
M E M O R A N D U M

DATE: March 9, 2007
TO: City Council Members
FROM: Russell Weeks
RE: Public Hearing: Resolution Approving the Initiation of Eminent Domain Proceedings on Behalf of Utah Transit Authority
CC: Cindy Gust-Jenson, Lyn Creswell, Ed Rutan, DJ Baxter, Sam Guevara, Louis Zunguze, Valda Tarbet, George Shaw, Gary Mumford, Eve Furse, Janice Jardine, Jennifer Bruno

This memorandum pertains to a proposed resolution approving the initiation of eminent domain proceeding on behalf of the Utah Transit Authority. The resolution would affect property located at 669 West 200 South, 725 West 200 South, 703 West 200 South, 701 West 200 South, and 706 West 300 South in Salt Lake City. The property is owned by a single company, Seventh and Second Acquisition, LLC. The City Council has scheduled a public hearing on the proposed resolution at its March 13 meeting.

OPTIONS

- Close the public hearing and adopt the proposed resolution.
- Close the public hearing and do not adopt the proposed resolution.
- Close the public hearing and defer action on the proposed resolution until a later date.
- Continue the public hearing until a later date.

POTENTIAL MOTIONS

PUBLIC HEARING

- I move that the City Council close the public hearing.
- I move that the City Council continue the public hearing until (Council Members may choose a date the Council deems appropriate).

RESOLUTION

- I move that the City Council adopt a resolution approving the initiation of eminent domain proceedings against real property located at 669 West 200 South, 725 West 200 South, 703 West 200 South, 701 West 200 South, and 706 West 300 South in Salt Lake City and identified by tax identification parcel numbers 15-01-301-002, 15-02-277-003, 15-02-277-004, 15-02-277-009, and 15-02-278-009 owned by Seventh & Second Acquisition, LLC.

- I move that the City Council consider the next item on the agenda.
- I move that the City Council defer action on this item until (Council Members may choose a date the Council deems appropriate).

It should be noted that, according to the City Attorney's Office, if the City Council defers action on the proposed resolution, it would have to allow for enough time for the City to give the property owner 10 business-days notice of the next meeting in which action would be taken on the resolution.

KEY POINTS

- The Utah Transit Authority has been negotiating with Seventh & Second Acquisition to obtain about 17 acres of land – known as the EIMCO Process Equipment Company property – on which to locate bus operation and maintenance facilities.
- Unlike municipalities and other levels of government, UTA does not have the power of eminent domain, and has sought Salt Lake City's help on this item.
- According to UTA, the Transit Authority Board of Trustees has adopted a resolution requesting Salt Lake City's assistance in this matter. (Please see attached resolution.)
- Negotiations between UTA and Seventh & Second Acquisition are continuing.

BACKGROUND/DISCUSSION

Aside from the items in the Key Points section of this memorandum, it should be noted that UTA has indicated that it would like to consolidate planning, administrative and bus maintenance operations near the Intermodal Hub at 600 West 200 South in the future. UTA also has indicated that it has outgrown current maintenance, operation and administrative facilities.

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE UTAH TRANSIT
AUTHORITY REQUESTING SALT LAKE CITY ASSISTANCE IN OBTAINING
PROPERTY BY EMINENT DOMAIN**

No. R2007-02-0_

February 28, 2007

WHEREAS, the Utah Transit Authority (the "Authority") is a public transit district organized under the laws of the State of Utah and was created to transact and exercise all of the powers provided for in the Utah Public Transit District Act; and

WHEREAS, the State of Utah on behalf of the Authority has been granted the right, pursuant to Title 78, Chapter 34 of the Utah Code Annotated 1953, as amended, and Title 17A, Chapter 2, of the Utah Code Annotated 1953, as amended, to acquire real property for public transit districts by eminent domain for public transit purposes; and

WHEREAS, the Authority has determined that real property described as the Former EIMCO Process Equipment Company Property (the "Property") as outlined in Exhibit A attached hereto, is necessary for public transit purposes and to allow the Authority to carry out its responsibilities under the Utah Public Transit Act; and

WHEREAS, the Authority has previously discussed with the Board of Trustees of the need for the Property and the Board has previously approved the budget via Resolution 2006-12-01 that contemplated the acquisition of the Property described hereto in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Utah Transit Authority:

1. That the Capital Development Office is hereby authorized to offer to purchase the fee interest from the owner of record of the Property by negotiation, but if the offer is rejected by the owners of the Property, after such reasonable period of time as determined by the Authority's Legal Counsel, the Authority, through its Legal Counsel, is authorized to request Salt Lake City Corporation, on behalf of the Authority, to undertake condemnation action to acquire the fee interest in the Property in accordance with the statutes relating to eminent domain.
2. That the General Manager and the Treasurer are hereby authorized to execute: (a) a Purchase and Sale Agreement reflecting the negotiated terms of the purchase of the Property and any necessary instruments pertaining thereto; or in the alternative (2) an agreement entered into with Salt Lake City Corporation for the condemnation of the Property and necessary instruments pertaining thereto.
3. If Salt Lake City Corporation is authorized to proceed with condemnation of the Property, then Legal Counsel is hereby authorized to make application in the

Court having jurisdiction for an Order of Immediate Occupancy permitting the Authority to take immediate possession of the identified Property.

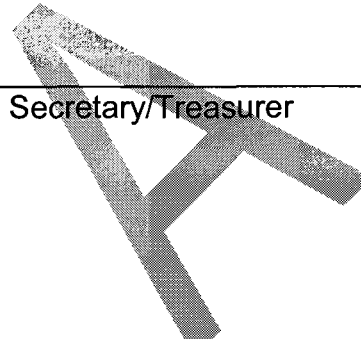
4. That all acts by officers and agents of the Authority are hereby ratified, approved and confirmed as though they were performed after the effective date of this Resolution.
5. That this Resolution stay in full force and effect until amended or rescinded by further action of the Board.
6. That the corporate seal be attached hereto.

APPROVED AND ADOPTED this 28th day of February, 2007.



Orrin T. Colby, Jr., President

ATTEST:



Kenneth D. Montague, Jr., Secretary/Treasurer

[SEAL]



CERTIFICATE

The undersigned duly qualified President of the Board of Trustees of the Utah Transit Authority certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board held on the 28th day of February, 2007.

Orrin T. Colby, Jr., President

Kenneth D. Montague, Jr., Secretary/Treasurer

APPROVED AS TO FORM

Legal Counsel

Exhibit "A"

REF

THE CITY OF SALT LAKE CITY, UTAH

A Municipal Corporation

Resolution No. _____

A RESOLUTION INITIATING EMINENT DOMAIN PROCEEDINGS

WHEREAS, Salt Lake City Corporation (the "City"), a municipal corporation and political subdivision of the State of Utah, has the power to acquire private property or private property interests necessary to the provision of public services and public utilities or necessary to the establishment and operation of a public transit district, pursuant to the Utah Eminent Domain Code, Utah Code Ann. §§ 78-34-1, et. seq; and

WHEREAS, the Utah Transit Authority is a public transit district organized under Utah law ("UTA"), which owns, operates and maintains a multi-modal public transit system that currently serves more than 38,000,000 passengers per year; and

WHEREAS, in November 2006, voters within Salt Lake and Utah Counties overwhelmingly approved ballot propositions to fund several transportation initiatives, including an accelerated build-out of UTA's transit system; and

WHEREAS, UTA's current operation, maintenance and administrative facilities are operating at or above capacity and are inadequate to support UTA's existing and future transit operations; and

WHEREAS, UTA has determined it is necessary and in the public interest to acquire certain real property of 17.284 acres in size, more or less, located at 669 West 200 South, 725 West 200 South, 703 West 200 South, 701 West 200 South, and 706 West 300 South, Salt Lake City, Utah, with tax identification parcel numbers 15-01-301-002, 15-02-277-003, -004, -009, and 15-02-278-009 (the "Property") owned by Seventh & Second Acquisition, LLC for the location of bus operation and maintenance facilities and administrative offices (the "Bus Facility"); and

WHEREAS, the location of the Bus Facility on the Property will improve mass transit within and without Salt Lake City by accommodating and encouraging transit ridership, by minimizing UTA's relocation and operating costs between the Bus Facility and UTA's other facilities, by reducing travel by UTA's buses between UTA's facilities, and by decreasing carbon dioxide emissions and traffic congestion; and

WHEREAS, the location of the Bus Facility will provide a significant customer base to support businesses within in the Gateway District and will create a unique transit nexus and catalyst for Salt Lake City's economic growth; and

WHEREAS, the location of the Bus Facility on the Property is consistent with the greatest public good and the least private injury; and

WHEREAS, an independent MAI appraiser has appraised the value of the Property; and

WHEREAS, UTA has negotiated in good faith with the principal of Seventh & Second Acquisition, LC (the "Owner") to purchase the Property, but those negotiations have reached an impasse, and UTA have been unable to negotiate a purchase agreement with the Owner; and

WHEREAS, UTA has appropriated or will appropriate all funds necessary to pay an award of just compensation, and any and all costs or expenses incurred in the condemnation proceedings; and

WHEREAS, Utah Code Ann. § 78-34-4(2)(c) requires the Salt Lake City Council to take a final vote to approve the filing of an eminent domain action, after providing the Owner with written notice of the public meeting at which a vote on the proposed taking is expected to occur, and after providing the Owner the opportunity to be heard on the proposed taking.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SALT LAKE CITY, UTAH:

1. Salt Lake City may prosecute or undertake appropriate legal action as necessary, in a court of proper jurisdiction, for the purpose of acquiring the Property, or interests in the Property, sought by this Resolution and pursuant to the Utah Eminent Domain Code, Utah Code Ann. §§ 78-34-1, et. Seq.
2. The Property is described in Attachment "A" to this Resolution.
3. Salt Lake City shall convey to UTA all right, title and interest in the Property acquired by Salt Lake City through eminent domain proceedings in exchange for UTA's payment of the costs and fees of the condemnation.

DATED this _____ day of March, 2007

SALT LAKE CITY CORPORATION

APPROVED AS TO FORM
 Salt Lake City Attorney's Office
 Date 3/08/07
 By *[Signature]*

By: _____

Its: _____

ATTEST:

SCHEDULE A

TITLE, ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: Frank Camara at (801)536-3100 located at 200 East South Temple, Suite 200, Salt Lake City, UT 84111.

Effective Date: January 30, 2007 at 7:30 a.m.

■ Policy or (Policies) to be issued:

ALTA 2006 Standard Owner's for \$(To Be Determined) PREMIUM \$tbd

Proposed Insured:

UTA

Endorsements (As Requested) PREMIUM \$tbd

2. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

**Seventh & Second Acquisitions, LC,
a Utah corporation,
as to Parcel 1, and**

**Seventh & Second Acquisition, L.C.,
a Utah limited liability company,
as to Parcels 2 through 5**

3. The land referred to in this Commitment is located in Salt Lake County, Utah and is described as:

PARCEL 1:

Beginning at a point on the South line of Block 38, Plat "C", Salt Lake City Survey, said beginning point being South 89°58'13" West along the South line of said Block 38, a distance of 34.00 feet from the Southeast Corner of Lot 1 of said Block 38, and running thence South 89°58'13" West along said South line, 41.75 feet to the Southeast Corner of the land conveyed by Special Warranty Deed to the Rio Grande Land Company, a Colorado Corporation, recorded October 4, 1949, as Entry No. 1173247 in Book 711 at Page 90 of Official Records; thence North 0°00'55" West along the East boundary line of said land of Rio Grande Land Company, 200.00 feet to a point on the South boundary line of the land conveyed by Quit Claim Deed to EIMCO Process Equipment Company, a Division of Envirotech Corporation, a Delaware Corporation, recorded May 14, 1987, as Entry No. 4457351 in Book 5918 at Page 188 of Official Records; thence North 89°58'19" East along said South boundary line 118.61 feet to a point on the West boundary line of the land conveyed by Quit Claim Deed to the EIMCO Corporation, a Utah Corporation, recorded August 8, 1951, as Entry No. 1254403 in Book 873 at Page 267 of Official Records; thence South 0°01'18" East along said West boundary line of the EIMCO Corporation Land 245.79 feet; thence South 89°58'13" West along said EIMCO Corporation property line 76.89 feet to a point on the East boundary line of the land conveyed by Quit Claim Deed to Salt Lake City Corporation, a municipal corporation of the State of Utah, recorded June 28, 1951, as Entry No. 1249796 in Book 864 at Page 568 of Official Records; thence North 0°00'55" West along said East boundary line 45.79 feet to the point of beginning.

PARCEL 2:

All that certain tract or parcel of land, being part of Lots 3, 5, 6, and all of Lot 4, Block 37, Plat "C", Salt Lake City Survey; all of Lots 2, 3, 4 and a part of Lot 5, Block 36, Plat "C", Salt Lake City Survey; part of Lots 1 and 8, Block 35, Plat "C", Salt Lake City Survey; all of Lots 3, 4, 5 and 6, Block 25, Plat "C", Salt Lake City Survey; part of vacated West Third South Street interjacent to said Blocks 36 and 37; part of vacated West Fourth South Street interjacent to said Blocks 25 and 36; part of vacated West Fifth South Street interjacent to said Blocks 24 and 25; part of vacated South Sixth West Street interjacent to said Blocks 35, 36, 37 and to Block 38, Plat "C", Salt Lake City Survey; part of the vacated East one-half of South Sixth West Street between the North line of West Fourth South Street and the South line of West Fifth South Street; and all that part of vacated West Third South Street interjacent to Lot 8 of said Block 35 and Lot 1 of said Block 38, said property being more fully described as follows:

Commencing at the Northwest Corner of said Block 37; thence East along the North line of said Block 37 a distance of 71.90 feet to a point situate 12.00 feet Southwesterly at right angles from the center line of an existing track of The Denver and Rio Grande Western Railroad Company known and designated as I.C.C. Track No. 90-Rv; thence South $16^{\circ}59'$ East (assuming for the purpose of this description that the East and West lines of all of said Blocks have bearings of due East and West and that the North and South lines of all of said Blocks have bearings of due North and South) along a line 12.00 feet Southwesterly at right angles from and parallel with the center line of said Track No. 90-Rv a distance of 888.71 feet, more or less, to an intersection with the North and South center line of said Block 36, said intersection being situate in the lot line between Lots 5 and 6 of said Block 36; thence South along the North and South centerlines of said Blocks 36 and 25, a distance of 1525.60 feet, more or less, to a point in the South line of said vacated West Fifth South Street; thence West along the South line of said Vacated West Fifth South Street, and along said South line extended, a distance of 376.00 feet, more or less, to a point situate 10.00 feet East of the center line of that certain existing railroad track of The Denver and Rio Grande Western Railroad Company known and designated as I.C.C. Track No. 80B; thence North along a straight line 10.00 feet Easterly at right angles from the parallel with the center line of said I.C.C. Track No. 80B and along said line extended in a due North direction a distance of 924.00 feet, more or less, to an intersection with the extended South lines of said Blocks 35 and 36; thence North $16^{\circ}30'$ West a distance of 125.00 feet, more or less, to a point in said vacated South Sixth West Street, situate 10.00 feet Northeasterly at right angles from the center line of said existing track of said Railroad Company known and designated as I.C.C. Track No. 80B, said point also being situate 30.00 feet, more or less, measured Northwesterly along a line parallel with and 10.00 feet Northeasterly from as measured at right angles to the center line of said Track No. 80B, said 30.00 foot distance being measured in a Northwesterly direction from the headblock on an existing track of said Railroad Company known and designated as I.C.C. Track No. 192; thence North $25^{\circ}08'$ West a distance of 213.98 feet, more or less, to an Intersection with a line 10.00 feet Westerly at right angles from and parallel with the tangent portion of said Track No. 80B, as said track is now located and existing in Lot 8 of said Block 35 said point also being situate 10.00 feet Northeasterly from, measured on a normal to, the center line of an existing track of said Railroad Company known and designated as I.C.C. Track No. 195, said intersection being situate in Lot 1 of said Block 35; thence North along a line 10.00 feet Westerly at right angles from and parallel with the center line of the Tangent portion of said Railroad Company's Track No. 80B a distance of 346.00 feet, more or less, to a point in the North line of said Block 35; thence East along the North line of said Block 35 a distance of 5.00 feet, more or less, to a point 34.00 feet West of the Northeast Corner of said Block 35; thence North a distance of 84.97 feet, more or less, to a point in said West Third South Street; thence East a distance of 76.89 feet to a point in said vacated South Sixth West Street; thence North a distance of 436.00 feet; thence East 15.7 feet; thence North 47.0 feet; thence North $12^{\circ}49'$ East 123.10 feet; thence North 104.0 feet; thence East 46.10 feet to the point of beginning.

And also:

A 20-foot wide by 792 foot long strip of ground lying adjacent to the West line of Block 25, Plat C, Salt Lake City Survey, Salt Lake City, Salt Lake County, State of Utah, being on the East Half of

vacated Sixth West Street more particularly described as follows:

Commencing at the point of intersection with the North-South centerline of said Block 25 with the South line of vacated West Fifth South Street; thence West along the South line of said vacated West Fifth South Street, and along said South line extended, a distance of 376.00 feet, more or less, to the point of beginning of the tract being herein described, said point of beginning being on the West line of property owned by EIMCO, a Division of Envirotech Corporation; thence North along said West property line a distance of 792 feet, more or less, to a point in the South line of vacated Fourth South Street; thence West along said South line of vacated Fourth South Street a distance of 20 feet, more or less, to a point in the East property line of the Denver and Rio Grande Western Railroad Company; said property line being the centerline of said vacated Sixth West Street; thence South along said centerline and Railroad Company's West property line, a distance of 792 feet, more or less, to a point in the extended South line of said vacated West Fifth South Street; thence East along said extended South line 20 feet more or less, to the point of beginning.

Less and excepting therefrom the following parcel deeded to the State Road Commission of Utah by Quit Claim Deed dated July 16, 1970, recorded September 4, 1970, as Entry No. 2348789 in Book 2895 at Page 84 of the Official Records described as follows:

A parcel of land in fee for a highway known as Project No. 0163, being part of an entire tract of property, in a part of vacated West 4th South Street and a part of vacated South 6th West Street in Salt Lake City, the boundaries of said parcel of land are described as follows:

Beginning at a point on the West boundary line of the EIMCO Corporation property, which point is approximately 65.21 feet North $0^{\circ}00'55''$ West and approximately 22 feet North $89^{\circ}59'02''$ East from the Salt Lake City Survey Monument in the intersection of 4th South and 6th West Streets; thence North $89^{\circ}58'02''$ East 213.48 feet, more or less, to a point 66.20 feet North of the centerline of said project approximately opposite centerline Engineer Station 53+09; thence South 132.16 feet; thence South $89^{\circ}57'46''$ West 213.48 feet, more or less, to the West boundary line of said EIMCO Corporation property; thence North 132.18 feet, more or less, along said West boundary line to the point of beginning.

Also less and Excepting therefrom the following parcel deeded to Crescent Properties, LLC. on January 6, 1997, as Entry No. 6543295 in Book 7572 at Page 1660 of Official Records:

Beginning at a point which is South $89^{\circ}57'46''$ West 65.24 feet and South $0^{\circ}00'55''$ East 132.00 feet from the Southwest Corner of Block 25, Plat "C", Salt Lake City Survey, and running thence North $0^{\circ}00'55''$ West 596.63 feet; thence North $89^{\circ}57'46''$ East 395.24 feet to the East line of Lot 6 of said Block 25; thence South $0^{\circ}00'55''$ East along the East line of said Lot 6 and Lot 3 of said Block 25 and beyond 596.63 feet; thence South $89^{\circ}57'46''$ West 395.24 feet to the point of beginning.

Also, less and excepting therefrom the following parcels given to the Utah Department of Transportation by a Judgment and Final Order of Condemnation, recorded March 23, 2001, as Entry No. 7850495 in Book 8437 at Page 293 of Official Records;

Parcel No. 15-7:152:C:

A parcel of land in fee for the reconstruction of a frontage road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property situated in Lot 5 of Block 25, Plat "C", Salt Lake City Survey, a portion of vacated 700 West Street, and Lot 2 of Block 36, Plat "C", Salt Lake City Survey.

The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said Lot 5 of said Block 25; and running thence North $89^{\circ}57'44''$ East 30.918 meters along the North boundary line of said Lot 5; thence Southwesterly and Westerly 17.100 meters along the arc of a 34.117 meter radius curve to the right (Note:

Chord to said curve bears South 75°25'08" West for a distance of 16.922 meters); thence South 89°46'41" West 19.590 meters; thence South 44°20'23" West 21.559 meters to a West boundary line of said entire tract; thence North 19.722 meters along said West boundary line; thence North 89°57'44" East 20.117 meters to the point of beginning.

ALSO:

Beginning at the Southwest Corner of said Lot 2 of said Block 36; and running thence South 89°58'03" West 13.104 meters along a South boundary line of said entire tract; thence North 16°30'55" West 24.593 meters along a Westerly boundary line of said entire tract; thence North 89°46'41" East 34.988 meters to a point of curvature with a 34.117 meter radius curve to the right; thence Southeasterly 43.116 meters along the arc of said curve (Note: Chord to said curve bears South 54°01'03" East for a distance of 40.304 meters) to the South line of said Lot 2; thence South 89°58'03" West 47.506 meters along said South line to the point of beginning.

Parcel No. 15-7:152:2C:

A parcel of land in fee for the reconstruction of a frontage road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property situate in Lot 5 of Block 25, Plat "C", Salt Lake City Survey, and a portion of vacated 700 West Street. The boundaries of said parcel of land are described as follows:

Beginning at a point which is 4.296 meters (14.09 feet) South along the West boundary line of said Lot 5 and 5.049 meters (16.56 feet) South 89°46'41" West from the Northwest Corner of said Lot 5, and running thence North 89°46'41" East 19.590 meters (64.27 feet) to a point of curvature with a 34.117 meter (111.93 foot) radius curve to the left; thence Easterly 9.802 meters (32.16 feet) along the arc of said curve (Note: Chord to said curve bears North 81°32'49" East for a distance of 9.769 meters (32.05 feet); thence South 16°41'03" East 3.811 meters (12.50 feet); thence South 77°23'38" West 4.529 meters (14.86 feet); thence North 84°10'48" West 7.871 meters (25.82 feet); thence South 89°06'20" West 20.691 meters (67.88 feet); thence North 44°20'22" East 3.708 meters (12.17 feet) to the point of beginning.

PARCEL 3:

All that part of Lot 8, Block 38, Plat "C", Salt Lake City Survey, Salt Lake County, State of Utah, described as follows:

Commencing at the Northeast Corner of Lot 6, Block 38; thence South along the East line of said Lots 6 and 7, said Block 38, a distance of 310 feet; thence South 25°47' West a distance of 27.76 feet to the true point of beginning; thence South 26°58'40" West a distance of 140.38 feet, more or less, to the Northeast Corner of that tract of land conveyed to Ralph C. Nicholson by Deed dated May 16, 1950; thence West parallel to and 200 feet North of the South line of Lot 1, Block 38, a distance of 224.5 feet, more or less, to a point 8.5 feet Easterly as measured at right angles to the centerline of The Denver and Rio Grande Western Railroad Company's Track ICC No. 196A; thence North 25°21'29" East a distance of 138.44 feet, more or less, to the Southwest Corner of that tract of land conveyed to Rio Grande Land Company by Deed dated March 1, 1950, and recorded March 3, 1950, in Book 745 at Page 517 of Official Records; thence East parallel with and 335 feet South at right angles from the North line of said Block 38, and along the South line of said Rio Grande Land Company tract a distance of 228.89 feet, to the point of beginning.

PARCEL 4:

All those parts of Lots 6, 7 and 8, Block 38, Plat "C", Salt Lake City Survey, in Salt Lake City, in the County of Salt Lake and State of Utah, more fully described as follows:

Beginning at the Northeast Corner of Lot 6 of said Block 38, which point is also the Northeast Corner of said Block 38; thence West along the North line of said Block 38 and along the North line of Lot 6 in said Block 38 a distance of 130 feet to a point; thence South parallel with and 130 feet West at right angles from the East line of said Block 38 a distance of 173.26 feet to a point

in Lot 7 of said Block 38, distance 8.5 feet Southeasterly at right angles from the center line of an existing spur track of The Denver and Rio Grande Western Railroad Company known and designated as I.C.C. Track No. 196; thence South $34^{\circ}27'$ West parallel with and 8.5 feet Southeasterly at right angles from the center line of said Spur Track No. 196 a distance of 196.12 feet to a point in Lot 8 of said Block 38, distant 335 feet South and 240.97 feet, more or less, West of the Northeast Corner of said Block 38; thence East parallel with and 335 feet South at right angles from the North line of said Block 38 a distance of 228.89 feet to a point in Lot 8 of said Block 38 distant 335 feet South and 12.08 feet, more or less, West of the Northeast Corner of said Block 38; thence North $25^{\circ}47'$ East a distance of 27.76 feet to a point in the East line of Lot 7 of said Block 38; thence North along the East line of Lots 7 and 6 of said Block 38 and along the East line of said Block 38 a distance of 310 feet to the point of beginning.

Together with all right, title and Interest of Grantor now held in and to that part of the vacated portion of South Sixth West Street (now 700 West Street) in Salt Lake City, Utah, bounded and described as follows, to-wit:

Beginning at the Northeast Corner of Block 38, Plat "C", of said Salt Lake City Survey, which corner is also the point of intersection of the South line of West Second South Street with the West line of South Sixth West Street (now 700 West Street), as said streets are shown and designated on the Official Maps of Salt Lake City, Utah; thence South along the East line of said Block 38 and along the West line of said vacated South Sixth West Street (now 700 West Street) a distance of 310 feet to a point; thence North $25^{\circ}47'$ East a distance of 29.2 feet, more or less, to a point 12.7 feet East at right angles from the East line of said Block 38; thence North parallel with and 12.7 feet East at right angles from the East line of said Block 38 a distance of 283.71 feet to a point in the South line of said West Second South Street; thence West along the South line of said West Second South Street a distance of 12.7 feet to the point of beginning.

PARCEL 5:

Beginning at a point North $89^{\circ}58'19''$ East 12.70 feet from the Northeast Corner, Lot 6, Block 38, Plat "C", Salt Lake City Survey, and running thence South $00^{\circ}00'55''$ East 283.71 feet; thence South $25^{\circ}46'43''$ West 56.96 feet; thence South $26^{\circ}56'33''$ West 140.27 feet; thence North $89^{\circ}58'19''$ East 119.75 feet; thence North $00^{\circ}00'55''$ West 190.0 feet; thence North $89^{\circ}58'19''$ East 15.7 feet; thence North $0^{\circ}00'55''$ West 47.0 feet; thence North $14^{\circ}20'$ East 123.10 feet; thence North $4^{\circ}02'$ West 104.0 feet; thence South $89^{\circ}58'19''$ West 70.30 feet to the point of beginning.

PARCELS 2 through 5 also described as follows:

Beginning at the Northwest Corner of Block 37, Plat "C", Salt Lake City Survey, said point being North $89^{\circ}58'19''$ East along the monument line 21.85 feet and South $0^{\circ}01'41''$ East 68.56 feet from the city monument at 200 South and 700 West Streets, and running thence North $89^{\circ}58'10''$ East along the South right of way line of 200 South Street, and the North line of said Block 37, 71.90 feet; thence South $17^{\circ}00'50''$ East 882.83 feet to the West line of Lot 6, Block 36, of said Plat "C"; thence South $0^{\circ}01'00''$ East along said West line, and the West line of Lot 7, Lot 8 and Lot 11 of said Block 36, and continuing across 400 South Street, and along the West line of Lot 7, Block 25 of said Plat "C" 935.92 feet; thence South $89^{\circ}57'40''$ West 395.00 feet; thence North $0^{\circ}00'55''$ West 131.72 feet; thence North $44^{\circ}20'23''$ East 57.11 feet; thence North $89^{\circ}06'20''$ East 67.88 feet; thence South $84^{\circ}10'48''$ East 25.82 feet; thence North $77^{\circ}23'38''$ East 14.86 feet; thence North $16^{\circ}41'03''$ West 12.50 feet to a point on a curve to the left, the radius point of said curve being North $16^{\circ}40'52''$ West 111.93 feet; thence Northeasterly along the arc of said curve 23.94 feet, and through a central angle of $12^{\circ}15'15''$ to a point on the North line of Lot 5 of said Block 25; thence North $89^{\circ}57'45''$ East along the North line of said Lot 5, and Lot 6, and the South right of way line of 400 South Street 66.52 feet; thence North 132.16 feet to the North line of 400 South Street; thence South $89^{\circ}58'03''$ West along said North line and the South line of Lot 2, Block 36 of said Plat "C" 12.12 feet to a point on a curve to the left, the radius point of said curve being South $72^{\circ}11'14''$ West 111.93 feet; thence Northwesterly along the arc of said curve 141.46 feet and through a central angle of $72^{\circ}24'33''$ to a point of tangency; thence South $89^{\circ}46'41''$ West 117.80 feet; thence North $16^{\circ}30'55''$ West 44.32 feet; thence North $25^{\circ}08'55''$

West 213.98 feet; thence North 0°00'55" West 346.59 feet to the North line of Block 35 of said Plat "C", thence South 89°55'32" East 6.39 feet along said North line; thence North 0°00'55" West 84.97 feet; thence North 89°58'13" East 76.89 feet; thence North 0°01'18" West 245.79 feet; thence South 89°58'10" West 343.14 feet; thence North 25°19'39" East 138.44 feet; thence North 34°27'29" East 195.88 feet; thence North 0°00'55" West 173.26 feet to the North line of Block 38 of said Plat "C" and the South right of way line of 200 South Street; thence North 89°58'10" East along said South right of way line 142.70 feet; thence North 88°24'42" East along said South right of way line 73.35 feet; thence North 89°58'10" East along said South right of way line 46.10 feet to the point of beginning.

Said property is also known by the street address of .
669 West 200 South
Salt Lake City, UT 84104