



E# 3037951 PG 1 OF 5
Leann H. Kilts, WEBER COUNTY RECORDER
28-Feb-20 0157 PM FEE \$40.00 DEP TN
REC FOR: THOMAS TITLE & ESCROW
ELECTRONICALLY RECORDED

WHEN RECORDED RETURN TO:

BG Roy Fitness, LLC
c/o Barclay Group
2390 E Camelback Rd #200
Phoenix AZ 85016

SPECIAL WARRANTY DEED

Nielsen Properties, Inc., a Utah corporation ("**Grantor**"), hereby grants, conveys, and warrants against all who claim by, through, or under the Grantor to **BG Roy Fitness, LLC**, an Arizona limited liability company ("**Grantee**") for the sum of \$10 dollars and other good and valuable consideration, the following-described tract of land in Weber County, Utah, to wit:

See Exhibit A attached hereto and incorporated herein by reference.

Together with all appurtenances, rights, and privileges appurtenant or to become appurtenant thereto and subject only to those items listed on Exhibit B, attached hereto and incorporated herein by reference.

[Signature page follows]

TAX I.D.: 09-102-0007

Mailing address for Notice of Taxation :

**BG Roy Fitness, LLC
c/o Barclay Group
2390 E Camelback Rd # 200
Phoenix AZ 85016**

Witness the hand of said Grantor this 26 day of February, 2020.

GRANTOR:

Nielsen Properties, Inc.,
a Utah corporation

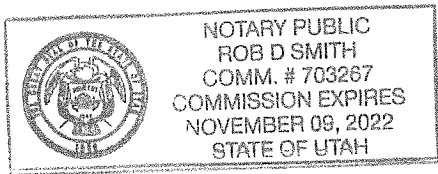
By: [Signature]
Name: Gary Nielsen
Title: President

State of Utah)
County of Weber) ss

On this 26th day of February, in the year 2020, before me Rob D Smith, a notary public, personally appeared Gary Nielsen, the President of Nielsen Properties, Inc., a Utah corporation, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he/she executed the same.

Witness my hand and official seal.

(Seal)



[Signature]
Notary Public

Exhibit A

to Special Warranty Deed

Legal Description of Property

Part of the Northeast quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 783.3 feet South and 175 feet North $89^{\circ}58'$ West of the Northeast corner of said quarter Section;

Thence South 343.65 feet;

Thence East 125 feet to the West line of Highway;

Thence South 52.35 feet;

Thence West 463 feet;

Thence North 66 feet;

Thence West 122 feet to the West line of 2000 West Street;

Thence North 198 feet along street;

Thence East 5 feet;

Thence North $0^{\circ}10'$ East 112.10 feet

Thence around the arc of a 20-foot radius curve to the right 31.37 feet;

Thence South $89^{\circ}58'$ East 181 feet;

Thence South $0^{\circ}10'$ West 132 feet

Thence South $89^{\circ}58'$ East 138 feet;

Thence North $0^{\circ}10'$ East 132 feet;

Thence South $89^{\circ}58'$ East 116 feet to Beginning.

Exhibit B

to Special Warranty Deed

Permitted Exceptions

- A. **Taxes** for the year 2020 accrued but unpaid
- B. **Easement**
Granted to: Utah Power & Light
Recorded: 2/11/1956
Entry #251115
Book 505 Page 276
- C. **Easement**
Granted to: Mountain Fuel Supply Company
Recorded: 9/20/1960
Entry #342738
Book 657 Page 482
- D. Terms and conditions contained within that certain **Agreement** by and between Jonathan Edmund Browning Corporation and Roscoe C. and Verna L. Hunter dated 5/18/1960 and recorded 1/11/1961 as Entry #349285 in Book 667 at Page 407
- E. **Easement**
Granted to: US West Communications
Recorded: 11/18/1991
Entry #1157957
Book 1611 Page 2906
- F. **Easement**
Granted to: PacifiCorp, an Oregon corporation, dba Rocky Mountain Power
Recorded: 9/28/2016
Entry #2717462
Scrivener's Affidavit
Recorded: 10/12/2016
Entry #2820141
Notice of Mortgage
Granted to: The Bank of New York Mellon Trust Company NA
Recorded: 4/7/2017
Entry #2851298
- G. **Easement**
Granted to: PacifiCorp, an Oregon corporation, dba Rocky Mountain Power
Recorded: 9/30/2016
Entry #2818262
Scrivener's Affidavit
Recorded: 10/12/2016
Entry #2820140

Notice of Mortgage

Granted to: The Bank of New York Mellon Trust Company NA

Recorded: 4/7/2017

Entry #2851298

- H. 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.
- I. Any claim to (a) ownership of or rights to minerals and similar substance, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located on or under the Land or produced from the Land, whether such ownership or rights arise by lease, grants, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith therewith or appurtenant thereto
- J. Those items disclosed on that certain ALTA/NSPS Survey completed by McNeil Engineering dated 1/23/2020 under project number 19466:
 - 1. Chain link fence does not follow Property Line
 - 2. Curb runs outside of Property Line at Northwest corner of subject property
 - 3. Overhead signs on North and South
 - 4. Utility lines, poles, boxes, and meters as are shown on survey