

3275407
BK 7562 PG 1107

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
7/28/2020 11:26:00 AM
FEE \$40.00 Pgs: 7
DEP eCASH REC'D FOR FIRST AMERICAN TITL

WHEN RECORDED, MAIL TO:

First American Title Insurance Company
30 North LaSalle St., Suite 2700
Chicago, IL 60602

MAIL TAX BILLS TO:

Walgreen Co.
104 Wilmot Road
MS 144G
Deerfield, Illinois 60015
Store No. 2529

APN: 12-542-0006

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of Ten and 00/100 Dollars (\$10.00), receipt of which is hereby acknowledged, **WALGREEN CO.**, an Illinois corporation, as "Grantor," grants, conveys and warrants, but only against Grantor's own actions and no other actions (or inactions) of any other party whatsoever, to **WBA PORTFOLIO OWNER FUND IV GALAXY LLC**, a Delaware limited liability company, as "Grantee," the real property located in Davis County, Utah, described as follows (the "Property"):

See attached Exhibit A, incorporated by reference to this document.

SUBJECT TO the items listed on Exhibit B attached hereto and made a part hereof.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 14th day of July 2020.

WALGREEN CO.,
an Illinois corporation

By: [Signature]
Name: Richard N. Steiner
Its: Director and Managing Counsel

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

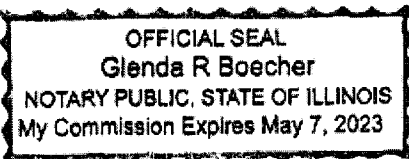
Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Richard N. Steiner, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him/herself to be the Director and Managing Counsel of Walgreen Co., an Illinois corporation, the within named party, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the company by him/herself as such officer.

WITNESS my hand and seal at office on this, the 14th day of July, 2020.

[Signature]

NOTARY PUBLIC

My Commission Expires:
5/7/2023



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Exhibit A

Legal Description

[attached]

1037 W. 1700 S.
Syracuse, Utah, Store No. 2529

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Legal Description

Real property in the City of Syracuse, County of Davis, State of Utah, described as follows:

PARCEL 1:

LOT 1 OF COLBY CROSSING SUBDIVISION, SYRACUSE CITY, DAVIS COUNTY, UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE DAVIS COUNTY RECORDER AS ENTRY NO. 1974427 IN BOOK 3508 OF PLATS AT PAGE 1914, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT ON THE SOUTH LINE OF ANTELOPE DRIVE (1700 SOUTH STREET) AS IT IS PROPOSED TO BE WIDENED TO 60.00 FOOT HALF-WIDTH BEING 150.00 SOUTH 89°58'46" WEST ALONG THE SECTION LINE AND 60.00 FEET SOUTH 0°09'08" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 15; AND RUNNING THENCE NORTH 89°58'46" EAST 102.00 FEET ALONG SAID SOUTH LINE OF STREET; THENCE SOUTH 44°56'03" EAST 21.18 FEET TO THE WEST LINE OF 1000 WEST STREET AS IT EXISTS AT 33.00 FOOT HALF-WIDTH; THENCE SOUTH 0°09'08" WEST 213.00 FEET ALONG SAID WEST LINE OF STREET; THENCE SOUTH 89°58'46" WEST 330.00 FEET; THENCE NORTH 0°09'08" EAST 228.00 FEET TO THE SOUTH LINE OF ANTELOPE DRIVE (1700 SOUTH STREET) AS WIDENED; THENCE NORTH 89°58'46" EAST 213.00 FEET ALONG SAID SOUTH LINE OF STREET AS WIDENED TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THOSE PARCELS OF LAND CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY THAT CERTAIN QUIT CLAIM DEED RECORDED APRIL 15, 2009 AS ENTRY NO. 2441695 IN BOOK 4755 AT PAGE 571 OF OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

TWO PARCELS OF LAND IN FEE, FOR THE WIDENING OF THE EXISTING HIGHWAY STATE ROUTE 108 KNOWN AS PROJECT NO. 0108, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN LOT 1 OF THE COLBY CROSSING SUBDIVISION, A SUBDIVISION IN THE NE1/4NE1/4 OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCELS, OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; AND RUNNING THENCE S.89°40'46"E. 216.29 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO A POINT 55.00 FEET RADIALLY DISTANT SOUTHERLY FROM THE CENTERLINE OF SAID PROJECT, OPPOSITE APPROXIMATE ENGINEERS STATION 88+19.68; THENCE WESTERLY 62.18 FEET ALONG THE ARC OF A 1,442.00-FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS S.86°04'03"W. 62.17 FEET); THENCE S.87°55'41"W. 43.62 FEET; THENCE S.83°20'30"W. 74.47 FEET; THENCE WESTERLY 37.08 FEET ALONG THE ARC OF A

1,555.00-FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS S.84°01'29"W. 37.08 FEET) TO THE WESTERLY BOUNDARY LOT LINE OF SAID LOT 1; THENCE N.00°29'36"E. 19.54 FEET ALONG SAID WESTERLY BOUNDARY LOT LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

ALSO:

BEGINNING ON THE NORTH BOUNDARY LINE OF SAID LOT 1 AT A POINT 60.00 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE CENTERLINE OF SAID PROJECT, OPPOSITE APPROXIMATE ENGINEERS STATION 89+07.41, WHICH POINT IS 62.26 FEET N.89°40'46"W. AND 60.00 FEET S.00°19'14"W. FROM SAID NORTHEAST CORNER OF SECTION 15; AND RUNNING THENCE S.89°40'46"E. 14.08 FEET ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1 TO THE NORTH-NORTHEAST CORNER OF SAID LOT 1; THENCE S.44°35'35"E. 21.18 FEET ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 1 TO THE EAST-NORTHEAST CORNER OF SAID LOT 1; THENCE S.00°29'38"W. 14.08 FEET; THENCE N.44°35'45"W. 41.06 FEET TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

(NOTE: ROTATE ABOVE BEARINGS 0°20'28" COUNTER-CLOCKWISE TO EQUAL RECORD BEARINGS.)

PARCEL 2:

THOSE CERTAIN EASEMENTS APPURTENANT TO PARCEL 1, AS CREATED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS RECORDED MARCH 2, 2004 AS ENTRY NO. 1967023 IN BOOK 3487 AT PAGE 945 AND IN THE FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS, RECORDED AUGUST 30, 2004, AS ENTRY NO. 2013946, IN BOOK 3613 AT PAGE 1416 OF OFFICIAL RECORDS.

Address: 1037 W. 1700 S., Syracuse, Utah (aka 1037 W. Antelope Drive per tax records)

Tax Parcel Number: 12-542-0006

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Exhibit B

Permitted Encumbrances

[attached]

Permitted Encumbrances

1. General Real Estate Taxes and Assessments for tax year 2020 and subsequent years, a lien not yet delinquent.
2. Covenants, conditions and restrictions as contained in Resolution No. B98-5 - A Resolution to Create Syracuse City, Utah Special Improvement District No. 98-1 recorded April 23, 1998 as Entry No. 1399480 in Book 2279 at Page 1361 of Official Records.
3. Covenants, conditions, restrictions and easements contained within those certain declarations recorded March 2, 2004 as Entry No. 1967023 in Book 3487 at Page 945 of Official Records, and any amendments thereto, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).
4. Amendment to declarations recorded August 30, 2004 as Entry No. 2013946 in Book 3613 at Page 1416 of Official Records.
5. Covenants, conditions and restrictions of Agreement as evidenced by Ordinance 04-24, Approving the Final Plan for the Syracuse 750 Redevelopment Project Area, recorded September 10, 2004, as Entry No. 2016556, in Book 3621, at Page 6 of Official Records.
6. A perpetual easement over, across or through the Land for public utilities and incidental purposes, as granted to the Utah Department of Transportation by Instrument recorded April 15, 2009 as Entry No. 2441694 in Book 4755 at Page 569 of Official Records, the approximate location of which is shown on the Survey.
7. Vehicular access is limited to openings permitted by the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2005.
8. All matters shown or raised by that certain ALTA/NSPS Land Title Survey dated April 16, 2020, as revised, prepared by David B. Draper of McNeil Engineering on behalf of GRS Group (the "Survey").
9. Current building codes, set back restrictions, zoning regulations and ordinances and other matters restricting the use of the property, and any violations thereof.
10. All applicable laws affecting the property.
11. Acts of grantee and those claiming by, through, or under grantee.