

## WHEN RECORDED, PLEASE RETURN TO:

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

E# **2632451** PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
29-Apr-13 1230 PM FEE \$20.00 DEP TT
REC FOR: FIRST AMERICAN NCS - UTAH
ELECTRONICALLY RECORDED

Tax Parcel Nos. 07-072-0028

(Space above for Recorder's Use Only)

### SPECIAL WARRANTY DEED

ARC COMMUNITIES 10 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 RIVERDALE 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 (Riverdale Mobile Estates, UT)

581752-71

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

### **GRANTOR:**

ARC COMMUNITIES 10 LLC, a Delaward
limited liability company
Ву:
Orrin Shifrin, Secretary

STATE OF ILLINOIS

COUNTY OF COOK ) ss.

The foregoing instrument was acknowledged before me <u>July Sanat</u>, this <u>July day</u> of April, 2013 by Orrin Shifrin, the Secretary of ARC COMMUNITIES 10 LLC, a Delaware limited liability company.

(Seal)

OFFICIAL SEAL
GINA GAMAL
NOTARY PUBLIC. STATE OF ILLINOIS
MY COMMISSION EXPIRES
DECEMBER 26 2016

Notary Public

My Commission Expires:

# EXHIBIT A LEGAL DESCRIPTION

ARC/RHP2 Portfolio Utah Deed (Riverdale Mobile Estates, UT)

#### **EXHIBIT** A

#### LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, JOHNNY'S DAIRY SUBDIVISION RECORDED AS ENTRY NO. 1340344 IN BOOK 39 OF PLATS AT PAGE 71 IN THE OFFICE OF THE WEBER COUNTY RECORDER AND RUNNING THENCE ALONG THE SOUTH BOUNDARY OF SAID SUBDIVISION THE FOLLOWING EIGHT COURSES: NORTH 29° 31' 51" EAST 146.53 FEET; THENCE NORTH 55° 57' 43" EAST 264.74 FEET; THENCE SOUTH 70° 42' 00" EAST 490.33 FEET; THENCE SOUTH 54° 53' 00" EAST 156.68 FEET; THENCE SOUTH 43° 56' 00" EAST 281.67 FEET; THENCE SOUTH 47° 34' 00" EAST 40.00 FEET; THENCE NORTH 73° 41' 00" EAST 10.00 FEET; THENCE SOUTH 61° 27' 00" EAST 618.00 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 359.85 FEET TO AN EXISTING FENCE; THENCE NORTH 89° 48' 55" WEST 389.63 FEET TO A FENCE CORNER; THENCE SOUTH 02° 01' 58" WEST 39.34 FEET TO AN EXISTING FENCE CORNER; THENCE ALONG AN EXISTING FENCE THE FOLLOWING FOUR COURSES; NORTH 89° 00' 56" WEST 122.66 FEET; THENCE SOUTH 86° 24' 23" WEST 146.72 FEET; THENCE SOUTH 68° 04' 19" WEST 62.57 FEET; THENCE SOUTH 64° 56' 45" WEST 184.47 FEET; THENCE NORTH 82° 21' 39" WEST 42.27 FEET; THENCE NORTH 60° 00' 00" WEST 85.82 FEET; THENCE NORTH 40° 00' 00" WEST 140.12 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER; THENCE ALONG SAID SOUTH LINE NORTH 89° 17' 08" WEST 21.31 FEET TO THAT CERTAIN PROPERTY CONVEYED TO THE STATE ROAD COMMISSION OF UTAH BY WARRANTY DEED, RECORDED AS ENTRY NO. 403269 IN BOOK 743 AT PAGE 689 IN THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE ALONG SAID PROPERTY NORTH 34° 26' 00" WEST 119. 13 FEET; THENCE NORTH 44° 31' 00" WEST 51.21 FEET; THENCE NORTH 49° 30' 00" WEST 149.90 FEET; THENCE NORTH 30° 40' 00" WEST 49.63 FEET; THENCE NORTH 10° 05' 00" WEST 145.04 FEET; THENCE NORTH 32° 28' 00" WEST 80.59 TO A POINT ON A NORTHERLY LINE OF A PARCEL OF GROUND CONVEYED TO THE STATE ROAD COMMISSION OF UTAH IN THAT CERTAIN WARRANTY DEED RECORDED AS ENTRY NO. 403271 IN BOOK 743 AT PAGE 692 IN THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE ALONG THE NORTH LINE OF SAID PARCEL NORTH 49° 24' 00" WEST 77.32 FEET; THENCE NORTH 66° 36' 00" WEST 71.82 FEET TO AN EXISTING RIGHT OF WAY FENCE LINE; THENCE ALONG SAID FENCE LINE NORTH 79° 14' 00" WEST 48.11 FEET; THENCE NORTH 33° 54' 00" WEST 16.62 FEET; THENCE NORTH 35° 20' 00" WEST 159.49 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 1050 WEST STREET: THENCE ALONG SAID RIGHT OF WAY LINE NORTH 15° 52' 41" EAST 137.13 FEET TO THE POINT OF BEGINNING.

PIN: 07-072-0028 ) \mathcal{N}

Riverdale, UT

# EXHIBIT B PERMITTED EXCEPTIONS

ARC/RHP2 Portfolio Utah Deed (Riverdale Mobile Estates, 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 Riverdale City.
- 4. Matters which would be disclosed by an accurate survey of the property.
- 5. Rights of tenants, as tenants only, under existing unrecorded leases.