

WHEN RECORDED, MAIL TO:

Thomas G. Bennett
Edwards, McCoy & Kennedy
57 West 200 South, Suite 400
Salt Lake City, Utah 84101

4921418
25 MAY 90 01:41 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: SHARON WEST , DEPUTY

2700

WARRANTY DEED

LEAH M. WRIGHT and STANLEY R. deWAAL, as Trustees of THE LEAH M. WRIGHT LIVING TRUST hereby conveys and warrants to HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership, of 46 West Broadway, Suite 111, Salt Lake City, Utah 84101, for the sum of Ten Dollars and other good and valuable consideration, the following described tract of land, and all improvements thereto, situated in Salt Lake County, State of Utah (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT TO the easements, restrictions and encumbrances set forth on Exhibit "B", which is attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, this Warranty Deed is executed this 18th day of May, 1990.

Leah M. Wright Trustee
LEAH M. WRIGHT, Trustee of the Leah M. Wright Living Trust

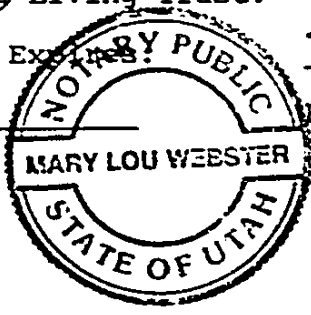
Stanley R. deWaal Trustee
STANLEY R. deWAAL, Trustee of the Leah M. Wright Living Trust

STATE OF UTAH)
) :ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 18th day of May, 1990, by Leah M. Wright, Trustee of the Leah M. Wright Living Trust.

My Commission Expires: 8-19-91

NOTARY PUBLIC
Residing at West Park Canyon, UT



8141267

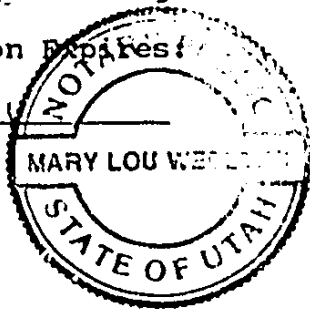
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STATE OF UTAH)
)
) : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 18th
day of May, 1990, by Stanley R. deWaal, Trustee of the
Leah M. Wright Living Trust.

My Commission Expires:

8-19-91



Mary Lou Weiler
NOTARY PUBLIC
Residing at Salt Lake County, UT

EXHIBIT "A"

Description of Property

The Property is situated in Salt Lake County, Utah, and more particularly described as follows:

Beginning at a point which is South 0°00'44" West 228.00 feet and South 89°53'20" West 50.00 feet from the North Quarter corner of Section 33, T.1 S, R.1 W, S.L.B. & M. and running thence South 0°00'44" West 92.00 feet; thence South 89°53'20" West 280.00 feet; thence North 0°00'44" East 92.00 feet; thence North 89°53'20" East 280.00 feet to the point of beginning.

SUBJECT TO THE FOLLOWING RESERVATION: Seller hereby RESERVES unto itself, its heirs, successors and assigns a perpetual non-exclusive easement for the parking of up to twenty-three(23) automobiles in the parking spaces located, or to be located, on the following described property:

R.M.N.
2/24/15

Beginning at a point which is South 0°00'44" West along the Quarter Section Line 228.00 feet and South 89°53'20" West 70.00 feet from the North Quarter Corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence South 00°00'44" West 47.00 feet; thence South 89°53'20" West 28.00 feet; thence North 00°00'44" East 24.00 feet; thence South 89°53'20" West 187.00 feet; thence North 00°00'44" East 23.00 feet; thence North 89°53'20" East 215.00 feet to the point of beginning.

EXHIBIT "B"

Permitted Exceptions

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
3. Easement, dated May 21, 1902, in favor of the TELLURIDE POWER COMPANY, a Colorado corporation,

"the right to erect and maintain one (2) line of poles and electric transmission circuits across the following described tracts of land in Salt Lake County, Utah, to-wit:

THE EAST ONE-HALF (1/2) OF THE NORTH WEST ONE QUARTER (1/4) AND THE SOUTH WEST ONE QUARTER (1/4) OF THE NORTH EAST ONE QUARTER (1/4) OF SECTION NUMBERED THIRTY-THREE (33) IN TOWNSHIP NUMBERED ONE (1) SOUTH OF RANGE NUMBERED ONE (1) WEST OF THE SALT LAKE BASE MERIDIAN."

Said Easement recorded September 08, 1902, as Entry No. 161304, in Book 6-C of Deeds, at Page 244, Salt Lake County Recorder's Office.

4. Right of Way Easement, dated December 04, 1956, in favor of THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, to construct, operate, maintain and remove such communication and other facilities, from time to time, upon, over, under and across a portion of the subject property, more particularly described as follows:

"COMMENCING 33 FEET WEST AND 33 FEET SOUTH FROM THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 297 FEET; THENCE SOUTH 287 FEET; THENCE EAST 297 FEET; THENCE NORTH 287 FEET TO BEGINNING."

Said Right of Way Easement recorded December 20, 1956, as Entry No. 1518111, in Book 1376, at Page 171, Salt Lake County Recorder's Office.

5. Easement For Joint Parking Privileges, granted in that certain Warranty Deed dated July 22, 1963, by and between ESTEL L. WRIGHT AND LEAH M. WRIGHT, his wife, as Grantors and AMERICAN SAVINGS AND LOAN ASSOCIATION, a Utah corporation, as Grantee, which reads in part as follows, to-wit:

"BEGINNING AT A POINT 218 FEET WEST AND 32 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 WEST 112 FEET; THENCE SOUTH 130 FEET; THENCE EAST 112 FEET; THENCE NORTH 130 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR PARKING OF MOTOR VEHICLES ON THE PARCEL IMMEDIATELY SOUTH OF AND CONTIGUOUS WITH THE FIRST ABOVE DESCRIBED PARCEL, AND EXTENDING SOUTH 157 FEET; BUT EXCLUDING THEREFROM SUCH PART OF SAID 157 FEET OF PROPERTY WHICH THE SELLER MAY DESIGNATE AS A ROADWAY"

Said Warranty Deed recorded August 27, 1963, as Entry No. 1993382, in Book 2179, at page 196, Salt Lake County Recorder's Office.

6. Right of Way Easement, dated September 11, 1972, in favor of THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation, to construct, operate, maintain and remove such communication and other facilities, from time to time, upon, over, under and across a portion of the subject property, more particularly described as follows:

"BURIED CABLE FACILITIES TO PROVIDE TELEPHONE SERVICE TO THE FOLLOWING:

BEGINNING 33 FEET SOUTH AND 50 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE RUNNING WEST 168 FEET; THENCE SOUTH 130 FEET; THENCE WEST 112 FEET; THENCE SOUTH 157 FEET; THENCE EAST 280 FEET, MORE OR LESS TO THE WEST LINE OF 2700 WEST STREET."

Said Right of Way Easement recorded October 06, 1972, as Entry No. 2490385, in Book 3171, at Page 449, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS PARCEL 1, TOGETHER WITH OTHER PROPERTY)

7. Easement, dated September 10, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT A NEW POLE IN AN EXISTING POWER LINE ON THE GRANTOR'S LAND AT A POINT 867 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE WEST 139.5 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 181 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded November 07, 1975, as Entry No. 2758323, in Book 4020, at Page 239, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS PARCEL 1, TOGETHER WITH OTHER PROPERTY)

8. Easement, dated September 10, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT A NEW POLE IN AN EXISTING POWER LINE OF THE GRANTOR'S LAND AT A POINT 867 FEET SOUTH AND 41 FEET WEST, MORE OR LESS FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE WEST 139.5 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 181 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded November 7, 1975, as Entry No. 2758324, in Book 4020, at Page 240, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS PARCEL 1, TOGETHER WITH OTHER PROPERTY)

9. Easement, dated November 07, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT AN EXISTING POLE ON THE GRANTOR'S LAND AT A POINT 878 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 74°13' WEST 41.5 FEET; THENCE WEST 64 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 145 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

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TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS NECESSARY OR CONVENIENT FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE EASEMENT HEREBY GRANTED, AND ALL RIGHTS AND PRIVILEGES INCIDENT THERETO, INCLUDING THE RIGHT TO CUT AND REMOVE TIMBER, TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT."

Said Easement recorded December 03, 1975, as Entry No. 2765743, in Book 4043, at Page 199, Salt Lake County Recorder's Office.

(THE FOLLOWING AFFECTS PARCEL 1, TOGETHER WITH OTHER PROPERTY)

10. Easement, dated November 07, 1975, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING AT THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 314 FEET SOUTH AND 42 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°04' WEST 745 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING AT AN EXISTING POLE ON THE GRANTOR'S LAND AT A POINT 878 FEET SOUTH AND 41 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE NORTH 74°13' WEST 41.5 FEET; THENCE WEST 64 FEET; THENCE SOUTH 49°40' WEST 84 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING IN THE ABOVE DESCRIBED CENTER LINE AT A POINT 867 FEET SOUTH AND 145 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 83°07' WEST 36 FEET TO AN EXISTING POLE ON SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

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TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS NECESSARY OR CONVENIENT FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE EASEMENT HEREBY GRANTED, AND ALL RIGHTS AND PRIVILEGES INCIDENT THERETO, INCLUDING THE RIGHT TO CUT AND REMOVE TIMBER, TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT."

Said Easement recorded December 03, 1973, as Entry No. 2765744, in Book 4043, at Page 200, Salt Lake County Recorder's Office.

11. Easement, dated April 24, 1979, in favor of UTAH POWER AND LIGHT COMPANY, to construct, reconstruct, operate, maintain and repair over, under and across a portion of the subject property, more particularly described as follows:

"BEGINNING ON THE NORTH BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 53 FEET SOUTH AND 70 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 17°03' EAST 65 FEET, MORE OR LESS, TO THE EAST BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33.

BEGINNING ON THE EAST BOUNDARY LINE OF THE GRANTOR'S LAND AT A POINT 135 FEET SOUTH AND 50 FEET WEST, MORE OR LESS, FROM THE NORTH ONE QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE UNDERGROUND NORTH 72°47' WEST 100 FEET, MORE OR LESS; THENCE SOUTH 89°53' WEST 65 FEET, MORE OR LESS, TO THE WEST BOUNDARY LINE OF SAID LAND AND BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33."

Said Easement recorded October 15, 1979, as Entry No. 3350296, in Book 4964, at Page 95, Salt Lake County Recorder's Office.

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(THE FOLLOWING AFFECTS A PORTION OF THE SUBJECT PROPERTY,
TOGETHER WITH OTHER PROPERTY)

12. Restrictive Covenant Agreement and Release of Option, dated December 17, 1957, by and between ESTEL L. WRIGHT AND LEAH M. WRIGHT, as party of the first part and GRANGER SHOPPING CENTER, INC., a Utah corporation, as party of the second part, which reads in part as follows, to-wit:

"no manufacturing enterprise of any kind shall ever be maintained upon, or in connection with the property herein described, nor shall any supermarket, food store, bakery, produce house, drugstore, soft goods or department store, variety store or hardware store ever be maintained or operated upon, or in connection with the property hereby described; providing however that this covenant shall not restrict the operation on the real property above described of a profession pharmacy the sole business of which is for the dispensing and sell of prescription pharmaceuticals or any other business permitted by law and not hereinabove described."

Said Restrictive Covenant Agreement and Release of Option recorded December 27, 1957, as Entry No. 1571716, in Book 1470, at Page 600, Salt Lake County Recorder's Office.

Agreement and Release of Restrictive Covenants, dated July 23, 1963, by and between ESTEL L. WRIGHT AND LEAH M. WRIGHT, his wife, as party of the first part (hereinafter referred to as owner) and KENNETH GIETZ AND CHERYL GIETZ, his wife; GENE O'DELL AND COREENE O'DELL, his wife; and LINTON C. CLARIDGE AND LENORA L. CLARIDGE, his wife, as parties of the second part, wherein

"The above mentioned Restrictive Covenants impressed upon the above described real property by that certain Restrictive Covenant Agreement and Release of Option from Granger Shopping Center, Inc., a Utah corporation, to Owner and bearing date of December 17, 1957 is hereby forever abandoned and released, PROVIDING HOWEVER, that the covenants preventing the operation therefrom of a supermarket, food store, or bakery shall not hereby be released and said premises SHALL NOT be used for such purposes."

Said Agreement and Release of Restrictive Covenants recorded July 30, 1963, as Entry No. 1935800, in Book 2079, at Page 594, Salt Lake County Recorder's Office.

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13. Said property is located within the boundaries of West Valley City and Granger-Hunter Improvement District and is subject to charges and assessments levied thereunder. 974-5501 and 968-3551
14. Notice of Adoption Of Redevelopment Plan entitled "MARKET STREET NEIGHBORHOOD DEVELOPMENT PLAN" dated December 24, 1987, recorded December 28, 1987, as Entry No. 4567373, in Book 5991, at Page 1517, Salt Lake County Recorder's Office.
15. Lease dated November 16, 1970 between Estel L. Wright and Leah M. Wright, as Lessors, and The Goodyear Tire & Rubber Company, as Lessee, and all amendments thereto.
16. Easements and claims of easement asserted by American Savings, First Interstate Bank or W. Daniel English, which are not shown by the public records.

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