

E 157455 B 379 P 1823
Date 30-Jun-2021 03:47PM
Fee: \$40.00 ACH
Filed By: CKR
BRENDA NELSON, Recorder
MORGAN COUNTY
For: COTTONWOOD TITLE INSURANCE AGENCY,
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

CT-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)

SPECIAL WARRANTY DEED

STAKER & PARSON COMPANIES, a Utah corporation also doing business as Jack B. Parson Companies who acquired title incorrectly as 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 on following page}

Exhibit "A"
(Legal Description)

PARCEL 1:

Single Family Area Phase 1 Description

A parcel of land, situate in the Southwest quarter of Section 24, the Northwest quarter of Section 25 and the Northeast quarter of Section 26, 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 440.87 feet along the section line and South 00°16'25" West 688.35 feet from the Northwest Corner of said Section 25 and running thence South 76°42'06" East 228.40 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; thence Southeasterly 208.49 feet along the arc of a 356.50 foot radius non-tangent curve to the left (center bears North 64°25'44" East and the long chord bears South 42°19'30" East 205.53 feet with a central angle of 33°30'28"); thence South 04°15'30" East 39.47 feet; thence North 89°47'45" West 87.99 feet; thence South 00°11'51" West 61.67 feet; thence West 389.73 feet; thence 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 23.54 feet along the arc of a 14.96 foot radius tangent curve to the right (center bears North 00°16'13" West and the long chord bears North 45°11'23" West 21.18 feet with a central angle of 90°09'40"); 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 Southerly 287.39 feet along the arc of a 470.00 feet radius curve to the left (center bears South 62°32'14" East and the long chord bears South 09°56'43" West 282.94 feet with a central angle of 35°02'06") thence South 07°34'20" East 7.48 feet; thence South 10°38'46" East 46.62 feet; thence South 07°34'20" East 191.84 feet; thence Southeasterly 23.59 feet along the arc of a 15.00 foot radius tangent curve to the left (center bears North 82°25'40" East and the long chord bears South 52°37'47" East 21.23 feet with a central angle of 90°06'54"); thence South 82°40'32" West 89.68 feet; thence Northerly 29.28 feet along the arc of a 38.18 foot radius non-tangent curve to the left (center bears North 53°43'07" West and the long chord bears North 14°18'30" East 28.57 feet with a central angle of 43°56'46"); thence North 07°34'20" West 185.87 feet; thence North 05°08'53" West 35.47 feet; thence North 07°34'20" West 12.67 feet; thence Northerly 329.11 feet along the arc of a 530.00 foot radius tangent curve to the right (center bears North 82°25'40" East and the long chord bears North 10°13'01" East 323.85 feet with a central angle of 35°34'42"); thence Northeasterly 9.33 feet along the arc of a 1971.60 feet radius curve to the left (center bears North 61°59'38" West and the long chord bears North 27°52'14" East 9.33 feet with a central angle of 00°16'16"); thence Northwesterly 18.91 feet along the arc of a 27.50 foot radius non-tangent curve to the left (center bears South 60°55'18" West and the long chord bears North 48°46'45" West 18.54 feet with a central angle of 39°24'07"); thence North 21°31'37" East 38.00 feet; thence Easterly 8.39 feet along the arc of a 6426.97 foot radius non-tangent curve to the right (center bears South 20°26'13" West and the long chord bears South 69°31'33" East 8.39 feet with a central angle of 00°04'29"); thence Easterly 21.96 feet along the arc of a 15.00 foot radius non-tangent curve to the left (center bears North 19°53'47" East and the long chord bears North 67°58'01" East 20.05 feet with a central angle of

83°51'31"); thence Northerly 438.31 feet along the arc of a 1971.60 foot radius non-tangent curve to the left (center bears North 63°57'51" West and the long chord bears North 19°40'01" East 437.41 feet with a central angle of 12°44'15"); thence North 13°17'54" East 12.21 feet; to 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 _____ as Entry No. _____ in Book _____ at Page _____, over and across the following: *concurrently herewith,*

Road Area Description

A parcel of land, situate in the Southwest Quarter of Section 24, the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, 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 886.30 feet along the section line and South 00°16'25" West 1238.89 feet from the Northwest Corner of said Section 25, and running thence North 89°43'47" East 60.00 feet; thence South 00°16'13" East 402.58 feet; thence Southeasterly 20.27 feet along the arc of a 15.00 foot radius tangent curve to the left (center bears North 89°43'47" East and the long chord bears South 38°58'36" East 18.76 feet with a central angle of 77°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°14'46" East and the long chord bears South 83°29'03" West 69.09 feet with a central angle of 04°32'24"); and (2) South 82°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°19'28" West and the long chord bears North 41°12'07" East 19.87 feet with a central angle of 82°56'50"); thence North 00°16'13" West 411.86 feet to the point of beginning.

Single Family Area Phase 1 Description

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.

Continued

A TRACT OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 25, AND THE NORTHEAST QUARTER OF SECTION 26, AND THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE SOUTH 89DEG 43'35" EAST 418.18 FEET ALONG THE SECTION LINE; THENCE SOUTH 00DEG 00'00" EAST 151.43 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF STATE HIGHWAY NO. 167, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 39DEG 45'59" EAST 34.71 FEET ALONG A FENCE LINE; THENCE NORTH 69DEG 02'40" EAST 1069.80 FEET ALONG A FENCE LINE; THENCE NORTH 69DEG 02'40" EAST 51.94 FEET TO THE CENTER OF THE OLD TRAPPERS LOOP ROAD; (THE FOLLOWING TWO COURSES FOLLOW THE CENTER OF THE OLD TRAPPERS LOOP ROAD); THENCE SOUTH 04DEG 14'35" EAST 228.88 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 25; THENCE SOUTH 04DEG 13'35" EAST 995.35 FEET; THENCE LEAVING OLD TRAPPERS LOOP ROAD, NORTH 90DEG 00'00" WEST 511.02 FEET; THENCE SOUTH 00DEG 09'40" EAST 656.00 FEET TO A POINT ON THE NORTH LINE OF OLD HIGHWAY ROAD; (THE FOLLOWING THREE COURSES FOLLOW THE NORTHERLY LINE OF OLD HIGHWAY ROAD) THENCE 184.12 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1472.70 FEET, AN INCLUDED ANGLE OF 07DEG 09'48", AND A LONG CHORD BEARING SOUTH 86DEG 15'26" WEST 184.00 FEET; THENCE SOUTH 82DEG 40'32" WEST 780.90 FEET; THENCE 50.76 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2824.90 FEET, AN INCLUDED ANGLE OF 01DEG 01'47", AND A LONG CHORD BEARING SOUTH 83DEG 11'25" WEST 50.76 FEET; THENCE LEAVING SAID NORTHERLY LINE OF OLD HIGHWAY ROAD, NORTH 00DEG 41'40" EAST 218.70 FEET ALONG A FENCE LINE; THENCE NORTH 62DEG 19'37" WEST 514.41 FEET ALONG A FENCE LINE; THENCE NORTH 15DEG 50'55" WEST 256.23 FEET ALONG A FENCE LINE TO A POINT ON THE EASTERLY LINE OF STATE HIGHWAY NO. 167; (THE FOLLOWING SIX COURSES FOLLOW THE SOUTHEASTERLY LINE OF STATE HIGHWAY NO. 167); THENCE 149.82 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 920.92 FEET, AN INCLUDED ANGLE OF 09DEG 19'16", AND A LONG CHORD BEARING NORTH 40DEG 47'03" EAST 149.66 FEET; THENCE NORTH 11DEG 33'46" EAST 206.96 FEET; THENCE NORTH 54DEG 11'41" EAST 162.69 FEET TO A POINT OF TANGENT; THENCE NORTH 54DEG 11'41" EAST 326.21 FEET TO A POINT OF SPIRAL CURVE; THENCE ALONG A SECTION OF A SPIRAL CURVE, HAVING A LONG CHORD BEARING NORTH 49DEG 59'43" EAST 370.62 FEET; THENCE 97.16 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 918.51 FEET, AN INCLUDED ANGLE OF 06DEG 03'38", AND A LONG CHORD BEARING NORTH 38DEG 54'52" EAST 97.11 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 56.513 ACRES, MORE OR LESS.

THE BASIS OF BEARING IS THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 25, CALLED SOUTH 00DEG 17' 10" WEST, WHICH IS DERIVED BY A TRANSLATION FROM THE CENTERLINE OF STATE HIGHWAY NO. 167, WHICH BEARINGS ARE

Continued
DERIVED
FROM THE STATE PLANE COORDINATE SYSTEM.

Ent 134529 Bk 318 Pg 1448
Date: 01-APR-2015 11:10:30AM
Fee: \$12.00 Check
Filed By: CB
BRENDA NELSON, Recorder
MORGAN COUNTY
For: MOUNTAIN VIEW TITLE & ESCROW IN
C

Mail Tax Notice To:

REAL ESTATE MANAGER
P.O. BOX 3429
CADEN, UTAH 84407

WARRANTY DEED
(127635)

American Heritage Holdings, L.C., a Utah Limited Liability Company, referred to as Grantor does hereby give, grant, bargain, sell, convey and warrant to:

Staker & Parson Companies, a Utah Corporation

as Grantee of WEBER COUNTY, UTAH, for the sum of Ten Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, all of the Grantors right, title and interest in and to the following described real property, located in the County of Morgan County, State of Utah, more particularly described as follows:

See Legal Description on attached Exhibit "A" which by reference is made a part.
Serial Number 03-005-044-021-3-NA
Parcel Number 00-0077-7331

Subject to easements, restrictions and rights of way of record by deed or by prescription.

The officer executing this deed certifies that this deed and the conveyance represented herein was in accordance with the terms and conditions of the operating agreement which governs the administration of the limited liability company.

Witness the hand of said Grantor on the 25 day of Feb 2015

American Heritage Holdings, L.C. a
Utah Limited Liability Company

By: Danny C. Bridenstine
Name: Danny C. Bridenstine
Its: m.

State of Utah
County of Weber

On the 25 day of February 2015, personally appeared before me, Danny C. Bridenstine, in the capacity of Member Manager of American Heritage Holdings, L.C., a Utah Limited Liability Company, who duly acknowledged to me that this deed was executed by them in the capacity stated and in accordance with the operating agreement of said limited liability company.

James D. Maxfield
Notary Public

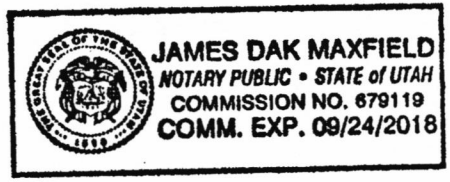


Exhibit A
LEGAL DESCRIPTION

File Number: 127118

Part of the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, described as follows: Beginning at a point on an existing fenceline said point being located South 89°55'18" East along Section line 665.65 feet and South 91.87 feet from an iron pipe marking the Northwest corner of said Section 25, and running thence Northeasterly along said fence line the following (4) courses: (1) North 68°41'10" East 90.93 feet, (2) North 68°44'21" East 200.83 feet, (3) North 68°52'49" East 186.86 feet and (4) North 68°39'59" East 162.46 feet to the Northwesterly corner of the Rollins Ranch L.L.C. property as recorded in Book 249, Page 822, at the Office of the Morgan County Recorder, June 27, 2007, thence Southeasterly coincident with the West line of said property (7) courses as follows: (1) South 05°25'36" East 192.32 feet, (2) South 41°57'05" East 110.48 feet, (3) North 72°35'14" East 66.68 feet, (4) South 05°32'54" East 122.44 feet to a point of curvature, (5) Southwesterly 218.21 feet along the arc of a 442.00 foot radius curve to the right through a central angle of 28°17'13" (chord bears South 08°35'33" West 216.01 feet) to a point of reverse curvature, (6) Southeasterly 510.30 feet along the arc of a 356.50 foot radius curve to the left through a central angle of 82°00'46" (chord bears South 18°16'04" East 467.83 feet) and (7) South 04°25'07" East 100.99 feet to the Northerly line of the Paul Warner Subdivision, a plat recorded at the Office of the Morgan County Recorder, thence South 89°48'17" West coincident with said Northerly line 482.30 feet to the Northwest corner of said subdivision, thence South 00°21'23" East coincident with the West line of said subdivision 591.00 feet to the Northerly line of the Questar Gas property as recorded at the Office of the Morgan County Recorder in Book 249, Page 820, June 27, 2007, thence South 89°38'37" West coincident with the North line of said parcel 75.00 feet to the Northwest corner thereof, thence South 00°21'23" East coincident with the West line of said parcel 66.91 feet to the North line of Old Highway Road as depicted on that certain record of survey number 256 on file at the Office of the Morgan County Recorder of the Paul Warner property performed by William L. Holyoak, July of 1996, thence Westerly coincident with the North line of said street (2) courses as follows: (1) Southwesterly 109.97 feet along the arc of a 1472.70 foot radius curve to the left through a central angle of 04°14'36" (long chord bears South 84°36'07" West 109.05 feet) and (2) South 82°28'49" West 476.82 feet, thence North 08°36'17" East 1653.03 feet to said fenceline and the point of beginning.