

(11)

2100

4593933
07 MARCH 88 02:09 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
WESTERN STATES TITLE
REC BY: BEVERLY CARTER , DEPUTY

When recorded, return to:

Steeffel, Levitt & Weiss
One Embarcadero Center, 29th Floor
San Francisco, California 94111
Attn: Peter T. Healy, Esq.

4593933

GENERAL WARRANTY DEED
(Union Park Center IIA)

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, KANE SCOTT FERNANDEZ and MARY LJNDA FERNANDEZ (collectively, "Grantor"), as husband and wife, do hereby grant, bargain, transfer and convey to F. E. TROTTER, INC., W. H. McVAY, INC., P. R. CASSIDAY, INC., and H. C. CORNUELLE, INC., all Hawaii professional corporations, the duly appointed, qualified and acting TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED ("Grantee"), acting in their fiduciary and not in their individual corporate capacities, their successors in trust and assigns, all of the property described in Exhibit 1 attached hereto and incorporated herein (the "Property").

Grantor does hereby warrant that it is the lawful owner of the Property, that it has the right, power and authority to convey the Property to Grantee, that the Property is free and clear of all liens, claims and encumbrances, subject only to taxes and assessments not yet due and those title matters approved by Grantee and set forth in Exhibit 2 attached hereto and incorporated herein by this reference and that it will warrant and defend the title to the Property.

Grantor further agrees to assign, transfer and convey to Grantee any and all warranties of title to which Grantor may

82518

BOOK 6009 PAGE 998

be entitled with respect to the Property, to the extent that such warranties are assignable,

Executed this 2nd day of March, 1988.

"Grantor"

Kane Scott Fernandez
KANE SCOTT FERNANDEZ

Mary Linda Fernandez
MARY LINDA FERNANDEZ

3566.74
022288

BOOK 6009 PAGE 399

ACKNOWLEDGMENT

STATE OF HAWAII

COUNTY OF HONOLULU

)
)
)

ss.

The foregoing instrument was acknowledged before me this 2nd day of March, 1988, by KANE SCOTT FERNANDEZ, a person who appeared before me and who is known to me (or proved by satisfactory evidence presented to me) to be the person described in and who executed the instrument.

Kenneth G. M. Tramm
A Notary Public, State of Hawaii

My commission expires: 4-27-88



BOOK 6009 PAGE 1000

EXHIBIT 1

PROPERTY DESCRIPTION

2004 6009 REC 1002

Parcel 1:

Beginning at a point on the Southwesterly right-of-way line of the Freeway Access Road known as Project No. 1-415-9(4)297 in the official documents of the Utah Department of Transportation, said point of beginning being South $89^{\circ}52'20''$ West along the section line 1745.49 feet and South 139.16 feet and South $53^{\circ}17'17''$ East 542.88 feet from the Northeast corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North $53^{\circ}17'17''$ West along said Southwesterly right-of-way line 318.93 feet; thence South $36^{\circ}42'43''$ West 191.00 feet; thence South $53^{\circ}17'17''$ East 2.60 feet; thence South $36^{\circ}42'43''$ West 94.88 feet; thence South $16^{\circ}58'00''$ East 458.705 feet to a point on a 540.00 foot radius curve to the left on the Northerly line of property deeded to Salt Lake City for the East Jordan Canal; the center of said curve lies North $12^{\circ}09'08''$ West from said point; thence Northeasterly along the arc of said curve and Northerly line through a central angle of $9^{\circ}52'15''$ a distance of 93.03 feet; thence North $24^{\circ}05'00''$ East 494.57 feet to the point of beginning.

Subject to and together with:

Parcel 2: UNION PARK II

Nonexclusive easements appurtenant to and for the benefit of Parcel 1 for the purpose of pedestrian traffic and access for vehicles between the public streets and any and all parking areas on the benefitted parcel over and across the following described Real Estate as created by the Declaration of Easements and Parking Agreement dated October 25, 1985 and recorded October 30, 1985 as Document No. 4157300 made by and between Union Park II Associates and Union Park IIA Associates, as amended by the Amendment to Declaration of Easements and Parking Agreement dated June 30, 1987 and recorded July 6, 1987 as Document No. 4486901:

Beginning at a point on the Southwesterly right-of-way line of the Freeway Access Road known as Project No. 1-415-9(4)297 in the official documents of the Utah Department of Transportation, said point of beginning being South $89^{\circ}52'20''$ West along the section line 1745.49 feet and South 139.16 feet and South $53^{\circ}17'17''$ East 223.95 feet from the Northeast corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North $53^{\circ}17'17''$ West along said Southwesterly right-of-way line 223.95 feet to a point of curve of a 883.51 foot radius curve to the right; thence Northwesterly along the arc of said curve and right-of-way line through a central angle of $3^{\circ}15'10''$ a distance of 50.16 feet; thence South $39^{\circ}57'53''$ West along said right-of-way line 80.67 feet; thence South $16^{\circ}58'$ East 358.27 feet; thence North $36^{\circ}42'43''$ East 100.32 feet; thence North $53^{\circ}17'17''$ West 10.00 feet; thence North $36^{\circ}42'43''$ East 191.00 feet to the point of beginning.

Parcel 3: UNION WOODS

Nonexclusive easements appurtenant to and for the benefit of Parcel 1 for the purpose of pedestrian traffic and access for vehicles between the

(Continued)

public streets and any and all parking areas on the benefitted parcel over and across the following described Real Estate as created by the Declaration of Easements dated August 14, 1984 as Document No. 3986120 made by and between Union Woods Associates, Ltd. and Union Park II Associates, as amended by the First Amendment to Declaration of Easements dated December 22, 1986 and recorded December 22, 1986 as Document No. 4371115:

Beginning on the Westerly right-of-way line of 1300 East Street at a point which is South 1476.75 feet and West 930.60 feet and North $62^{\circ}15'$ West 28.04 feet from the Northeast corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North $62^{\circ}15'$ West 202.96 feet to the center of Little Cottonwood Creek; thence South along the centerline of creek 99.00 feet; thence South $37^{\circ}00'$ East 161.19 feet to the Westerly right-of-way line of said 1300 East Street; thence South $31^{\circ}48'$ West along said right-of-way line 44.20 feet to a point on the extension of an old fence running in a Northwesterly direction; thence North $40^{\circ}12'$ West along said fence line 221.86 feet to an angle in said fence; thence North $56^{\circ}07'$ West along said old fence line 511.04 feet to an old fence line running in a Northeasterly direction; thence North $24^{\circ}05'$ East along said old fence line 780.48 feet to a point on the Southwesterly right-of-way line of a Freeway Access Road known as Project No. 1-415-9(4)297 in the official documents of the Utah Department of Transportation; thence South $53^{\circ}17'17''$ East (equals South $53^{\circ}04'43''$ East U.D.O.T. Datum) along said Southwesterly right-of-way line 84.93 feet; thence South $6^{\circ}35'$ East 99.71 feet; thence South $42^{\circ}19'$ East along an old fence line 263.2 feet to the center of Little Cottonwood Creek; thence North $57^{\circ}20'$ East 125.12 feet to a point on a 455.87 foot radius curve to the right on the Westerly right-of-way line of said Freeway Access Road; the center of said curve lies South $45^{\circ}40'15''$ West 455.87 feet from said point; thence Southeasterly along the arc of said curve and right-of-way line through a central angle of $70^{\circ}52'55''$ a distance of 563.97 feet to a point 65.00 feet radially distant Northwesterly from Engineers Station 78+00 on the centerline known as "B" line of said State Highway Project; thence South $24^{\circ}17'34''$ West along said right-of-way line 215.98 feet to the point of Beginning.

Excepting therefrom that portion of the East Jordan Canal right-of-way which is more particularly described as follows: Beginning at a point which is South 736.76 feet and West 1122.10 feet from the Northeast corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence South $64^{\circ}50'$ West 400.90 feet to a point of curve, which is concave to the Northwest; thence Southwesterly along the arc of a 540.00 foot radius curve to the right through a central angle of $3^{\circ}08'37''$ a distance of 29.63 feet; thence South $24^{\circ}05'$ West along the Westerly line of the above described property 90.16 feet to a point on a 606.0 foot radius curve concave to the Northwest, the center of which lies North $15^{\circ}52'06''$ West from said point; thence Northeasterly along the

(Continued)

2001 6009 pgs 1004

arc of said curve through a central angle of $9^{\circ}17'54''$ a distance of 96.33 feet to a point of tangency; thence North $64^{\circ}50'$ East 421.27 feet; thence North $42^{\circ}19'$ West along the Northeasterly line of the above described property 69.07 feet to the point of beginning.

An easement over the East Jordan Canal, as the current location of the existing bridge is identified on the survey of the property shown herein as Parcel 1, prepared by Bush and Guggell Inc., Job No. 4-37061, dated March 30, 1984 and revised April 6, 1984.

+

EGE/ 6009 P.105

EXHIBIT 2

APPROVED TITLE EXCEPTIONS

FORM 6309 PAGE 1008

1. Taxes for the year 1988, now a lien, not yet due or payable. Taxes for the year 1987 have been paid. (Sidwell No. 22-29-201-014 and Tax District No. 33B)
2. Said property lies within the boundaries of the Salt Lake County Cottonwood Sanitary District, and is subject to any and all charges and assessments thereof.
3. Said property lies within the boundaries of the "Salt Lake County Special District No. 1" created pursuant to a resolution of the Board of Commissioners of Salt Lake County, dated August 1, 1977 and providing for garbage collection and disposal services within the district. The records of the Salt Lake County Treasurer indicates no current assessment.
4. Terms, Conditions and Provisions affecting the easements described in Schedule A, as described in the instruments creating said easements.
5. A 16.5 foot wide easement 8.25 feet on each side and parallel to the following described centerlines, as created in favor of WALKER DITCH COMPANY, a public corporation of Utah by instrument recorded September 12, 1984 as Entry No. 3991712 in Book 5589 at Page 1764 of the Official Records, more particularly described as follows:

Beginning at a point on the Southwesterly right-of-way line of the freeway access road known as Project No. 1-415-9(4)297 in the official documents of the Utah Department of Transportation, said point of beginning being South 89°58'20" West along the Section line 1745.49 feet and South 139.16 feet and South 53°17'17" East 168.36 feet from the Northeast corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 4°00'00" West 213.06 feet; thence South 52°30'00" East 300.50 feet, more or less, to the Southeasterly property lines.

6. The following disclosed in that certain Bush & Gudgeon, Inc., Survey dated May 19, 1987, Revised May 27, 1987, Job No. 3-39916, Prepared by Robert B. Jones, License No. 1525, to-wit:
 - (1) Manholes, catch basins, and storm drains.
 - (2) Light poles, power transformers, and power cables.
 - (3) Water Valves and water lines.
 - (4) Fire hydrants.
 - (5) Telephone boxes.
 - (6) Gas meters and gas lines.
 - (7) Sanitary Sewer lines.
 - (8) Zone "B" 500 year flood zone.
 - (9) Right-of-way easement.

BOOK 6009 PAGE 1007

7. Rights of the tenants in possession, under unrecorded Leases and the rights of any party claiming by, through or under them, as follows:

1. ARI Diamonds, Inc.
2. Benefit Planning Associates, Inc.
3. Samuel A. Jones
4. Person Brinckerhoff Quade and Douglas, Inc.
5. First Security Mortgage Company
6. Red Carpet Travel
7. Vestcor Mortgage
8. Vestcor Mortgage Services
9. Utah Title & Abstract
10. Mansell and Associates, Inc.
11. Intermountain Energy and Exploration
12. Raintree Acquisitions
13. Interaction Data, Inc.
14. Neider & Hutchison
15. Guardian Title Company of Utah
16. Front Range Marketing, Inc.
17. First Continental Life and Accident Insurance Co.
18. Associated Title Company
19. Arcon Metals, Inc.
20. Data Design Corporation
21. Westline Credit Corporation
22. Stilson and Stilson
23. Lichtle Construction & Development
24. Backman Title Company
25. New York Life Insurance Company
26. Mountain America Credit Union
27. Bailey, Nelson and Conklin
28. The Ohio Casualty Group
29. Software International
30. United Telecom, Inc.
31. National Electric, Inc.
32. Greystone Marketing, Inc.
33. Bennett Enterprises
34. First Western Mortgage

8. A Deed of Trust to secure an indebtedness of the amount stated herein and any other amounts payable under the terms thereof:

Dated :
Trustor : F.E. TROTTER, INC., W.H. McVAY, INC., P.R. CASSIDAY, INC., and H.C. CORNUELLE, INC., all Hawaii Professional corporations, duly appointed, qualified, and acting TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, acting in their fiduciary and not in their individual corporate capacities

Amount : \$
Trustee : WESTERN STATES TITLE COMPANY, a Utah corporation
Beneficiary : CONNECTICUT GENERAL LIFE INSURANCE COMPANY, a Connecticut corporation

Recorded : Mar. 7, 1988 as Entry No. 459328 in Book at Page of
the Official Records.

9. A Financing Statement by and between CONNECTICUT GENERAL LIFE INSURANCE COMPANY, as Secured Party and F.E. TROTTER, INC., W.H. McVAY, INC., P.R. CASSIDAY, INC., and H.C. CORNUELLE, INC., all Hawaii Professional corporations, duly appointed, qualified, and acting TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, acting in their fiduciary and not in their individual corporate capacities, as Debtor, recorded Mar. 7, 1988 as Entry No. 4593930 in Book at Page of the Official Records.

+

BOOK 6009 PAGE 1009