



WHEN RECORDED, PLEASE RETURN TO:

First American Title Insurance Company  
777 S. Figueroa Street, Suite 400  
Los Angeles, California 90017  
Attn: Valerie Curry

E# 2632442 PG 1 OF 5  
ERNEST D. ROWLEY, WEBER COUNTY RECORDER  
29-Apr-13 12:24 PM FEE \$18.00 DEP TT  
REC FOR: FIRST AMERICAN NCS - UTAH  
ELECTRONICALLY RECORDED

Tax Parcel Nos. 17-066-0047 ✓ MP

(Space above for Recorder's Use Only)

**SPECIAL WARRANTY DEED**

ARCML06 LLC, a Delaware limited liability company ("Grantor"), with an address of c/o American Residential Communities, LLC, 4643 South Ulster Street, Suite 400, Denver, CO 80237, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid in hand to Grantor by EVERGREEN VILLAGE MHC, LLC, a Delaware limited liability company ("Grantee") with an address of 31200 Northwestern Highway, Farmington Hills, Michigan 48334, the receipt and sufficiency of which is hereby acknowledged, has CONVEYED and WARRANTED and by these presents does CONVEY and WARRANT unto Grantee all of Grantor's right, title and interest in and to that certain parcel of land located in Weber County, Utah and legally described in Exhibit A attached hereto and incorporated herein by this reference, together with all buildings, improvements and fixtures located thereon and owned by Grantor as of the date hereof and all rights, privileges and appurtenances pertaining thereto including all of Grantor's right, title and interest in and to all rights-of-way, open or proposed streets, alleys, easements, strips or gores of land adjacent thereto (herein collectively called the "Real Property").

This conveyance is made by Grantor and accepted by Grantee subject to all covenants, conditions, restrictions, and other matters listed on Exhibit B attached hereto and incorporated herein by this reference (the "Permitted Exceptions").

TO HAVE AND TO HOLD the Real Property together with all improvements located thereon all and singular the rights and appurtenances thereto in anywise belonging, subject to the Permitted Exceptions, unto Grantee, its legal representatives, successors and assigns, and Grantor does hereby bind itself, its legal representatives, successors and assigns, to WARRANT and FOREVER DEFEND all and singular the Real Property unto the Grantee, its legal representatives, successors and assigns, against Grantor and every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

If any term or provision of this Deed or the application thereof to any persons or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Deed or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Deed shall be valid and enforced to the fullest extent permitted by law.

ARC/RHP2 Portfolio  
Utah Deed (Evergreen Village, UT)

581752-70

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the 4<sup>th</sup> day of April, 2013 to be effective as of the 4<sup>th</sup> day of April, 2013.

**GRANTOR:**

ARCML06 LLC, a Delaware limited liability company

By:   
Orrin Shifrin, Secretary

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF COOK            )

The foregoing instrument was acknowledged before me, , this 4<sup>th</sup> day of April, 2013 by Orrin Shifrin, the Secretary of ARCML06 LLC, a Delaware limited liability company.

(Seal)

  
Notary Public  
My Commission Expires:



## EXHIBIT A

## LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 1 WEST AND A PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF THE GRANTORS NORTH PROPERTY LINE BEING AN EXISTING FENCE LINE AND THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 89-91 30S LOCATED SOUTH 00° 39' 48" WEST 1361.15 FEET ALONG THE WEST LINE OF SAID SECTION AND SOUTH 89° 18' 11" EAST 950.64 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, SAID POINT DESCRIBED OF RECORD AS BEING LOCATED 1362.20 FEET SOUTH 00° 07' EAST ALONG THE SECTION LINE AND 937.09 FEET SOUTH 89° 41' 15" EAST FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, RUNNING THENCE SOUTH 33° 52' 33" EAST 698.94 FEET ALONG SAID RIGHT-OF-WAY LINE, THENCE SOUTH 01° 00' 52" WEST 726.22 FEET TO THE NORTH BOUNDARY LINE OF THE WILLOW BROOK VILLAGE SUBDIVISION, THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SUBDIVISION THE FOLLOWING FOUR COURSES: (1) SOUTH 01° 00' 52" WEST 93.57 FEET; (2) NORTH 88° 59' 08" WEST 791.42 FEET; (3) SOUTH 01° 02' 06" WEST 207.29 FEET; (4) NORTH 88° 57' 54" WEST 249.51 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE OREGON SHORT LINE RAILROAD; THENCE NORTH 25° 54' 10" WEST 750.87 FEET ALONG SAID RIGHT-OF-WAY LINE TO AN EXISTING FENCE AND A POINT DESCRIBED OF RECORD AS BEING LOCATED SOUTH 00° 07' EAST 1362.20 FEET AND SOUTH 89° 41' 15" EAST 285.15 FEET AND SOUTH 00° 18' 45" WEST 925.93 FEET AND NORTH 89° 41' 15" WEST 337.88 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89° 02' 36" EAST 334.89 FEET ALONG SAID FENCE LINE TO AN EXISTING CONCRETE WALL; THENCE NORTH 00°35'26" EAST 331.13 FEET ALONG SAID CONCRETE WALL; THENCE NORTH 64° 11' 24" EAST 13.50 FEET; THENCE NORTH 25° 22' 38" WEST 27.61 FEET; THENCE NORTH 00° 35' 26" EAST 564.89 FEET ALONG SAID CONCRETE WALL TO GRANTORS NORTH PROPERTY LINE, THENCE SOUTH 89° 18' 11" EAST 653.10 FEET ALONG SAID FENCE AND GRANTORS NORTH PROPERTY LINE TO THE POINT OF BEGINNING.

Evergreen Village, UT

**EXHIBIT B**  
**PERMITTED EXCEPTIONS**

ARC/RHP2 Portfolio  
Utah Deed (Evergreen Village, UT)

## EXHIBIT B

Permitted Exceptions

1. Water rights, claims or title to water.
2. General and special taxes and assessments for the fiscal year 2013 and subsequent years, which are not yet due or payable.
3. Any charge upon the land by reason of its inclusion in Bona Vista Water, Central Weber Sewer and Pleasant View City.
4. The rights of the State Road Commission to relocate ditches for fill and drainage outside road Right of Way as disclosed in Right of Way Deed recorded December 28, 1937 as Entry No. 32213 in Book 130 at Page 162 and in Quit-Claim Deed recorded June 18, 1953 as Entry No. 205918 in Book 419 at Page 576 of Official Records.
5. Right of Way and Easement Grant, in favor of the Mountain Fuel Supply Company, a Utah corporation, with the right of ingress and egress for gas transmission and incidental purposes, recorded August 16, 1973 as Entry No. 599507 in Book 1033 at Page 16 of Official Records.
6. Right of Way Easement dated October 30, 1985, in favor of the Mountain States Telephone and Telegraph Company, a Colorado corporation, together with the right of ingress and egress and such communication and other facilities over and across the subject property. Said Easement recorded January 13, 1986 as Entry No. 957708 in Book 1483 at Page 411 of Official Records.
7. Right of Way and Easement Grant, in favor of Mountain Fuel Supply Company, a Utah corporation, with the right of ingress and egress for gas transmission and incidental purposes, recorded September 11, 1986 as Entry No. 981816 in Book 1498 at Page 1816 of Official Records.
8. Right of Way and Easement Grant, in favor of the Mountain Fuel Supply Company, a Utah corporation, with the right of ingress and egress for gas transmission and incidental purposes, recorded July 01, 1996 as Entry No. 1415415 in Book 1814 at Page 80 of Official Records.
9. Matters which would be disclosed by an accurate survey of the property.
10. Rights of tenants, as tenants only, under existing unrecorded leases.