# WHEN RECORDED, PLEASE RETURN TO:

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



E# 2632367 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
29-Apr-13 1120 AM FEE \$18.00 DEP SY
REC FOR: FIRST AMERICAN NCS - UTAH
ELECTRONICALLY RECORDED

Tax Parcel Nos. 11-006-0012

(Space above for Recorder's Use Only)

#### SPECIAL WARRANTY DEED

ARC4BFND, L.L.C., 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 WASHINGTON MOBILE ESTATES, 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 <u>Exhibit B</u> attached hereto and incorporated herein by this reference (the "<u>Permitted Exceptions</u>").

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 (Washington Mobile Estates, UT)

581752-68

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

# **GRANTOR:**

ARC4BFND, L.L.C., a Delaware limited liability

company

By: Shiftin Sountary

STATE OF ILLINOIS

COUNTY OF COOK

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The foregoing instrument was acknowledged before me, \_\_\_\_\_\_\_, this \_\_\_\_\_\_\_, this \_\_\_\_\_\_\_, and ay of April, 2013 by Orrin Shifrin, the Secretary of ARC4BFND, L.L.C., a Delaware limited liability company.

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

Notary Public

My Commission Expires:

#### EXHIBIT A

#### **LEGAL DESCRIPTION**

A PART OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 4; AND THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 4; RUNNING THENCE NORTH (NORTH 0° 25' 36" EAST) ALONG THE SECTION LINE 2.0 CHAINS (132.00 FEET); THENCE SOUTH 89° 45' EAST 1433.92 FEET; THENCE SOUTH 0° 17' 35" WEST 251.69 FEET ALONG THE EAST EDGE OF AN EXISTING CONCRETE WALL; THENCE SOUTH 3° 38' 46" WEST 357.85 FEET ALONG AN EXISTING FENCE TO A POINT IN LINE WITH THE PROJECTED NORTH LINE OF EYRIE MEADOW SUBDIVISION NO. 2; THENCE SOUTH 89° 09' WEST 2057.23 FEET ALONG SAID NORTH LINE TO THE CENTERLINE OF STATE ROAD; THENCE NORTH 516.8 FEET, MORE OR LESS (NORTH 0° 50' 15" EAST 513.65 FEET, MORE OR LESS), TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 66 FEET, MORE OR LESS, TO THE EAST LINE OF STATE ROAD; THENCE SOUTH 18 FEET, MORE OR LESS, TO A POINT 2622 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 5; THENCE EAST 150 FEET; THENCE NORTH 18 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE EAST 394.5 FEET (422.65 FEET) TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY OF STATE ROAD ALONG WEST LINE OF SAID PROPERTY.

# EXHIBIT B PERMITTED EXCEPTIONS

ARC/RHP2 Portfolio Utah Deed (Washington 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 Ogden City. None due and payable.
- 4. An Ordinance Creating and Establishing a County Service Area; Describing and Establishing the Boundaries of said Service Area; Setting Forth the Types of Service or Services to be provided in the Area; Providing that the Payment for Services shall be by a Property Tax or a Service Charge or a Combination Thereof; Appointing the Initial Board of Trustees and Prescribing other Details in Connection therewith recorded December 22, 1981 as Entry No. 849262 in Book 1394 at Page 1772 of Official Records.
- 5. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation by Instrument recorded May 29, 1988 as Entry No. 1041639 in Book 1536 at Page 1524 of Official Records.
- 6. Matters which would be disclosed by an accurate survey of the property.
- 7. Rights of tenants, as tenants only, under existing unrecorded leases.