

After recording return to:  
Vicki K. Davis, Trustee of  
the Vicki K. Davis Living Trust  
811 Crossbrook Dr  
Moraga, CA 94556

**SPECIAL WARRANTY DEED**  
**(Corrected)**

This corrected Special Warranty Deed is executed to correct a technical deficiency in the name of the Grantee in that certain Special Warranty Deed executed December 20, 2006 and recorded on December 29, 2006, as Entry # 275112 in the Tooele County, Utah Recorder's Office.

This SPECIAL WARRANTY DEED is made as of December 20, 2006, between **NS MOUNTAINWEST #4, LLC**, a Utah limited liability company, with an address of 2180 South 1300 East, Suite 410, Salt Lake City, Utah 84106 ("Grantor"), and **VICKI K. DAVIS, TRUSTEE OF THE VICKI K. DAVIS LIVING TRUST DATED MAY 19, 1995**, with an address of 811 Crossbrook Dr, Moraga CA 94556 ("Grantee").

**W I T N E S S E T H:**

THAT GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby forever grant, bargain, sell, convey and confirm to Grantee, and its successors and assigns, that certain real property, situated, lying, and being in the City of Tooele, Tooele County, Utah, as more particularly described to wit:

See Exhibit "A" attached hereto and made a part hereof ("Property");

AND SAID GRANTOR does hereby warrant the title to said Property, and will defend the same against the lawful claims of all persons claiming under Grantor, but none other, subject to the easements, encumbrances, restrictions, and other matters of record and the covenants, conditions, and restrictions as referenced on Exhibit "B" attached hereto and made a part hereof, and subject to real property taxes for the year of 2007, and thereafter.

DATED: January 10, 2007

**NS MOUNTAINWEST #4, LLC,**  
a Utah limited liability company

By: NovaSource Management, Inc.  
a Utah corporation, Manager

By: Valerie A. Anderson  
Valerie A. Anderson

Its: Secretary/Treasurer

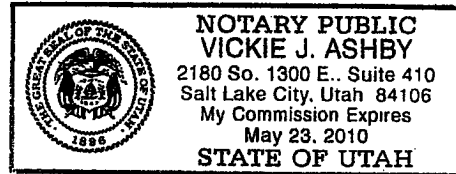
State of UTAH )  
 ) ss  
County of SALT LAKE)

On this 10 day of January, 2007 before me, the undersigned, a Notary Public in and for the said State, personally appeared Valerie A. Anderson, known or identified to me to be the Secretary /Treasurer of NovaSource Management, Inc., a Utah Corporation, Manager of NS Mountainwest #4, LLC, and that she, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing her name as such officer on behalf of and in the name of said entity.

  
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NOTARY PUBLIC

My Commission Expires:

5/23/2010



**EXHIBIT "A"**

**Legal Description of Property**

A 1.123 acre of land described as follows:

All of Lot 4 of Tooele Landing, a Subdivision in Tooele City, Tooele County, Utah, described as follows:

A part of the Southeast Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point on the South Line of Lot 4 of Tooele Gateway Commercial Subdivision, as amended, being 1192.81 feet South 89°43'06" West along the Section Line; 1456.20 feet North 0°16'54" West; and 210.50 feet North 83°10'00" West along said South Line of Lot 4 from the Southeast corner of said Section 16; and running thence South 6°50'00" West 259.20 feet; thence North 83°10'00" West 188.74 feet; thence North 6°50'00" East 259.20 feet to the South Line of Lot 3 of said Tooele Gateway Commercial Subdivision, as amended; thence South 83°10'00" East 188.74 feet along said South Line of Lots 3 and 4 to the point of beginning.

## EXHIBIT "B"

## Permitted Exceptions

1. (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.
2. Any adverse claim based upon the assertion that (a) Some portion of the land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof; b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake; c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
3. Taxes of the year 2007. Serial No. 14-064-0-004
4. Said property is situated within the corporate limits of Tooele City, and is subject to assessment thereof.
5. Said property is situated within the boundaries of the Tooele City Water Special Service District, and is subject to assessment thereof.
6. The perpetual right, privilege, and easement of operating its smelter at or near the mouth of Pine Canyon and of discharging gases, fumes, smoke and any other substances as may be emitted without incurring liabilities to the first parties as granted to Utah Consolidated Mining Company, and subsequent easements, notice of claims of interest by various documents of record affecting said easement, Recorded in Book B, Page 548 of Tooele County Records.
7. **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, GRANT OF EASEMENTS**

Recorded:	September 6, 2002
Entry No.:	187030
Book/Page:	778/53

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, GRANT OF EASEMENTS**

Recorded:	January 22, 2003
Entry No.:	194732
Book/Page:	816/412-420

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, GRANT OF EASEMENTS**

Recorded:	April 25, 2003
Entry No.:	200710
Book/Page:	844/119-123

Terms, provisions, covenants, conditions, and restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions recorded, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restrictions (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

8. **RECIPROCAL ACCESS**

By and between: David G. Dixon and Cathy S. Dixon and

	NovaSource Development, L.C.
Dated:	December 12, 2002
Recorded:	January 22, 2003
Entry No.:	194733
Book/Page:	816/421-426
Purpose/Location:	See attached copy

9. Subject to the affect of the address posted on the building occupying said property being 1197 North Main Street, Tooele, Utah 84074 and the address being provided on the plat of said subdivision being 1199-1203 North Main Street, Tooele, Utah 84074.
10. Subject to an unrecorded Storm Water License Agreement dated December 22, 2006.