

E 158532 B 383 P 225
Date 30-Sep-2021 08:56AM
Fee: \$40.00 ACH
Filed By: JP
BRENDA NELSON, Recorder
MORGAN COUNTY
For: COTTONWOOD TITLE INSURANCE AGENCY, INC.
Recorded Electronically by Simplifile

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
CW Land Co., LLC
Attn: Legal Department
1222 W. Legacy Crossing Blvd., STE 6
Centerville, UT 84014

CT1A 145127-CAF

Space above for County Recorder's use

Parcel Nos.: 00-0077-7331; Serial No. 03-005-044-02-1-3NA and 00-0058-9646; Serial No. 03-005-044-02-1-NA (for reference purposes only)

**CORRECTIVE
SPECIAL WARRANTY DEED**

This deed is given to correct an error in the grantor line and in the "Exhibit "A" Legal Description" of That Special Warranty Deed recorded 30 June, 2021 as Entry 157455 In Book 379 at Page 1823, records of Morgan County Recorder

STAKER & PARSON COMPANIES, a Utah corporation, for itself and as successor by merger to Jack B. Parson Companies, a Utah corporation ("Grantor"), whose address is 2350 S. 1900 W., STE 100, Ogden, Utah 84401, hereby CONVEYS AND WARRANTS against those claims, and only those claims, of all persons who shall claim title to or assert claims affecting title to the Property or any part thereof, by, through, under, or based on the acts of Grantor, but none other, to CW LAND CO., LLC, a Utah limited liability company ("Grantee"), whose address is 1222 W. Legacy Crossing Blvd., STE 6, Centerville, Utah 84014 for the sum of Ten and No/100 Dollars and other good and valuable consideration, the following described tract of land in Morgan County, State of Utah (the "Property"), to-wit:

See Exhibit "A" attached hereto and incorporated herein.

SUBJECT TO the matters set forth on Exhibit "B", attached hereto and incorporated herein.

Subject to a restrictive covenant prohibiting the use of the Property for the (i) mining, excavation or extraction of sand, gravel, overburden, dolomite, limestone, sandstone, boulders, stones or rocks suitable for use in building, construction and road making (including concrete, asphalt, roadbeds, railroad ballast or other use), (ii) resale yard for aggregates, (iii) operation of an asphalt plant or asphalt-related business, (iv) operation of concrete block plant, (v) operation of concrete batch plant (including both ready-mix plants and central-mix plants) or related businesses. This restriction shall run with the land and be binding upon Grantee's successors and assigns and all subsequent owners of the Property until its natural expiration or earlier termination by Grantor; and

Subject to (i) any and all laws, statutes, ordinances, codes, rules, regulations, requirements or executive mandates, as the same may be amended subsequent to the date of this conveyance, affecting the Property, (ii) encroachments, if any, on any street or highway, (iii) such matters as would be disclosed by a current and accurate survey or inspection of the Property, (iv) real estate taxes, assessments and water and sewer charges for the current year, not yet due and payable, and (iv) all matters of record.

[Signature Page Follows]

Exhibit "A"
(Legal Description)

PARCEL 1:

Single Family Area Phase 1 Description

A parcel of land, situate in the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 499.33 feet along the section line and South 00°16'25" West 701.87 feet from the Northwest Corner of said Section 25, and running thence South 76°42'06" East 168.40 feet; thence North 13°17'54" East 9.68 feet; thence North 89°53'25" East 582.74 feet; thence South 00°06'33" East 15.00 feet; thence North 89°53'27" East 158.96 feet to the Westerly line of Rollins Ranch Phase 4B; thence Southwesterly 208.48 feet along the arc of a 356.50-foot radius non-tangent curve to the left (center bears North 64°25'40" East and the long chord bears South 42°19'33" East 205.53 feet with a central angle of 33°30'26") along said Westerly line of Rollins Ranch Phase 4B to and along the Westerly line of Rollins Ranch Phase 4A; thence South 04°15'30" East 39.47 feet along the Westerly line of Rollins Ranch Phase 4A to the North line of that property owned by Cottonwood Mutual Water Company; thence along said property owned by Cottonwood Mutual Water Company the following two (2) courses and distances: (1) North 89°47'45" West 87.99 feet; and (2) South 00°11'51" West 61.67 feet to the North line of Paul Warner Subdivision; thence along the North and West lines of Paul Warner Subdivision the following two (2) courses and distances: (1) thence West 389.73 feet; and (2) South 00°09'40" East 120.00 feet; thence South 89°43'47" West 127.73 feet; thence South 00°16'13" East 122.41 feet; thence South 89°43'47" West 60.00 feet; thence Northwesterly 23.52 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears South 89°43'47" West and the long chord bears North 45°11'23" West 21.18 feet with a central angle of 89°50'20"); thence South 89°53'27" West 407.29 feet; thence Westerly 95.10 feet along the arc of a 280.00-foot radius tangent curve to the right (center bears North 00°06'33" West and the long chord bears North 80°22'47" West 94.64 feet with a central angle of 19°27'33"); thence North 70°39'00" West 41.15 feet; thence Westerly 21.44 feet along the arc of a 15.00-foot radius tangent curve to the left (center bears South 19°21'00" West and the long chord bears South 68°24'23" West 19.66 feet with a central angle of 81°53'13"); thence North 26°50'32" East 90.28 feet; thence Northerly 435.69 feet along the arc of a 2031.60-foot radius non-tangent curve to the left (center bears North 64°24'52" West and the long chord bears North 19°26'31" East 434.85 feet with a central angle of 12°17'14"); thence North 13°17'54" East 12.21 feet to the the point of beginning.

PARCEL 1A:

A non-exclusive easement for access appurtenant to Parcel 1 as set forth and disclosed in that certain Utilities and Access Easement Agreement recorded June 30, 2021 as Entry No. 157456 in Book 379 at Page 1830, over and across the following:

Road Area Description

A parcel of land, situate in the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South $89^{\circ}43'35''$ East 886.30 feet along the section line and South $00^{\circ}16'25''$ West 1238.89 feet from the Northwest Corner of said Section 25, and running thence North $89^{\circ}43'47''$ East 60.00 feet; thence South $00^{\circ}16'13''$ East 402.58 feet; thence Southeasterly 20.27 feet along the arc of a 15.00 feet-foot radius tangent curve to the left (center bears North $89^{\circ}43'47''$ East and the long chord bears South $38^{\circ}58'36''$ East 18.76 feet with a central angle of $77^{\circ}24'45''$) to the Northerly right-of-way line of Old Highway Road; thence along said right-of-way line the following two (2) courses and distances: (1) Westerly 69.11 feet along the arc of a 872.11-foot radius non-tangent curve to the left (center bears South $04^{\circ}14'46''$ East and the long chord bears South $83^{\circ}29'03''$ West 69.09 feet with a central angle of $04^{\circ}32'24''$); and (2) South $82^{\circ}40'32''$ West 16.33 feet; thence Northeasterly 21.72 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North $07^{\circ}19'28''$ West and the long chord bears North $41^{\circ}12'07''$ East 19.87 feet with a central angle of $82^{\circ}56'50''$); thence North $00^{\circ}16'13''$ West 411.86 feet to the point of beginning.

Exhibit "B"
(Permitted Exceptions)

1. (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Any defect, lien, encumbrance, adverse claim, or other matter, that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
8. Any service, installation, connection, maintenance, or construction charges for sewer, water, electricity, or garbage collection or disposal, or other utilities unless shown as an existing lien by the Public Records.
9. The lien of any and all property taxes assessed against the Land by the State Tax Commission of Utah.

[Informational Note: According to the records of Morgan County, the Land described herein has been assigned Morgan County Tax Parcel No. 00-0077-7331 (Serial No. 03-005-044-02-1-3NA), and Morgan County Tax Parcel No. 00-0058-9646 (Serial No. 03-005-044-02-1-NA). However, the Land comprising Morgan County Tax Parcel No. 00-0077-7331 (Serial No. 03-005-044-02-1-3NA) and Morgan County Tax Parcel No. 00-0058-9646 (Serial No. 03-005-044-02-1-NA) appears to fall under the jurisdiction of the State Tax Commission of Utah for the assessment of property taxes. It is suggested that the Office of the Morgan County Treasurer and/or the State Tax Commission of Utah be contacted to ascertain any property tax amounts due and payable for said Land.]

10. The herein described Land is located within the boundaries of Morgan County, Weber Basin Water Conservancy District, Mountain Green Fire Protection District, Mountain Green Sewer Improvement District, and is subject to any and all charges and assessments levied thereunder.
11. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to

the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

12. Reservations as set forth in Patents from the United States of America recorded May 10, 1897 in Book F at Page 576 and recorded January 19, 1959 in Book R at Page 234 and recorded December 3, 1892 in Book F at Page 274 and recorded May 10, 1897 of official records.
13. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
14. Intentionally deleted by Title Company.
15. Ordinance No. CO-19-04 Amending the Morgan County Official Zoning Map, from the A-20 Zone to the Town Center Zone, Otherwise Known as the Staker Parson Zone Change, recorded March 12, 2020 as Entry No. 150555 in Book 359 at Page 169.
16. Said Land is located within the bounds of the Morgan County Reinvestment & Renewal Agency boundary and is subject to any fees and/or assessments thereof, Boundary Plat recorded March 13, 2017 as Entry No. 141018 in Book 334 at Page 439.
17. Development Agreement by and between Morgan County and Staker & Parson Companies, a corporation, dated October 20, 2020 and recorded November 10, 2020 as Entry No. 153927 in Book 369 at Page 1685.
18. Intentionally deleted by Title Company.
19. Rights of tenant(s) in the Land, if any, and rights of all parties claiming by, through or under said tenant(s).
20. Subject to the following matters disclosed on that certain survey prepared by Ensign, having been certified under the date of December 2, 2020, as Job No. 9100A, by Trent R. Williams, a Professional Land Surveyor holding License No. 8034679 (unsigned Boundary/Topographic Survey):
21. Easement, terms and conditions of that certain Utilities and Access Easement Agreement recorded _____ as Entry No. _____ in Book _____ at Page _____.
22. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.