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Attorneys for Plaintiffs

**IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH**

FOUR ELMS CAPITAL, LLC, a Utah limited liability company,

Plaintiff,

STEVEN KINROSS, an individual, and  
FRANCES KINROSS, an individual,

Defendants.

**NOTICE OF LIS PENDENS  
(PENDENCY OF ACTION)**

Case No. 220500164

Judge: Eric A. Ludlow

**TO ALL PARTIES OF INTEREST**

PLEASE TAKE NOTICE, pursuant to Utah Code Ann. § 78B-6-1303, that Plaintiff Four Elms Capital, LLC (“Four Elms”) has commenced the above-entitled pending lawsuit in the above-entitled court against Defendants Steven Kinross and Frances Kinross (“Kinross”), wherein Four Elms seeks, among other things, specific performance to purchase real property and water rights known as 42 Acre Kinross Farm, Tax ID# W-5-2-27-1031 in the city of Washington, Washington

County, Utah (the "Property") from Kinross. The real property is more particularly described on Exhibit A.

The claims, causes of action, and allegations are more fully set forth in Four Elms's Complaint in Case No. 220500164 in the Fifth District Court, in and for Washington County, State of Utah, which Complaint is incorporated by reference as if fully restated herein.

Four Elms proposes that the Property be sold in accordance with the REPC signed by Kinross and Four Elms.

This lis pendens gives notice of the pendency of the aforementioned action to any individuals or entities claiming a right, title, or interest in and to the aforementioned Property or any parties intending to acquire a right, title, or interest to the Property from the above-entitled individuals or entities. This lis pendens shall be construed as notice of interest in and to the subject property referred to above.

DATED this 25<sup>th</sup> day of February, 2022.

**SNOW CHRISTENSEN & MARTINEAU**



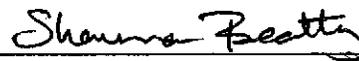
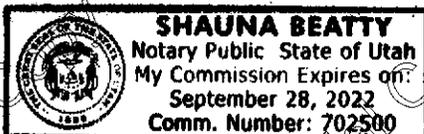
Steven W. Beckstrom  
*Attorney for Plaintiff Four Elms Capital, LLC*

STATE OF UTAH

) : ss.

COUNTY OF WASHINGTON )

On this 25<sup>th</sup> day of February 2022, the foregoing instrument was acknowledged before me by Steven W. Beckstrom, the signer of the foregoing Lis Pendens, who duly acknowledged to me that he executed the same.



NOTARY PUBLIC

**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 Recorders 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  $89^{\circ}48'21''$  West 2329.54 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  $10^{\circ}22'00''$  West 250.00 feet; thence South  $57^{\circ}17'32''$  West 428.43 feet; thence South  $57^{\circ}37'00''$  West 160.02 feet; thence North  $41^{\circ}06'00''$  West 63.89 feet; thence North  $48^{\circ}54'00''$  East 32.52 feet; thence North  $46^{\circ}11'42''$  West 1216.29 feet; thence North  $23^{\circ}18'03''$  East 27.04 feet; thence North  $47^{\circ}33'50''$  East 469.58 feet; thence South  $57^{\circ}23'33''$  East 1280.47 feet to the point of beginning.

4876-2887-1438, v. 1