ICC FINANCING STATEMENT	Book - 10293 Pg - 7961-7974 Gary W. Ott Recorder, Salt Lake County, UT BONNEVILLE SUPERIOR TITLE BY: eCASH, DEPUTY - EF 14 P.				
OLLOW INSTRUCTIONS  NAME & PHONE OF CONTACT AT FILER (optional)	<del> </del>	1			
		BST # 01459-1		22 201 006	15 22 251
. E-MAIL CONTACT AT FILER (optional)		15-33-201-014 15-33-201-012	-2000	), 15-33-201-0	012-2001,
SEND ACKNOWLEDGMENT TO: (Name and Address)		15-33-251-008			
Kaye Scholer LLP	7	15-33-251-010	-	•	
250 West 55th Street	1	15-33-276-010 and 15-33-201		-33-2/6-011,	15-33-276-
New York, New York 10019-97102		and 15-33-201	-013		
Attention: Aaron Lehrfield, Esq.					
		THE ADOVE ON	OF 16 F0	OR EULING OFFICE LIGE	DNI V
DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, 1	full name: do not amit			OR FILING OFFICE USE	
		or information in Item 10 of the F			
R 15. INDIVIDUAL'S SURNAME	FIRST PERSONA	FIRST PERSONAL NAME		ONAL NAME(S)/INITIAL(S)	SUFFIX
MAILING ADDRESS	CITY	<del></del>	STATE	POSTAL CODE	COUNTRY
3601 S Constitution Blvd, Suite G-128	West Valle	ev City	UT	84119	USA
2a. ORGANIZATION'S NAME					CC1Ad)
2a. ORGANIZATION'S NAME  2b. INDIVIDUAL'S SÜRNAME	FIRST PERSONA	\L NAME	ADDITIO	ONAL NAME(S)/INITIAL(S)	SUFFIX
	FIRST PERSONA	AL NAME	ADDITIO	NAL NAME(S)/INITIAL(S)	
2b. INDIVIDUAL'S SURNAME  MAILING ADDRESS  SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SE  3a. ORGANIZATION'S NAME	CITY		STATE	POSTAL CODE	SUFFIX
R  2b. INDIVIDUAL'S SURNAME  . MAILING ADDRESS  SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SE	CITY	ivide cnly <u>one</u> Secured Party nam	STATE	POSTAL CODE	SUFFIX

5. Check only if applicable and check only one box: Collateral Is held in a Trust (see UCC1Ad, item 17 and Instructions) being administered by a Decedent's Personal Representative

Consignae/Consignor

A Debtor is a Transmitting Utility

Seller/Buyer

48619.0114 (Valley Fair Mall)

11987746

2/5/2015 11:42:00 AM \$60.00

FILING OFFICE COPY — UCC FINANCING STATEMENT (Form UCC1) (Rev. 04/20/11)

Manufactured-Home Transaction

ба. Check <u>only</u> if applicable and check <u>only</u> one box:

B. OPTIONAL FILER REFERENCE DATA: Filed with Salt Lake County, Utah

7. ALTERNATIVE DESIGNATION (if applicable): Lessee/Lessor

Public-Finance Transaction

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Licensee/Licensor

Non-UCC Filing

6b. Check only if applicable and check only one box:

Agricultural Lien

Ballee/Bailor

# UCC FINANCING STATEMENT ADDENDUM

pecause Individual Debtor name did not fit, check here	ing Statement; if line 1b was left blank				
9a. ORGANIZATION'S NAME  CF III SH VALLEY FAIR, LLC					
9b. INDIVIDUAL'S SURNAME					
FIRST PERSONAL NAME		┨ .			
ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX				
DEBTOR'S NAME: Provide (10a or 10b) only one additional do not omit, modify, or abbreviate any part of the Debtor's name;	Debtor name or Debtor name that did no	t fit in line 1b or		IS FOR FILING OFFICE Statement (Form UCC1) (us	
10a. ORGANIZATION'S NAME	A dito divisor dido (Usilili A statessa il) lille ilori	·			
10b. INDIVIDUAL'S SURNAME			·		
INDIVIDUAL'S FIRST PERSONAL NAME					
INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)					SUFFIX
MAILING ADDRESS	CITY		STATE	POSTAL CODE	COÚÑTI
11a. ORGANIZATION'S NAME  11b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAI	ME	ADDITIO	ONAL NAME(S)/INITIAL(S)	SUFFIX
MAILING ADDRESS	CITY		STATE	POSTAL CODE	COUNTI
ADDITIONAL SPACE FOR ITEM 4 (Collateral):	<u>.                                    </u>				<u> </u>
				<u> </u>	<u> </u>
	recorded) in the 14. This FINANCING S	. —	covers as-extracted	collateral  is filed as	a fixture filing
ADDITIONAL SPACE FOR ITEM 4 (Collateral):  This FINANCING STATEMENT is to be filed [for record] (or record).  REAL ESTATE RECORDS (if applicable).	covers timber t	o be cut	covers as-extracted	collateral	a fixture filing
ADDITIONAL SPACE FOR ITEM 4 (Collateral):	covers timber to d in item 16 16. Description of real	o be cut	covers as-extracted	collateral  is filed as	a fixture filing

FILING OFFICE COPY — UCC FINANCING STATEMENT ADDENOUM (Form UCC1Ad) (Rev. 04/20/11)

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## SCHEDULE A

### TO UCC FINANCING STATEMENT

Debtor: CF III SH VALLEY FAIR, LLC, a Delaware limited partnership

Secured Party: PFP HOLDING COMPANY IV, LLC, a Delaware limited liability company

This Financing Statement covers the following types (or items) of property:

All of Debtor's right, title and interest in and to the land described in <u>Exhibit A</u> (the "*Premises*"), and Debtor's right, title and interest in the buildings, structures, fixtures and other improvements now or hereafter located thereon (the "*Improvements*");

**TOGETHER WITH:** all right, title, interest and estate of Debtor now owned, or hereafter acquired, in and to the following property, rights, interests and estates (the Premises, the Improvements, and the property, rights, interests and estates hereinafter described are collectively referred to herein as the "*Trust Property*"):

- all easements, rights-of-way, strips and gores of land, streets, ways, alleys, passages, sewer rights, water, water courses, water rights and powers, air rights and development rights, rights to oil, gas, minerals, coal and other substances of any kind or character, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances of any nature whatsoever, in any way belonging, relating or pertaining to the Premises and the Improvements; and the reversion and reversions, remainder and remainders, and all land lying in the bed of any street, road, highway, alley or avenue, opened, vacated or proposed, in front of or adjoining the Premises, to the center line thereof; and all the estates, rights, titles, interests, dower and rights of dower, curtesy and rights of curtesy, property, possession, claim and demand whatsoever, both at law and in equity, of Debtor of, in and to the Premises and the Improvements and every part and parcel thereof, with the appurtenances thereto;
- (b) all machinery, furniture, furnishings, equipment, computer software and hardware, fixtures (including all heating, air conditioning, plumbing, lighting, communications and elevator fixtures), inventory, materials, supplies and other articles of personal property and accessions thereof, renewals and replacements thereof and substitutions therefor, and other property of every kind and nature, tangible or intangible, owned by Debtor, or in which Debtor has or shall have an interest, now or hereafter located upon the Premises or the Improvements, or appurtenant thereto, and usable in connection with the present or future operation and occupancy of the Premises and the Improvements (hereinafter collectively referred to as the "Equipment"), including any leases of, deposits in connection with, and proceeds of any sale or transfer of any of the foregoing, and the right, title and interest of Debtor in and to any of the Equipment that may be subject to any "security interest" as defined in the Uniform Commercial Code, as in effect in the State where the Trust Property is located (the "UCC"), superior in lien to the lien of the Deed of Trust:
- (c) all awards or payments, including interest thereon, that may heretofore or hereafter be made with respect to the Premises or the Improvements, whether from the exercise

of the right of eminent domain or condemnation (including any transfer made in lieu of or in anticipation of the exercise of such right), or for a change of grade, or for any other injury to or decrease in the value of the Premises or Improvements;

- all leases, subleases and other rental agreements, licenses or similar arrangements heretofore or hereafter entered into affecting the use, enjoyment or occupancy of, or the conduct of any activity upon or in, the Premises or the Improvements, including any guarantees, extensions, renewals, modifications or amendments thereof and all additional remainders, reversions and other rights and estates appurtenant thereunder (hereinafter collectively referred to as the "Leases") and all rents, rent equivalents, moneys payable as damages (including payments by reason of the rejection of a Lease in a Bankruptcy Proceeding) or in lieu of rent or rent equivalents, royalties (including all oil and gas or other mineral royalties and bonuses), income, fees, receivables, receipts, revenues, deposits (including security, utility and other deposits), accounts, cash, issues, profits, charges for services rendered, and other payment and consideration of whatever form or nature received by or paid to or for the account of or benefit of Debtor or its agents or employees from any and all sources arising from or attributable to the Premises and/or the Improvements, including all receivables, customer obligations, installment payment obligations and other obligations now existing or hereafter arising or created out of the sale, lease, sublease, license, concession or other grant of the right of the use and occupancy of the Premises or the Improvements, or rendering of services by Debtor or any of its agents or employees, and proceeds, if any, from business interruption or other loss of income insurance (hereinafter collectively referred to as the "Rents"), together with all proceeds from the sale or other disposition of the Leases and the right to receive and apply the Rents to the payment of the Debt as provided in the Loan Documents;
- (e) all proceeds of and any unearned premiums on any insurance policies covering the Trust Property, including, without limitation, the right to receive and apply the proceeds of any insurance, judgments, or settlements made in lieu thereof, for damage to the Trust Property;
- (f) the right, in the name and on behalf of Debtor, to appear in and defend any action or proceeding brought with respect to the Trust Property and to commence any action or proceeding to protect the interest of Secured Party in the Trust Property;
- (g) all accounts (including reserve accounts), escrows, documents, instruments, chattel paper, claims, deposits and general intangibles, as the foregoing terms are defined in the UCC, and all franchises, trade names, trademarks, symbols, service marks, books, records, plans, specifications, designs, drawings, surveys, title insurance policies, permits, consents, licenses, management agreements, contract rights (including any contract with any architect or engineer or with any other provider of goods or services for or in connection with any construction, repair or other work upon the Trust Property), approvals, actions, refunds of real estate taxes and assessments (and any other governmental impositions related to the Trust Property) and causes of action that now or hereafter relate to, are derived from or are used in connection with the Trust Property, or the use, operation, maintenance, occupancy or enjoyment thereof or the conduct of any business or activities thereon (hereinafter collectively referred to as the "Intangibles");

- (h) any interest rate protection arrangement to which Debtor is a party, including the Interest Rate Protection Agreement, and all agreements, instruments, documents and contracts now or hereafter entered into by Debtor with respect to any such interest rate protection arrangement, including the Interest Rate Protection Agreement; and
- (i) all proceeds, products, offspring, rents and profits from any of the foregoing, including those from sale, exchange, transfer, collection, loss, damage, disposition, substitution or replacement of any of the foregoing.

The following terms shall have the respective meanings set forth below (such meaning to be equally applicable to the singular and plural forms of the terms defined, as the context may require):

"Bankruptcy Proceeding" shall mean the filing by Debtor of a petition under any state or federal bankruptcy or insolvency law or the liquidation or all or a major portion of Debtor's property.

"Closing Date" shall mean February 3, 2015.

"Debt" shall mean the payment of the Note and all sums which may or shall become due thereunder or under any of the other documents evidencing or securing the Loan or executed in favor of Secured Party in connection with the Loan (the Note, the Deed of Trust, the Loan Agreement and such other documents, as any of the same may, from time to time, be modified, amended, restated, replaced or supplemented, being hereinafter collectively referred to as the "Loan Documents"), including (i) the payment of interest and other amounts which would accrue and become due but for the filing of a petition in bankruptcy (whether or not a claim is allowed against Debtor for such interest or other amounts in any such bankruptcy proceeding) or the operation of the automatic stay under Section 362(a) of Title 11 of the United States Code, and (ii) the costs and expenses of enforcing any provision of any Loan Document.

"Deed of Trust" shall mean Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated as of Closing Date, made by Debtor to Bonneville Superior Title Company, Inc., as trustee, for the benefit of Secured Party, as the same may, from time to time, be modified, amended or supplemented.

"Interest Rate Protection Agreement" shall mean an interest rate protection agreement entered into by Debtor in accordance with Section 2.6.1 of the Loan Agreement.

"Loan Agreement" shall mean that certain Loan Agreement, dated as of Closing Date, made by and between Debtor and Secured Party, as the same may, from time to time, be modified, amended or supplemented.

"Note" shall mean that certain Promissory Note, dated as of Closing Date, made by Debtor to Secured Party, as the same may be amended, supplemented, restated, increased, extended or consolidated from time to time.

"State" means the state in which such Trust Property is located.

## EXHIBIT A

## TO UCC FINANCING STATEMENT

## Legal Description

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

## PARCEL 1: (15-33-201-014)

Beginning at a point which is South 89°56' West along the Quarter Section line 1322.02 feet and North 1483.67 feet and South 89°57' West 121.85 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°57' West 216.0 feet, thence North 0°03' West 258.0 feet, thence North 89°57' East 216.0 feet to a point of a 24.0 foot radius curve to the right, thence Southeasterly along the arc of said curve 37.70 feet to a point of tangency, thence South 0°03' East 210.0 feet to a point of 24.0 foot radius curve to the right, thence Southwesterly along the arc of said curve 37.70 feet to the point of beginning.

### **EXCEPTING THEREFROM THE FOLLOWING:**

Beginning at a point which is 821.85 feet South 89°58'40" East along the Section line and 1026.09 feet South from the North Quarter corner of said Section 33 and running thence North 89°55'52" East 43.40 feet, thence North 25.62 feet, thence East 16.86 feet, thence North 56.05 feet, thence East 23.58 feet, thence North 6.25 feet, thence East 49.92 feet, thence South 21.34 feet, thence South 45°00'00" East 27.88 feet, thence North 45°00'00" East 12.91 feet, thence East 17.72 feet, thence North 19.52 feet, thence East 56.33 feet, thence South 21.28 feet, thence East 19.42 feet, thence North 38.03 feet, thence East 50 feet, thence North 4,75 feet, thence East 53.67 feet, thence South 12.50 feet, thence East 45.25 feet, thence South 12.75 feet, thence South 89°38'39" East 52.97 feet, thence South 54.92 feet, thence West 13.76 feet, thence South 10.67 feet, thence East 25.63 feet, thence South 98.83 feet, thence West 25.63 feet, thence South 7.58 feet, thence East 18.30 feet, thence South 00°01'49" East 55.86 feet, thence West 47.03 feet, thence South 12.05 feet, thence West 94.33 feet, thence North 12.08 feet, thence West 52 feet, thence North 17.39 feet, thence West 10.42 feet, thence South 19.22 feet, thence West 49 feet, thence North 7.83 feet, thence West 47.00 feet, thence North 15.83 feet, thence West 4.78 feet, thence South 89°48'52" West 19.98 feet, thence South 00°11'08" East 18.45 feet, thence West 29.33 feet, thence North 00°15'05" East 60.71 feet, thence North 89°57'42" West 77.74 feet, thence North 26.22 feet, thence West 31.67 feet, thence North 00°22'40" East 66.04 feet to the point of beginning.

## PARCEL 2: (15-33-201-006)

Beginning at a point which is South 0°00'42" West along the center Section line 342.74 feet, and South 89°59'18" East 604.30 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point also being the Northwest corner of building and running thence North 89°56'37" East 323.40 feet, thence North 00°03'23" West 37.00 feet, thence North 89°56'37" East 22.70 feet, thence South 00°03'23" East 37.00 feet, thence North 89°56'37" East 67.90 feet, thence South 00°03'23" East 226.06 feet, thence South 89°56'37" West 414.00 feet, thence North 00°03'23" West 226.06 feet to the point of beginning.

PARCEL 3: (15-33-201-012-2000 & 15-33-201-012-2001)

Beginning at a point on the East right of way line of 2700 West Street said point being South 89°58'40"

East along the Section line 33.00 feet and South 0°00'44" West along said East right of way line 154.91 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°59'21" East 39.00 feet to a point of a curve to the right, the radius point of which is South 89°59'21" East 75.00 feet, thence Northeasterly along the arc of said curve 117.83 feet to a point of tangency, said point being 80.00 feet perpendicularly distant Southerly from the center line of 3500 South Street at Engineer Station 5+97.53 of State Freeway Project I-215, thence South 89° 58'40" East 505.72 feet to a point of a curve to the right, the radius point of which is South 5°08'45" West 848.83 feet, said point also being 80.00 feet perpendicularly distant Southerly from the centerline of said 3500 South Street at Engineer Station 11+03.24, thence Southeasterly along the arc of said curve 683.09 feet, thence South 0°01'17" West 19.30 feet, thence South 89°58'40" East 15.68 feet to a point on a curve to the right the radius point of which is South 52°55'58" West 848.83 feet, thence Southeasterly along the arc of said curve 33.77 feet to a point of intersection with a curve to the right, the radius point of which is South 54°01'22" West 768.83 feet, said point of intersection being 80.00 feet radially distant Southwesterly from the centerline of J-6 ramp of Engineer Station 18+00, thence Southeasterly along the arc of said curve 88.48 feet to a point on the East line of the West one-half of the Northeast Quarter of Section 33, thence South along said East line 1469,58 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of said Section 33, thence South 89°57'20" West along the South line of the North one-half of the Southwest Quarter of the Northeast Quarter of said Section 33, 1288.88 feet to the East right of way line of 2700 West Street, thence North 0°00'44" East along said East right of way line 1831.35 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following Seven (7) tracts:

#### TRACT 1

Beginning at a point which is South 89°56' West along the Quarter Section line 1322.02 feet and North 1483.67 feet and South 89°57' West 121.85 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°57' West 216.0 feet, thence North 0°03' West 258.0 feet, thence North 89°57' East 216.0 feet to a point of a 24.0 foot radius curve to the right, thence Southeasterly along the arc of said curve 37.70 feet to a point of tangency, thence South 0°03' East 210.0 feet to a point of a 24.0 foot radius curve to the right, thence Southwesterly along the arc of said curve 37.70 feet to the point of beginning.

### TRACT 2

Beginning at a point which is South 0°00'42" West along the center Section line 1548.84 feet, and South 89°59'18" East 601.21 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point also being the Northwest corner of the building, and running thence North 89°59'30" East 477.40 feet, thence South 00°00'30" East 29.69 feet, thence South 89°59'30" West 5.40 feet, thence South 00°00'30" East 40.20 feet, thence North 89°59'30" East 5.40 feet, thence South 00°00'30" East 71.80 feet, thence South 89°59'30" West 56.00 feet, thence South 89°59'30" West 28.00 feet, thence South 89°59'30" West 128.00 feet, thence South 89°59'30" West 126.20 feet, thence North 00°00'30" West 5.40 feet, thence South 89°59'30" West 128.00 feet, thence North 00°00'30" West 57.85 feet, thence North 89°59'30" East 8.40 feet, thence North 00°00'30" West 28.75 feet, thence North 89°59'30" East 2.80 feet, thence North 00°00'30" West 29.75 feet, thence North 89°59'30" East 2.80 feet, thence North 89°59'30" West 28.40 feet, thence South 89°59'30" West 57.69 feet to the point of beginning.

### TRACT 3:

Beginning at a point which is South 0°00'42" West along the center Section line 342.74 feet and South 89°59'18" East 604.30 feet from the North Quarter corner of Section 33, Township 1 South, Range 1

West, Salt Lake Base and Meridian, said point also being the Northwest corner of building and running thence North 89°56'37" East 323.40 feet, thence North 00°03'23" West 37.00 feet, thence North 89°56'37" East 22.70 feet, thence South 00°03'23" East 37.00 feet, thence North 89°56'37" East 67.90 feet, thence South 00°03'23" East 226.06 feet, thence South 89°56'37" West 414.00 feet, thence North 00°03'23" West 226.06 feet to the point of beginning.

#### TRACT 4

Less and except any portion lying within the In N Out Subdivision.

## TRACT 5:

A parcel of land in fee for Constitution Boulevard (2700 West), being located in the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point which is South 89°58'40" East 33.00 feet and South 00°00'44" West 154.91 feet from the North Quarter corner of said Section 33, thence along the North line of said property the following two (2) courses and distances: (1) South 89°59'21" East 39.00 feet, (2) thence Northeasterly 62.49 feet along the arc of a 75.00 foot radius curve to the right, chord bears North 23°52'45" East 60.70 feet, thence Southwesterly 18.74 feet along the arc of a 79.34 foot radius curve to the left, chord bears South 32° 36'56" West 18.69 feet, thence South 00°01'07" East 254.41 feet, thence South 00°04'06" West 22.90 feet, thence South 03°24'41" West 300.28 feet, thence South 65.28 feet, thence East 5.45 feet, thence South 238.46 feet, thence South 10°11'26" East 20.12 feet, thence South 103.35 feet, thence South 10°8'57" West 51.15 feet, thence South 131.14 feet, thence South 45°00'00" East 23.57 feet, thence South 73.16 feet, thence South 45°00'00" West 23.57 feet, thence South 578.81 feet to the South boundary line of said property, thence South 89°57'20" West 36.07 feet along said South boundary line, thence North 00°00'44" East 1831.03 feet along the West boundary line of said property to the point of beginning.

### TRACT 6:

A parcel of land in fee affecting Tax ID No. 15-33-201-009 for the purpose of constructing thereon a roadway known as Project No. S-I215(139), being part of an entire tract of property situate in the Northwest Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at a point on the existing Westerly right of way and non-access line of a freeway, Interstate Highway I-215, known as Project No. I-215-9(6)297 which point is 260.09 feet perpendicularly distant Westerly from the centerline of the I-215 Alignment of said Project opposite Engineer Station 369+02.20 (Note: said point of beginning is 1319.93 feet South 89°56'00" West along the South line of said Northeast Quarter of Section 33 and 2133.67 feet North 00°04'00" West from the East Quarter corner of said Section 33. Said point is also 260.05 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of Project No. S-I215(139), opposite Engineer Station 369+01.78), and running thence South 00°00'14" West along the East line of said entire tract 69.16 feet to the Westerly right of way and non-access line, at a point 264.39 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of said Project No. S-I215(139) opposite Engineer Station 368+32.76, and point on a 1397.00 foot radius curve to the left, (Note: radius bears South 64°31'12" West), thence along said new Westerly right of way and non-access line the following three (3) courses: (1) Northwesterly along the arc of said curve 14.57 feet, thence (2) North 26°06'33" West 147.42 feet to a point on a 590.00 foot radius curve to the right, (Note: radius bears North 63°55'20" East), thence (3) Northwesterly along said curve 67.11 feet to a point on the existing right of way and non-access line of Interstate Highway I-215, known as Project No. I-215-9(6)297, which point is 348.49 feet perpendicularly distant Westerly from the centerline of the I-215 Alignment of said Project No. S-I215(139) opposite Engineer Station 370+46.17

(Note: said point is also 348.44 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of Project No. S-I215(139), opposite Engineer Station 370+45.76), and point on a 848.83 foot radius curve to the right, (Note: radius bears South 49°36'16" West), thence along said Westerly right of way and non-access line the following five (5) courses: (1) Southeasterly along the arc of said curve 23.11 feet, thence (2) South 00°00'06" West, 19.58 feet, thence (3) South 89°59'54" East 15.30 feet to a point on a 850.65 foot radius curve to the right, (Note: radius bears South 52°50'38" West), thence (4) Southeasterly along the arc of said curve 34.16 feet to a point on a 774.72 foot radius curve to the right, (Note: radius bears South 53°59'30" West), thence (5) Southeasterly along the arc of said curve 87.05 feet to the point of beginning.

(Note: Rotate all bearings in the above descriptions 00°14'45" clockwise to match highway bearings.)

#### TRACT 7:

Beginning at a point which is 821.85 feet South 89°58'40" East along the Section line and 1026.09 feet South from the North Quarter corner of said Section 33 and running thence North 89°55'52" East 43.40 feet, thence North 25.62 feet, thence East 16.86 feet, thence North 56.05 feet, thence East 23.58 feet, thence North 6.25 feet, thence East 49.92 feet, thence South 21.34 feet, thence South 45°00'00" East 27.88 feet, thence North 45°00'00" East 12.91 feet, thence East 17.72 feet, thence North 19.52 feet, thence East 56.33 feet, thence South 21.28 feet, thence East 19.42 feet, thence North 38.03 feet, thence East 50 feet, thence North 4.75 feet, thence East 53.67 feet, thence South 12.50 feet, thence East 45.25 feet, thence South 12.75 feet, thence South 89°38'39" East 52.97 feet, thence South 54.92 feet, thence West 13.76 feet, thence South 10.67 feet, thence East 25.63 feet, thence South 98.83 feet, thence West 25.63 feet, thence South 7.58 feet, thence East 18.30 feet, thence South 00°01'49" East 55.86 feet, thence West 47.03 feet, thence South 12.05 feet, thence West 94.33 feet, thence North 12.08 feet, thence West 52 feet, thence North 17.39 feet, thence West 10.42 feet, thence South 19.22 feet, thence West 49 feet, thence North 7.83 feet, thence West 47.00 feet, thence North 15.83 feet, thence West 4.78 feet, thence South 89°48'52" West 19.98 feet, thence South 00°11'08" East 18.45 feet, thence West 29.33 feet, thence North 00°15'05" East 60.71 feet, thence North 89°57'42" West 77.74 feet, thence North 26.22 feet, thence West 31.67 feet, thence North 00°22'40" East 66.04 feet to the point of beginning.

## PARCEL 4: (15-33-251-007)

Beginning at a point which is South 0°00'42" West along the center Section line 1548.84 feet and South 89°59'18" East 601.21 feet from the North Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point also being the Northwest corner of the building and running thence North 89°59'30" East 477.40 feet, thence South 00°00'30" East 29.69 feet, thence South 89°59'30" West 5.40 feet, thence South 00°00'30" East 40.20 feet, thence North 89°59'30" East 5.40 feet, thence South 00°00'30" East 71.80 feet, thence South 89°59'30" West 56.00 feet, thence South 00°00'30" East 84.00 feet, thence South 89°59'30" West 85.00 feet, thence North 00°00'30" West 28.00 feet, thence South 89°59'30" West 126.20 feet, thence North 00°00'30" West 5.40 feet, thence South 89°59'30" West 128.00 feet, thence North 00°00'30" West 57.85 feet, thence North 89°59'30" East 8.40 feet, thence North 00°00'30" West 29.75 feet, thence North 89°59'30" East 2.80 feet, thence North 89°59'30" West 29.75 feet, thence North 89°59'30" East 2.80 feet, thence North 89°59'30" West 28.40 feet, thence South 89°59'30" West 57.69 feet to the point of beginning.

## PARCEL 5: (15-33-251-008 & 15-33-251-011)

Beginning at a point on the North line of 3800 South Street which is 396 feet North 89°56'00" East along the Quarter Section line and North 30.00 feet from the center of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 630.31 feet (measured North 0°00'44" East 630.36 feet to a point on the South line of that property defined by a Special Warranty Deed found in

Book 9555, Page 7461), thence East 253.08 feet (measured North 89°57'20" East 252.93 feet along said line to a point on the West property line as defined by said Special Warranty Deed), thence South 0° 04'00" East 630.01 feet along an existing fence to the North right of way line of 3800 South Street (measured the following three calls as defined by said Special Warranty Deed South 0°04'00" East 330.16 feet, thence East 1.11 feet, thence South 0°04'00" East 300.83 feet), thence South 89°56'00" West 253.81 feet (measured 254.10 feet) along the North line of 3800 South Street to the point of beginning.

## PARCEL 6: (15-33-251-009)

Beginning at a point 660 feet West along the Quarter Section line and North 00°04'00" West 329.969 feet from the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence West 12.8 feet, thence North 00°04'00" West 330.016 feet, thence North 89°56'00" East 12.8 feet, thence South 00°04'00" East 330.031 feet to the point of beginning.

## PARCEL 7: (15-33-251-010)

Beginning at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 40 rods, thence West 40 rods, thence South 20 rods, thence West 11.69 feet, more or less, to the Northeast corner of that property shown in Quit Claim Deed recorded May 16, 2001, as Entry No. 7897248, in Book 8457, Page 5615, thence along the East line of said property South 0°04' West 330.014 feet, thence East 672.175 feet to the point of beginning.

LESS AND EXCEPTING that portion of subject property disclosed by that certain Special Warranty Deed recorded March 8, 2007, as Entry No. 10027042, in Book 9432, Page 6021, being described as follows:

Commencing at the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Meridian, thence North 89°48'37" West 1322.05 feet along Quarter Section line to the point of beginning, thence continuing North 89°48'37" West 442.96 feet, thence North 00°11'23" East 25.00 feet, thence North 89°48'37" West 229.16 feet, thence North 00°14'55" East 15.00 feet, thence South 89°48'36" East 672.15 feet, thence South 00°15'23" West 40.00 feet to the point of beginning.

## PARCEL 8: (15-33-276-005)

Beginning at a point South 89°56' West along the Quarter Section line 1273.985 feet and North 0°04' West 33.00 feet and North 0°05'58" West 525.48 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence West 47.09 feet, thence North 278.46 feet, thence East 48.12 feet, thence South 0°12'42" West 278.46 feet to the point of beginning.

## PARCEL 9: (15-33-276-007)

Beginning at a point on the North right of way line of 3800 South Street, said point being South 89°56' West along the Quarter Section line 1273.985 feet and North 0°04' West 40.00 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°56' West along said North right of way line 48.00 feet, thence North 518.54 feet, thence East 47.09 feet, thence South 0°05'58" East 518.48 feet to the point of beginning.

## PARCEL 10: (15-33-276-009)

Beginning on the West right of way and non-access line of State Freeway Project I-215 at a point which is South 89°56' West along the Quarter Section line 1076.295 feet and North 0°04' West 33.00 feet and North 3°35'13" West 805.29 feet from the East Quarter corner of Section 33, Township 1 South, Range 1

West, Salt Lake Base and meridian, and running thence North 3°35'13" West along said right of way and non-access line 553.785 feet, thence North 6°34'37" West along said right of way and non-access line 431.80 feet, thence North 17°00'58" West along said right of way and non-access line 239.87 feet to a point on a 768.83 foot radius curve to the left, the center of which bears South 67°31'22" West from said point, thence Northwesterly along said right of way and non-access line and the arc of said curve 92.67 feet to a point on the West line of the East half of the Northeast Quarter of said Section 33, thence South along said West line 1294.16 feet, thence East 195.31 feet to the point of beginning.

LESS AND EXCEPTING the following tract conveyed to West Valley City by that certain Special Warranty Deed and Reservation of Easement recorded June 9, 2011 as Entry No. 11196032, in Book 9929, Page 9086, of Official Records and described as follows:

A parcel of land in fee affecting Tax ID No. 15-33-276-003 for the purpose of constructing thereon a roadway known as Project No. S-I215(139), being part of an entire tract of property situate in the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at Southeast corner of said entire tract, which is 1124,86 feet South 89°56'00" West along the South line of said Northeast Quarter of Section 33 and 837.05 feet North 00°04'00" West from the East Quarter corner of said Section 33, said point also being 145.05 feet perpendicularly distant Westerly from the centerline of the I-215 Alignment of Project No. S-I215(139), opposite Engineer Station 355+95.62, and running thence North 89°59'46" West along the South line of said entire tract 11.74 feet, thence North 02°05'08" West 148.15 feet to a point of tangency with a 6984.50 foot radius curve to the left, thence Northerly 663.89 feet along the arc of said curve to a point of tangency with a 1397.00 foot radius compound curve to the left, thence Northerly along the arc of said curve, a distance of 169.62 feet to the beginning of the new non-access line to be established by said Special Warranty Deed and Reservation of Easement at a point 188.87 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of said Project No. S-I215(139), opposite Engineer Station 365+76.05, thence continuing along said new non-access line to be established by said Special Warranty Deed and Reservation of Easement and the arc of said curve 268.00 feet to the West line of said entire tract, thence departing said new nonaccess line North 00°00'14" East along said West line 69.16 feet to the Easterly line of said entire tract which point is also the existing Westerly right of way and non-access line to be abandoned by said Special Warranty Deed and Reservation of Easement, Interstate Highway I-215, known as Project No. I-215-9(6)297, said point being 260.09 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of said Project No. I-215-9(6)297, opposite Engineer Station 369+02.20, and a point on a 774.72 foot radius curve to the right, (Note: radius bears South 60°25'47" West), thence along said Westerly right of way and non-access line to be abandoned by said Special Warranty Deed and Reservation of Easement the following five (5) courses: (1) Southeasterly along the arc of said curve 1.62 feet to a point on a 768.83 foot radius curve to the right, (Note: radius bears South 60°33'44" West), thence (2) Southeasterly along the arc of said curve 93.41 feet, thence (3) South 17°08'55" East 239.87 feet, thence (4) South 06°35'15" East, 431.82 feet, thence (5) South 03°35'13" East 553.96 feet to the point of beginning.

## PARCEL 11: (15-33-276-010)

Beginning at a point on the West right of way and non-access line of State Freeway Project I-215, said point being South 89°56' West along the Quarter Section line 1076.295 feet and North 0°04' West 33.00 feet and North 3°35'13" West 526.29 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence West 165.68 feet, thence North 0° 12'42" East 278.46 feet, thence East 147.19 feet to the West right of way line and non-access line of

State Highway Project I-215, thence South 3°35'13" East along said right of way line 279.00 feet to the point of beginning.

LESS AND EXCEPTING the following tract conveyed to West Valley City by that certain Special Warranty Deed and Reservation of Easement recorded June 9, 2011, as Entry No. 11196032, in Book 9929, Page 9086 of Official Records and described as follows:

A parcel of land in fee affecting Tax Id No. 15-33-276-006 for the purpose of constructing thereon a roadway known as Project No. S-f215(139), being part of an entire tract of property situate in the Southeast Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at Southeast corner of said entire tract which is 1107.76 feet South 89°56'00" West along the South line of said Northeast Quarter of Section 33, and 559.07 feet North 00°04'00" West from the East Quarter corner of said Section 33, said point also being 145.07 feet perpendicularly distant Westerly from the centerline of the I-215 Alignment of Project No. S-I215(139), opposite Engineer Station 353+17.11, and running thence North 89°59'46" West along the South line of said entire tract 19.04 feet, thence North 02°05'08" West 278.14 feet to the North line of said entire tract, thence South 89°59'46" East along said North line 11.74 feet to the East line of said entire tract, which is a point 145.05 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of said Project No. S-I215(139), opposite Engineer Station 355+95.62, thence South 03°35'13" East along said East line 278.50 feet to the point of beginning.

## PARCEL 12: (15-33-276-011)

Beginning at a point on the West right of way line and non-access line of State Freeway Project I-215 and on the North right of way line of 3800 South Street, said point being South 89°56' West along the Quarter Section line 1076.295 feet and North 0°04' West 33.00 feet and North 3°35'13" West 7.01 feet from the East Quarter corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°56' West along said North right of way line 197.28 feet, thence North 0°05'58" West 518.48 feet, thence East 165.68 feet to the West right of way line and non-access line of State Highway Project I-215, thence South 3°35'13" East along said right of way line 519.28 feet to the point of beginning.

LESS AND EXCEPTING the following tract conveyed to West Valley City by that certain Special Warranty Deed and Reservation of Easement recorded June 9, 2011, as Entry No. 11196032, in Book 9929, Page 9086, of Official Records and described as follows:

A parcel of land affecting Tax ID No. 15-33-276-008 in fee for the purpose of constructing thereon a roadway known as Project No. S-I215(139), being part of an entire tract of property situate in the Southeast Quarter of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the Southeast corner of said entire tract, which is 1075.40 feet South 89°56'00" West along the South line of said Northeast Quarter of Section 33 and 33.00 feet North 00°04'00" West and 7.01 feet North 03°35'13" West from the East Quarter corner of said Section 33, said point also being the intersection of the Westerly right of way and non-access line of I-215 and the Northerly right of way of 3800 South Street which point is 145.11 feet perpendicularly distant Westerly from the centerline of the I-215 Alignment of Project No. S-I215(139), opposite Engineer Station 347+97.06, and running thence South 89°56'00" West 62.33 feet along the South line of said entire tract, thence North 35°54'57" East 48.14 feet, thence North 02°05'08" West 480.43 feet, thence South 89°59'46" East 19.04 feet to the East

line of said entire tract, which point is 145.07 feet perpendicularly distant Westerly from the centerline of the I-215 South Alignment of said Project No. S-I215(139), opposite Engineer Station 353+17.11, thence South 03°35'13" East along said East line 520.05 feet to the point of beginning.

### PARCEL 13: (15-33-201-013)

A parcel of land situate in the West half of the Northeast Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, the boundaries of said parcel of land are described as follows:

Beginning at a point which is 821.85 feet South 89°58'40" East along the Section line and 1026.09 feet South from the North Quarter corner of said Section 33 and running thence North 89°55'52" East 43.40 feet, thence North 25.62 feet, thence East 16.86 feet, thence North 56.05 feet, thence East 23.58 feet, thence North 6.25 feet, thence East 49.92 feet, thence South 21.34 feet, thence South 45°00'00" East 27.88 feet, thence North 45°00'00" East 12.91 feet, thence East 17.72 feet, thence North 19.52 feet, thence East 56.33 feet, thence South 21.28 feet, thence East 19.42 feet, thence North 38.03 feet, thence East 50 feet, thence North 4.75 feet, thence East 53.67 feet, thence South 12.50 feet, thence East 45.25 feet, thence South 12.75 feet, thence South 89°38'39" East 52.97 feet, thence South 54.92 feet, thence West 13.76 feet, thence South 10.67 feet, thence East 25.63 feet, thence South 98.83 feet, thence West 25.63 feet, thence South 7.58 feet, thence East 18.30 feet, thence South 00°01'49" East 55.86 feet, thence West 47.03 feet, thence South 12.05 feet, thence West 94.33 feet, thence North 12.08 feet, thence West 52 feet, thence North 17.39 feet, thence West 10.42 feet, thence South 19.22 feet, thence West 49 feet, thence North 7.83 feet, thence West 47.00 feet, thence North 15.83 feet, thence West 4.78 feet, thence South 89°48'52" West 19.98 feet, thence South 00°11'08" East 18.45 feet, thence West 29.33 feet, thence North 00°15'05" East 60.71 feet, thence North 89°57'42" West 77.74 feet, thence North 26.22 feet, thence West 31.67 feet, thence North 00°22'40" East 66.04 feet to the point of beginning.

## SAID PARCELS 1 THRU 13 ALSO DESCRIBED BY SURVEY AS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 2700 WEST STREET, SAID POINT BEING S 0°00'44" W ALONG THE SECTION LINE 115.16 FEET; AND S 89°59'16" E 86.49 FEET FROM THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON A 79.34 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS BEARS S 64°09'04" E; AND RUNNING THENCE ALONG THE ARC OF SAID CURVE 18.73 FEET THROUGH A CENTRAL ANGLE OF 13°31'41" TO THE POINT OF A 75.00 FOOT RADIUS COMPOUND CURVE WHICH RADIUS BEARS S 42°15'22" E; THENCE ALONG THE ARC OF SAID CURVE 55.35 FEET THROUGH A CENTRAL ANGLE OF 42°16'57" TO A POINT ON THE SOUTH RIGHT-OF-WAY OF 3500 SOUTH STREET, SAID POINT BEING 80.00 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE CENTER LINE OF 3500 SOUTH STREET AT ENGINEER STATION 5+97.53 OF STATE FREEWAY PROJECT I-215; THENCE S 89°58'40" E ALONG SAID RIGHT-OF-WAY 505.72 FEET TO A POINT ON A 848,83 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS BEARS S 05°08'45" W, SAID POINT ALSO BEING 80.00 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE CENTERLINE OF SAID 3500 SOUTH STREET AT ENGINEER STATION 11+03.24; THENCE ALONG THE ARC OF SAID CURVE 659.83 FEET THROUGH A CENTRAL ANGLE OF 44°32'18" TO A POINT ON A 590.00 FOOT RADIUS REVERSE NON-TANGENT CURVE WHICH RADIUS BEARS N 70°41'08" E, SAID POINT ALSO BEING 348.49 FEET PERPENDICULARLY DISTANT WESTERLY FROM THE CENTERLINE OF THE 1-215 ALIGNMENT OPPOSITE ENGINEER STATION 370+46.17; THENCE ALONG THE ARC OF SAID CURVE 69.64 FEET THROUGH A CENTRAL ANGLE OF 6°45'48"; THENCE S 26°06'33" E 147.42 FEET TO A POINT ON A 1397.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT WHICH RADIUS BEARS S 64°05'25" W; THENCE ALONG THE ARC OF SAID CURVE 448.36 FEET THROUGH A

CENTRAL ANGLE OF 18°23'19" TO A POINT ON A 6984.50 FOOT RADIUS COMPOUND CURVE; THENCE ALONG THE ARC OF SAID CURVE 663.89 FEET THROUGH A CENTRAL ANGLE OF 5° 26'46"; THENCE S 02°04'30" E 906.72 FEET; THENCE S 35°54'57" W 47.76 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF 3800 SOUTH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; (1) S 89°56'00" W 855.04 FEET; (2) THENCE S 0°04'00" E 10.00

FEET; (3) THENCE S 89°56'00" W 253.81 FEET; THENCE N 0°00'44" E 632.25 FEET; THENCE S 89° 57'20" W 326.93 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF 2700 WEST STREET; THENCE NORTH ALONG SAID RIGHT-OF-WAY 14.59 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 10874708, RECORDED AND ON FILE IN THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID PARCEL THE FOLLOWING THREE (3) COURSES; (1) N 89°57'20" E 201.50 FEET; (2) THENCE N 0°00'44" E 151.50

FEET; (3) THENCE S 89°57'20" W 201.53 FEET TO A POINT ON SAID 2700 WEST STREET RIGHT-

OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOURTEEN (14) COURSES; (1) NORTH 412.73 FEET; (2) THENCE N 45°00'00" E 23.57 FEET; (3) THENCE NORTH 73.16 FEET; (4) THENCE N 45°00'00" W 23.57 FEET; (5) THENCE NORTH 131.14 FEET; (6) THENCE N 10°08'57" E

51.15 FEET; (7) THENCE NORTH 103.35 FEET; (8) THENCE N 10°11'26" W 20.12 FEET; (9) NORTH

238.46 FEET; (10) THENCE WEST 5.45 FEET; (11) THENCE NORTH 65.28 FEET; (12) THENCE N 3° 24'41" E 300.28 FEET; (13) N 0°04'06" E 22.90 FEET; (14) THENCE N 0°01'07" W 254.41 FEET TO THE POINT OF BEGINNING.

#### **PARCEL**

14:

Benefits, if any, accruing pursuant to the

following:

Covenants, Conditions, Restrictions, Easements, and assessments, if any, recorded March 18, 1976 as Entry no. 2795779, in Book 4139, Page 88, of Official Records.

Construction, Operation and Reciprocal Easement Agreement, recorded July 17, 2006, as Entry No.

9784299, in Book 9322, Page 7622, of Official Records,

First Amendment To Construction, Operation and Reciprocal Easement Agreement, recorded June 30, 2009, as Entry No. 10744097, in Book 94761, Page 6810, of Official Records.

Amendment To Construction, Operation and Reciprocal Easement Agreement, recorded June 9, 2011, as Entry No. 11196035, in Book 99219, Page 9110, of Official Records.

Declaration of Easements and Restrictions, recorded January 7, 2010, as Entry No., 10874704, in Book 9795, Page 1537, of Official Records.

Reciprocal Easement Agreement and Affidavit, recorded January 7, 11, 2010, as Entry No. 10875986, in Book 9705, Page 8075 of Official Records.

Reciprocal Easement Agreement, recorded January 7, 2010, as Entry No. 10874705, in Book 9795, in Page 1629, of Official Records.

Reciprocal Easement Agreement and Affidavit, recorded January 11, 2010, as Entry No. 10875986, in Book 9795, Page 8075, of Official Records.

Tax ID Number: 15-33-201-014, 15-33-201-006, 15-33-201-012-2000, 15-33-201-012-2001

15-33-251-007, 15-33-251-008, 15-33-251-011, 15-33-251-009, 15-33-251-010, 15-33-276-005.

15-33-276-007, 15-33-276-009, 15-33-276-010, 15-33-276-011, and 15-33-201-013