



W2954360

WHEN RECORDED, MAIL TO:

Alston, Courtnage & Bassetti LLP
1420 Fifth Avenue, Suite 3650
Seattle, WA 98101-4011
Attn: Thomas W. Read

E# 2954360 PG 1 OF 7
Leann H. Kilts, WEBER COUNTY RECORDER
29-Nov-18 1207 PM FEE \$23.00 DEP JC
REC FOR: FIRST AMERICAN TITLE-NCS-SLC1
ELECTRONICALLY RECORDED

First American Title
National Commercial Services
NCS File # 899603-07

SPECIAL WARRANTY DEED
(Parcel Identification Nos. 07-555-0001 & 07-555-0002)

THE FALLS LLC, a Utah limited liability company ("**Grantor**"), whose address is 11650 South State Street, Suite 300, Draper, Utah 84020, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, hereby conveys and warrants against all claiming by, through or under it, but not otherwise, to **FALLS AT CANYON RIM ICG LLC**, a Washington limited liability company, whose address is 901 Fifth Avenue, Suite 4100, Seattle, Washington 98164, all of Grantor's right, title and interest in the tract of land in the County of Weber, State of Utah, legally described on attached Exhibit A, together with all structures, improvements, rights of way, easements, tenements, and hereditaments on or appurtenances to the Real Property.

This conveyance is made and accepted subject to all matters set out in Exhibit B attached hereto and incorporated herein by reference (the "**Permitted Exceptions**").

[signature page follows]

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor this 29th day of November, 2018.

GRANTOR:

THE FALLS LLC, a
Utah limited liability company

By: D-VIII Family, Ltd., its Manager

By: *Dale L. Rindlisbacher*
Dale L. Rindlisbacher, Manager

By: *D. Lynn Rindlisbacher*
D. Lynn Rindlisbacher, Manager

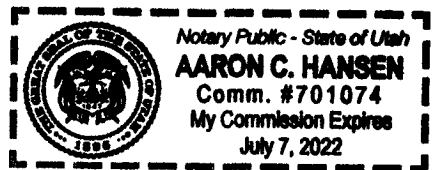
By: *Shon D. Rindlisbacher*
Shon D. Rindlisbacher, Manager

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 20th day of November, 2018, by Dale L. Rindlisbacher, as Manager of D-VIII Family, Ltd., the Manager of **THE FALLS LLC**, a Utah limited liability company.

My Commission Expires:
7/7/22

Aaron C. Hansen
Notary Public
Residing at: SLC, UT



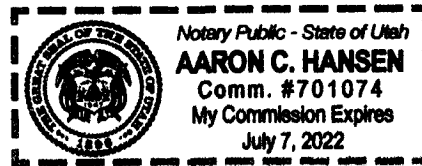
STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 29th day of November, 2018, by D. Lynn Rindlisbacher, as Manager of D-VIII Family, Ltd., the Manager of **THE FALLS LLC**, a Utah limited liability company.

My Commission Expires:

7/7/22

Aaron C. Hansen
Notary Public
Residing at: SLC, UT



STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 29th day of November, 2018, by Shon D. Rindlisbacher, as Manager of D-VIII Family, Ltd., the Manager of **THE FALLS LLC**, a Utah limited liability company.

My Commission Expires:

7/7/22

Aaron C. Hansen
Notary Public
Residing at: SLC, UT

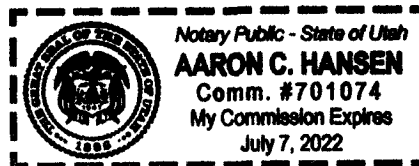


EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL 1:

LOT 1, GRANITE POINTE PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21, 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING ANY PORTION THEREFROM WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3.

ALSO LESS AND EXCEPTING THE FOLLOWING LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SOUTH OGDEN CITY, WEBER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF GRANITE POINTE PHASE 1, A PART OF CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 2 CERTIFIED BY GARY L. NEWMAN L.S. NO. 4478 ON OCTOBER 15, 1999; THENCE SOUTH 88 DEGREES 33' 36" EAST A DISTANCE OF 69.47 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT 50.0 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY A DISTANCE OF 82.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 94 DEGREES 32' 49" SUBTENDED BY A CHORD THAT BEARS SOUTH 82 DEGREES 46' 58" EAST A DISTANCE OF 73.46 FEET; THENCE SOUTH 1 DEGREES 12' 40" WEST A DISTANCE OF 111.95 FEET; THENCE SOUTH 44 DEGREES 45' 41" EAST A DISTANCE 101.61 FEET; THENCE SOUTH 45 DEGREES 14' 19" WEST A DISTANCE OF 103.27 FEET; THENCE SOUTH 44 DEGREES 46' 58" EAST A DISTANCE OF 107.09 FEET; THENCE SOUTH A DISTANCE OF 52.40 FEET; THENCE SOUTH 60 DEGREES 10' 39" WEST A DISTANCE OF 257.65 FEET; THENCE NORTH 29 DEGREES 49' 21" WEST A DISTANCE OF 361.44 FEET; THENCE NORTH 42 DEGREES 0' 0" EAST A DISTANCE OF 283.43 FEET THE REAL POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21, 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING ANY PORTION THEREFROM WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3.

PARCEL 2:

A PARCEL OF LAND IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SOUTH OGDEN CITY, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF GRANITE POINTE PHASE 1, A PART OF CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 2 CERTIFIED BY GARY L. NEWMAN L.S. NO. 4478 ON OCTOBER 15, 1999; THENCE SOUTH 88 DEGREES 33' 36" EAST A DISTANCE OF 69.47 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT 50.0 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY A DISTANCE OF 82.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 94 DEGREES 32' 49" SUBTENDED BY A CHORD THAT BEARS SOUTH 82 DEGREES 46' 58" EAST A DISTANCE OF 73.46 FEET; THENCE SOUTH 1 DEGREES 12' 40" WEST A DISTANCE OF 111.95 FEET; THENCE SOUTH 44 DEGREES 45' 41" EAST A DISTANCE 101.61 FEET; THENCE SOUTH 45 DEGREES 14' 19" WEST A DISTANCE OF 103.27 FEET; THENCE SOUTH 44 DEGREES 46' 58" EAST A DISTANCE OF 107.09 FEET; THENCE SOUTH A DISTANCE OF 52.40 FEET; THENCE SOUTH 60 DEGREES 10' 39" WEST A DISTANCE OF 257.65 FEET; THENCE NORTH 29 DEGREES 49' 21" WEST A DISTANCE OF 361.44 FEET; THENCE NORTH 42 DEGREES 0' 0" EAST A DISTANCE OF 283.43 FEET THE REAL POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21, 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Property taxes for the year 2019, not yet due and payable. Tax Parcel No: 07-555-0001.
2. Property taxes for the year 2019, not yet due and payable. Tax Parcel No: 07-555-0002.
3. Any charge upon the land by reason of its inclusion in Central Weber Sewer and South Ogden City. No amounts due and/or payable.
4. An easement over, across or through the land for electric transmission and incidental purposes, as granted to Telluride Power Company, a Colorado corporation by Instrument recorded September 12, 1902 in Book 42 at Page 211 of Official Records.
5. An easement over, across or through the land for telephone and telegraph and incidental purposes, as granted to Mountain States Telephone and Telegraph Co. by Instrument recorded January 30, 1950 as Entry No. 160945 in Book 329 at Page 493 of Official Records.
6. An easement over, across or through the land for sewer lines and incidental purposes, as granted to South Ogden City by Instrument recorded February 02, 1996 as Entry No. 1385984 in Book 1790 at Page 595 of Official Records.
7. An easement over, across or through the land for sewer lines and incidental purposes, as granted to South Ogden City by Instrument recorded February 02, 1996 as Entry No. 1385985 in Book 1790 at Page 598 of Official Records.
8. An easement over, across or through the land for drainage pipe and incidental purposes, as granted to Weber County by Instrument recorded April 02, 1997 as Entry No. 1463500 in Book 1855 at Page 623 of Official Records.
9. Easements, notes and restrictions as shown on Granite Pointe Phase 1 subdivision plat recorded January 19, 2000 as Entry No. 1685049 in Book 51 of Plats at Page 35.
10. An easement for utilities and incidental purposes over, across or through that portion of the vacated 6000 South street, as set forth in that certain Ordinance vacating said 6000 South street, recorded December 20, 2001 as Entry No. 1815804 in Book 2195 at Page 2228 of Official Records.

An Ordinance No. 02-16 recorded June 21, 2002 as Entry No. 1856572 in Book 2241 at Page 320 of Official Records.
11. Certificate of Creation of the Northern Utah Environmental Resource Agency recorded January 20, 2015 as Entry No. 2718461 of Official Records.

12. The following matters disclosed by an ALTA/NSPS survey made by Gardner Engineering on September 27, 2018, designated Job No. R:\2601-MISC Survey\18123: A) Notes G and H as shown on the survey.