

Warranty Deed Page 1 of 4  
Russell Shirts Washington County Recorder  
04/28/2017 10:05:22 AM Fee \$20.00 By  
SOUTHERN UTAH TITLE

**When recorded mail deed and tax notice to:**

Steven Kinross  
2720 East 3710 South  
St. George, UT 84790



**SOUTHERN UTAH TITLE**  
www.sutitc.com  
Doing Good Deeds for Over 60 Years

Order No. 190449 - EFP  
Tax I.D. No. W-5-2-27-1031

Space Above This Line for Recorder's Use

**WARRANTY DEED**

Duva Properties, LTD., A Utah Limited Partnership, grantor(s), of St. George, County of Washington, State of UT, hereby **CONVEY** and **WARRANT** to

Steven Kinross and Frances Kinross, Husband and Wife, as Joint Tenants, grantee(s) of St. George, County of Washington, State of UT, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

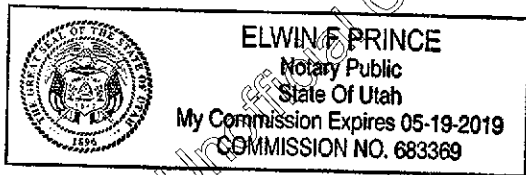
WITNESS the hand(s) of said grantor(s), this 27<sup>th</sup> day of April, 2017.

Duva Properties, LTD., A Utah Limited Partnership

By [Signature]  
Lloyd C. Carter, General Partner

STATE OF Utah )  
 ) :ss.  
COUNTY OF Washington )

On the 27<sup>th</sup> day of April, 2017, personally appeared before me, Lloyd C. Carter, General Partner, of Duva Properties, LTD., A Utah Limited Partnership, the signer of the within instrument who duly acknowledged to me that he/she executed the same.



[Signature]  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

Attachment to that certain Warranty Deed executed by Duva Properties, LTD., A Utah Limited Partnership grantor(s), to Steven Kinross and Frances Kinross grantee(s).

Order No. 190449

Tax I.D. No. W-5-2-27-1031

**EXHIBIT "A"**

**Parcel 1:**

Beginning at a point on the Meander Line of the Virgin River, said point being South 89°48'20" West 2637.46 feet along the East-West center Section line and South 0°26'05" East 319.57 feet along the North-South center Section line from the East 1/4 corner of Section 27, Township 42 South, Range 15 West, Salt Lake Base and Meridian, and running thence North 57°37' East 426.90 feet along said meander line; thence North 10°22' East 1107.01 feet along said meander line; thence South 69°30' East 1036.77 feet to a point in the center of an Irrigation Canal; thence along said center line of canal as follows: South 42°13'30" West 182.21 feet; thence South 45°52'30" West 255.40 feet; thence South 49°54'30" West 234.0 feet; thence South 45°32' West 107.30 feet; thence South 36°13'30" West 96.70 feet; thence South 27°41'30" West 62.90 feet; thence South 34°06' West 76.70 feet; thence South 40°30'30" West 87.10 feet; thence South 46°44'45" West 148.70 feet; thence South 39°59' West 161.85 feet; thence South 43°09' West 98.20 feet; thence South 49°14' West 108.60 feet; thence South 55°44' West 225.40 feet; thence leaving said centerline of Canal and running North 34°28'50" West 416.01 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following described property:

Beginning at a point in the center of an Irrigation Canal, said point being North 0°23' West 626.00 feet along the Section line and West 1100.01 feet from the East 1/4 corner of Section 27, Township 42 South, Range 15 West, Salt Lake Base and Meridian, and running thence North 69°30' West 380.0 feet; thence South 47°46'30" East 356.25 feet to a point in the center of an Irrigation Canal; thence North 42°13'30" East 161.60 feet along said center of Canal to the point of beginning.

ALSO, LESS AND EXCEPTING THEREFROM the following described property:

Beginning at a point South 45°52'30" West 1.55 feet from the Northeast corner of Lot 27, Pine View Estates Phase 1, a subdivision recorded in the Washington County Records Office, St. George, Utah, said point also being North 00°23'00" West 467.73 feet and West 1244.61 feet from the East 1/4 corner of Section 27, Township 42 South, Range 15 West, Salt Lake Base and Meridian and running thence North 46°06'30" West 50.03 feet; thence North 45°52'30" East 29.55 feet; thence North 42°13'30" East 375.88 feet; thence North 36°40'30" East 86.34 feet; thence North 22°55'00" East 81.77 feet; thence North 06°05'00" East 135.97 feet to a point of curvature of a 25.00 foot radius curve to the left; thence 23.95 feet along the arc of said curve through a central angle of 54°52'59" to a point of reverse curvature of a 50.00 foot radius curve to the right; thence 172.02 feet along the arc of said curve through a central angle of 197°07'25" thence South 31°40'34" East 27.80 feet; thence South 26°28'00" West 70.90 feet; thence South 06°05'00" West 146.90 feet; thence South 22°55'00" West 95.20 feet; thence South 36°40'30" West 94.80 feet; thence South 42°13'30" West 379.90 feet; thence South 45°52'30" West 29.41 feet to the point of beginning.

ALSO, less any portions lying within PINE VIEW ESTATES PHASE 1, AMENDED & EXTENDED, PINE VIEW ESTATES, PHASES 2, 3, 4 & 8; and PINE VIEW ESTATES PHASE 7 AMENDED, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

**Parcel 2:**

Beginning at a point which lies South 89°48'21" West 2229.54 feet along the center section line and North 153.61 feet from the East 1/4 corner of Section 27, Township 42 South, Range 15 West, Salt Lake Base and Meridian and running thence South 10°22'00" West 250.00 feet; thence South 57°17'32" West 428.43 feet; thence South 57°37'00" West 160.02 feet; thence North 41°06'00" West 63.89 feet; thence North 48°54'00" East 32.52 feet; thence North 46°11'42" West 1216.29 feet; thence North 23°18'03" East 27.04 feet; thence North 47°33'50" East 469.58 feet; thence South 57°23'33" East 1280.47 feet to the point of beginning.

*Jcl*

**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Duva Properties, LTD., A Utah Limited Partnership  
 Grantee: Steven Kinross and Frances Kinross, Husband and Wife, as Joint Tenants  
 Tax ID Number(s): W-5-2-2741031

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

- 1  All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
- 2  Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
- 3  No water rights are being conveyed.
- 4  Water rights are being conveyed by separate deed.

Proceed to Section

- A
- B
- C
- C

Important Notes (see other side)

Section		Important Notes (see other side)
A	The water right(s) being conveyed included Water Right No(s), along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). <input type="checkbox"/> acre-feet from Water Right No. for families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5 N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <input type="checkbox"/> Culinary water service is provided by: <input type="checkbox"/> Outdoor water service is provided by: <input type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input checked="" type="checkbox"/> Other water related disclosures: Grantor is conveying one (1) share in the St George & Washington Canal Company. There is no certificate available.	N6  N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Duva Properties, LTD., A Utah Limited Partnership

  
 Lloyd C. Carter, General Partner

Grantee's Acknowledgment of Receipt:

  
 Steven Kinross Frances Kinross

Grantee's Address: 2720 East 3710 South, St. George, UT 84790

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

## NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

**The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encourage to conduct proper "due diligence" research into any water right before purchasing it.**

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]); and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

**The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: [www.waterrights.utah.gov](http://www.waterrights.utah.gov)**