

WHEN RECORDED, PLEASE RETURN TO:



\*W2632353\*

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

E# 2632353 PG 1 OF 5  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
29-Apr-13 11:13 AM FEE \$18.00 DEP SY  
REC FOR: FIRST AMERICAN NCS - UTAH  
ELECTRONICALLY RECORDED

Tax Parcel Nos. 11-027-0041 *12*

(Space above for Recorder's Use Only)

**SPECIAL WARRANTY DEED**

ARC COMMUNITIES 9 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 VIKING VILLA, 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 (Viking Villa, UT)

*581752-67*

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:

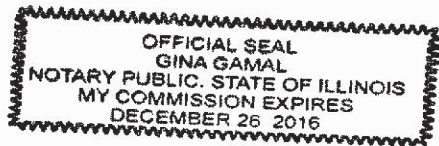
ARC COMMUNITIES 9 LLC, a Delaware limited liability company

By: *OSS*  
Orrin Shifrin, Secretary

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF COOK            )

The foregoing instrument was acknowledged before me, *Gina Gamal*, this 4<sup>th</sup> day of April, 2013 by Orrin Shifrin, the Secretary of ARC COMMUNITIES 9 LLC, a Delaware limited liability company.

(Seal)



*Gina Gamal*  
Notary Public  
My Commission Expires:

## EXHIBIT A

## LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 8, AND THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF RON-CLARE VILLAGE NO. 1 SUBDIVISION, SAID POINT BEING SOUTH 00° 23' 24" WEST 310.04 ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 8, SAME SAID POINT OF BEGINNING BEING SOUTH 01° 09' 51" WEST ALONG THE MONUMENT LINE 156.07 FEET AND SOUTH 89° 37' 24" EAST 664.96 FEET FROM A COUNTY MONUMENT LOCATED AT THE INTERSECTION OF WASHINGTON BOULEVARD AND 1100 NORTH STREET AND RUNNING THENCE ALONG SAID SOUTH LINE SOUTH 89° 37' 24" EAST 660.27 FEET TO A WESTERLY LINE OF SAME SAID SUBDIVISION; THENCE ALONG SAID WESTERLY LINE AND THE WESTERLY LINE OF THE RON-CLARE VILLAGE NO. 2 SUBDIVISION SOUTH 00° 35' 36" WEST 1009.33 TO THE NORTHERLY LINE OF 900 NORTH STREET AS CONVEYED AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED AS ENTRY NO. 673487 IN BOOK 1139 AT PAGE 249 IN THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING THREE COURSES AND DISTANCES (1) NORTH 89° 24' 24" WEST 345.07 FEET TO A POINT ON A 446.13 FOOT RADIUS CURVE TO THE RIGHT; THENCE (2) ALONG SAID RADIUS CURVE 147.62 FEET THROUGH A CENTRAL ANGLE OF 18° 57' 33" (CHORD BEARS NORTH 79° 55' 39" WEST 146.95 FEET) TO A POINT ON A 483.54 FOOT RADIUS CURVE TO THE LEFT; THENCE (3) ALONG SAID RADIUS CURVE 169.39 FEET THROUGH A CENTRAL ANGLE OF 20° 04' 15" (CHORD BEARS NORTH 80° 29' 02" WEST 168.52 FEET) TO THE SECTION LINE; THENCE CONTINUING ALONG THE NORTHERLY LINE 900 NORTH STREET NORTH 89° 39' 16" WEST 612.26 FEET TO THE EASTERLY LINE OF WASHINGTON BOULEVARD; THENCE ALONG SAID EASTERLY LINE NORTH 01° 09' 51" EAST 956.93 FEET TO THE SOUTH LINE OF THE RON-CLARE VILLAGE NO. 1 SUBDIVISION; THENCE ALONG SAID SOUTH LINE SOUTH 89° 37' 24" EAST 598.95 FEET TO THE POINT OF BEGINNING.

Viking Villa, UT

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

ARC/RHP2 Portfolio  
Utah Deed (Viking Villa, UT)

## EXHIBIT B

Permitted Exceptions

1. Water rights, claims or title to water.
2. Taxes for the Year 2013 and subsequent years, which are not yet due and payable.
3. Any charge upon the land by reason of its inclusion in Central Weber Sewer and Ogden City. None now due and payable.
4. Reservation in Patent recorded on August 31, 1889 in Book 1 at Page 181 of Official Records, wherein Grantor reserves all "mineral lands", but said exception shall not be construed to include "coal and iron lands".
5. Reservation in Patent recorded in Book R at Page 108 Records, wherein in said property is subject to any accrued or vested rights for mining, manufacturing or other purposes and rights to ditches and reservoirs used in connection with said water rights; also the right of a proprietor of a vein or lode to remove his ore therefrom should the same be found to penetrate or intersect the same premises.
6. An easement over, across or through the land for communication facilities and incidental purposes, as granted to The Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded June 10, 1975 as Entry No. 639531 in Book 1088 at Page 586 of Official Records.
7. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a Corporation of the State of Utah by Instrument recorded April 26, 1976 as Entry No. 663578 in Book 1124 at Page 163 of Official Records.
8. An easement over, across or through the land for operations and maintenance of retention reservoirs and incidental purposes, as granted to Ogden City, a municipal corporation of the State of Utah by Instrument recorded August 20, 1976 as Entry No. 673486 in Book 1139 at Page 247 of Official Records.
9. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation of the State of Utah by Instrument recorded September 11, 1986 as Entry No. 981817 in Book 1498 at Page 1828 of Official Records.
10. An easement over, across or through the land for communication and incidental purposes, as granted to The Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded February 19, 1987 as Entry No. 999921 in Book 1509 at Page 2995 of Official Records.
11. Matters which would be disclosed by an accurate survey of the property.
12. Rights of tenants, as tenants only, under existing unrecorded leases.