

Entry 2016007090  
Book 1489 Pages 540-545 \$20.00  
14-Oct-16 09:50  
BRENDA MCDONALD  
RECORDER, UINTAH COUNTY, UTAH  
FOUNDERS TITLE COMPANY - LAYTON  
748 WEST HERITAGE PARK BLVD., SUITE 202, LAYTON, UTAH 84041  
Rec By: Tonya Wilson, Deputy  
Electronic Recording

**When Recorded, Return To:**

Kirton McConkie  
Attn: Joel Wright  
2600 W. Executive Parkway, Suite 400  
Lehi, Utah 84043

Ent 2016007090  
Book 1489 Pg 540

Serial Number: 04:133:0022 *SWEE*

*16-020856*

(Space above for Recorder's use only)

**SPECIAL WARRANTY DEED**

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, BOYER TERRA ACADEMY, L.C., a Utah limited liability company ("Grantor"), whose address is 101 South 300 East, Suite 200, Salt Lake City, Utah 84111, hereby conveys and warrants, against all claiming by, through, or under Grantor, to TERRA ACADEMY, INC., a Utah non-profit corporation ("Grantee"), whose address for mailing purposes is 267 Aggie Blvd., Vernal, Utah 84078 the following described property situated in Uintah County, Utah, to wit:

See Exhibit A annexed hereto and incorporated herein by this reference (the "Property");

TOGETHER WITH all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining to the Property, including, but not limited to, all: (i) buildings, structures, fixtures, signs, and other improvements and landscaping of every kind and nature presently situated on, in, under or about the Property; (ii) water and water rights of any and every kind, if any, including, but not limited to, all: wells, well rights, ditches, ditch rights, and stock in water used on the Property or appurtenant thereto; and (iii) all mineral and subsurface rights of any and every kind, if any.


SUBJECT ONLY TO those certain exceptions and encumbrances specifically listed on Exhibit B annexed hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 14<sup>th</sup> day of October, 2016.

*[Signatures on following page.]*

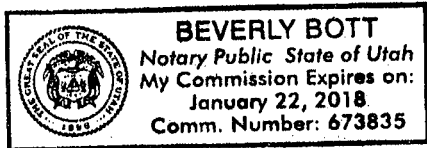
Grantor:  
Boyer Terra Academy, L.C.,  
a Utah Limited Liability Company, by its manager


The Boyer Company, L.C., a Utah Limited Liability  
Company

By:   
Print Name: BRIAN GOCHNOUR  
Title: MANAGER

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

On this 12<sup>th</sup> day of October, 2016, personally appeared before me  
Brian Gochnour, known or satisfactorily proved to me to be the person who  
signed the foregoing instrument, and acknowledged to me that he/she is the  
Manager of The Boyer Company, L.C., the Manager of BOYER TERRA  
ACADEMY, L.C., a Utah limited liability company, and acknowledged to me that said company  
executed the same.



  
Notary Public

**EXHIBIT A**

to Special Warranty Deed

(Legal Description of the Property)

That certain real property located in Uintah County, Utah, specifically described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, VERNAL CITY, UINTAH COUNTY, UTAH, AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 21, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 21 BEARS NORTH 02°04'00" WEST 2654.82 FEET; THENCE NORTH 02°04'0" WEST 1190.58 FEET TO A FOUND REBAR WITH CAP LABELED, PLS 6028691 STE BY RECORD OF SURVEY FILE NUMBER 3534 IN THE OFFICIAL RECORDS OF UINTAH COUNTY, THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°15'05" WEST 425.66 FEET ALONG SAID SURVEY LINE TO A FOUND REBAR WITH CAP LABELED, PLS 6028691 SET ON THE EASTERLY RIGHT OF WAY LINE OF AGGIE BOULEVARD, SAID POINT BEING ON A 800.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST WHOSE CENTER BEARS SOUTH 38°54'37" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'03" A DISTANCE OF 127.07 FEET (CHORD=NORTH 55°38'25" WEST 126.94 FEET); THENCE NORTH 60°11'26" WEST 199.84 FEET ALONG SAID RIGHT OF WAY LINE TO THE BEGINNING OF A 700.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°7'48" A DISTANCE OF 541.19 FEET (CHORD=NORTH 38°02'32" WEST 527.81 FEET) ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR WITH CAP LABELED, "A.A. HUDSON, PLS 375041; THENCE NORTH 88°32'18" EAST 1131.03 FEET TO A 5/8" REBAR CAP LABELED "A.A. HUDSON, PLS 275041 SET ON THE WEST LINE OF THE STEINAKER SERVICE CANAL EASEMENT, SAID POINT BEING ON THE 445.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE CENTER BEARS SOUTH 65°45'24" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°28'52" A DISTANCE OF 128.01 FEET (CHORD=SOUTH 16°00'09" WEST 127.56 FEET) TO A 5/8" REBAR WITH CAP LABELED, "A.A. HUDSON, PLS 375041; THENCE SOUTH 07°45'43" WEST 491.84 FEET ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING. TOGETHER WITH A RIGHT OF WAY FOR INGRESS AND EGRESS AS CONTAINED IN RIGHT OF WAY EASEMENT RECORDED MAY 7, 2012, AS ENTRY NO. 2012003930, IN BOOK 1276 AT PAGE 185. SERIAL NO. 04-133-0022

**EXHIBIT B**

to Special Warranty Deed

(Exceptions and Encumbrances)

1. Taxes for the year 2016 are now a lien, but not yet due.  
Tax ID No. 04-133-0022. (2015 taxes were paid in the amount of \$7,871.68)
2. Said property is included within the boundaries of ASHLEY VALLEY-VERNAL CITY, UTAH COUNTY, THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, THE UTAH COUNTY WATER CONSERVANCY DISTRICT, and UINTAH COUNTY MOSQUITO ABATEMENT DISTRICT, and is subject to the charges and assessments thereof.  
(All Charges & fees are current at the time of closing)
3. 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 in Scheduled B. The Company makes no representation as to the present ownership of any such interest. There may be leases, grants, exceptions or reservations of interest that are not listed.
4. Claims, rights, title or interest to water rights whether or not shown by the Public Records.
5. This exception intentionally left blank.
6. Rights of way and Easements for ditches and canals reserved by the United States of America, as recited in that certain Patent dated April 28, 1888 and Recorded April 29, 1890 in Book/Page 2/216.
7. This exception intentionally left blank.
8. UNDERGROUND RIGHT OF WAY EASEMENT AND CONDITIONS CONTAINED THEREIN:  
Grantor: BOYER TERRA ACADEMY, LC  
Grantee: PACIFICORP dba ROCKY MOUNTAIN POWER  
Location: 10 FEET IN WIDTH AND 480 FEET IN LENGTH MORE OR LESS  
Recorded: March 16, 2015  
Entry No.: 2015002389  
Book/Page: 1425/223-226 (as shown on that certain ALTA/NSPS LAND TITLE SURVEY, dated 3/31/2016, by Civil Solutions Group, Project No. 727-

1401)

9. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantee: QUESTAR GASS COMPANY

Recorded: May 11, 2015

Entry No.: 2015004315

Book/Page: 1433/179-181 (as shown on that certain ALTA/NSPS LAND  
TITLE SURVEY, dated 3/31/2016, by Civil Solutions Group, Project No. 727-  
1401)

10. This exception intentionally left blank.

11. This exception intentionally left blank.

12. The following matters as shown on that certain ALTA/NSPS LAND TITLE SURVEY,  
dated 3/31/2016, by Civil Solutions Group, Project No. 727-1401:

A. Flood Zone A along the Easterly Approx. 100.0'

B. Fence line encroachment along the northerly & southerly boundary lines

Date	Description	Amount
10/13/2016	(pending)RD TREAS 310 [CCD] MISC PAY ID: FOUNDERS TITLE COMPANY RMT*SY*46	\$ 8,000,000.00
10/13/2016	(pending)RD TREAS 310 [CCD] MISC PAY ID: FOUNDERS TITLE COMPANY RMT*SY*46	\$ 2,605,380.00

Entry 2020001956  
Book 1645 Pages 191-193 \$40.00  
23-Mar-20 01:24  
BRENDA MCDONALD  
RECORDER, UINTAH COUNTY, UTAH  
COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120, SALT LAKE CITY, UTAH 84121  
Rec By: Dana Brown, Deputy Recorder  
Electronic Recording

When recorded, return to:  
Cottonwood Title Insurance Agency, Inc.  
1996 East 6400 South Suite 120  
Murray, UT 84121

File No.: 124440-JCP  
Tax Parcel No. 04-133-0022 (for reference only)  
SWSE

Ent 2020001956  
Book 1645 Pg 191

**AFFIDAVIT OF CLERICAL ERROR**


The undersigned, having been duly sworn, does hereby depose and say:

1. I am of legal age, familiar with the subject matter of this Affidavit and competent in all respects to make the representations set forth herein.
2. I am the President of Founders Title Company of Davis (hereafter "Founders Title"), which maintains its principal place of business at 748 West Heritage Park Blvd., Suite 205, Layton, State of Utah.
3. That on October 14, 2016 a Special Warranty Deed wherein Boyer Terra Academy, L.C., a Utah limited liability company, was the Grantor, and Terra Academy, Inc., a Utah non-profit corporation, was the Grantee, was recorded by Founders Title in the office of the Uintah County Recorder as Entry No. 2016007090.
4. The Special Warranty Deed contained a minor clerical error in the legal description in which a bearing and distance call that relates to the "true point of beginning" was inadvertently missing.
5. This Affidavit pertains to real property in Uintah County, State of Utah, more particularly and correctly described as follows:

**See Exhibit "A" attached hereto and made a part hereof.**

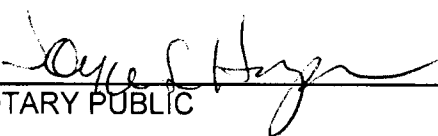
6. This Affidavit is given to clarify the record title to the real property described herein and give notice of the correction to the legal description in the Special Warranty Deed.

Dated this 23<sup>rd</sup> day of March, 2020.

  
\_\_\_\_\_  
Jim C. Morris

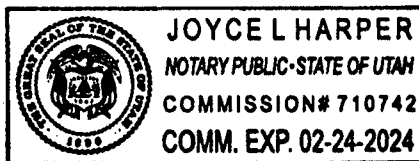
State of Utah     )  
                          ss.  
County of Davis    )

Subscribed and sworn to before me this 23rd day of March, 2020 by Jim C. Morris.

  
\_\_\_\_\_  
NOTARY PUBLIC

Residing at: Davis County, UT

Commission Expires:  
02/24/2024





**EXHIBIT A  
LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, VERNAL CITY, UINTAH COUNTY, UTAH, AND FURTHER DESCRIBED AS FOLLOWS:

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TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS AS CONTAINED IN RIGHT-OF-WAY EASEMENT RECORDED MAY 7, 2012, AS ENTRY NO. 2012003930 IN BOOK 1276 AT PAGE 185.