

Mailing Address of Grantee:
Walter E. Heller Western Inc.
333 Market Street
Suite 240
San Francisco, California 94105

WHEN RECORDED RETURN TO:

John T. Anderson, Esq.
HANSEN JONES MAYCOCK & LETA
Suite 600, Valley Tower
50 West Broadway
Salt Lake City, Utah 84101

130

3997001 SHERIFF'S DEED

This Indenture, Made this 5th day of September, A.D. 1984, between N.D. "Pete" Hayward Sheriff of Salt Lake County, State of Utah, party of the first part, and WALTER E. HELLER WESTERN INCORPORATED, a California corporation party of the second part.

WITNESSETH, WHEREAS, In and by a certain Judgment and decree made and entered by the District Court of the Third Judicial District (Salt Lake County) of the State of Utah on the 16th day of September, A.D. 1983, in a certain action then pending in said Court, wherein WALTER E. HELLER WESTERN INCORPORATED, a California corporation Plaintiff and BIO-TEN ENERGY, INC. formerly known as BIO-ENERGY, INC., a Utah corporation; PAUL D. GAMBLES, CPW PROPERTIES, a Utah general partnership; LARRY W. BLAKE FAMILY INVESTMENTS GUARDIAN STATE BANK, a Utah banking corporation; WALLACE N. COOPER 2, ARCHITECT & ASSOCIATES; MARSHALL LEE PRODUCTS; COLONIAL LEASING COMPANY OF NEW ENGLAND, INC., a Massachusetts corporation, d/b/a COLONIAL PACIFIC LEASING CO.; STEVE REGAN COMPANY, a Utah corporation; Z.C.M.I., INC., a Utah corporation; (over) defendant it was among other things ordered and adjudged that all and singular the premises in said judgment, and hereinafter described should be sold at public auction, by and under the direction of the Sheriff of Salt Lake County, State of Utah, in the manner required by law; that either of the parties to said action might become purchaser at such sale, and that said Sheriff should execute the usual certificates and deeds to the purchaser as required by law.

AND WHEREAS, The Sheriff did, at the hour of 12 o'clock noon, on the 25th day of October, A.D. 1983, at the west front door of the County Court House in the City and County of Salt Lake, State of Utah, after due public notice had been given, as required by law and said judgment, duly sell at public auction, agreeable to law and said judgment, the premises and property in said judgment and hereinafter described at which said sale premises and property were fairly struck off and sold to WALTER E. HELLER WESTERN INCORPORATED, a California corporation for the sum of Four hundred eighty-five thousand and no/100 Dollars, it being the highest bidder and that being the highest sum bid at said sale.

AND WHEREAS, Said WALTER E. HELLER WESTERN INCORPORATED, thereupon paid to the said Sheriff said sum of money so bid, and said Sheriff thereupon made and issued the usual certificate in duplicate of such sale in due form, and delivered one thereof to said purchaser, and caused the other to be filed in the office of the County Recorder of the County of Salt Lake, State of Utah.

AND WHEREAS, More than six months have elapsed since the day of said sale, and no redemption of the property so sold has been made.

AND WHEREAS, Said purchaser as aforesaid did, on the day of A.D. sell assign and transfer said Certificate of Sale and all his rights thereunder to the said party of the second part, and duly authorized said Sheriff to make a deed for said premises, in pursuance of said sale to said

Now This Indenture Witnesses, That the said party of the first part, Sheriff as aforesaid, in order to carry into effect said sale in pursuance of said judgment and of the law, and also in consideration of the premises and of the money so bid and paid by the said WALTER E. HELLER WESTERN INCORPORATED, a California corporation the receipt whereof is hereby acknowledged, has granted, sold, conveyed, and by these presents does grant, sell and convey and confirm unto the said party of the second part, its successors and assigns forever, the following described real estate lying and being in the City and County of Salt Lake, State of Utah, being all the right, title, claim and interest of the above named defendants of, in and to the following described property, to-wit:

COMMENCING 35.55 feet South from the Northeast corner of Lot 7, Block 29, Plat "A", Salt Lake City Survey, and running thence North 35.55 feet, thence West 20 rods; thence South 9 rods, thence East 8 rods, thence South 4.5 feet, East 2 rods, thence North to the railroad right of way, thence Northeasterly along said right of way to the point of beginning.

SUBJECT TO A RIGHT OF WAY over the southeasterly 8 feet thereof.

TOGETHER WITH a non-exclusive right of way described as follows:

BEGINNING at the Southeast corner of Lot 7, Block 29, Plat "A", Salt Lake City Survey, and running thence West 20 rods; thence North 1 rod; thence East 8 rods; thence South

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, (over) and in any-wise appertaining, to have and to hold the same unto said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, Said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in presence of

Marilyn Preece
STATE OF UTAH, } ss.
County of Salt Lake.

Pete Hayward
Sheriff of Salt Lake County, Utah

On the 5th day of September, 1984 before me Janet B. Macchione, a Notary Public in and for the County of Salt Lake, State of Utah, personally appeared N.D. "Pete" Hayward, Sheriff of Salt Lake County, State of Utah, personally known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same as such Sheriff, freely and voluntarily, and for the uses and purposes therein mentioned.

WITNESS my hand and notarial seal, this 5th day of September, 1984

My commission expires 1/20/87

Janet B. Macchione
Notary Public, Residing in Salt Lake City, Utah.

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Defendants cont
THE CITIZENS BANK, a Utah banking corporation; VALLEY BANK & TRUST COMPANY, a Utah
banking corporation; SNOW & HALLIDAY, P.C., a Utah professional corporation, Defendants

EVAN M. PROCTOR

REQ OF DEED

John J. Anderson

SEP 25 11 36 AM '84

KATHLEEN DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

1300

No.

SHERIFF'S DEED

By Sheriff

TO

Dated 19

Recorded at Request of

..... A. D. 19

at o'clock, M.

in Book of Deeds.

page.....

Recorder Salt Lake Co., Utah.

By Deputy

Fee paid \$

Property description cont.
4.5 feet; thence East 2 rods; thence North 20.55 feet to a railroad right of way; thence
East 15 feet; thence South 20.55 feet; thence East 150 feet; thence South 12 feet to the
point of beginning.

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12th place Tullahoma
Sew Broadway
Sally
Hanson, Grace, Margaret & Peter