

When Recorded Return to:

Ryan D. White
Cairncross & Hempelmann, P.S.
524 Second Avenue, Suite 500
Seattle, WA 98104-2323

132262-TTF

13472820
11/24/2020 2:55:00 PM \$40.00
Book - 11067 Pg - 4906-4909
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 4 P.

SPECIAL WARRANTY DEED

Reference Number(s) of Documents assigned or released: None.

Grantor: Morton TPIII LLC, a Delaware limited liability company

Grantee: Morton JV TPIII LLC, a Delaware limited liability company

Abbreviated

Legal: N HALF LOT 3, BLK 55

Situate in the County of Salt Lake, State of Utah.

Tax Parcel No 16-06-179-004

For and in consideration of Ten Dollars (\$10.00), the receipt and adequacy of which are hereby acknowledged, Morton TPIII LLC, a Delaware limited liability company ("**Grantor**") hereby conveys and warrants against all who claim by, through, or under the grantor to Morton JV TPIII LLC, a Delaware limited liability company ("**Grantee**"), whose mailing address is 1816 11th Avenue, Unit C, Seattle, WA 98122, the following described land in Salt Lake County, Utah, to wit:

See Exhibit A attached hereto and incorporated herein by this reference.

SUBJECT ONLY TO the encumbrances noted on Exhibit B attached hereto and incorporated herein by this reference.

Grantor, for itself and its successors in interest, hereby expressly limits the covenants of this Deed to those stated herein, and excludes all covenants arising or to arise by statutory or other effect. Grantor covenants that, against all persons lawfully claiming or to claim by, through, or under Grantor, but not otherwise, Grantor will forever warrant and defend the above-described real estate.

[Remainder of page left blank. Signature and Acknowledgement page follows.]

{04103458.DOCX;1 }

Signature page to Special Warranty Deed

This Special Warranty Deed is executed as of the 20th day of November, 2020.

GRANTOR:

MORTON TPIII LLC,
a Delaware limited liability company

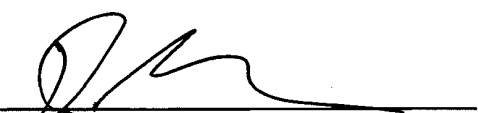
By: Timberlane Partners III LLC, a
Delaware limited liability company

Its: ~~Member and Manager~~

AKA DLE

By: Timberlane Holdings LLC, a
Washington limited liability company

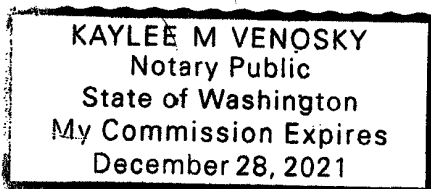
Its: Manager

By: 
Name: David Enslow
Its: Manager

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that David Enslow is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Manager of Timberlane Holdings LLC, a Washington limited liability company, the Manager of Timberlane Partners III LLC, a Delaware limited liability company, the Member and Manager of Morton TPIII LLC, a Delaware limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 20th day of November, 2020.



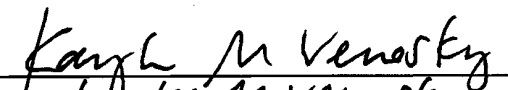

Kaylee M Venosky
(Print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at Seattle, WA
My commission expires 12/28/2021

Exhibit A
Legal Description

THE NORTH HALF OF LOT 3, BLOCK 55, PLAT "A", SALT LAKE CITY SURVEY.

TOGETHER WITH THAT 5 FOOT STRIP OF THE VACATED PORTION OF STREET ABUTTING
ON THE WEST, AS DISCLOSED BY THAT CERTAIN ORDINANCE RECORDED MAY 5, 1960 AS
ENTRY NO. 1714492 IN BOOK 1708 AT PAGE 146.

Exhibit B
Permitted Encumbrances

1. Taxes for the year 2020 not yet due and payable.
2. The herein described Land is located within the boundaries of Salt Lake City, Salt Lake Metropolitan Water District, Salt Lake City Mosquito Abatement District, Central Utah Water Conservancy District, and is subject to any and all charges and assessments levied thereunder.
3. Notice of Assessment Interest wherein Salt Lake City, Utah claims an assessment interest in said Land arising out of the requirements of the Salt Lake City, Utah Central Business Improvement Assessment Area No. DA-CBIA-19, dated April 22, 2019 and recorded November 15, 2019 as Entry No. 13125586 in Book 10860 at Page 7442.
4. Easements, if any, for public utilities, pipelines or facilities installed in any portion of the vacated street or alley, lying within the Land, together with the right of ingress and egress to repair, maintain, replace and remove the same as disclosed by that certain Ordinance recorded May 5, 1960 as Entry No. 1714492 in Book 1708 at Page 146.
5. The effect of the following as set forth in Release of Easement dated September 3, 2015 in favor of Rocky Mountain Power, an Unincorporated Division of PacifiCorp, recorded September 3, 2015 as Entry No. 12126126 in Book 10358 at Page 8881, official records, as follows:

“This easement is released subject to the continued right to operate, maintain, and access all existing facilities located on the subject property at the time of the release, which expressly includes an overhead line running North/South across the subject property which serves adjacent properties to the North and South of the subject property.”
6. An Encroachment Lease Agreement dated March 29, 2017 by and between Salt Lake City Corporation and Morton TPIII, LLC, a Delaware limited liability company (Lessee), as disclosed in that certain Memorandum of Encroachment Lease Agreement recorded April 28, 2017 as Entry No. 12524554 in Book 10552 at Page 2977.
7. Rights of tenant(s) in possession, as tenants only, under prior unrecorded residential leases.
8. Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing from Morton JV TPIII LLC, a Delaware limited liability company to Cottonwood Title Insurance Agency, Inc., Trustee for the benefit of NorthMarq Capital Finance, L.L.C., a Nebraska limited liability company, in the principal sum of \$27,397,000.00 dated as of November 24, 2020 and recorded in the Official Records of Salt Lake County, Utah.

Assignment of Deed of Trust from NorthMarq Capital Finance, L.L.C., a Nebraska limited liability company to Fannie Mae dated as of November 24, 2020.
9. UCC Financing Statement executed by Morton JV TPIII LLC, as Debtor, in favor of NorthMarq Capital Finance, L.L.C., a Nebraska limited liability company, as assignor Secured Party, and Fannie Mae as total assignee.