

WHEN RECORDED, MAIL TO:

ND-CS, L.C.  
1700 South 4650 West  
Salt Lake City, UT 84104  
Attention: Randolph G. Abood

Tax Id Nos. 10-311-0012  
10-311-0013  
10-311-0014  
10-165-0007  
10-165-0008

*NCS - 823769.ai*

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**SPECIAL WARRANTY DEED**

WOODLAND LAYTON OFFICES, LLC, a Utah limited liability company (“Grantor”), for good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, conveys, and warrants only against all claiming by, through or under it, and acts of itself to ND-CS, L.C., a Utah limited liability company, as to an undivided eighty percent (80%) interest as a tenant-in-common, and KPFN PROPERTIES, LLC, a Utah limited liability company, as to an undivided twenty percent (20%) interest as a tenant-in-common (collectively, “Grantee”), whose address is 1700 South 4650 West, Salt Lake City, UT 84104, Attention: Randolph G. Abood, the following parcel of real property located in Davis County, State of Utah, and more particularly described as follows:

See Exhibit A attached hereto and by this reference made a part hereof (the “Property”).

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the Property, and all of Grantor’s interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to the Property, and all of Grantor’s interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

SUBJECT ONLY TO current taxes and assessments and to the reservations, easements, covenants, conditions, restrictions, and other rights or interests specifically described on Exhibit B, attached hereto and incorporated herein by this reference.

*[signatures are on the following page]*



**EXHIBIT A**

**(Legal Description of the Property)**

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

PARCEL 1:

ALL OF LOTS 7 AND 8, WOODLAND PARK COMMERCIAL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

PARCEL 1A:

ALL OF LOTS 12, 13, AND 14, WOODLAND PARK COMMERCIAL SUBDIVISION, 1ST AMENDMENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

PARCEL 2:

EASEMENTS FOR ACCESS AND USE OVER CERTAIN COMMON AREAS AND THE COMMON PARKING AREAS AS SET FORTH ON THE RECORDED PLAT AND AS SET FORTH IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS RECORDED AUGUST 7, 1996 AS ENTRY NO, 1266307 IN BOOK 2031 AT PAGE 135 OF OFFICIAL RECORDS.

PARCEL 3:

AN EASEMENT FOR STORMWATER DRAINAGE AS SET FORTH IN GRANT OF EASEMENT RECORDED OCTOBER 6, 2006 AS ENTRY NO. 2208438 IN BOOK 4133 PAGE 115 OF OFFICIAL RECORDS.

**EXHIBIT B**

**(Permitted Exceptions)**

1. Taxes for the current year of Closing.
2. Any charge upon the land by reason of its inclusion in North Davis Sewer Improvement District and Layton City. At the time this deed is recorded, all charges and assessments are currently paid and no charges or assessments are currently a lien against the land.
3. Easements, notes and restrictions as shown on Woodland Park Commercial Subdivision plat recorded February 08, 1995 as Entry No. 1164670 in Book 1846 of Plats at Page 148.
4. The terms and conditions of that certain Restrictive Covenants for Woodland Park Commercial Subdivision, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, disability, familial status, or national origin to the extent such covenants, conditions or restrictions violate Section 804(c) of Act (42 U.S.C. 3604(c)), recorded June 06, 1996, as Entry No. 1254061 in Book 2009 at Page 933 of Official Records.
5. The terms and conditions of that certain Restrictive Covenants for Woodland Park Commercial Subdivision, recorded August 07, 1996, as Entry No. 1266307 in Book 2031 at Page 135 of Official Records.
6. The terms and conditions of that certain Declaration of Easements, Covenants and Restrictions (Marie Callender Leasehold Overflow Parking), recorded December 16, 1996, as Entry No. 1293290 in Book 2074 at Page 950 of Official Records.
7. The terms, provisions and easement(s) contained in the document entitled "Grant of Easement" by and between Puget of Texas, Inc., a Texas corporation and Koll/Per Woodland, LLC, a Delaware limited liability company recorded October 06, 2006 as Entry No. 2208438 in Book 4133 at Page 115 of Official Records.

(The following affects a portion of Lots 13, 14, 7 and 8)

8. An easement over, across or through the land for water and electrical connections and service lines and a public walkway and incidental purposes, as granted to Layton City Corporation by Instrument recorded May 02, 2013 as Entry No. 2737743 in Book 5761 at Page 326 of Official Records.
9. Easements, notes and restrictions as shown on Woodland Park Commercial Subdivision, 1<sup>st</sup> Amendment plat recorded January 10, 2017 as Entry No. 2994514 in Book 6679 of Plats at Page 62.