

6713676

PREPARED BY AND WHEN  
RECORDED RETURN TO:

6713676  
08/14/97 09:47 AM 28.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
LANDMARK TITLE  
REC BY: P ANDERSON , DEPUTY - WI

Victor A. Taylor, Esq.  
Kimball, Parr, Waddoups, Brown & Gee  
185 South State Street, Suite 1300  
P.O. Box 11019  
Salt Lake City, Utah 84147-0019  
telephone: (801) 532-7840  
telecopier: (801) 532-7750

EASEMENT DEED

[Wallnet Investments, L.C./R. W. Sims, Rowell W. Sims and David J. Sims, as trustees]

THIS INSTRUMENT is executed as of the 8th day of August, 1997, by WALLNET INVESTMENTS, L.C., a Utah limited liability company ("Grantor"), whose address is 2855 East Cottonwood Parkway, Suite 560, Salt Lake City, Utah 84121, in favor of R. W. SIMS (sometimes known as Royal William Sims), ROWELL W. SIMS and DAVID J. SIMS, as trustees of the R. W. Sims Revocable Trust under an Amended and Restated Trust Agreement dated August 24, 1995 ("Grantee"), whose address is c/o David J. Sims, Trustee, 3005 Custer Avenue, Loveland, Colorado 80538-2546.

FOR THE SUM OF TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby conveys and warrants to Grantee against all persons claiming by, through or under Grantor, but not otherwise, a nonexclusive easement for utility purposes over, across and under the utility corridor described in the attached Exhibit A, incorporated by this reference, for the benefit of the properties described in the attached Exhibit B, incorporated by this reference.

9K7733PG0503

GRANTOR has executed this instrument in favor of Grantee on the date set forth below, to be effective as of the date first set forth above.

GRANTOR:

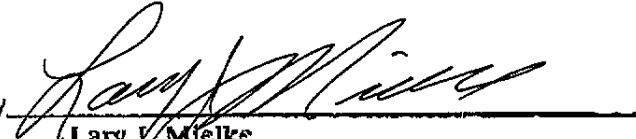
WALLNET INVESTMENTS, L.C.,  
by its manager:

COTTONWOOD CORPORATE CENTER L.L.C.,  
a Utah limited liability company,  
by its members:

OREGON-CALIFORNIA PARTNERS, L.P.,  
a California limited partnership,  
by its general partner:

REDMOND HOLDINGS, INC.,  
an Oregon corporation

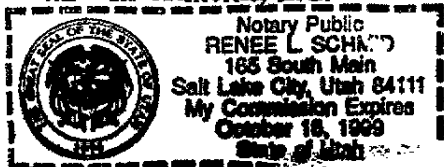
By



Larry J. Mielke  
President

State of Utah )  
County of Salt Lake ) ss.

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August, 1997, by Lary J. Mielke, the President of Redmond Holdings, Inc., the general partner of Oregon-California Partners, L.P., one of the members of Cottonwood Corporate Center L.L.C., the manager of Wallnet Investments, L.C.



Renee L. Schmid  
Notary Public

My Commission Expires:

10-16-99

Residing at:

SLC, UT

## EXHIBIT A

### Utility Corridor

BEGINNING at a point on the Wallnet/Sims Property Line, said point being North  $00^{\circ}08'51''$  East, 611.15 feet along the Section Line, and East 1769.57 feet from the West Quarter Corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South  $53^{\circ}11'50''$  East, 30.05 feet along said Property Line to a Southwesterly Corner of said Line; thence South  $33^{\circ}39'18''$  West, 43.56 feet to the North Line of a 15' utilities easement; thence North  $37^{\circ}30'37''$  West, 31.70 feet along said North Line; thence North  $33^{\circ}39'18''$  East, 34.98 feet to the point of BEGINNING.

BK7733PG0506

**EXHIBIT B**

**Sims Properties**

**6401 SOUTH HOLLADAY BOULEVARD**

BEGINNING at an existing State right-of-way marker, said right-of-way marker being North 00°08'51" East 1328.43 feet along the Section line and East 1362.19 feet from the West Quarter corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being South 89°58'24" East 1358.79 feet along the Section line and South 1317.72 feet from the Northwest corner of said Section 23, said point of beginning also being the Northwest corner of the land conveyed to HEALTHRIDER, INC., in that certain Quit-Claim Deed recorded June 25, 1996 as Entry No. 6391381 in Book 7429 at Page 2175 of the Official Records of the Salt Lake County Recorder (hereinafter referred to as the "HEALTHRIDER QCD"), and running thence South 50°04'35" West (rotated 0°31'04" clockwise from the corresponding bearing of South 50°35'39" West in said HEALTHRIDER QCD) 7.89 feet, to an existing fence (which point is the Southwest corner of the land described in the HEALTHRIDER QCD); thence along said fence South 88°59'34" East (rotated 0°31'04" clockwise from the corresponding bearing of South 88°28'30" East in said HEALTHRIDER QCD) 310.72 feet, to the Northeast corner of the land conveyed to ROWELL W. SIMS and CAROLYN A. SIMS in that certain Quit-Claim Deed recorded June 25, 1996 as Entry No. 6391380 in Book 7429 at Page 2174 of the Official Records of the Salt Lake County Recorder (hereinafter referred to as the "SIMS QCD"); thence along the Easterly line of the land described in said SIMS QCD South 03°01'04" East (rotated clockwise from the corresponding bearing of South 02°30'00" East in said SIMS QCD) 170.00 feet, to the Southeast corner of the land described in said SIMS QCD; thence along the Southerly line of said land and its extension South 87°58'56" West (rotated clockwise from the corresponding bearing of South 88°30'00" West in said SIMS QCD) 109.89 feet; thence South 39°01'07" West 117.46 feet; thence North 31°13'24" West 105.23 feet, to the Southwest corner of the land conveyed by the UTAH DEPARTMENT OF TRANSPORTATION to ROWELL W. SIMS and CAROLYN A. SIMS in that certain Quit-Claim Deed recorded January 29, 1996 as Entry No. 6266237 in Book 7317 at Page 1295 of the Official Records of the Salt Lake County Recorder, said land being identified in said Quit-Claim Deed as "Parcel No. 415-9:203:AQ"; thence along the Westerly and Northwesterly line of said land the following three (3) courses: North 31°48'59" West (by Deed: North 31°32' West) 93.20 feet, North 62°50'59" West (by Deed: North 62°34' West) 126.30 feet (which point is said to be in the center of the Salt Lake City pipeline and on the North side of a right-of-way of a county road), and North 47°43'01" East (by Deed: North 48° East) 72.00 feet; thence North 89°43'01" East (by Deed: East) 33.00 feet to the point of BEGINNING.

BK 7733 PG 0507

**6441 SOUTH HOLLADAY BOULEVARD**

Beginning at a point which is North  $00^{\circ}08'51''$  East 1053.01 feet along the Section line and East 1492.70 feet from the West Quarter corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being South  $89^{\circ}58'24''$  East 1488.59 feet along the Section line and South 1593.08 feet from the Northwest corner of said Section 23, and running thence North  $39^{\circ}01'07''$  East 117.46 feet; thence North  $87^{\circ}58'56''$  East 11.14 feet to the centerline of Big Cottonwood Creek, which centerline is as established in that certain Boundary Line Agreement dated June 21, 1996, executed by and between HEALTHRIDER, INC., a Delaware Corporation, successor by merger to EXERHEALTH, INC., a Utah Corporation, and ROYAL WILLIAM SIMS, ROWELL W. SIMS and DAVID J. SIMS, Trustees of the R.W. SIMS REVOCABLE TRUST, under Trust Agreement dated December 21, 1991, and THE BOYER COMPANY, L.C., a Utah Limited Liability Company, recorded June 25, 1996 as Entry No. 6391382 in Book 7429 at Page 2177 of the Official Records of the Salt lake County Recorder (said Boundary Line Agreement hereinafter referred to as "BLA"); thence along said centerline the following seven (7) courses (rotated  $0^{\circ}31'04''$  clockwise from the corresponding bearings established in said BLA): South  $40^{\circ}38'56''$  East 25.14 feet (BLA: South  $40^{\circ}07'52''$  East 25.13 feet), South  $35^{\circ}14'25''$  East (BLA: South  $34^{\circ}43'21''$  East) 27.29 feet, South  $33^{\circ}39'45''$  East (BLA: South  $33^{\circ}08'41''$  East) 65.32 feet, South  $43^{\circ}15'44''$  East (BLA: South  $42^{\circ}44'40''$  East) 40.40 feet, South  $55^{\circ}01'13''$  East (BLA: South  $54^{\circ}30'09''$  East) 43.31 feet, South  $65^{\circ}23'08''$  East (BLA: South  $64^{\circ}52'04''$  East) 42.14 feet, and South  $84^{\circ}16'58''$  East (BLA: South  $83^{\circ}45'54''$  East) 47.78 feet; thence leaving said Creek centerline South  $38^{\circ}16'01''$  West 189.40 feet; thence North  $64^{\circ}43'27''$  West 111.70 feet; thence North  $42^{\circ}36'15''$  West 48.49 feet; thence North  $11^{\circ}08'21''$  West 85.94 feet; thence North  $29^{\circ}23'00''$  West 70.73 feet to the point of BEGINNING.

## 6451 SOUTH HOLLADAY BOULEVARD

BEGINNING at a point which is North  $00^{\circ}08'51''$  East 1143.00 feet along the Section line and East 1437.92 feet from the West Quarter corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being South  $89^{\circ}58'24''$  East 1434.05 feet along the Section line and South 1503.12 feet from the Northwest corner of said Section 23, said point of beginning also being the Southwest corner of the land conveyed by the UTAH DEPARTMENT OF TRANSPORTATION to ROWELL W. SIMS and CAROLYN A. SIMS in that certain Quit Claim Deed recorded January 29, 1996 as Entry No. 6266237 in Book 7317 at Page 1295 of the Official Records of the Salt Lake County Recorder, said land being identified in said Quit Claim Deed as "Parcel No. 415-9:203:AQ", and running thence South  $31^{\circ}13'24''$  East 105.23 feet; thence South  $29^{\circ}23'00''$  East 70.73 feet; thence South  $11^{\circ}08'21''$  East 85.94 feet; thence South  $42^{\circ}36'15''$  East 48.49 feet; thence South  $64^{\circ}43'27''$  East 111.70 feet; thence North  $38^{\circ}16'01''$  East 189.40 feet to the centerline of Big Cottonwood Creek as established in that certain Boundary Line Agreement dated June 21, 1996, executed by and between HEALTHRIDER, INC., a Delaware Corporation, successor by merger to EXERHEALTH, INC., a Utah Corporation, and ROYAL WILLIAM SIMS, ROWELL W. SIMS and DAVID J. SIMS, Trustees of the R.W. SIMS REVOCABLE TRUST, under Trust Agreement dated December 21, 1991, and THE BOYER COMPANY, L.C., a Utah Limited Liability Company, recorded June 25, 1996 as Entry No. 6391382 in Book 7429 at Page 2177 of the Official Records of the Salt Lake County Recorder (said Boundary Line Agreement hereinafter referred to as "BLA"); thence along said centerline the following four (4) courses (rotated  $0^{\circ}31'04''$  clockwise from the corresponding bearings established in said BLA): South  $76^{\circ}42'36''$  East (BLA: South  $76^{\circ}11'32''$  East) 56.59 feet, South  $64^{\circ}56'22''$  East (BLA: South  $64^{\circ}25'18''$  East) 41.50 feet, South  $50^{\circ}57'14''$  East (BLA: South  $50^{\circ}26'10''$  East) 33.93 feet, and South  $43^{\circ}18'45''$  East (BLA: South  $42^{\circ}47'41''$  East) 38.89 feet; thence leaving said Creek centerline South  $43^{\circ}21'49''$  West 330.41 feet; thence North  $32^{\circ}58'49''$  West 142.92 feet; thence North  $23^{\circ}06'28''$  West 43.18 feet, to a Southeasterly corner of the land conveyed to 2855 E. COTTONWOOD PARKWAY, L.C., a Utah limited liability company, in that certain Special Warranty Deed recorded July 3, 1996 as Entry No. 6398846 in Book 7437 at Page 1193 of the Official Records of the Salt Lake County Recorder; thence along the Easterly line of said 2855 E. COTTONWOOD PARKWAY, L.C., property the following four (4) courses: North  $64^{\circ}43'27''$  West 71.26 feet, North  $42^{\circ}36'15''$  West 63.15 feet, North  $11^{\circ}06'23''$  West 28.44 feet and North  $34^{\circ}39'50''$  West 284.29 feet, to the Northeasterly line of property conveyed to WALLNET INVESTMENTS, L.C., a Utah limited liability company, in that certain Special Warranty Deed recorded May 8, 1995 as Entry No. 6075837 in Book 7147 at Page 232 of the Official Records of the Salt Lake County Recorder; thence along said Northeasterly line and line extended South  $70^{\circ}30'09''$  East 69.79 feet; thence North  $56^{\circ}25'56''$  East 25.22 feet; thence North  $71^{\circ}28'38''$  East 6.85 feet to the point of BEGINNING.

**6471 SOUTH HOLLADAY BOULEVARD**

BEGINNING at a point which is North 00°08'51" East 651.91 feet along the Section line and East 1714.99 feet from the West Quarter corner of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being South 89°58'24" East 1709.86 feet along the Section line and South 1994.08 feet from the Northwest corner of said Section 23, and running thence North 43°21'49" East 330.41 feet to the centerline of Big Cottonwood Creek as established in that certain Boundary Line Agreement dated June, 21, 1996, executed by and between HEALTHRIDER, INC., a Delaware Corporation, successor by merger to EXER-HEALTH, INC., a Utah Corporation, and ROYAL WILLIAM SIMS, ROWELL W. SIMS and DAVID J. SIMS, Trustees of the R.W. SIMS REVOCABLE TRUST, under Trust Agreement dated December 21, 1991, and THE BOYER COMPANY, L.C., a Utah Limited Liability Company, recorded June 25, 1996 as Entry No. 6391382 in Book 7429 at Page 2177 of the Official Records of the Salt Lake County Recorder (said Boundary Line Agreement hereinafter referred to as "BLA"); thence along said centerline the following three (3) courses (rotated 0°31'04" clockwise from the corresponding bearings established in said BLA): South 43°18'45" East (BLA: South 42°47'41" East) 6.84 feet, South 26°04'24" East (BLA: South 25°33'20" East) 24.01 feet, and South 15°59'35" East (BLA: South 15°28'31" East) 58.37 feet, to the North line of PARCEL 2 conveyed to WALLNET INVESTMENTS, L.C., a Utah limited liability company, in that certain Special Warranty Deed recorded May 8, 1995 as Entry No. 6075837 in Book 7147 at Pages 232-237, inclusive, of the Official Records of the Salt Lake County Recorder; thence along said North line North 89°02'01" West 5.19 feet; thence South 10°59'32" East 143.47 feet; thence South 57°53'55" West 100.26 feet; thence South 79°12'42" West 119.00 feet; thence North 53°11'50" West 98.08 feet to the point of BEGINNING.