

027808

When recorded, return to:
Mountain Green Investment, LLC
5827 N. Sage Crest Rd.
Mountain Green, UT 84050

E 145368 B 345 P 346
Date 26-Jul-2018 11:02AM
Fee: \$27.00 ACH
Filed By: CB
BRENDA NELSON, Recorder
MORGAN COUNTY
For: LINCOLN TITLE INSURANCE AGENCY
Recorded Electronically by Simplifile

**SPECIAL WARRANTY DEED
(CORRECTIVE)**

WILKINSON FAMILY FARM, LLC ("Grantor(s)") of Morgan County, State of Utah, hereby Conveys and Warrants only as against all claiming by, through or under it to MOUNTAIN GREEN INVESTMENT, LLC, a Utah limited liability company, ("Grantee") of Morgan County, State of Utah, for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract(s) of land in the County of Morgan, State of Utah, with all buildings, structures, improvements and fixtures on the tract(s) and other rights and privileges appurtenant to the tract(s), but excluding all water rights:

See the legal description set forth in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").

SUBJECT TO those matters set forth in Exhibit "B" attached hereto and incorporated herein by this reference (the "Permitted Exceptions").

WITNESS, the Hand(s) of said Grantor(s), this 25 day of July 2018

WILKINSON FAMILY FARM, LLC

By:

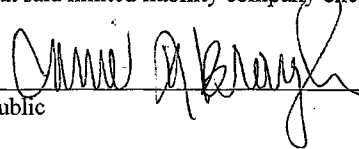
Kathy W. Collins
Kathy W. Collins, Manager

Rex G. Wilkinson
Rex G. Wilkinson, Manager

**This Corrective Deed is being recorded to amend and correct the legal description of Special Warranty Deed previously recorded on September 21, 2017 as Entry No. 142699, in Book 338, at Page 1103, records of Morgan County, Utah.

STATE OF UTAH)
) ss.
County of WEBER)

On the 25 day of July, 2018, personally appeared before me Kathy W. Collins and Rex G. Wilkinson, who did say that they are the Managers of Wilkinson Family Farm, LLC a Utah limited liability company, that the within and foregoing instrument was executed on behalf of said limited liability company by authority of Kathy W. Collins and Rex G. Wilkinson and that they duly acknowledged to me that said limited liability company executed the same.



Notary Public

My commission expires:
2/17/2019

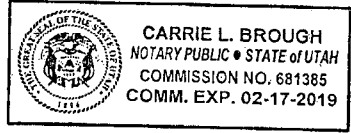


EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

A Parcel of Land Located in the Southwest Quarter of Section 20, and the Northwest Quarter of Section 29, Township 5 North, Range 2 East, Salt Lake Base & Meridian: Beginning at a point on the Easterly Boundary line of Phase 3A Parcel recorded on January 26, 2007 as Entry No. 106182, in Book 242 at Page 386 of the records of Morgan County, said point is 659.61 feet North 89°47'41" East and 699.39 feet North 07°15'45" East from the West Quarter corner of said Section 29, (monumented with a 5/8-inch rebar and Jack Johnson Cap); and running thence North 60°31'07" East 721.18 feet; thence North 38°04'55" East 801.14 feet; thence North 10°19'45" East 1,883.21 feet; thence South 65°26'26" East 995.90 feet; thence South 70°46'43" East 179.72 feet; thence South 19°14'05" East 90.36 feet; thence Southeasterly along the arc of a 215.00 foot radius curve to the left a distance of 422.94 feet (Long Chord bears South 75°35'20" East 357.97 feet); thence North 48°04'37" East 46.50 feet; thence South 70°46'43" East 24.60 feet; thence South 30°40'10" West 1,174.93 feet; thence South 39°58'02" West 969.95 feet; thence South 55°27'20" West 1,050.86 feet; thence South 65°26'03" West 323.30 feet; thence South 73°16'19" West 389.19 feet; thence South 44°03'02" West 433.01 feet; thence North 88°22'28" West 2.06 feet to said Easterly Boundary line; thence North 07°15'45" East 699.39 feet along said Easterly Boundary line to the Point of Beginning. LESS AND EXCEPTING: Beginning at a point which is South 0°37'49" East 942.19 feet along the Section line and East 1976.27 feet from the Southwest corner of Section 20, Township 5 North, Range 2 East, Salt Lake Base & Meridian and running thence East 250.00 feet; thence South 300.00 feet; thence West 250.00 feet; thence North 300.00 feet to the point of beginning.

Containing 77.667 acres, more or less.

Tax ID: 03-005-108 Parcel 00-0002-7340

EXHIBIT B

PERMITTED EXCEPTIONS

1. The lien of real estate taxes or assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.
2. Any facts, rights, interests, or claims that are not shown in the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.
3. Easements, claims of easement or encumbrances that are not shown in the public records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the public records.
7. Defects, liens, encumbrances, adverse claims or other claims, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
8. General taxes for the year 2017 are accruing as a lien but not yet due and payable. 2016 taxes were paid in the amount of \$302.75. Serial No. 03-005-108 Parcel 00-0002-7340.
9. General taxes for the year 2017 are accruing as a lien but not yet due and payable. 2016 taxes were paid in the amount of \$101.67. Serial No. 03-005-106 Parcel 00-0065-7539.
10. DELETED
11. Said property is located within the boundaries of Morgan County, Morgan County Library, Morgan School District, Health Services District, Weber Basin Water Conservancy District, Mountain Green Fire Protection District, Mountain Green Sewer Improvement District, and is subject to the charges and assessments levied thereunder.
12. The effect of the 1969 Farmland Assessment Act, wherein there is a five year roll-back provision with regard to Assessment and taxation which becomes due upon a change in the use of all or part of eligible land, by reason of that certain Annual Application for Assessment and Taxation of Agricultural Land recorded March 14, 2017, as Entry No. 141025 in Book 334, at Page 449, records of Morgan County, Utah. (Affects that portion lying within Tax Serial No. 03-005-108 Parcel 00-0002-7340)

13. The effect of the 1969 Farmland Assessment Act, wherein there is a five year roll-back provision with regard to Assessment and taxation which becomes due upon a change in the use of all or part of eligible land, by reason of that certain Annual Application for Assessment and Taxation of Agricultural Land recorded July 27, 2009, as Entry No. 117653 in Book 279, at Page 1171, records of Morgan County, Utah. (Affects that portion lying within Tax Serial No. 03-005-106 Parcel 00-0065-7539)
14. Ordinance No. C0-04-15 recorded July 27, 2004 as Entry No. 96738 in Book 207, Page 1072, records of Morgan County, Utah.
15. Ordinance No. C0-06-16 recorded August 21, 2006 as Entry No. 104109 in Book 234, Page 446, records of Morgan County, Utah.
16. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
17. Any and all outstanding oil and gas, mining and mineral rights, etc., 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 use of said rights.
18. Reservations and Exceptions as set forth in Patents from the United States of America recorded in Morgan County, Utah, as follows:
September 17, 1889 in Book "D", at Page 576.
August 10, 1897 in Book "G", at Page 7.
March 23, 1900 in Book "G", at Page 247.
December 30, 1900 in Book "G", at Page 630.
19. Reservations to the Union Pacific Railroad recorded June 8, 1908 in Book "H", at Page 429, and the particulars contained therein, records of Morgan County, Utah.

Union Pacific Railroad Company, a Utah Corporation, transferred its interest in and to said Reservation to Union Pacific Land Resources Corporation, a Utah Corporation, by Quit Claim Deed, recorded April 16, 1971, as Entry No. 37368 in Book M7, Page 249 records of Morgan County, Utah.

Release and Quit Claim Deed between Union Pacific Railroad Company and Union Pacific Land Resources Corporation, and the terms and conditions contained therein, recorded January 25, 1999 as Entry No. 78211 in Book 146, Page 734, records of Morgan County, Utah.
20. Easements and rights of way of record or enforceable in law and equity for any existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipe lines, power, telephone, sewer, gas or water lines now existing over, under or across subject property.
21. A non-exclusive right of way over an existing road, disclosed in Quit Claim Deeds recorded January 14, 1988 as Entry No(s). 56037 and 56039, in Book M63, Pages 449 and 452, records of Morgan County, Utah. (Exact location not disclosed)

22. Right of Way Agreement by and between Wilkinson Family Partnership ("Grantor") and Wilkinson Water Company ("Grantee"), and the terms and conditions contained therein, recorded September 3, 1996 as Entry No. 71022 in Book 122, Page 351, records of Morgan County, Utah.
23. Transfer and Conveyance by and between The Board of Water Resources ("Grantor") and Wilkinson Family Partnership LLC, for an easement and right of way together with the right of ingress and egress from said properties referenced therein, recorded September 4, 2001 as Entry No. 85995 in Book 173, Page 97, records of Morgan County, Utah.
24. 15 foot Access Easement (Dirt access road), and incidentals, as disclosed in Quit Claim Deed in favor of Cottonwood Mutual Water Company, a Utah non-profit corporation, recorded June 10, 2013 as Entry No. 129585 in Book 306, Page 1543 and various other documents of record in the Morgan County Records.
25. Grade School Water Storage Tank Site Easement, Overflow and Pipeline Easement, Access and Construction Easement and Right to Acquire Fee Title, and the terms and conditions contained therein, in favor of Cottonwood Mutual Water Company, a Utah non-profit corporation, recorded June 10, 2013 as Entry No. 129587 in Book 306, Page 1555, records of Morgan County, Utah.
26. Easements, recitals etc. contained within Special Warranty Deed to Cottonwood Mutual Water Company, a Utah non-profit corporation, recorded June 10, 2013 as Entry No. 129591 in Book 306, Page 1579, records of Morgan County, Utah.
27. Quit Claim Deeds to Cottonwood Mutual Water Company, a Utah non-profit corporation, the recitals contained therein, including but not limited to "All pipes, water transmission lines, water distribution pipelines, meters, hydrants, valves, regulators, chemical injection equipment, fittings, electrical componentry, pumps, valves, valve structures, vents, vent structures, control structures, fencing, electrical equipment, SCADA equipment and other related facilities and improvements located within the services area of Grantee and associated directly or indirectly with the culinary water system." Recorded December 30, 2013 as Entry No(s). 131143 and 131144 in Book 310, Pages 960 and 963, records of Morgan County, Utah.
28. Declaration of Access Easements, and the terms and conditions contained therein, by and between Gardner Cottonwood Creek, L.C. ("Grantor") and Wilkinson Family Farm, LLC ("Grantee"), recorded August 20, 2015 as Entry No. 135846 in Book 321, Page 1320, records of Morgan County, Utah.
29. Declaration of Access Easements, and the terms and conditions contained therein, by and between Gardner Cottonwood Creek, L.C. and Northside Creek, LLC ("Grantors") and Wilkinson Family Farm, LLC and Wilkinson Meadow, LLC ("Grantees"), recorded August 20, 2015 as Entry No. 135848 in Book 321, Page 1335, records of Morgan County, Utah.
30. Declaration of Access Easements, and the terms and conditions contained therein, by and between Gardner Cottonwood Creek, L.C. ("Grantor") and Wilkinson Family Farm, LLC and Wilkinson Meadow, LLC ("Grantees"), recorded August 20, 2015 as Entry No. 135849 in Book 321, Page 1344, records of Morgan County, Utah.

31. Declaration of Easement, and the terms and conditions contained therein, in favor of Mountain Green Secondary Water Company, a Utah not for profit corporation, recorded August 20, 2015 as Entry No. 135851 in Book 321, Page 1362, records of Morgan County, Utah.
32. Permanent Easements, and incidentals, contained in Default Judgment between Mountain Green Secondary Water Company, a Utah non-profit corporation ("Plaintiff") and Arnell Ranch at Cottonwood, LLC, a Utah limited liability company, Gardner Cottonwood Creek LC, a Utah limited liability company, Morgan County Cottonwood, LLC, a Utah limited liability company, Wilkinson Family Farm LLC, a Utah limited liability company ("Defendants"), recorded February 8, 2016 as Entry No. 137334 in Book 325, Page 153, records of Morgan County, Utah.
33. DELETED
34. Covenants, conditions and restrictions, including homeowners assessments, if any, appearing in the public records, deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin.
35. Protective Covenants recorded October 12, 2004 as Entry No. 97334, in Book 210, at Page 170, records of Morgan County, Utah.

Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).
36. DELETED
37. Development Agreement for the Cottonwoods at Mountain Green, Morgan County, Utah, and the terms and conditions contained therein, recorded August 18, 2006 as Entry No. 104097 in Book 234, Page 323, records of Morgan County, Utah.

Second Amendment to Development Agreement for The Cottonwoods at Mountain Green, Morgan County, Utah, recorded August 27, 2013 as Entry No. 130225 in Book 308, Page 645, records of Morgan County, Utah.

Assignment and Assumption of Rights and Obligations, and the terms and conditions contained therein, by and between Gardner Cottonwood Creek, LC ("Assignor") and Wilkinson Family Farm, LLC ("Assignee"), recorded August 20, 2015 as Entry No. 135852 in Book 321, Page 1370, records of Morgan County, Utah.
38. Notice of Option, Claim of Interest by Gardner Cottonwood Creek L.C. and the terms and conditions contained therein, recorded January 26, 2007 as Entry No. 106182 in Book 242, Page 386, records of Morgan County, Utah.
39. Memorandum of Agreement, and the terms and conditions contained therein, by and between Wilkinson Family Farm, LLC, Wilkinson Meadow LLC and Mountain Green Secondary Water Company, recorded August 20, 2015 as Entry No. 135845 in Book 321, Page 1315, records of Morgan County, Utah.

40. Memorandum of Agreement, and the terms and conditions contained therein, by and between Gardner Cottonwood Creek, L.C. and Wilkinson Family Farm, LLC, recorded August 20, 2015 as Entry No. 135853 in Book 321, Page 1376, records of Morgan County, Utah.
41. Lack of a right of access to and from the land.
42. Any facts, rights, interests of claims which are not shown by public records but which could be ascertained by making inquiry of tenants or lessees.
43. Any unrecorded contracts, leases, or Assignments thereof.
44. Rights of parties in possession of the subject property under unrecorded Leases, Rental or Occupancy Agreements and any claims or interests arising thereunder.