

WHEN RECORDED, MAIL TO:

Smith's Food & Drug Centers, Inc.  
1550 South Redwood Road  
Salt Lake City, UT 84104  
Attn: Director Real Estate

ENT 3746:2016 PG 1 of 4  
**Jeffery Smith**  
**Utah County Recorder**  
2016 Jan 14 12:25 PM FEE 16.00 BY SS  
RECORDED FOR First American Title Insurance  
ELECTRONICALLY RECORDED

With a copy to:

Suburban Land Reserve, Inc.  
79 South Main Street, Suite 500  
Salt Lake City, Utah 84111  
Attn: Jace McQuivey

Tax Parcel No.: 23-031-0096

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### SPECIAL WARRANTY DEED

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FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SUBURBAN LAND RESERVE, INC., a Utah 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 SMITH'S FOOD & DRUG CENTERS, INC., an Ohio corporation, as Grantee, the real property located in Utah County, Utah, described as follows (the "Property"):

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

SUBJECT TO (i) current taxes and assessments; (ii) zoning laws; (iii) rules and regulations; (iv) all reservations, easements, covenants, conditions, restrictions, encumbrances, and other rights or interests of record; (v) all matters an accurate ALTA survey (with all "Table A" items shown, listed and/or described thereon) of the Property and/or a careful inspection of the Property would disclose or show; and (vi) all other rights of third parties enforceable at law or equity.

RESERVING specifically unto Grantor (which rights are not transferred to Grantee): (i) all water and water rights of any and all kinds, including (without limitation) shares of stock in water companies, (ii) all minerals, coal, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy, on, in, or under the above-described Property, and (iii) all subsurface rights of any and all kinds to the extent not included in subsection (ii) above; provided, however, in all events

Grantor does not reserve the right to use the Property or extract minerals or other substances from the Property above a depth of 500 feet, nor does Grantor reserve the right to use the surface of the Property in connection with the rights reserved herein. Water, if any, will be conveyed from Grantor to Grantee pursuant to a separate quitclaim deed dated of even date herewith.

[SIGNATURE TO FOLLOW]



**EXHIBIT A**  
**Legal Description**

Real property located in Utah County, State of Utah, and more particularly described as follows:

A part of the Southwest Quarter of Section 32, Township 7 South, Range 3 East and the Northwest Quarter of Section 5, Township 8 South, Range 3 East, Salt Lake Base and Meridian, U.S. Survey in Utah County, Utah:

Beginning at a point 1045.28 feet North 88°34'40" East along the Section Line from the Southwest Corner of said Section 32; and running thence along the Westerly Line of future 1200 West Street the following five courses: North 0°00'17" East 28.83 feet to a point of curvature; Northwesterly along the arc of a 917.00 foot radius curve to the left a distance of 195.85 feet (Central Angle equals 12°14'13" and Long Chord bears North 6°06'49" West 195.48 feet) to a point of reverse curvature; Northwesterly along the arc of a 983.00 foot radius curve to the right a distance of 222.60 feet (Central Angle equals 12°58'29" and Long Chord bears North 5°44'41" West 222.13 feet); North 0°03'11" East 249.16 feet; and Northwesterly along the arc of a 28.00 foot radius curve to the left a distance of 14.23 feet (Center bears North 89°15'26" West, Central Angle equals 29°07'16" and Long Chord bears North 13°49'04" West 14.08 feet) to a point on the Southerly Line of 400 South Street as it exists at 60.0 foot half-width; thence along said Southerly Line the following two courses: Easterly along the arc of a 22,858.31 foot radius curve to the right a distance of 616.27 feet (Center bears South 0°37'44" West, Central Angle equals 1°32'41" and Long Chord bears South 88°35'56" East 616.25 feet); and South 87°49'34" East 632.97 feet; thence Southeasterly along the arc of a 15.00 foot radius curve to the right a distance of 23.09 feet (Center bears South 2°11'08" West, Central Angle equals 88°12'50" and Long Chord bears South 43°42'27" East 20.88 feet); thence along the Westerly Line of 950 West Street as it exists at 33.50 foot half-width the following five courses: South 0°24'40" West 349.87 feet to a point of curvature; Southeasterly along the arc of a 533.50 foot radius curve to the left a distance of 75.01 feet (Central Angle equals 8°03'20" and Long Chord bears South 3°37'00" East 74.95 feet) to a point of tangency; South 7°38'40" East 105.27 feet to a point of curvature; Southeasterly along the arc of a 466.50 foot radius curve to the right a distance of 65.59 feet (Central Angle equals 8°03'20" and Long Chord bears South 3°37'00" East 65.53 feet) to a point of tangency; and South 0°24'40" West 248.61 feet; thence North 89°59'43" West 304.00 feet; thence South 0°00'17" West 100.00 feet; thence North 89°59'43" West 677.41 feet; thence North 0°00'17" East 191.00 feet; thence North 89°59'43" West 254.00 feet to the Westerly Line of future 1200 West Street as it is to exist at 33.00 foot half-width; thence North 0°00'17" East 99.04 feet along said Westerly Line to the point of beginning.

*Ck by JJB 22 June 2015*

**Contains 1,141,907 sq. ft.  
or 26.215 acres**