RECORDING REQUESTED BY AND WHEN RECORDED MAIL DEED TO:

Wright Development Group, Inc. 1572 N. Woodland Park Dr., Suite 505 Layton, UT 84041 Attention: Gary M. Wright

Attention: Gary M. Wright

**SENT TAX NOTICES TO:** 

Wright Development Group, Inc. 1572 N. Woodland Park Dr., Suite 505

Layton, UT 84041

Attention: Gary M. Wright

(Tax Identification No 26-24-456-005- 0000, 26-24-456-002-0000

FIRST AMERICAN TITLE

cv# 5312643

## SPECIAL WARRANTY DEED

11193393

Gary W. Ott

6/3/2011 4:13:00 PM \$14.00 Book - 9928 Pg - 9174-9176

Recorder, Salt Lake County, UT FIRST AMERICAN TITLE

BY: eCASH, DEPUTY - EF 3 P.

KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation, with its principal office at 4700 Daybreak Parkway, Murray, County of Salt Lake, State of Utah ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby CONVEY and WARRANT against all who claim by, through, or under the Grantor to WRIGHT DEVELOPMENT GROUP, INC., a Utah corporation ("Grantee"), certain land being more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Land"), together with (i) all improvements, if any, located thereon, and (ii) all right, title and interest of Grantor (if any) in, to and under adjoining streets, rights of way and easements, SUBJECT TO all reservations contained in this Deed and all encumbrances of record, all building codes and other applicable laws, ordinances and governmental regulations affecting the Land and all other matters reasonably identifiable from an inspection or survey of the Land.

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the first 500 feet below the surface of the Land to use or extract the same, and (ii) all water flowing or located under, within, or over, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land; together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the first 500 feet below the surface of the Land to use or extract the same.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantee, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on the land] and the "Subsequent Transfer Covenant" [which requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.

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IN WITNESS WHEREOF, Grantor has caused its duly authorized representative to execute this instrument as of the date hereinafter written.

**GRANTOR:** DATED: <u>June 3</u>, 2011 KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation 4 RX By Name: Scott R. Kaufmann Vice President Commercial Title: Development **ACKNOWLEDGMENT** STATE OF UTAH ) SS. COUNTY OF SALT LAKE On June 3, 2011, personally appeared before me, a Notary Public, the Vice President Commercial\* Scott R. Kaufmann KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY. \*Development WITNESS my hand and official Seal.

Notary Public in and for said State

My commission expires: 5-22.2012

[SEAL]

Notary Public NIE J. VANROOSENDA

May 22, 2012 State of Utah

## EXHIBIT A TO SPECIAL WARRANTY DEED

## LEGAL DESCRIPTION

Real property in the City of South Jordan, County of Salt Lake, State of Utah, described as follows:

COMMENCING AT A POINT WHICH IS SOUTH 89°58'42" EAST, 57.84 FEET ALONG THE SOUTH LINE OF SECTION 24 TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND NORTH 00°01'18" EAST, 970.49 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 24 TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING SOUTH 89°58'42" EAST, 2677.86 FEET BETWEEN THE SOUTH QUARTER CORNER AND THE SOUTHEAST CORNER OF SAID SECTION 24) AND THENCE RUNNING NORTH 35°27'34" WEST 38.59 FEET; THENCE NORTH 70°26'41" WEST 36.45 FEET; THENCE NORTH 35°07'04"WEST, 118.79 FEET TO THE SOUTH LINE OF DAYBREAK PARKWAY DRIVE; THENCE NORTH 54°53'01' EAST, 191.29 FEET ALONG SOUTH LINE DAYBREAK PARKWAY DRIVE; THENCE SOUTH 37°11'45"EAST, 59.02 FEET; THENCE 16.26 FEET ALONG A 190.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 34°44'38" EAST 16.26 FEET); THENCE 19.17 FEET ALONG A 210.00 FOOT REVERSE RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 34°54'26"EAST, 19.17 FEET); THENCE 93.02 FEET ALONG A 363.75 FOOT REVERSE RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 30°11'48" EAST, 92.76 FEET); THENCE SOUTH 54°46'55" WEST, 163.99 FEET TO THE POINT OF BEGINNING.

## CONTAINING APPROXIMATELY 0.7982 ACRES

Said Property is also known by the street address of:

5203 West Daybreak Parkway, South Jordan, UT 84095