

Ent 530778 Bk 872 Pg 553 -558
Date: 30-Aug-2018 03:59 PM
Fee: \$20.00 ACH
Filed By: JAC
JOHN CORTES, Recorder
GRAND COUNTY CORPORATION
For: Cottonwood Title Insurance A
Recorded Electronically by Simplifile

When recorded return to:

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APN: 04-0020-0074

Special Warranty Deed

RTA Archview, LLC, a Delaware limited liability company, as to an undivided 87.7% interest as a tenant in common and **MH Archview, LLC**, a Delaware limited liability company, as to an undivided 12.3% interest as a tenant in common, both with their principal office at 2082 Michelson Drive, 4th Floor, Irvine, CA 92612, collectively, **GRANTOR**, hereby conveys and warrants against all claiming by, through or under it to **Sun TRS Gas Archview LLC**, a Michigan limited liability company, with its principal office at 27777 Franklin Road, Suite 200, Southfield, Michigan 48034, **GRANTEE**, for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract of land in Grand County, State of Utah:

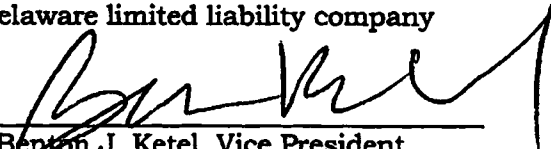
See **Exhibit A** attached hereto and by reference made a part hereof

together with all and singular rights, benefits, privileges, easements, tenements, hereditaments, interests, appurtenances and water rights, if any, thereto in any way belonging, whether of record in the Grand County Recorder's Office or not and free of all encumbrances created or suffered by or through Grantor, except as described in **Exhibit B** attached hereto and by this reference made a part hereof.

Dated: August 29, 2018

WITNESS the hand of said GRANTOR on this Special Warranty Deed as of the date first written above.

RTA Archview, LLC,
a Delaware limited liability company

By: 
Benton J. Ketel, Vice President

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN FRANCISCO)

On August 21, 2018 before me, Patti Harrison, Notary Public, personally appeared Benton J. Ketel, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



WITNESS the hand of said GRANTOR on this Special Warranty Deed as of the date first written above.

MH Archview, LLC,
a Delaware limited liability company

By: Marion Hovet
Marion Hovet, Vice President

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN FRANCISCO)

On August 25, 2018 before me, Patti Harrison, Notary Public, personally appeared Marion Hovet, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature 



EXHIBIT A
Real Property Legal Description

All that land situated in the State of Utah, County of Grand and described as follows:

PARCEL 2:

Beginning at a point North 00°03'00" West 1253.29 feet and East 721.22 feet from the Southwest corner of Section 35, Township 24 South, Range 20 East, Salt Lake Base and Meridian and running thence North 29°57'00" West 316.54 feet along the said right of way line of Highway 191; thence North 60°05'00" East 271.49 feet; thence South 61°03'35" East 94.41 feet; thence South 29°55'00" East 158.96 feet; thence South 06°47'10" West 95.76 feet; thence South 60°05'00" West 262.90 feet to the point of beginning.

EXHIBIT B

Permitted Exceptions

1. Real Property taxes and assessments for the year 2018 not yet due and payable under Parcel No. 04-0020-0073 (affects Parcel 1) and Parcel No. 04-0020-074 (affects Parcel 2).
2. Property lies within the boundaries of Moab City, Grand County, Grand County Cemetery Maintenance District, Grand County Water Conservancy District, Grand County Special Service Water District, The Grand County Hospital Service District, Grand County Recreation Service District No. 1, Solid Waste Special Service District #1, Grand County Multi-Purpose SSD #1, and Grand County Transportation Special Service District, and is subject to any and all charges and assessments levied thereunder. Charges and assessments are paid current.
3. Reservation of all coal and other minerals, rights of way for canals, ditches, tunnels, telephone, and transmission lines constructed by the authority of the United States as reserved in the Patent dated January 17, 1966 from the State of Utah to Dallas J. Tanner, recorded February 4, 1966 in Book 131 at Page 9 of official records.
4. Easement in favor of Mid-America Pipeline Company, Real Estate Services for the right to construct, operate, repair and maintain a natural gas pipeline and incidental purposes, by instrument dated December 1, 1998 and recorded May 2, 2003, as Entry No. 460399, in Book 601, at Page 308.

Easement No. 474 Amendment No. 1, recorded May 2, 2003 as Entry No. 460400 in Book 601 at Page 340.
5. The following as set forth in patent dated December 11, 2007 from the State of Utah to Archview Partners, LLC, a Utah limited liability company and recorded January 28, 2008 as Entry No. 484073 in Book 719 at Page 202:
 - a. Reservation to the State of Utah of all coal and other mineral deposits, along with the right of the State or other authorized persons to prospect for, mine and remove the deposits. (affects Parcel 1)
 - b. An Easement to the State of Utah for the benefit of the Trust Lands Administration, its successors in interest, assigns, permittees and lessees, as may be necessary and reasonable to access lands administered by the School and Institutional Trust Lands Administration.
 - c. Any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, telephone and transmission lines that have been or may be constructed by the United States as provided by statute.
6. Easement in favor of the State of Utah, by and through the School and Institutional Trust Lands Administration for an access and utility easement and incidental purposes, by instrument dated November 15, 2004 and recorded March 31, 2008, as Entry No. 485061, in Book 723, at Page 564.
7. Underground Right of Way Easement in favor of PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns, to construct, reconstruct, operate, maintain and repair electric transmission and other equipment over, under and across a portion of the subject property. Said Easement recorded June 3, 2008, as Entry No. 486585, in Book 733, at Page 274.

8. Terms and conditions contained in that certain Affidavit of Drinking Water Source Protection- Archview Resort, Moab, UT, dated February 22, 2011 and recorded February 25, 2011 as Entry No. 497057 in Book 768 at Page 993.
9. The effect, if any, of that certain Quitclaim Deed involving water rights, dated June 2, 2014 and recorded July 16, 2014 as Entry No. 506672 in Book 809 at Page 223.
10. Terms and conditions contained in that certain Archview Resort Campground, PWS #10034 "Land Use Agreement", dated March 10, 2017 and recorded April 7, 2017 as Entry No. 523992 in Book 851 at Page 866.
11. A 25 foot wide Access Easement and a 10 foot wide Power Line Easement as contained in that certain Quit Claim Deed in favor of RTA Archview LLC, a Delaware Liability Company and MH Archview, LLC, a Delaware limited liability company for an access and power line and incidental purposes, by instrument recorded May 18, 2016, as Entry No. 511580, in Book 829, at Page 952.
12. Matters set forth on ALTA/NSPS Land Title Survey, prepared by American National, dated April 18, 2018, last revised August 23, 2018, and designated network Reference No. 20180312-001, as follows:
 - a. Set back lines
 - b. Various "possible wellheads"
 - c. 5 foot post sign "Archview" lies within set back line
13. Rights of those parties in possession as tenants only, under unrecorded leases, rental or occupancy agreements, with no rights of first refusal or options to purchase.
14. A 15 foot wide Utility Easement over Parcel 1 and a 15 foot wide Utility Easement and a Facilities Access and Utility Easement over Parcel 2 as created in Quit Claim Deed recorded June 16, 2017 as Entry No. 525180 in Book 854 at Page 974.