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12/15/2006 03:39 PM \$66.00  
Book - 9395 Pg - 6382-6407  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
TALON GROUP  
BY: ZJM, DEPUTY - MI 26 P.

When Recorded, Return to:  
Pete Vandenhouten  
ShopKo Stores  
Operating Co., LLC  
P. O. Box 19060  
Green Bay, Wisconsin 54307-9060

SHOPKO #084  
West Jordan, UT

12/15/06  
RECEIVED

**FOURTH AMENDMENT TO AMENDED AND RESTATED  
COMMON AREA MAINTENANCE AGREEMENT**

THIS FOURTH AMENDMENT TO AMENDED AND RESTATED COMMON AREA MAINTENANCE AGREEMENT ("Fourth Amendment") is made and entered into this 15<sup>th</sup> day of December, 2006, by and between Spirit SPE Portfolio 2006-1, LLC, a Delaware limited liability company, as successor-in-interest to ShopKo Stores, Inc. ("Spirit"), ShopKo Stores Operating Co., LLC, a Delaware limited liability company, as Spirit's Prime Lessee ("ShopKo"), New Albertson's, Inc., a Delaware corporation, successor-in-interest to Albertson's, Inc. ("Albertson's"), and PDC Community Centers L.L.C., a Delaware limited liability company, successor in interest to Price Development Company, Limited Partnership, (formerly Price River Point Plaza Company, Ltd., a Utah limited partnership) ("Price").

**RECITALS:**

A. Spirit is the owner of Parcel 4, Albertson's is the owner of Parcel 2, and Price is the owner of Parcel 1 and a portion of Parcels 3 and 5, of that certain real property located in West Jordan, Utah, commonly known as River Pointe Plaza shown on Exhibit "A" and particularly described on Schedule I attached hereto and incorporated herein by this reference (the "Subject Property"). Pads A, B, C and Parcel 1A as shown on Exhibit "A" are owned by third parties.

B. The predecessors-in-interest of Spirit, Albertson's and Price, entered into that certain Amended and Restated Common Area Maintenance Agreement dated May 27, 1987 and recorded June 5, 1987 as Instrument No. 4470261, Records of Salt Lake County, Utah, as modified by the First Amendment to Amended and Restated Common Area Maintenance Agreement dated June 7, 1988 and recorded July 18, 1988 as Instrument No. 4650834, Records of Salt Lake County, Utah, the Second Amendment to Amended and Restated Common Area Maintenance Agreement dated July 21, 1994 and recorded November 9, 1994 as Instrument No. 5963095, Records of Salt Lake County, Utah, and as further modified by the Third Amendment to Amended and Restated Common Area Maintenance Agreement dated May 1, 2000 and recorded May 1, 2000 as Instrument No. 7629217, Records of Salt Lake County, Utah (collectively, the "CAMA").

C. Section 13.5 of the CAMA provides that the CAMA may be modified only with the consent of the Owners and Prime Lessees of Parcels containing ninety percent (90%) of the total building Area of the Subject Property at the time of such modification.

D. Consistent with Section 13.5 of the CAMA, Spirit, ShopKo, Albertson's and Price are collectively the Owners and Prime Lessees of the Parcels containing not less than ninety percent (90%) of the total Building Area of the Subject Property on the date of this Fourth Amendment.

E. Concurrent with this Fourth Amendment, Spirit is selling certain real property (the "Development Property") that had heretofore been described in the CAMA as comprising a part of Parcel 4. A new legal description of Parcel 4 (reflecting a reduction in its size as a result of the sale of the Development Property) and Parcel 4A (reflecting the Development Property) is included in Schedule I attached to this Fourth Amendment. Parcels 4 and 4A are among the matters shown on the site plan of the Subject Property attached to this Fourth Amendment as Exhibit "A".

F. The parties to this Fourth Amendment desire to further amend the CAMA as hereinafter provided.

#### **AGREEMENTS:**

NOW, THEREFORE, in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties amend the CAMA as follows:

1. The parties affirm the truth and accuracy of the foregoing Recitals and incorporate the same into the agreements contained in this Fourth Amendment.
2. All capitalized terms in the Fourth Amendment shall have the same meanings ascribed to them in the CAMA.
3. Schedule I to the CAMA is deleted, and Schedule I attached to this Fourth Amendment is substituted therefor.
4. Exhibit "A" to the CAMA is deleted, and Exhibit "A" attached to this Fourth Amendment is substituted therefor.

5. The first table contained in Section 7.1 of the CAMA is deleted in its entirety and the following table is substituted therefor:

		Maximum Building Area (excluding Expansion Area)	Percent
Parcel 1		11,824 sq. ft.	5.22
Parcel 1	A	4,200 sq. ft.	1.85
Parcel 2		55,879 sq. ft.	24.66
Parcel 3		31,380 sq. ft.	13.84
Parcel 4		94,300 sq. ft.	41.61
Parcel 4	A	5,000 sq. ft.	2.21
Parcel 5		24,054 sq. ft.	10.61
TOTAL:		226,637 sq. ft.	100.00

The parties acknowledge that Albertson's has by letter dated November 29, 2006 exercised its right to maintain portions of Parcel 2 separately and Spirit's predecessor in interest, ShopKo Stores, Inc., by letter dated February 19, 1996, exercised its right to maintain Parcel 4 separately, as provided for in Article 11 of the CAMA. ShopKo's exercise of its right to maintain Parcel 4 separately notwithstanding, Parcel 4A shall be maintained by the Maintenance Director and Parcel 4A shall be subject to all provisions of the CAMA. The Owner of Parcel 4A shall have no present or future right to separately maintain its Parcel under Article 11 of the CAMA.

6. The effective date of this Fourth Amendment shall be the date upon which it is recorded in the Official Records of Salt Lake County, Utah.

7. The CAMA shall remain in full force and effect and the parties ratify and confirm the CAMA as amended hereby. In the event of any conflict between this Fourth Amendment and the CAMA, the terms of this Fourth Amendment shall prevail.

8. Each party executing this Fourth Amendment represents and warrants to each other party that it has full authority and right to execute this instrument.

9. This Fourth Amendment may be executed in one or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

(Signatures on next page.)

IN WITNESS WHEREOF, this Fourth Amendment has been executed as of the day and year first above written.

**SPIRIT:**

Spirit SPE Portfolio 2006-1, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**ALBERTSON'S:**

New Albertson's, Inc., a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:


\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**PRICE:**

PDC Community Centers L.L.C.  
a Delaware limited liability company

By:  \_\_\_\_\_  
Authorized Officer

Attest:

  
Name (print): CAROL A. WILLIAMS  
Its: ASSISTANT SECRETARY  
(Title)

**SHOPKO:**

ShopKo Stores Operating Co., LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Name(print) \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

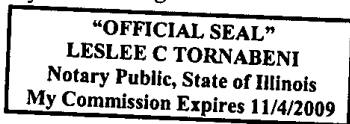
STATE OF \_\_\_\_\_ )  
 ) ss:  
County of \_\_\_\_\_ )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of Spirit SPE Portfolio 2006-1, LLC, a Delaware limited liability company and that the within and foregoing instrument was signed in behalf of said company and said \_\_\_\_\_ duly acknowledged to me that said company executed the same.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS )  
 ) ss:  
County of COOK )

On the 7th day of December, 2006, personally appeared before me Robert A. Michaels, who being by me duly sworn did say that he is the Authorized Officer of PDC Community Centers L.L.C., a Delaware limited liability company, and that the within and foregoing instrument was signed in behalf of said company and said Officer duly acknowledged to me that said company executed the same.



[Signature]  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss:  
County of \_\_\_\_\_ )


On the \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of New Albertson's, Inc., a Delaware corporation, and that the within and foregoing instrument was signed in behalf of said corporation and said \_\_\_\_\_ duly acknowledged to me that said corporation executed the same.

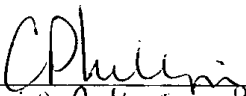
\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, this Fourth Amendment has been executed as of the day and year first above written.

**SPIRIT:**

Spirit SPE Portfolio 2006-1, LLC  
a Delaware limited liability company

By:   
Name: Michael T. Bennett  
Title: Senior Vice President

Attest:   
Name (print): Catherine Phillips  
Its: Services Manager  
(Title)

**ALBERTSON'S:**  
New Albertson's, Inc., a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest: \_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**PRICE:**

PDC Community Centers L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Authorized Officer

Attest: \_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**SHOPKO:**  
ShopKo Stores Operating Co., LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest: \_\_\_\_\_  
Name(print) \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

STATE OF Arizona)  
) ss:  
County of Maricopa)

On the 7<sup>th</sup> day of December, 2006, personally appeared before me Michael T. Bennett, who being by me duly sworn did say that he is the Jr. Vice President of Spirit SPE Portfolio 2006-1, LLC, a Delaware limited liability company and that the within and foregoing instrument was signed in behalf of said company and said Michael T. Bennett duly acknowledged to me that said company executed the same.



Hedy Nelson  
Notary Public

STATE OF \_\_\_\_\_ )  
) ss:  
County of \_\_\_\_\_ )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of PDC Community Centers L.L.C., a Delaware limited liability company, and that the within and foregoing instrument was signed in behalf of said company and said \_\_\_\_\_ duly acknowledged to me that said company executed the same.

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
) ss:  
County of \_\_\_\_\_ )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of New Albertson's, Inc., a Delaware corporation, and that the within and foregoing instrument was signed in behalf of said corporation and said \_\_\_\_\_ duly acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, this Fourth Amendment has been executed as of the day and year first above written.

**SPIRIT:**  
Spirit SPE Portfolio 2006-1, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**ALBERTSON'S:**  
New Albertson's, Inc., a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

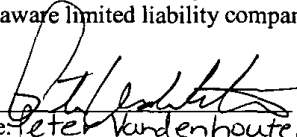
**PRICE:**  
PDC Community Centers L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Authorized Officer


Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**SHOPKO:**  
ShopKo Stores Operating Co., LLC  
a Delaware limited liability company

By:   
Name: Peter Vandenhousten  
Title: VP-General Counsel/secretary

Attest:

  
Name (print): Corey Polachek  
Its: Real Estate Manager  
(Title)



STATE OF WI )  
County of Brawn ) ss:

On the 11 day of December, 2006, personally appeared before me Peter Vandenhouster who being by me duly sworn did say that he is the Secretary of ShopKo Stores Operating Co., LLC, a Delaware limited liability company and that the within and foregoing instrument was signed in behalf of said company and said Peter Vandenhouster duly acknowledged to me that said company executed the same.

Amy J. Bourassa  
Notary Public  
my commission expires: 2/10/08

IN WITNESS WHEREOF, this Fourth Amendment has been executed as of the day and year first above written.

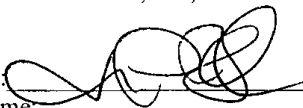
**SPIRIT:**  
Spirit SPE Portfolio 2006-1, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

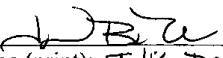
Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**ALBERTSON'S:**  
New Albertson's, Inc., a Delaware corporation

By:   
Name: **John P. Breedlove**  
Title: **Vice President & Corporate Secretary**

Attest:

  
Name (print): **Julie Backe**  
Its: **Assistant Secretary**  
(Title)

**PRICE:**  
PDC Community Centers L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Authorized Officer

Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

**SHOPKO:**  
ShopKo Stores Operating Co., LLC,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Name (print): \_\_\_\_\_  
Its: \_\_\_\_\_  
(Title)

STATE OF )  
 ) ss:  
County of )

On the \_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of Spirit SPE Portfolio 2006-1, LLC, a Delaware limited liability company and that the within and foregoing instrument was signed in behalf of said company and said \_\_\_\_\_ duly acknowledged to me that said company executed the same.

\_\_\_\_\_  
Notary Public

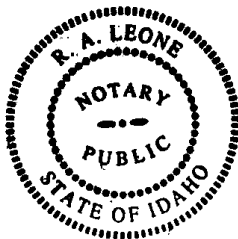
STATE OF )  
 ) ss:  
County of )

On the \_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of PDC Community Centers L.L.C., a Delaware limited liability company, and that the within and foregoing instrument was signed in behalf of said company and said \_\_\_\_\_ duly acknowledged to me that said company executed the same.

\_\_\_\_\_  
Notary Public

STATE OF IDAHO )  
 ) ss:  
County of ADA )

R.A. Leone On the 30<sup>th</sup> day of November, 2006, personally appeared before me ~~John P. Bredt~~, who being by me duly sworn did say that he is the V.P. & Corp Sec. of New Albertson's, Inc., a Delaware corporation, and that the within and foregoing instrument was signed in behalf of said corporation and said V.P. & Corp. Sec. duly acknowledged to me that said corporation executed the same.



*R.A. Leone*  
\_\_\_\_\_  
Notary Public  
exp. 10/28/2010

STATE OF            )  
                          ) ss:  
County of            )

On the \_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is the \_\_\_\_\_ of ShopKo Stores Operating Co., LLC, a Delaware limited liability company and that the within and foregoing instrument was signed in behalf of said company and said \_\_\_\_\_ duly acknowledged to me that said company executed the same.

\_\_\_\_\_  
Notary Public

EXHIBITS

SCHEDULE I

LEGAL DESCRIPTIONS

EXHIBIT "A"

SITE PLAN

SCHEDULE I

LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA  
REVISED PARCEL 1

-POOR COPY-  
CO. RECORDER

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South 00°03'25" East 370.48 feet along the Quarter Section line and North 89°53'45" East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°53'45" East 84.61 feet; thence South 00°06'15" East 199.34 feet; thence North 89°53'45" East 75.00 feet; thence South 00°06'13" East 169.00 feet; thence South 89°53'45" West 4.50 feet; thence South 00°06'15" East 52.33 feet; thence South 89°53'45" West 155.46 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 420.67 feet to the POINT OF BEGINNING. Contains 1.1943 acres.

PREPARED FOR: Price Development Co.  
39 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01435-8&E/S  
Nov. 18, 1987

115509308

SCHEDULE I

LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA  
PARCEL 1A  
(HARDEE'S PARCEL)

POOR COPY  
CO. RECORDER

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South 00°03'25" East 193.01 feet along the Quarter Section line and North 89°53'45" East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°53'45" East 160.00 feet; thence South 00°03'25" East 162.47 feet; thence South 89°53'45" West 160.00 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 162.47 feet to the POINT OF BEGINNING. Contains 0.3968 acres.

PREPARED FOR: Price Development Co.  
35 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01433-86E/S  
September 10, 1987

BK 9395 PG 6396

BK 9395 PG 6396

Schedule I

Parcel 2:

Beginning on the South right of way line of 9000 South Street at a point that is North 89°55'00" East along the quarter-section line 213.00 feet and South 0°03'25" East 73.00 feet from the County monument at the Center Quarter corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, from said monument the County monument at the South Quarter corner of said Section 3 bears South 0°03'25" East (basis of bearing); thence along said South line of street North 89°55'00" East 35.20 feet; thence South 0°05'00" East 158.82 feet; thence North 89°55'00" East 239.50 feet; thence South 0°05'00" East 207.14 feet; thence South 89°55'00" West 9.41 feet; thence South 0°05'00" East 259.86 feet; thence North 89°55'00" East 77.41 feet; thence South 0°05'00" East 144.66 feet; thence South 89°55'00" West 503.06 feet to a point on the East right of way line of Redwood Road; thence along said East line of street North 0°03'25" West 8.43 feet and North 89°56'35" East 6.06 feet and North 0°03'25" West 43.91 feet; thence North 89°55'00" East 149.24 feet; thence North 0°05'00" West 52.33 feet; thence North 89°55'00" East 4.50 feet; thence North 0°05'00" West 169.00 feet; thence South 89°55'00" West 75.00 feet; thence North 0°05'00" West 199.34 feet; thence South 89°55'00" West 62.15 feet to a point on said East right of way line of Redwood Road; thence along said street line North 0°03'25" West 15.00 feet; thence North 89°55'00" East 137.54 feet; thence North 0°03'25" West 282.48 feet to the point of beginning. Contains 4.7434 acres.

3/28/00  
JMA

Parcel 3:

Beginning on the South right of way line of 9000 South Street at a point that is North 89°55'00" East along the quarter-section line 213.00 feet and South 0°03'25" East 73.00 feet and North 89°55'00" East 35.20 feet from the County monument at the Center Quarter corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, from said monument the County monument at the South Quarter corner of said Section 3 bears South 0°03'25" East (basis of bearing); thence along said street line North 89°55'00" East 329.32 feet to the PC of a 11,512.20 foot radius curve to the left; thence Easterly 212.19 feet along the arc of said curve through a central angle of 1°03'22" (chord bears North 89°23'19" East 212.19 feet); thence South 0°05'00" East 141.77 feet; thence South 89°55'00" West 136.00 feet; thence South 0°05'00" East 331.00 feet; thence North 89°55'00" East 136.00 feet; thence South 0°05'00" East 155.00 feet; thence South 89°55'00" West 311.41 feet; thence North 0°05'00" West 259.86 feet; thence North 89°55'00" East 9.41 feet; thence North 0°05'00" West 207.14 feet; thence South 89°55'00" West 239.50 feet; thence North 0°05'00" West 158.82 feet to the point of beginning. Contains 4.2379 acres.

3/28/00  
JMA

BK 9395 PG 6397



PARCEL 4 DESCRIPTION

Beginning at a point on the South line of 9000 South Street, said point being North 89°53'45" East 954.23 feet along the Quarter Section line and South 00°06'15" East 66.83 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being on an 11,512.20 foot radius curve to the left (center bears North 01°58'47" West 11,512.20 feet of which the central angle is 0°38'05" and the chord bears North 87°42'11" East 127.51 feet);

and running thence Northeasterly along the arc of said curve and south line 127.51 feet;

thence South 00°06'15" East 256.86 feet;  
thence North 89°53'45" East 41.00 feet;  
thence South 00°06'15" East 216.00 feet;  
thence North 89°53'45" East 141.14 feet;  
thence South 00°00'50" East 367.00 feet;  
thence South 89°53'45" West 134.22 feet;  
thence North 00°06'15" West 25.00 feet;  
thence South 89°53'45" West 381.00 feet;  
thence North 60°06'15" West 66.68 feet;  
thence South 89°53'45" West 134.60 feet;  
thence North 00°06'15" West 144.66 feet;  
thence North 89°53'45" East 234.00 feet;  
thence North 00°06'15" West 155.00 feet;  
thence South 89°53'45" West 136.00 feet;  
thence North 00°06'15" West 331.00 feet;  
thence North 89°53'45" East 136.00 feet;  
thence South 00°06'15" East 47.56 feet;  
thence North 89°53'45" East 162.80 feet;  
thence North 00°54'31" East 147.94 feet;  
thence North 01°08'28" West 45.63 feet to the point of beginning.

Contains 360,641 sq. ft. OR 8.28 acres

PARCEL 4A DESCRIPTION

Beginning at a point on the South line of 9000 South Street, said point being North 89°53'45" East 789.64 feet along the Quarter Section line and South 00°06'15" East 71.04 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being on an 11,512.20 foot radius curve to the left (center bears North 01°09'37" West 11,512.20 feet),

thence Northeasterly along the arc of said curve and South line of 9000 South Street 164.65 feet with a central angle of 00°49'10" (chord bears North 88°25'48" East 164.64 feet);

thence South 01°08'28" East 45.63 feet;

thence South 00°54'31" West 147.94 feet;

thence South 89°53'45" West 162.80 feet;

thence North 00°06'15" West 189.33 feet to the point of beginning.

Contains 31,423 Square feet or 0.72 acres

LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

SCHEDULE I

LEGAL DESCRIPTION

RIVER POINTE PLAZA  
PARCEL 3

-POOR COPY-  
CO. RECORDER

BEGINNING at a point on the South line of 9000 South Street, said point being North 89°53'45" East 1081.64 feet along the Quarter Section line and South 00°06'13" East 61.93 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being on an 11,512.20 foot radius curve to the left; thence Northeasterly along the arc of said curve and said South line 152.799 feet to a point of tangency; thence North 26°37'31" East 46.87 feet to the point of an 11,406.16 foot radius curve to the right; thence along the arc of said curve and South line 43.373 feet; thence South 00°00'50" East 852.64 feet; thence South 89°53'45" West 60.00 feet; thence North 00°00'50" West 367.00 feet; thence South 89°53'45" West 141.14 feet; thence North 00°06'13" West 216.00 feet; thence South 89°53'45" West 41.00 feet; thence North 00°06'13" West 256.86 feet to the POINT OF BEGINNING. Contains 2.9670 acres.

PREPARED FOR: Price Development Co.  
33 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01433-86E/5  
February 11, 1987

BK 9395 PG 6400

CONSULTING CIVIL - STRUCTURAL ENGINEERING AND LAND SURVEYING

BK 9395 PG 6400

SCHEDULE I

LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA  
REVISED PARCEL 1

POOR COPY  
CO. RECORDER

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South 00°03'25" East 370.48 feet along the Quarter Section line and North 89°53'45" East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°53'45" East 84.61 feet; thence South 00°06'15" East 199.34 feet; thence North 89°53'45" East 75.00 feet; thence South 00°06'15" East 169.00 feet; thence South 89°53'45" West 4.50 feet; thence South 00°06'15" East 52.93 feet; thence South 89°53'45" West 153.46 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 420.67 feet to the POINT OF BEGINNING. Contains 1.1945 acres.

PREPARED FOR: Price Development Co.  
39 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01435-86E/S  
Nov. 18, 1987

BK 9395-846-8514

BK 9395 PG 6401

SCHEDULE I

LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2634

LEGAL DESCRIPTION

RIVER POINTE PLAZA  
PARCEL 1A  
(HARDEE'S PARCEL)

-PUDR COPY-  
CO. RECORDER

BEGINNING at a point on the East line of Redwood Road (1700 West Street), said point being South 00°03'25" East 193.01 feet along the Quarter Section line and North 89°53'45" East 53.00 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°53'45" East 160.00 feet; thence South 00°03'25" East 162.47 feet; thence South 89°53'45" West 160.00 feet to the East line of Redwood Road; thence North 00°03'25" West along said East line 162.47 feet to the POINT OF BEGINNING. Contains 0.3968 acres.

PREPARED FOR: Price Development Co.  
35 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01435-86E/S  
September 10, 1987

810-958768515

Schedule I

Parcel 2:

Beginning on the South right of way line of 9000 South Street at a point that is North 89°55'00" East along the quarter-section line 213.00 feet and South 0°03'25" East 73.00 feet from the County monument at the Center Quarter corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, from said monument the County monument at the South Quarter corner of said Section 3 bears South 0°03'25" East (basis of bearing); thence along said South line of street North 89°55'00" East 35.20 feet; thence South 0°05'00" East 158.82 feet; thence North 89°55'00" East 239.50 feet; thence South 0°05'00" East 207.14 feet; thence South 89°55'00" West 9.41 feet; thence South 0°05'00" East 239.86 feet; thence North 89°55'00" East 77.41 feet; thence South 0°05'00" East 144.66 feet; thence South 89°55'00" West 503.06 feet to a point on the East right of way line of Redwood Road; thence along said East line of street North 0°03'25" West 8.43 feet and North 89°56'35" East 6.06 feet and North 0°03'25" West 43.91 feet; thence North 89°55'00" East 149.24 feet; thence North 0°05'00" West 52.33 feet; thence North 89°55'00" East 4.50 feet; thence North 0°05'00" West 169.00 feet; thence South 89°55'00" West 75.00 feet; thence North 0°05'00" West 199.34 feet; thence South 89°55'00" West 62.15 feet to a point on said East right of way line of Redwood Road; thence along said street line North 0°03'25" West 15.00 feet; thence North 89°55'00" East 137.54 feet; thence North 0°03'25" West 282.48 feet to the point of beginning. Contains 4.7434 acres.

3/28/00  
JAA

Parcel 3:

Beginning on the South right of way line of 9000 South Street at a point that is North 89°55'00" East along the quarter-section line 213.00 feet and South 0°03'25" East 73.00 feet and North 89°55'00" East 35.20 feet from the County monument at the Center Quarter corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, from said monument the County monument at the South Quarter corner of said Section 3 bears South 0°03'25" East (basis of bearing); thence along said street line North 89°55'00" East 329.32 feet to the PC of a 11,512.20 foot radius curve to the left; thence Easterly 212.19 feet along the arc of said curve through a central angle of 1°03'22" (chord bears North 89°23'19" East 212.19 feet); thence South 0°05'00" East 141.77 feet; thence South 89°55'00" West 136.00 feet; thence South 0°05'00" East 331.00 feet; thence North 89°55'00" East 136.00 feet; thence South 0°05'00" East 155.00 feet; thence South 89°55'00" West 311.41 feet; thence North 0°05'00" West 239.86 feet; thence North 89°55'00" East 9.41 feet; thence North 0°05'00" West 207.14 feet; thence South 89°55'00" West 239.50 feet; thence North 0°05'00" West 158.82 feet to the point of beginning. Contains 4.2379 acres.

3/28/00  
JAA

BK 9395 PG 6403

PARCEL 4 DESCRIPTION

Lot 1 of Shopko 9000 South Street Subdivision, plat recorded December 14, 2006 as Instrument No. 9940027 in Book 2006P, Page 381, Salt Lake County, UT.

PARCEL 4A DESCRIPTION

Lot 2 of Shopko 9000 South Street Subdivision, plat recorded December 14, 2006 as  
Instrument No. 9940027 in Book 2006P, Page 381, Salt Lake County, UT.



LARSEN & MALMQUIST, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
2736 South 2700 West • West Valley City, Utah 84119 • (801) 972-2834

SCHEDULE I

LEGAL DESCRIPTION  
RIVER POINTE PLAZA  
PARCEL 5

-POOR COPY-  
CO. REORDER

BEGINNING at a point on the South line of 9000 South Street, said point being North  $89^{\circ}53'45''$  East 1081.64 feet along the Quarter Section line and South  $00^{\circ}06'13''$  East 61.93 feet from the Center of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being on an 11,312.20 foot radius curve to the left; thence Northeasterly along the arc of said curve and said South line 152.799 feet to a point of tangency; thence North  $26^{\circ}37'31''$  East 46.87 feet to the point of an 11,406.16 foot radius curve to the right; thence along the arc of said curve and South line 42.273 feet; thence South  $00^{\circ}00'50''$  East 832.64 feet; thence South  $89^{\circ}53'45''$  West 60.00 feet; thence North  $00^{\circ}00'50''$  West 367.00 feet; thence South  $89^{\circ}53'45''$  West 141.14 feet; thence North  $00^{\circ}06'13''$  West 216.00 feet; thence South  $89^{\circ}53'45''$  West 41.00 feet; thence North  $00^{\circ}06'13''$  West 256.86 feet to the POINT OF BEGINNING. Contains 2.9690 acres.

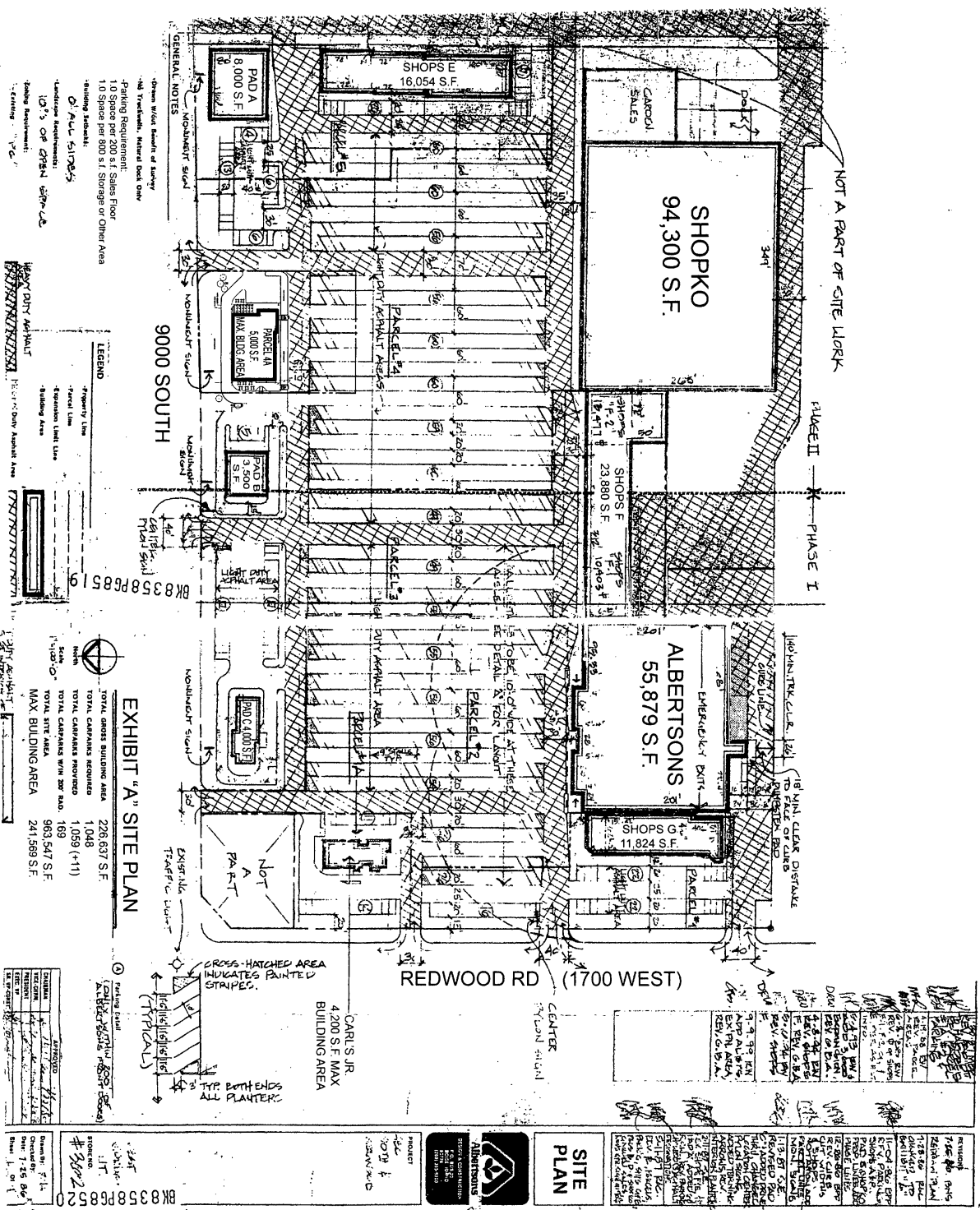
PREPARED FOR: Price Development Co.  
35 Century Parkway  
Salt Lake City, Utah 84115

PREPARED BY: Robert S. Markham, P.E.  
L & M No. 01435-86E/5  
February 11, 1987

~~81035870518~~

CONSULTING CIVIL - STRUCTURAL ENGINEERING AND LAND SURVEYING

BK 9395 PG 6406



**GENERAL NOTES**

- Obtain local authority of authority
- All Truckloads, Manual Dock Only
- Parking Requirement: 1.0 Space per 200 s.f. Sales Floor
- 1.0 Space per 800 s.f. Storage or Other Area
- Building setbacks:
- Of Act 51782's
- Landmark Requirements:
- 10' 3" OF OPEN SPACE
- Setback Requirements:
- Setback: 10'

**LEGEND**

- Property Line
- Setback Line
- Building Footprint
- Building Area
- Area of Dry Asphalt Area

**EXHIBIT "A" SITE PLAN**

TOTAL GROSS BUILDING AREA	226,537 S.F.
TOTAL CARPARKS PROVIDED	1,048
TOTAL CARPARKS REQUIRED	1,059 (+11)
TOTAL CARPARKS WITH 200' RAD.	169
TOTAL SITE AREA	963,547 S.F.
MAX. BUILDING AREA	241,589 S.F.

**NOT A PART OF SITE WORK**

**PHASE I**

**PHASE II**

**REDWOOD RD (1700 WEST)**

**CARL'S JR. BUILDING AREA**

**CROSS-HATCHED AREA INDICATES PAINTED STRIPES.**

**TYPE BOTH ENDS ALL PLANTERS.**

<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>11/11/11</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>3</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>4</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>5</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>6</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>7</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>8</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>9</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>10</td> <td>11/11/11</td> <td>REVISED PER COMMENTS</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	11/11/11	ISSUED FOR PERMIT	2	11/11/11	REVISED PER COMMENTS	3	11/11/11	REVISED PER COMMENTS	4	11/11/11	REVISED PER COMMENTS	5	11/11/11	REVISED PER COMMENTS	6	11/11/11	REVISED PER COMMENTS	7	11/11/11	REVISED PER COMMENTS	8	11/11/11	REVISED PER COMMENTS	9	11/11/11	REVISED PER COMMENTS	10	11/11/11	REVISED PER COMMENTS	<p><b>PROJECT</b></p> <p>ALBERTSONS</p> <p>2700 S. REDWOOD RD</p> <p>SPRING VALLEY, UT 84663</p>	<p><b>DESIGNER</b></p> <p>ALBERTSONS</p>	<p><b>DATE</b></p> <p>11/11/11</p>	<p><b>PROJECT NO.</b></p> <p>111111</p>	<p><b>SCALE</b></p> <p>AS SHOWN</p>	<p><b>PROJECT</b></p> <p>ALBERTSONS</p>	<p><b>DATE</b></p> <p>11/11/11</p>	<p><b>PROJECT NO.</b></p> <p>111111</p>	<p><b>SCALE</b></p> <p>AS SHOWN</p>
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