

10-028-0077

152595 KAP

WHEN RECORDED, MAIL TO:

Layton Hills Management, LLC  
c/o D&D Construction Specialties, Inc.  
1043 Olinda St.  
Sun Valley, CA 91352

**SPECIAL WARRANTY DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, KIM'S INC., a Utah corporation ("Grantor"), does hereby convey and warrant against all claiming by, through or under Grantor but not otherwise, to LAYTON HILLS MANAGEMENT, LLC, a Utah limited liability company ("Grantee"), whose address is c/o D&D Construction Specialties, Inc., 1043 Olinda St., Sun Valley, CA 91352, the real property situated in Davis County, Utah, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").

TOGETHER with the tenements, hereditaments and appurtenances, including easements, minerals, mineral rights, waters, and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

SUBJECT to the matters set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

Dated as of the 30 day of December, 2021.

[Signature Page Follows]

KIM'S INC.,  
a Utah corporation

By: Joony Kim

Name: Joony Kim

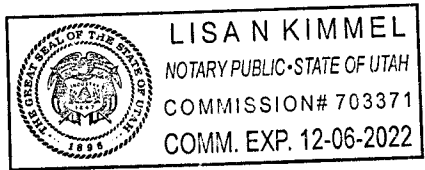
Title: PRESIDENT

STATE OF Utah )  
COUNTY OF Salt Lake ) :ss.

The foregoing instrument was acknowledged before me on December 30, 2021, by  
Joony Kim as President of Kim's Inc., a Utah corporation.

Lisa N Kimmel  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My Commission Expires:  
12-06-2022



## Exhibit A

### Legal Description of the Property

#### PARCEL 1:

Beginning at the Southeast corner of that certain property described in that certain Warranty Deed dated November 16, 1996 and recorded November 19, 1996 as Entry No. 1288099 in Book 2065 at Page 1240 of Official Records, said point being located South 89°54'50" West 680.42 feet and North 0°09'12" East 290.46 feet from the East quarter corner of Section 17, Township 4 North, Range 1 West, Salt Lake Base and Meridian and running thence North 89°46'06" West along the South line of said parcel 286.50 feet; thence North 0°08'48" East 65.23 feet; thence South 89°46'06" East 74.13 feet to the Southeast corner of an existing block building and an existing party wall line; thence North 0°14'13" East along said party wall line and the extension thereof 346.39 feet to a point on the South line of the Foxcreek Apartment Complex; thence South 89°50'48" East along said South line of said Foxcreek Apartment Complex 211.88 feet; thence South 0°09'12" West 411.91 feet to the point of beginning.

#### PARCEL 1A:

A non-exclusive easement appurtenant to Parcel 1 described herein for pedestrian and vehicular ingress and egress (not parking) as disclosed by that certain Declaration of Easements, Covenants and Restrictions recorded September 27, 2006 as Entry No. 2205242 in Book 4126 at Page 220 of official records.

#### PARCEL 1B:

Non-exclusive easements appurtenant to Parcel 1 described herein for Utility Easements as disclosed by that certain Reciprocal Utility Easements Grant and Agreement recorded September 27, 2006 as Entry No. 2205241 in Book 4126 at Page 209.

#### PARCEL 1C:

A non-exclusive easement appurtenant to Parcel 1 described herein for a Business Park Sign and Easement as disclosed by that certain Declaration of Covenants for Operation and Maintenance of Business Park Sign and Easement recorded September 27, 2006 as Entry No. 2205243 in Book 4126 at Page 229.

Tax Parcel Number: 10-028-0077

## Exhibit B

### Permitted Exceptions

1. Property taxes not yet due and payable.
2. Charges and assessments of Layton City, Weber Basin Water Conservancy District, Davis County Mosquito Abatement District, and North Davis Sewer District not yet due and payable.
3. Reservations as set forth and described in that certain Special Warranty Deed recorded April 10, 1941 as Entry No. 76710 in Book 1S at Page 412.
4. Party Wall Agreement by and between The Bartley K. Curtis Investment Trust u/a/d August 24, 1999 and 1550 Associates LLC, dated September 25, 2006 and recorded September 27, 2006 as Entry No. 2205240 in Book 4126 at Page 199.
5. Terms, conditions and restrictions as set forth in that certain Reciprocal Utility Easements Grant and Agreement by and between The Bartley K. Curtis Investment Trust u/a/d August 24, 1999 and 1550 Associates LLC, dated September 25, 2006 and recorded September 27, 2006 as Entry No. 2205241 in Book 4126 at Page 209.
6. Terms, conditions and restrictions as set forth in that certain Declaration of Easements, Covenants and Restrictions by and between The Bartley K. Curtis Investment Trust u/a/d August 24, 1999 and 1550 Associates LLC, dated September 25, 2006 and recorded September 27, 2006 as Entry No. 2205242 in Book 4126 at Page 220.
7. Terms, conditions and restrictions as set forth in that certain Declaration of Covenants for Operation and Maintenance of Business Park Sign and Easement by and between The Bartley K. Curtis Investment Trust u/a/d August 24, 1999 and 1550 Associates LLC, dated September 25, 2006 and recorded September 27, 2006 as Entry No. 2205243 in Book 4126 at Page 229.
8. Rights of tenant(s) in the Property, if any, and rights of all parties claiming by, through or under said tenant(s).