

WHEN RECORDED RETURN TO:

DB JAZZ LLC
c/o Fortress Investment Group LLC
1345 Avenue of the Americas, 46th Floor
New York, NY 10105
Attn: Constatine M. Dakolias

Tax ID Nos. 13:063:0026 and 13:063:0101

FATD NCS-901691-ai

SPECIAL WARRANTY DEED

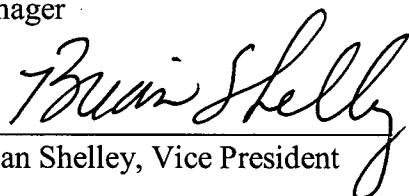
AF 737 EAST, LLC, a Utah limited liability company, who inadvertently took title to one of the parcels being conveyed as **AF 727 EAST, LLC**, **GRANTOR**, hereby **CONVEYS AND WARRANTS** against all those claiming by, through or under Grantor to **DB JAZZ LLC**, a Delaware limited liability company, **GRANTEE**, for good and valuable consideration, the following tract(s) of land in Utah County, State of Utah more particularly described on **Exhibit A**, attached hereto and made a part hereof, together with all interests, privileges and easements appurtenant thereto and any and all improvements located thereon, including, without limitation, the building(s) and all fixtures thereon.

Subject only to those matters set forth on **Exhibit B**, attached hereto and made a part hereof.

WITNESS, executed by Grantor this 12th day of July, 2018.

AF 737 EAST, LLC
a Utah limited liability company

By: Colmena Capital, Inc.
a Utah corporation
Its Manager

By: 
Brian Shelley, Vice President

STATE OF UTAH
COUNTY OF SALT LAKE

On this 11th day of July, 2018, before me, the undersigned Notary Public, personally appeared Brian Shelley, Vice President of Colmena Capital, Inc., a Utah corporation, Manager of AF 737 East, LLC, a Utah limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be one of the persons whose name is subscribed to the foregoing instrument and acknowledged before me that he executed the same in his individual capacity.



Notary Public

My commission expires: 10/29/2018



Exhibit A

The land situated in the County of Utah, State of Utah, and described as follows:

Parcel 1

Commencing at a point located South 00°25'09" East along the Section Line 78.94 feet and West 2148.10 feet from the East Quarter Corner of Section 25, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence South 00°00'14" West 111.05 feet; thence North 89°23'22" East 47.36 feet; thence North 77°58'05" East 285.69 feet; thence North 76°13'17" East 68.01 feet; thence North 89°54'38" East 354.90 feet; thence South 64°27'14" East 110.95 feet; thence South 50°05'30" East 127.84 feet; thence South 49°38'50" East 264.15 feet; thence South 40°08'13" West 389.97 feet; thence North 49°51'47" West 164.57 feet; thence along an arc of a 260.00 foot Radius Curve to the left 182.14 feet (chord bears North 69°55'54" West 178.43 feet); thence West 706.12 feet; thence along an arc of a 15.00 foot Radius Curve to the right 23.56 feet (chord bears North 45°00'00" West 21.21 feet); thence North 53.19 feet; thence along an arc of a 233.00 foot Radius Curve to the left 93.53 feet (chord bears North 11°30'00" West 92.91 feet); thence North 23°00'00" West 81.28 feet; thence along an arc of a 350.00 foot Radius Curve to the right 140.50 feet (chord bears North 11°30'00" West 139.56 feet); thence North 79.06 feet; thence along an arc of a 15.00 foot Radius Curve to the right 23.47 feet (chord bears North 44°49'37" East 21.15 feet); thence North 89°39'14" East 181.93 feet to the point of beginning.

The following is shown for information purposes only: Tax ID No. 13:063:0026.

Parcel 2

A TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY HIGHWAY RIGHT OF WAY LINE OF INTERSTATE-15 AND THE NORTHEASTERLY CORNER OF THE GRANTEE'S PROPERTY AS RECORDED IN ENTRY NO. 157226:2002 ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER; SAID POINT IS 151.23 FEET SOUTH 00°25'09" EAST ALONG THE SECTION LINE AND 1,301.78 FEET SOUTH 89°34'51" WEST FROM THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 64°27'14" WEST (NORTH 67°32'00" WEST BY RECORD) 110.30 FEET; THENCE SOUTH 89°54'38" WEST (WEST BY RECORD) 354.90 FEET; THENCE SOUTH 76°13'17" WEST (SOUTH 77°17'00" WEST BY RECORD) 68.01 FEET; THENCE SOUTH 77°58'05" WEST, (SOUTH 77°17'00" WEST BY RECORD) 285.69 FEET; THENCE SOUTH 89°23'22" WEST (WEST BY RECORD) 47.36 FEET; THENCE NORTH 00°00'14" EAST (NORTH BY RECORD) 106.28 FEET TO THE BEGINNING OF A 1,550.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE SOUTHERLY TOE OF SLOPE OF SAM WHITE BRIDGE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

NEXT EASTERLY 166.29 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS NORTH 81°51'21" EAST FOR A DISTANCE OF 166.21 FEET) TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET; THENCE (2) EASTERLY 157.87 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS NORTH 84°26'08" EAST FOR A DISTANCE OF 157.62 FEET); THENCE (3) SOUTH 89°54'40" EAST 103.33 FEET TO THE BEGINNING OF A 800.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE (4) EASTERLY 107.40 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 86°03'54" EAST FOR A DISTANCE OF 107.32 FEET); THENCE (5) SOUTH 82°13'08" EAST 39.79 FEET TO THE BEGINNING OF A 800.00-FOOT RADIUS CURVE TO THE LEFT; THENCE (6) EASTERLY 95.43 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 85°38'11" EAST FOR A DISTANCE OF 95.38 FEET); THENCE (7) SOUTH 89°03'14" EAST 68.80 FEET; THENCE SOUTH 49°51'08" EAST 146.67 FEET TO THE POINT OF BEGINNING.

The following is shown for information purposes only: Tax ID No. 13:063:0101

Said property is also known by the street address of:

Parcel 1: 737 East 1180 South

Parcel 2: No Situs Address American Fork, UT 84003

Exhibit B

Title Exceptions

1. Real property taxes and assessments for the year 2018 are now a lien, not yet due and payable. Tax Parcel No. 13:063:0026.
2. Real property taxes and assessments for the year 2018 are now a lien, not yet due and payable. Tax Parcel No. 13:063:0101.
3. Any charge upon the land by reason of its inclusion in American Fork City, North Utah County Water Conservancy District, Timpanogos Special Service District and the Utah Valley Dispatch Special Service District. Paid current as of date of Policy.
4. An easement over, across or through the land for drainage facility and incidental purposes, as granted to the State Road Commission of Utah by Instrument recorded August 3, 1959 as Entry No. 11949 in Book 819 at Page 415 of Official Records.
5. An easement over, across or through the land for irrigation ditch and incidental purposes, as granted to the State Road Commission of Utah by Instrument recorded September 26, 1960 as Entry No. 13486 in Book 854 at Page 284 of Official Records.
6. The terms, provisions and easement(s) contained in the document entitled "Certificate of Appropriation for Irrigation" recorded March 15, 1979 as Entry No. 9658 in Book 1727 at Page 427 of Official Records.
7. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain declarations recorded January 6, 2000 as Entry No. 1403:2000 of Official Records, and any amendments thereto, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).
 - a. Supplemental Declaration recorded February 9, 2001 as Entry No. 11105:2001 of Official Records.
 - b. Amendment to declarations recorded April 3, 2002 as Entry No. 37452:2002 of Official Records.
 - c. Assignment and Assumption of Declarant's Rights recorded June 19, 2014 as Entry No. 41820:2014 of Official Records.
8. An easement over, across or through the land for facilitate the construction of a freeway and incidental purposes, as granted to City of American Fork by Instrument recorded January 20, 2010 as Entry No. 5077:2010 of Official Records.
9. An unrecorded Lease executed by AF 737 East, LLC, a Utah limited liability company, as Lessor, and Morinda, Inc., a Utah corporation, as Lessee, as disclosed by Memorandum of Lease recorded May 01, 2015 as Entry No. 37315:2015 of Official Records.
10. A perpetual ingress and egress access easement as reserved by the Utah Department of Transportation as disclosed by that certain Quit Claim Deed recorded February 3, 2016 as Entry No. 9268:2016 of Official Records. (The following affects Parcel 2)
11. Maintenance Agreement and the terms, conditions and limitations contained therein by and between AF 737 East, LLC and American Fork City recorded February 25, 2016 as Entry No. 15394:2016 of Official Records.