

3917903

ACKNOWLEDGEMENT OF INTEREST  
OF GRANGER PARTNERSHIP

This Acknowledgement of Interest of Granger Partnership is made this 1st day of December, 1983, by HEARTLAND REALTY INVESTORS, INC., a Minnesota corporation ("Realty"), and HEARTLAND WEST VALLEY COMMERCIAL/PARTNERS ("Partners"), a Minnesota limited partnership.

WITNESSETH:

WHEREAS, on the 24th day of June, 1983, Realty entered into a certain Contract of Sale (the "Contract") with SNI 606 LIMITED, a Utah limited partnership ("SNI") for the purchase of certain real property (the "Property") located in Salt Lake County, State of Utah, and more particularly described on Exhibit "A" attached hereto; and

WHEREAS, Realty assigned its interest in the Contract to Partners; and

WHEREAS, Realty and/or Partners recorded a Notice of Contract with respect to said Contract in the office of the Salt Lake County Recorder on the 8th day of July, 1983, as Entry No. 3915961, Book 5473, at Page 1487; and

WHEREAS, prior to the time the Contract was executed, SNI had negotiated and executed with Granger Shopping Center, a partnership ("Granger"), an amendment to the terms of that certain Uniform Real Estate Contract ("UREC") dated the 1st day of March, 1978, (whereby SNI acquired its interest in the property), which

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amendment is hereafter referred to as "Addendum", and is dated June 17, 1983; and

WHEREAS, the Addendum provides, among other things, that Granger be given a Trust Deed as additional security and remedy under the UREC, which Trust Deed was executed by SNI prior to the Contract; and

WHEREAS, Realty and Partners acknowledge that they were aware of said Addendum and Deed of Trust with Granger and of Granger's seller's interest under the UREC; and

WHEREAS, Realty and Partners acknowledge that Granger's interest is prior to and superior to either Realty's or Partners' buyers' interest under the Contract; and

WHEREAS, the Trust Deed (the "Trust Deed") given to Granger by SNI pursuant to the Addendum was recorded on the 14th day of October, 1983, as Entry No. 3856902, and

WHEREAS, the Trust Deed was recorded after the date Realty's and/or Partners' Notice of Interest was recorded; and

WHEREAS, Granger desires an acknowledgement of the priority of its interest.

NOW THEREFORE, in consideration of the premises, and of TEN DOLLARS (\$10.00), and other good and valuable consideration, receipt of which is hereby acknowledged, Realty and Partners do hereby acknowledge and agree that Granger's interest in the Property, including its interest under the Trust Deed, is prior and superior to any interest which Realty and/or Partners may have in the property.

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DATED this 1st day of December, 1983.

HEARTLAND REALTY INVESTORS, INC.

By: H. William Walter  
H. William Walter,  
President

HEARTLAND WEST VALLEY COMMERCIAL LIMITED  
PARTNERS, a Minnesota limited  
partnership:

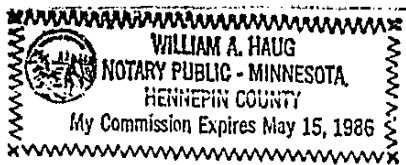
By: HEARTLAND REALTY INVESTORS, INC.,  
a General Partner:

By: H. William Walter  
H. William Walter,  
President

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STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF HENNEPIN )

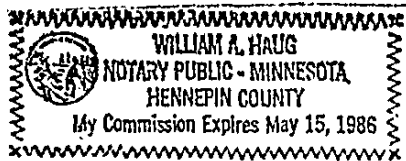
The foregoing instrument was acknowledged before me this 1st day of December, 1983, by H. William Walter, the President of Heartland Realty Investors, Inc., a Minnesota corporation.



William A. Haug  
Notary Public

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this 1st day of December, 1983, by H. William Walter, the President of Heartland Realty Investors, Inc., a Minnesota corporation, the General Partner of Heartland West Valley Commercial Limited Partners, a Minnesota limited partnership.



William A. Haug  
Notary Public

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Parcel 1:

COMMENCING at a point which is North 89°52'34" West 330.00 feet and South 0°07'26" West 48.00 feet from the Northeast corner of the Northwest quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 0°07'26" West 287.00 feet; thence South 89°52'34" East 297.00 feet to the Westerly boundary of 2700 West Street; thence along the Westerly boundary of 2700 West Street South 0°07'26" West 745.10 feet; thence North 89°52'34" West 499.00 feet to the Easterly boundary of Market Street; thence along the Easterly boundary of Market Street North 0°07'26" East 393.10 feet; thence along a 526.66 foot radius curve to the left 107.49 feet; thence along a 526.66 foot radius curve to the left 76.50 feet; thence along a 466.66 foot radius curve to the right 163.03 feet; thence South 89°52'34" East 120.00 feet; thence North 0°07'26" East 299.00 feet to the Southerly boundary of 3500 South Street; thence along the Southerly boundary of 3500 South Street South 89°52'34" East 142.00 feet to the point of COMMENCEMENT.

Parcel 2:

A non-exclusive 60.0 foot easement and right of way for road and incidental purposes over the following:

COMMENCING 33.0 feet West and 33.0 feet South of the Northeast corner of the Northwest quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence along the West line of 2700 West Street, South 287.00 feet; thence West 60.0 feet; thence North 287.0 feet to the South line of 3500 South Street; thence along the South line of 3500 South Street, East 60.0 feet to the point of COMMENCEMENT.

As created by that certain Warranty Deed dated June 16, 1955, and recorded June 17, 1955, as Entry No. 1432054, in Book 1208, at page 444, of Official Records.

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*Richard's, Brown, Miller*

REC'D OF REC

MAR 19 2 48 PM '94

Richard's, Brown, Miller

KATHLEEN L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

SCC 84118

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P.O. Box 2465

EXHIBIT "A"