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12/4/2020 4:16:00 PM \$40.00  
Book - 11074 Pg - 1068-1071  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
STEWART TITLE INS AGCY OF UT  
BY: eCASH, DEPUTY - EF 4 P.

**MAIL TAX NOTICE TO:**

CAP Niki Jax, LLC, a Delaware limited liability company,  
2200 Pacific Coast Highway Suite 305  
Hermosa Beach, CA 90254

16-29-353-013, 16-29-353-004  
16-29-353-002, 16-29-353-008  
16-29-353-003

**SPECIAL WARRANTY DEED**

Millcreek Convenience, LLC, a Utah limited liability company, **GRANTOR**, hereby CONVEY(S) AND WARRANT(S) against all those claiming by, through or under it to CAP Niki Jax, LLC, a Delaware limited liability company, as to an undivided 59% tenant-in-common interest and Niki Great Falls, LP, a California limited partnership, as to an undivided 41% tenant-in-common interest, **GRANTEE**, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract(s) of land in Salt Lake County, State of Utah described as follows:

See Exhibit "A" attached hereto and made a part hereof.

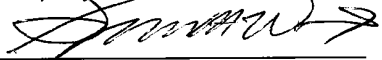
For the same consideration, Grantor hereby GRANTS, BARGAINS, SELLS and CONVEYS, to Grantee, all of Grantor's (i) rights, titles, powers, privileges, easements, licenses, rights-of-way and interests appurtenant to the Property, (ii) rights, titles, powers, privileges, licenses, easements, rights-of-way and interests, if any, of Grantor, either at law or in equity, in possession or in expectancy, in and to any real estate lying in the streets, highways, roads, alleys, rights-of-way or sidewalks, open or proposed, in front of, above, over, under, through or adjoining the Property and in and to any strips or gores of real estate adjoining the Property, (iii) rights, titles, power, privileges, interest, licenses, easements and rights-of-way appurtenant or incident to any of the foregoing, (iv) Grantor's estate and interest as lessor in and to any leases and guarantees of leases appertaining to said parcel of land and premises, and (v) all other interests of Grantor, if any, in, on, across, in front of, abutting, adjoining, or otherwise benefitting the land.

Subject to City and/or County taxes and assessments, not delinquent; Easements, Rights-of-Way, Covenants, Conditions and Restrictions now of record, but only to the extent the same, in fact, do exist and are applicable to the Property.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the Grantee and its successors, heirs and assigns forever

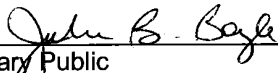
WITNESS, the hand of said grantor this 16th day of November, 2020

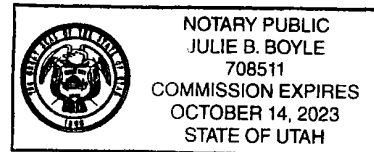
Millcreek Convenience, LLC, a Utah limited liability  
company

By:   
Spencer H. Wright, Operating Manager

State of Utah  
County of Salt Lake

On this 16th day of November, 2020, personally appeared before me, the undersigned Notary Public, Spencer H. Wright the Manager of Millcreek Convenience, LLC, a Utah limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public  
My commission expires:



## EXHIBIT "A" LEGAL DESCRIPTION

The land referred to herein is situated in the County of Salt Lake, State of Utah, and is described as follows:

**Parcel 1A: (16-29-353-013)**

Beginning at the Northwest corner of Lot 9, Block 20, Ten Acre Plat A, Big Field Survey, thence East 103 feet, thence South 95 feet, thence West 103 feet, thence North 95 feet to the point of beginning.

Excepting therefrom that portion conveyed to Utah Department of Transportation as described in Warranty Deed, recorded April 18, 2014 as Entry No. 11835673 in Book 10224 at Page 6799, described as follows:

A parcel of land in fee for highway purposes known as Project No. S-R211(171), being part of an entire tract of property, situate in Lot 9 Block 20 Ten Acre Plat "A", Big Field Survey, a subdivision in the SW 1/4 of Section 29, Township 1 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said Lot 9; and running thence East 25.00 feet along the Northerly boundary line of said entire tract and the Southerly right of way line of 3300 South Street, and running thence South 38°53'04" West 39.82 feet to the Westerly boundary line of said entire tract and Easterly right of way line of 700 East Street to a point 66.00 feet perpendicularly distant Easterly from the right of way control line of said project opposite approximate Engineers Station 152+80.14; thence North 31.00 feet along said Westerly boundary line and Easterly right of way 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.

**Parcel 1B: (16-29-353-002)**

Beginning 103 feet East from the Northwest corner of Lot 9, Block 20, Ten Acre Plat A, Big Field Survey, thence East 50 feet, thence South 95 feet, thence West 50 feet, thence North 95 feet to the point of beginning.

**Parcel 1C: (16-29-353-003)**

Beginning 206 feet East from the Northwest corner of Lot 9, Block 20, Ten Acre Plat A, Big Field Survey, thence South 95 feet, thence West 53 feet, thence North 95 feet, thence East 53 feet to the point of beginning.

**Parcel 1D: (16-29-353-004)**

Beginning 95 feet South from the Northwest corner of Lot 9, Block 20, Ten Acre Plat A, Big Field Survey, thence South 44.725 feet, thence East 103 feet, thence North 44.725 feet, thence West 103 feet to the point of beginning.

**Parcel 1E: (16-29-353-008)**

Beginning 206 feet East and 95 feet South from the Northwest corner of Lot 9, Block 20, Ten Acre Plat A, Big Field Survey, thence South 44.725 feet, thence West 103 feet, thence North 44.725 feet, thence East 103 feet to the point of beginning.

**Parcel 1F:**

Together with a right of way appurtenant to Parcels 3 and 5 over and across the following described tract: Commencing at a point 206 feet East from the Northwest corner of Lot 9, Block 20, Ten Acre Plat "A", Big Field Survey, and running thence East 33 feet, thence South 16.65 rods, thence West 33 feet, thence North 16.65 rods to the place of beginning. Said right of way also known by name of Scott Court.

**Parcel 1G:**

File No.: 1001654  
Warranty Deed – Continued  
Page 4

A perpetual, appurtenant, non exclusive, reciprocal easement (the easement) right and privilege of passage and use, both pedestrian and vehicular, for ingress and egress, but not for parking across the adjoining property to the South as created in "Declaration of Reciprocal Access Easement" recorded May 14, 2012 as Entry No. 11390115 in Book 10016 at Page 9547.