

9582389

Recording Requested by:
First American Title Insurance Agency, LLC
560 South 300 East
Salt Lake City, UT 84111
(801)578-8888

9582389
12/14/2005 12:57:00 PM \$20.00
Book - 9230 Pg - 1286-1289
Gary W. Ott
Recorder, Salt Lake County, UT
FIRST AMERICAN TITLE
BY: eCASH, DEPUTY - EF 4 P.

AFTER RECORDING RETURN TO:
Morningside Developers, LLC
3612 E Kings Hill Circle
Salt Lake City, UT 84121

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

SPECIAL WARRANTY DEED

Escrow No: **311-4503124 (ach)**

DH-Draper, LLC, Grantor, of **Draper**, **Salt Lake** County, State of **UT**, hereby CONVEYS AND WARRANTS only as against all claiming by, through or under it to

MORNINGSIDE DEVELOPERS, LLC, a **Utah Limited Liability Company**, Grantee, of **Salt Lake City**, **Salt Lake** County, State of **UT**, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in **Salt Lake** County, State of **Utah**:

SEE ATTACHED "EXHIBIT A"

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year **2005** and thereafter.

Witness, the hand(s) of said Grantor(s), this **December**
2, **2005**.

DH-Draper, LLC, an Utah Limited Liability
Company

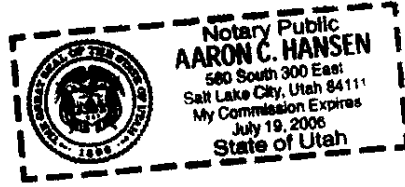
By: Dearbourne Heights, LLC, Manager by
Proterra Companies, Inc., Manager


By: Charles W. Akerlow, President

STATE OF UT)
)Ss.
COUNTY OF Salt Lake)

On December 2, 2005, personally appeared before me, **Charles W. Akerlow**, who being by me duly sworn did say that he is the **President of Proterra Companies, Inc., Manager of Dearbourne Heights, LLC Manager of DH-Draper, LLC** and the within and foregoing instrument was signed on behalf of said Limited Liability Company by authority of its Articles of Organization and each duly acknowledged to me that said Limited Liability Company executed the same.

Aaron C. Hansen
Notary Public
Aaron C. Hansen
(Printed Name)
My Commission expires: 7/19/06



{Seal or Stamp}

EXHIBIT "A "

Escrow No. **311-4503124 (ach)**

A.P.N.: **34-18-101-029-0000, 34-18-104-008-0000, 34-18-104-009-0000, 34-18-104-010-0000, 34-18-104-011, 34-18-104-012-0000, 34-18-104-013-0000, 34-18-104-014-0000, 34-18-104-015-0000, 34-18-106-001-0000, 34-18-106-002-0000, 34-18-106-003-0000, 34-18-106-004-0000, 34-18-106-005-0000, 34-18-106-006-0000, 34-18-106-007-0000 and 34-18-106-008-0000.**

Parcel 1:

BEGINNING at the Northwest Corner of Section 18, Township 4 South, Range 1 East, Salt Lake Base and Meridian and running thence North 89°51'23" East 1023.00 feet along the North section line of said section; thence South 45°06'23" West 1453.039 feet to the West section line of said section; thence North 00°21'24" East 1023.00 feet along said section line to the point of beginning.

LESS AND EXCEPTING THEREFROM, the following described property:

Lots 1 through 6, inclusive, and lots 23 through 28, inclusive, Dearbourne Heights P.U.D., Phase 1, according to the official plat thereof, on file and of record in the Salt Lake County Recorder's Office. Together with a right of use and easement in and to the private roads and common areas contained in said Dearbourne Heights P.U.D., Phase 1, which is appurtenant to said Lots 1 through 6 and 23 through 28.

PARCEL 2:

A non-exclusive perpetual easement on, over, across and through the following described property, as set forth in that certain Access and Utilities Easement by and between Metropolitan Water District of Salt Lake and Sandy, as Grantor, and DH-Draper, LLC, as Grantee, recorded December 3, 2002 as Entry No. 8444036 in Book 8696 at Page 3077 of Official Records:

BEGINNING at the Southeast Corner of Section 12, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 00°21'24" West, 350.00 feet along the Section Line; thence North 89°38'36" West, 15.00 feet; thence North 00°21'24" East, 300.00 feet; thence North 12°03'03" West, 51.20 feet; thence North 00°27'52" East, 480.51 feet to the northern property line of the parcel owned by the Metropolitan Water District; thence North 70°18'40" East 27.70 feet along said northern property line to a point on the East Section Line of Section 12, T4S, R1W, SLB&M; thence South 00°27'52" West, 490.00 feet along the Section Line to the POINT OF BEGINNING.

PARCEL 3:

A non-exclusive temporary easement on, over, across and through the following described property, as set forth in that certain Access and Utilities Easement (Temporary) by and between Sorenson Associates, L.L.C. and Alliance Capital Development, LLC, as Grantor, and DH-Draper, LLC, as Grantee, recorded December 3, 2002 as Entry No. 8444037 in Book 8696 at Page 3081 of Official Records, amended by Amendment to Access and Utility Easement recorded October 3, 2003 as Entry No. 8842800 in Book 8923 at Page 5881 of Official Records, and Affidavit of Correction recorded December 15, 2003 as Entry No. 8924169 in Book 8923 at Page 5880 of Official Records:

Beginning at the Northwest corner of Lot 3, as shown on the subdivision plat entitled "South Pointe Commerce Center Subdivision," Book 2003P, Page 6 in the Office of the Salt Lake County Recorder, Township 4 South, Range 1 East; thence along the northerly boundary of said subdivision North 60°19'24" East 855.68 feet to a point on a non-tangent 75.00 foot radius curve to the right, said point also being on the right-of-way of 65 East (radius bears North 28°45'41" East); thence along said curve and continuing along said right of way 125.11 feet, through a central angle of 95°34'29"; thence North 65°33'29" West, 11.00 feet to a point on a non-tangent 61.00 foot radius curve to the right (radius bears North 65°33'29" West); thence along said curve 48.17 feet, through a central angle of 45°14'41"; thence South 69°41'12" West 50.17 feet to a point on a 287.50 foot radius curve to the left (radius bears South 20°18'48" East); thence along said curve 147.28 feet, through a central angle of 26°21'05"; thence South 40°20'07" West 61.57 feet to a point on a 202.50 foot radius curve to the right (radius bears North 49°39'53" West); thence along said curve 70.64 feet, through a central angle of 19°59'18"; thence South 60°19'24" West 613.46 feet; thence South 29°40'36" East 48.55 feet; thence North 70°30'59" East 121.20 feet to the point of beginning.