

WHEN RECORDED, MAIL TO:

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

SPECIAL WARRANTY DEED
(Parcel Identification No. 27-029-0027; 27-029-0033)

Diamond Fork Apartments at Spanish Fork, L.P., a Utah limited partnership, ("Seller"), whose address is c/o PSC Development Company, 3036 Cobble Canyon Lane, Sandy, Utah 84093, in consideration of Ten Dollars 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 Diamond Fork ICG LLC, a Washington limited liability company, whose address is 3101 Western Avenue, Suite 500, Seattle, WA 98121, the following, described tract of land in the County of Utah, State of Utah:

SEE EXHIBIT A, SUBJECT TO THE PERMITTED EXCEPTIONS SET FORTH IN EXHIBIT B,
HERETO.

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor this 13th
day of September, 2016.

Diamond Fork Apartments at Spanish Fork, L.P., a Utah limited partnership

By: Diamond Fork Apartments, L.C., a Utah limited liability company,
its general partner

By: PSC Development Company, a Utah corporation,
its Manager

By: 
Peter S. Cooke, President

EXHIBIT "A" TO SPECIAL WARRANTY DEED
LEGAL DESCRIPTION OF PROPERTY

BEGINNING AT A FENCE CORNER ON THE SOUTHERLY LINE OF 400 NORTH (SR-147) AND THE EASTERLY LINE OF U.S. HIGHWAY 6, LOCATED EAST 130.51 FEET AND SOUTH 77.12 FEET FROM THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH $83^{\circ}12'28''$ EAST 202.80 FEET; THENCE ALONG SAID RIGHT OF WAY AND ALONG THE ARC OF A 2245.43 FOOT RADIUS CURVE TO THE RIGHT 286.12 FEET THROUGH A CENTRAL ANGLE OF $07^{\circ}18'03''$, THE CHORD OF WHICH BEARS NORTH $89^{\circ}20'14''$ EAST 285.93 FEET TO A POINT NEAR A FENCE CORNER AND A POINT 35.00 FEET WEST OF THE CENTERLINE OF THE EXISTING RAILROAD TRACK; THENCE ALONG A LINE CLOSE TO THE EXISTING FENCE AND 35.00 FEET WEST OF AND PARALLEL TO THE EXISTING TRACK AND ALONG THE ARC OF A 1944.86 FOOT RADIUS CURVE TO THE LEFT 282.03 FEET THROUGH A CENTRAL ANGLE OF $08^{\circ}18'31''$, THE CHORD OF WHICH BEARS SOUTH $10^{\circ}56'47''$ WEST 281.78 FEET; THENCE SOUTH $89^{\circ}33'25''$ WEST 15.12 FEET TO A POINT WHICH IS 50.00 FEET WEST OF THE CENTERLINE OF SAID TRACK; THENCE ALONG A LINE 50.00 FEET WEST OF AND PARALLEL TO SAID TRACKS AND ALONG THE ARC OF A 1959.86 FOOT RADIUS CURVE TO THE LEFT 330.84 FEET THROUGH A CENTRAL ANGLE OF $09^{\circ}40'19''$, THE CHORD OF WHICH BEARS SOUTH $01^{\circ}54'02''$ WEST 330.45 FEET TO A FENCE LINE; THENCE SOUTH $89^{\circ}32'03''$ WEST ALONG SAID FENCE LINE 160.37 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 6 AND TO A POINT ON THE FENCE LINE ALONG SAID RIGHT OF WAY; THENCE NORTH $22^{\circ}58'13''$ WEST ALONG SAID RIGHT OF WAY AND FENCE LINE 357.515 FEET; THENCE NORTH $23^{\circ}10'20''$ WEST ALONG SAID RIGHT OF WAY AND FENCE LINE 273.985 FEET TO THE POINT OF BEGINNING.

PARCEL IDENTIFICATION NUMBER'S: 27-029-0033 and 27-029-0027

EXHIBIT "B" TO SPECIAL WARRANTY DEED
PERMITTED EXCEPTIONS

1. Real estate taxes levied but not yet due and payable
2. Claim, Right, Title or Interest to water or water rights whether or not shown by the public records.
3. Said property is included within the boundaries of Spanish Fork City, and is subject to the charges and assessments thereof. (None Currently Due and Payable.)
4. Resolution No. 2008-126, creating the Utah Valley Dispatch Special Service District, recorded September 30,2008, as Entry No. 107508:2008, as shown by that certain Certificate of Creation, recorded October 22,2008, as Entry No. 114949:2008, in the Office of the Utah County Recorder. (No charges or assessments presently due and Payable.)
5. An easement in favor of the State Road Commission of Utah to relocate and reconstruct within the grantors land and outside the limits of grantees and, all irrigation ditches existing within the limits of said land as contained in that Right of Way Deed recorded December 24,1947 as Entry No. 14245 in Book 493 at Page 88.

NOTE: Affects the north portion of subject property abutting 400 North Street (SR-147).

6.

EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: THOMAS M. ASHBY and EDNAASHBY
 Grantee: UTAH NATURAL GAS COMPANY, a Corporation
 Location: Exact location not disclosed of record, refer to ALTA 200105.007 dated April 2, 2001 for exact location.
 Purpose: A right of way and easement 60 feet in width to construct, maintain and operate a pipe line with appurtenances thereto and road.
 Date: May 1, 1953
 Recorded: May 19, 1953
 Entry No.: 5749
 Book/Page: 615/595

NOTICE OF EXISTING RIGHT -OF-WAY AND EASEMENT filed by Questar Gas Company, as the present owner of a Right-of-Way and Easement as shown above, said Notice recorded September 11, 2003, as Entry No. 149272:2003, of Official Records. Said Notice specifically defines the Easement as a 60 foot wide strip of land (reserved Right-of-Way) for a Natural Gas Pipeline(s) the centerline of which is described as follows: Beginning at a point which is East 427.56 feet and South 660.00 feet from the Northwest corner of Section 20, Township 8 South, Range 3 East, Salt Lake Base and Meridian, said point being on the South line of said original parcel; thence North 11°29'31" East 336.75 feet, more or less, to a point on the North line of said original parcel and the point of terminus.

7.

EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: LILY J. JOHNSON
 Grantee: UTAH NATURAL GAS COMPANY, a Corporation
 Location: Exact location not disclosed of record, refer to ALTA survey prepared by R B & G Engineering under Job No. 200105.007 dated April 2, 2001 for exact location.
 Purpose: A right of way and easement 60 feet in width to construct, maintain and operate a pipe line with appurtenances thereto and road.
 Date: May 1, 1953
 Recorded: May 22, 1953
 Entry No.: 5912
 Book/Page: 615/619

8.

EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: LILY J. JOHNSON as Administratrix
 Grantee: UTAH NATURAL GAS COMPANY, a Corporation
 Location: Exact location not disclosed of record, refer to ALTA survey prepared by R B & G Engineering under Job No. 200105.007 dated April 2, 2001 for exact location.
 Purpose: A right of way and easement 60 feet in width to construct, maintain and operate a pipe line with appurtenances thereto and road.
 Date: October 13, 1953
 Recorded: October 13, 1953
 Entry No.: 11388
 Book/Page: 637/495

9.

Right of access to Project No. 028-1, US Highway 6 have been relinquished to the State of Utah by instrument recorded January 29, 1969 as Entry No. 979, in Book 1134 at Page 543 of official records and by instrument recorded May 19, 1969 as Entry No 4964 in Book 1144 at Page 16 of official records.

10.

Matters disclosed by that certain A.L.T.A./A.C.S.M. Land Title Survey, dated February 23, 2004, prepared by M.W. Brown Engineering Inc., certified by Barry Andreason, License No. 166572, including, but not limited to the following:

- a) Existing Masonry and Rock Wall along the Easterly and Southerly boundary does not match the legal description of record and appears to encroach on and gap with the Easterly abutter.
- b) 8" Sanitary Sewer Easement and Manholes
- c) Buried Power and Gas Lines
- d) Electrical Power Poles, Street Lights and Junction Boxes
- e) Traffic Warning Signs
- g) Storm Drain Box
- h) 3 Story Building in the Southwesterly portion of the property encroaches on Building Set Back Line

11.

Amended and Restated Tax Regulatory Agreement among Utah Housing Corporation, as Issuer, U.S. Bank National Association, as Trustee, and Diamond Fork Apartments at Spanish Fork, L.P., a Utah limited partnership as borrower, recorded February 27, 2004 as Entry No. 22093:2004 of Official Records.

12.

LOW-INCOME HOUSING CREDIT COMMITMENT AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS, dated December 30, 2002, recorded January 3, 2003 as Entry No. 813:2003 of Official Records.

13.

The rights of tenants, as tenants only and without option to purchase or right of first refusal, pursuant to any unrecorded leases as disclosed on rent roll.