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RICHARD T. MAUGHAN

DAVIS COUNTY, UTAH RECORDER

8/13/2010 1:46:00 PM

FEE \$21.00 Pgs: 5

DEP eCASH REC'D FOR FOUNDERS TITLE CO - LAYTON

**When Recorded, Return To:**

Kirton & McConkie  
 Attn: Joel D. Wright  
 60 East South Temple Suite 1800  
 Salt Lake City, Utah 84145-0120

Tax Parcel Nos. 12-091-0099  
 12-091-0098  
 12-091-0095  
 12-091-0102

(Space above for Recorder's use only)

**SPECIAL WARRANTY DEED**

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, SYRACUSE SCHOOL DEVELOPMENT LLC, a Utah limited liability company, who took title as SYRACUSE SCHOOL DEVELOPMENT, L.L.C., a Utah limited liability company ("Grantor"), whose address is 352 North Flint Street Kaysville, Utah 8403, hereby conveys and warrants, against all claiming by, through, or under Grantor, to SYRACUSE ARTS ACADEMY, a Utah non-profit corporation ("Grantee"), whose address for mailing purposes is 2893 West 1700 South, Syracuse, Utah 84075, the following described property situated in Davis County, Utah, to wit:

See Exhibit A annexed hereto and incorporated herein by this reference (the "Property");

TOGETHER WITH all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining to the Property, including, but not limited to, all: (i) buildings, structures, fixtures, signs, and other improvements and landscaping of every kind and nature presently situated on, in, under or about the Property; (ii) water and water rights of any and every kind, including, but not limited to, all: wells, well rights, ditches, ditch rights, and stock in water used on the Property or appurtenant thereto; and (iii) all mineral and subsurface rights of any and every kind.

SUBJECT ONLY TO those certain exceptions and encumbrances specifically listed on Exhibit B annexed hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 12 day of August, 2010.

Grantor: SYRACUSE SCHOOL DEVELOPMENT LLC,  
 a Utah limited liability company

By: Rosanne Wright  
 Rosanne Wright, Manager

[notary acknowledgement is on following page]

STATE OF Florida )  
 ) ss.  
COUNTY OF Miami-Dade

On this 12<sup>th</sup> day of August, 2010, personally appeared before me Rosanne Wright, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the Manager of SYRACUSE SCHOOL DEVELOPMENT LLC, a Utah limited liability company, and acknowledged to me that said company executed the same.



A handwritten signature in black ink, appearing to read 'Rosanne Wright', written over a horizontal line.

Notary Public

**EXHIBIT A**

to Special Warranty Deed

(Legal Description of the Property)

That certain real property located in Davis County, Utah, specifically described as follows:

**PARCEL 3 (Parcel Numbering for Grantee's Internal File Purposes):**

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT A POINT ON THE CENTERLINE OF 1700 SOUTH STREET AND THE NORTH LINE OF SAID SECTION 16, SAID POINT BEING 357.05 FEET SOUTH 89°49'43" EAST ALONG THE SECTION LINE FROM THE INTERSECTION OF 3000 WEST STREET AND 1700 SOUTH STREET (SAID POINT BEING THE NORTHWEST CORNER OF SAID SECTION 16), THENCE AS FOLLOWS: SOUTH 89°49'43" EAST 641.15 FEET ALONG THE SECTION LINE AND CENTERLINE OF 1700 SOUTH STREET TO THE WESTERLY LINE OF THE LAYTON CANAL; THENCE SOUTH 23°58'43" EAST 132.60 FEET ALONG SAID CANAL; THENCE SOUTH 22°33'43" EAST 199.50 FEET ALONG SAID CANAL; THENCE NORTH 89°49'43" WEST 772.42 FEET; THENCE NORTH 00°09'27" EAST 305.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM SAID PARCEL THE FOLLOWING:

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT A POINT ON THE BOUNDARY OF THE SYRACUSE ARTS ACADEMY AND THE SOUTHERN RIGHT OF WAY OF 1700 SOUTH STREET, POINT BEING MORE OR LESS, 822.81 FEET SOUTH 89°49'43" EAST ALONG THE SECTION LINE AND SOUTH 32.99 FEET FROM THE NORTHWEST CORNER OF SAID SECTION; THENCE AS FOLLOWS: SOUTH 89°49'43" EAST 190.09 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE LAYTON CANAL; THENCE SOUTH 23°58'43" EAST 96.43 FEET MORE OR LESS ALONG SAID CANAL; THENCE SOUTH 22°33'43" EAST 199.51 FEET, MORE OR LESS, ALONG SAID CANAL; THENCE NORTH 89°49'43" WEST 306.44 FEET, MORE OR LESS, TO THE BOUNDARY OF THE SYRACUSE ARTS ACADEMY; THENCE NORTH 00°10'17" EAST 272.01 FEET, MORE OR LESS, ALONG SAID BOUNDARY TO THE POINT OF BEGINNING.

ALSO LESS THE FOLLOWING:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, SYRACUSE CITY, DAVIS COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS LOCATED SOUTH 89°49'43" EAST ALONG SECTION LINE 357.08 FEET AND SOUTH 00°10'17" WEST 103.60 FEET FROM THE NORTHWEST CORNER OF SAID SECTION, AND RUNNING THENCE: SOUTH 89°49'43" EAST 72.60 FEET; THENCE SOUTH 00°09'27" WEST 201.40 FEET; THENCE NORTH 89°49'43" WEST 72.60 FEET; THENCE NORTH 00°09'27" EAST 201.40 FEET TO THE POINT OF BEGINNING.

For Informational Purposes: TAX ID: 12-091-0099 AND 12-091-0098

PARCEL 4:

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT ON THE BOUNDARY OF THE SYRACUSE ARTS ACADEMY BEING MORE OR LESS, 770.04 FEET SOUTH 89°49'43" EAST ALONG THE SECTION LINE AND SOUTH 305.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION; THENCE AS FOLLOWS: SOUTH 00°09'23" WEST 177.91 FEET, MORE OR LESS, THENCE NORTH 89°49'43" WEST 381.88 FEET, MORE OR LESS, THENCE NORTH 00°09'23" EAST 177.91 FEET, MORE OR LESS, TO THE BOUNDARY OF THE SYRACUSE ARTS ACADEMY; THENCE SOUTH 89°49'43" EAST 381.88 FEET, MORE OR LESS, ALONG SAID SYRACUSE ARTS ACADEMY BOUNDARY TO THE POINT OF BEGINNING.

For Informational Purposes: TAX ID: 12-091-0095

PARCEL 5:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, SYRACUSE CITY, DAVIS COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS LOCATED ON THE SOUTH LINE OF 1700 SOUTH STREET, SAID POINT ALSO BEING LOCATED SOUTH 89°49'43" EAST ALONG SECTION LINE 149.96 FEET AND SOUTH 00°10'17" WEST 33.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION, AND RUNNING THENCE: SOUTH 89°49'43" EAST ALONG SAID SOUTH LINE 207.10 FEET, THENCE SOUTH 00°09'27" WEST 70.60 FEET; THENCE NORTH 89°49'43" WEST 207.10 FEET; THENCE NORTH 00°09'27" EAST 70.60 FEET TO THE POINT OF BEGINNING.

For Informational Purposes: TAX ID: 12-091-0102

**EXHIBIT B**

to Special Warranty Deed

(Exceptions and Encumbrances)

1. Taxes for the year 2010 and subsequent years, not yet due and payable. are now a lien, but not yet due.
2. The Property is included within the boundaries of WEBER BASIN WATER CONSERVANCY DISTRICT, NORTH DAVIS SEWER IMPROVEMENT DISTRICT, SYRACUSE CITY, and is subject to the charges and assessments thereof. As of the date of the recordation of this Special Warranty Deed, all charges are currently paid and no charges or assessments are currently a lien against the Property.
3. Any and all outstanding oil and gas, mining and mineral rights, minerals and ores situated in, upon, or under the Property, together with the right of the proprietor of a vein or lode to extract his ore therefrom, should the same be found to penetrate or intersect the premises and the right of ingress and egress for the use of said rights, along with any other rights in connection with or relative to the mining, removal or sale of the same (but not including the right to enter upon the surface of the premises.).
4. Subject to that portion of the Property lying within the bounds of 1700 South Street.
5. The fact that the county shows that portion of 3000 West Street adjacent and to the West of the Property to be owned by Wallace J. Peterson and Mollie Rae Peterson, Trustees.
6. Reciprocal Deed of Easement by and between Syracuse School Development, LLC and Syracuse School Development II, LLC, recorded November 9, 2009 as Entry No 2492131 in Book 4898 at Page 276.
7. Matters as shown on that certain ALTA/ACSM Land Title Survey dated August 09, 2010, Job No. 3-08-051 by Northern Engineering Inc.
8. Boundary Agreement dated March 13, 2008 by and between Syracuse School Development, LLC and Syracuse City, recorded March 19, 2008 as Entry No. 2350276 in Book 4493 at Page 1624.