

When Recorded Mail This Deed To:

Eversage Apartments, LLC
3528 Precision Drive, Suite 100
Fort Collins, Colorado 80528
Attn: Brandy Natalzia

File # 116799-BHM
Tax Parcel No.: 37-292-003003

(Above Space for Recorder's Use Only)

SPECIAL WARRANTY DEED

EVERSAGE PARTNERS, LLC, a Utah limited liability company, as Grantor, does hereby CONVEY AND WARRANT against all who claim by, through or under Grantor, but not otherwise, unto EVERSAGE APARTMENTS, LLC, a Colorado limited liability company, Grantee, whose current address is 3528 Precision Drive, Suite 100, Fort Collins, Colorado 80528, the following described real property (the "Property") in Utah County, State of Utah, to-wit:

[See Exhibit "A" attached hereto and by this reference made a part hereof.]

Subject to the Permitted Exceptions attached hereto as Exhibit "B," and incorporated herein by this reference and all matters which may be disclosed by an accurate survey of the Property.

This Special Warranty Deed may be executed in multiple counterparts (each of which is to be deemed original for all purposes).

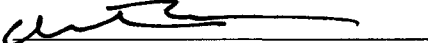
WITNESS, the hand of said Grantor, this 12th day of May, 2020.

[SIGNATURE PAGE FOLLOWS]

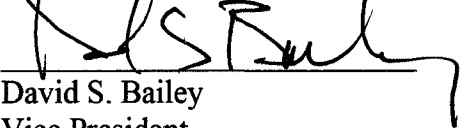
GRANTOR:

EVERSAGE PARTNERS, LLC, a Utah limited liability company, by its managers

KC Gardner Company, L.C., a Utah limited liability company

By: 
Name: Chastin Gardner
Its: Manager

Destination Homes, Inc., a Utah corporation


By: 
Name: David S. Bailey
Its: Vice President

[ACKNOWLEDGEMENTS FOLLOW]

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

On this 12 day of May, 2020, before me, the undersigned, personally appeared CHRISTIAN GARDNER, known or identified to me to be a manager of KC Gardner Company, L.C., a Utah limited liability company, which is a manager of Eversage Partners, LLC, a Utah limited liability company, who executed the instrument on behalf of said limited liability company, and acknowledged to me that the limited liability company executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC

My Commission Expires: 10.16.20

Residing at: DAVIS COUNTY, UT



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

On this 12 day of May, 2020, before me, the undersigned, personally appeared David S. Bailey, known or identified to me to be the Vice President of Destination Homes, Inc., a Utah corporation, which is a manager of Eversage Partners, LLC, a Utah limited liability company, who executed the instrument on behalf of said limited liability company, and acknowledged to me that the limited liability company executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC

My Commission Expires: 10.16.20

Residing at: DAVIS COUNTY, UT



EXHIBIT "A"

To

SPECIAL WARRANTY DEED

(Legal Description of the Real Property)

The Property referred to in the foregoing instrument is located in Utah County, State of Utah, and is more particularly described as follows:

Lot 3, PLAT A, THE DEPOT SUBDIVISION, according to the official plat thereof as recorded in the office of the Utah County Recorder, State of Utah on January 9, 2012 as Entry No. 1722:2012.

EXHIBIT "B"

To

SPECIAL WARRANTY DEED

(Permitted Exceptions)

1. Taxes or assessments for the 2020 calendar year and thereafter.
2. The herein described Land is located within the boundaries of Payson City, Central Utah Water Conservancy, Wasatch Mental Health Special Service District, South Utah Valley Animal Special Service District, Utah Valley Dispatch Special Service District, and is subject to any and all charges and assessments levied thereunder.
3. Claim, right, title or interest to water or water rights whether or not shown by the public records.
4. Easements, notes and restrictions as shown on the recorded plat for The Depot "Plat A", recorded January 9, 2012 as Entry No. 1722:2012.
5. Right of Way for Canal Purposes in favor of Payson City, a Municipal Corporation, recorded December 15, 1926, as Entry No. 8866, in Book 263, at Page 208.
6. Depot Annexation Specific Plan and Annexation Agreement, dated February 8, 2005 and recorded February 28, 2005 as Entry No. 20434:2005.
7. Agreement to Defer Posting of Performance Guarantee between The Depot Investments, LLC and Walkera Development, L.C. and Payson City Corporation, dated July 21, 2010 and recorded August 19, 2010 as Entry No. 69718:2010.
8. Development Agreement by and between the City of Payson, a Utah municipal corporation and Eversage Partners, LLC, a limited liability company, dated October 17, 2017 and recorded November 7, 2017 as Entry No. 110878:2017.

Amended October 17, 2018 as Entry No. 99794:2018.
9. That certain survey prepared by GRS Group, having been certified under the date of February 13, 2020, last revised April 28, 2020, as Job No. 20-557, by Buckley Blew, a Professional Land Surveyor holding License No. 10175990.