

RECORDING REQUESTED AND
WHEN RECORDED, RETURN TO
AND MAIL TAX NOTICES TO:

Rivers Edge Apartments, LLC
45 E. Center Street, Suite 103
North Salt Lake, Utah 84054
Attention: Nathan W. Pugsley

APNs: 46-992-0001 thru 0003, inclusive

------(SPACE ABOVE THIS LINE FOR RECORDER'S USE)-----

SPECIAL WARRANTY DEED
(Utah County)

PLUM TREE PROPERTY, LLC, a Delaware limited liability company (“**Grantor**”) hereby CONVEYS AND WARRANTS only as against all claiming by, through, or under it, and not otherwise, to RIVERS EDGE APARTMENTS, LLC, a Utah limited liability company, with an address of 45 E. Center Street, Suite 103, North Salt Lake, Utah 84054 (“**Grantee**”), for the sum of TEN DOLLARS and other good and valuable consideration, the following described parcel(s) of land in Utah County, State of Utah, with all buildings, structures, improvements and fixtures on the parcel(s) and all water rights and other rights and privileges appurtenant to the parcel(s):

See the legal description set forth in Exhibit "A" attached hereto and incorporated herein by this reference


SUBJECT TO any and all rights of way or easements appearing of record, and also subject to those matters set forth in Exhibit "B" attached hereto and incorporated herein by this reference (the “**Permitted Exceptions**”).


[Signatures on Following Page]

WITNESS, the hand of said Grantor, this 10 day of March, 2021.

GRANTOR:

Plum Tree Property, LLC,
a Delaware limited liability company

By: 
Name: Jordan Socaransky
Title: Vice President

By: 
Name: Steven A. Russell
Title: 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.

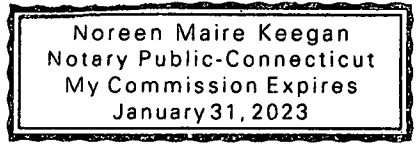
State of ~~California~~ Connecticut)
County of Fairfield)

On March 10, 2021, before me, Noreen Marie Keegan a Notary Public, personally appeared Jordan Socarowsky, 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 Noreen Marie Keegan



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~~ Connecticut)
County of Fairfield)

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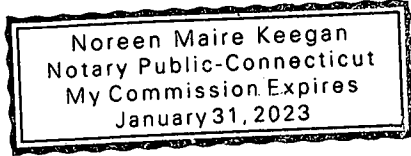


EXHIBIT A TO DEED

Legal Description

Real property in the County of Utah, State of Utah, described as follows:

LOTS 1, 2 AND 3 THE MIX AT RIVERS EDGE RECORDED SEPTEMBER 18, 2017 AS ENTRY NO. 91060:2017 ACCORDING TO THE OFFICIAL RECORDS THEREOF ON FILE AND OF RECORD IN THE UTAH COUNTY RECORDER'S OFFICE, UTAH.

EXHIBIT B TO DEED

Permitted Exceptions

1. Water rights, claims or title to water.
2. Taxes for the year 2021 now a lien, not yet due. Tax Parcel No. 46-992-0001.
3. Taxes for the year 2021 now a lien, not yet due. Tax Parcel No. 46-992-0002.
4. Taxes for the year 2021 now a lien, not yet due. Tax Parcel No. 46-992-0003.
5. Any charge upon the Land by reason of its inclusion in Provo City.
6. A right of way in favor of Brigham Young University, a Utah corporation, for foot and vehicular travel over a portion of the subject property as disclosed by that certain Warranty Deed recorded October 01, 1963 as Entry No. 13287 in Book 950 at Page 633 of Official Records.
7. Easement rights, and the terms and conditions thereof, in favor of The State of Utah Road Commission, for the purpose of construction of an irrigation and drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6 recorded February 18, 1971 as Entry No. 2108 in Book 1211 at Page 160 of Official Records.
8. An easement over, across or through the Land for irrigation and incidental purposes, as granted to Lake Bottom Irrigation Company by Instrument recorded September 04, 1986 as Entry No. 29348 in Book 2336 at Page 255 of Official Records.
9. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain declarations recorded September 04, 1986 as Entry No. 29349 in Book 2336 at Page 258 of Official Records, and any amendments thereto, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).
10. First Amendment to declarations recorded April 03, 1987 as Entry No. 12537 in Book 2400 at Page 674 of Official Records, and re-recorded April 27, 1987 as Entry No. 16005 in Book 2408 at Page 539 of Official Records.
11. Second Amendment to declarations recorded April 11, 1988 as Entry No. 9917 in Book 2501 at Page 907 of Official Records.
12. Agreement (containing easements, covenants and restrictions) recorded May 17, 1991 as Entry No. 18664 in Book 2792 at Page 137 of Official Records.
13. Third Amendment to declarations recorded June 01, 1992 as Entry No. 26586 in Book 2942 at Page 921 of Official Records.
14. Fourth Amendment to declarations recorded October 10, 2002 as Entry No. 120021:2002 of Official Records.
15. An easement over, across or through the Land for gas and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation of the State of Utah by Instrument recorded November 17, 1986 as Entry No. 39384 in Book 2358 at Page 108 of Official Records.
16. The terms covenants and provisions contained in the document entitled "Common Area Maintenance Agreement for Plum Tree Shopping Center" recorded April 03, 1987 as Entry No. 12543 in Book 2400 at Page 837 of Official Records.
17. First Amendment of Common Area Maintenance Agreement recorded October 10, 2002 as Entry No. 120021:2002 of Official Records.

18. The terms and provisions contained in the document entitled "Party Wall Agreement" recorded April 03, 1987 as Entry No. 12545 in Book 2400 at Page 883 of Official Records.
19. An easement over, across or through the Land for gas and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation of the State of Utah by Instrument recorded February 11, 1988 as Entry No. 3713 in Book 2488 at Page 228 of Official Records.
20. The terms and provisions contained in the document entitled "Settlement Agreement" recorded October 13, 1988 as Entry No. 31109 in Book 2549 at Page 627 of Official Records.
21. An easement over, across or through the Land for gas and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation of the State of Utah by Instrument recorded August 04, 1992 as Entry No. 39086 in Book 2976 at Page 730 of Official Records.
22. Easements, notes and restrictions as shown on subdivision plat of Plat "A" The New Plum Tree recorded January 29, 1998 as Entry No. 8500 in Map No. 7407.
23. Private Utility Maintenance Agreement recorded August 22, 2017 as Entry No. 81888:2017 of Official Records.
24. Easements, notes and restrictions as shown on The Mix at Rivers Edge subdivision plat recorded September 18, 2017 as Entry No. 91060:2017 as Map Filing No. 15708 in Book 46 of Plats at Page 992.
25. Development Agreement for the Mix recorded June 02, 2020 as Entry No. 75169:2020 of Official Records.
26. Notice of Adoption of The Mix Community Reinvestment Project Area Plan recorded July 21, 2020 as Entry No. 104575:2020 of Official Records.
27. Vehicular access is limited to openings permitted by the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2005.
28. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
29. Terms, conditions and provisions contained within Improvement Agreement for Wastewater Services at The Mix recorded October 28, 2020 as Entry No. 169363:2020 of Official Records.
30. A deed of trust by Rivers Edge Apartments, LLC, a Utah limited liability company, as Trustor for the benefit of _____, as Lender, recorded concurrently herewith.