

4729983

FIRST AMERICAN TITLE  
RJT# 252216

Smith's Food King  
1350 So. Redwood Rd.  
Salt Lake City, Ut. 84104  
Attn: Peter Smith

850

1-26-89

4729983  
27 JANUARY 89 03:59 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
REC BY: D DANGERFIELD , DEPUTY

SPECIAL WARRANTY DEED

DEE'S, INC., a corporation organized and existing under the laws of the State of Utah, with its principal office at 777 East 2100 South, Salt Lake City, Salt Lake County, State of Utah, Grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to SMITH'S FOOD KING PROPERTIES, INC., Grantee, of 1550 South Redwood Road, Salt Lake City, Utah 84104, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following described tract of land in Salt Lake County, State of Utah:

Part of the property commonly known as the Canyon Center Shopping Center, more particularly described as follows:

A part of the Southwest Quarter of Section 3, Township 3 South, Range 1 East, Salt Lake Base and Meridian, U. S. Survey:

Beginning at a point 53.00 feet North 0°21'28" East, and 106.00 feet North 89°56' East from the Southwest corner of said Section 3; running thence North 0°21'28" East 362.40 feet along the East line of 2000 East Street; thence North 89°56' East 149.23 feet; thence North 0°15'39" West 291.85 feet along the West line of an existing building; thence North 89°56' East 299.05 feet; thence South 0°08'55" East 654.25 feet along the East line of an existing building and building line extended; thence South 89°56' West 450.91 feet along a line parallel to and 53.00 feet perpendicularly distant Northerly from the Centerline of 9400 South Street to the point of beginning. Contains 5.740 Acres.

TOGETHER WITH an easement for footings and foundation, being described as follows: Beginning at a point 53.00 feet North 0°21'28" East; 106.00 feet North 89°56' East 362.40 feet North 0°21'28" East and 149.23 feet North 89°56' East from the Southwest Corner of Section 3, Township 3 South, Range 1 East; thence North 0°15'39" West 291.85 feet; thence South 89°56' West 2.00 feet; thence South 0°15'39" East 291.85 feet; thence North 89°56' East 2.00 feet to the point of beginning.

SUBJECT to taxes for the year 1989 and thereafter.

SUBJECT FURTHER to the obligation owed to Aetna Life Insurance Company and all other liens, easements, rights of way and restrictions of record and those observable

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upon the land including, but not limited to, existing leases.

SUBJECT FURTHER to the option in favor of Grantor to repurchase said property in the event that a grocery store business is not actively conducted from the entire present grocery store building, or there is an attempt to change to some business other than a grocery store on the property, all as provided in that certain Exchange Agreement dated January 26, 1989, between Grantor and Grantee. A Memorandum of the Exchange Agreement recorded the 27th day of January, 1989 as Entry Number 472998 at Book \_\_\_\_\_ at Pages \_\_\_\_\_ through \_\_\_\_\_ in the Salt Lake County Recorder's Office.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 27th day of January, 1989.

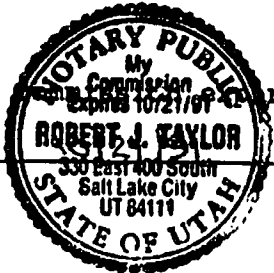
Attest:  
*[Signature]*  
Maun G. Hirschi, Secretary

DEE'S, INC.  
By *[Signature]*  
Wesley C. Anderson, President

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

On the 27th day of January, 1989, personally appeared before me WESLEY C. ANDERSON and MAUN G. HIRSCHI, who being by me duly sworn, did say, each for himself, that he, the said WESLEY C. ANDERSON is the president and he, the said MAUN G. HIRSCHI, is the secretary of DEE'S, INC., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said WESLEY C. ANDERSON and MAUN G. HIRSCHI each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

My Commission Expires 10/21/91  
Notary Public  
Residing at:  
*[Signature]*  
Salt Lake City



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