to Protective Life Insurance Company ("Protective"); Subordination, Lease Recognition, Non-Disturbance and Attornment Agreement dated September 4, 2002 among Landlord, Albertson's and Protective; Option to Lease Real Property dated September 4, 2002 between Landlord and Albertson's; Letter Agreement dated September 4, 2002 between Landlord and Albertson's; Revocable Access License dated September 4, 2002 among Landlord,

- Albertson's and The Southland Corporation; Letter Agreement dated September 18, 2002 between Cantlon Properties, Inc. and Albertson's.
- 2. Lease dated January 27, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Blockbuster Inc., a Delaware corporation, doing business as Blockbuster, as amended by Commencement Agreement or Term Expiration Agreement dated May 10, 2000; Letter regarding address for notice dated December 1, 2000.
- 3. Lease dated November 27, 2000 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Club Rio Tanning, LLC, doing business as Club Rio Tanning, as amended by Lease Guaranty Agreement dated effective November 27, 2000.
- 4. Lease dated April 5, 2000 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Cold Stone Creamery Leasing Company, Inc., doing business as Cold Stone Creamery, as amended by Lease Guaranty Agreement dated April 5, 2000.
- 5. Lease dated May 13, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Countrywide Home Loans, Inc. doing business as Country Wide Home Loans, as amended by First Amendment to Lease dated September 30, 2002.
- 6. Lease dated December 17, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Utah Del, Inc., a California corporation, doing business as Del Taco.
- 7. Lease dated September 2, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Dollar Cuts, Inc., doing business as Dollar Cuts, as amended by Lease Guaranty Agreement dated September 2, 1998.
- 8. Lease dated June 30, 2003 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Honk's Inc., an Idaho corporation, doing business as Honk's \$1.00, as amended by Lease Guaranty Agreement dated June 30, 2003.
- 9. Lease dated May 20, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Office Depot, Inc., a Delaware corporation, doing business as Office Depot.
- 10. Lease dated October 15, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Omniserve Wireless, doing business as Omniserve Wireless, as amended by Guarantor's Obligations.
- 11. Lease dated October 22, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Panda Express, Inc., doing business as Panda Express.
- 12. Lease dated July 29, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Papas MJV, Inc., doing business as Papa Murphy's Pizza, as amended by Guaranty attached to Lease.
- 13. Lease dated October 12, 2001 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Party City Corporation, a Delaware corporation, doing business as Party City.

- 14. Lease dated August 12, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Payless Shoesource, Inc., a Missouri corporation, doing business as Payless ShoeSource, as amended by Addendum dated November 3, 1999.
- 15. Lease dated January 12, 2000 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Eric and Doreen Pehrson, doing business as Purified Water to Go.
- 16. Lease dated March 17, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Petco Animal Supplies, Inc., a Delaware corporation, doing business as Petco, as amended by Landlord Consent dated July 25, 2000.
- 17. Lease dated July 27, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Sandy Saunders and Cindy Saunders, doing business as Mail Boxes, Etc., as amended by Assignment of Lease dated October 7, 1998; First Amendment to Shopping Center Lease dated December 30, 2002.
- 18. Lease dated August 17, 1998 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Thrifty Payless, Inc., doing business as Rite Aid, Pharmacy, as amended by Pharmacy Co-Exclusive Agreement dated August 4, 1998; Guaranty of Lease dated August 14, 2002.
- 19. Lease dated May 2, 2000 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Washington Mutual Bank FSB.
- 20. Lease dated February 25, 1999 by and between CPI/West Jordan, LLC, an Idaho limited liability company and Wendy's Old Fashioned Hamburgers of New York, Inc., doing business as Wendy's, as amended by Letter Agreement dated April 19, 1999, First Amendment to Ground Lease dated April 22, 1999, and a Memorandum of Lease dated April 22, 1999.