

CTIA # 143205-WHP

Ent 502779 Bk 1362 Pg 1057 - 1062
MARCY M. MURRAY, Recorder
WASATCH COUNTY CORPORATION
2021 Jun 25 04:43PM Fee: \$40.00 TC
For: Cottonwood Title Insurance Agency, In
ELECTRONICALLY RECORDED

RECORDING REQUESTED BY AND
MAIL TAX NOTICES TO:

Cache Private Capital
Diversified Fund, LLC
2600 West Executive Parkway, Suite 120
Lehi, Utah 84043

Tax ID # 00-0026-7784

(Space above this line for Recorder's use)

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, the receipt and sufficiency of which are acknowledged, AJ FIRESIDE PARK CITY LLC, a Delaware limited liability company ("Grantor"), conveys to CACHE PRIVATE CAPITAL DIVERSIFIED FUND, LLC, a ~~Utah~~ ^{Nevada} limited liability company ("Grantee"), the following described real property situated in Wasatch County, Utah, together with all buildings, structures, improvements and fixtures on the real property and all rights and privileges appurtenant to the real property:

See the legal description set forth in Exhibit "A" attached and incorporated by this reference (the "Property").

SUBJECT TO those matters set forth in Exhibit "B" attached and incorporated by this reference (the "Permitted Exceptions").


Grantor binds itself and its successors to warrant and defend the title to the Property against all acts of Grantor and none other, subject only to the Permitted Exceptions.

Dated to be effective as of: June 25, 2021

[signature on following page]

GRANTOR:

AJ FIRESIDE PARK CITY LLC,
a Delaware limited liability company

By: 
Name: Jamie Mackay
Title: President

STATE OF UTAH)
)§
COUNTY OF SALT LAKE_)

This instrument was acknowledged before me on this 25th day of May, 2021, by Jamie Mackay, the President of AJ Fireside Park City LLC, a Delaware limited liability company.


Notary Public
Residing at: Salt Lake City, Utah

(Seal)

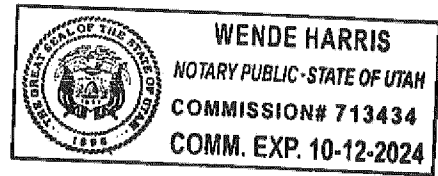


Exhibit "A"

Legal Description
(attached to Special Warranty Deed)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN WASATCH COUNTY, UTAH AND IS DESCRIBED AS FOLLOWS:

PART OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST (SAID NORTHEAST CORNER OF SECTION 1 BEING N89°31'27"E 16027.88 FEET FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST AND BEING THE BASIS OF BEARINGS FOR THIS PROJECT); THENCE S01°18'39"E 2563.63 FEET; THENCE N62°48'28"W 354.89 FEET; THENCE N72°16'42"W 552.74 FEET; THENCE S64°46'26"W 220.52 FEET; THENCE S38°18'23"W 494.94 FEET; THENCE S67°20'38"W 1125.22 FEET; THENCE N90°00'00"W 227.79 FEET; THENCE N37°42'12"W 163.59 FEET; THENCE N01°06'44"E 404.26 FEET; THENCE N16°50'21"W 394.58 FEET; THENCE N52°14'52"W 346.35 FEET; THENCE N01°09'16"E 1673.29 FEET; THENCE N00°38'10"E 60.11 FEET; THENCE N05°05'03"E 269.83 FEET; THENCE N89°33'35"E 310.29 FEET; THENCE N89°33'13"E 2667.85 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

Exhibit "B"Permitted Exceptions
(attached to Special Warranty Deed)

1. Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Benloch Ranch, adopted by AJ Fireside Park City LLC, a Delaware limited liability company, as Declarant, to be recorded in the official records of Wasatch County, Utah.
2. All matters which would be disclosed by a current and accurate survey of the Property.
3. Ad valorem real estate taxes and assessments not yet due and payable for the tax year ending 2021 and subsequent tax years.
4. Local, state and federal laws, ordinances or governmental regulations, including but not limited to, building and zoning laws, ordinances and regulations, now or hereafter in effect relating to the Property.
5. Said Land is located within the boundaries of Jordanelle Area of the Wasatch County Fire Protection Special Service District and is subject to any and all charges and assessments thereof, as disclosed by that certain Resolution recorded October 14, 1999 as Entry No. 218614 in Book 440 at Page 374.
6. Resolution No. 2006-04 to Create the Jordanelle Special Service District Improvement District No. 2005-2 Described in the Notice of Intention Adopted by the Council on October 19, 2005, recorded February 17, 2006 as Entry No. 297016 in Book 830 at Page 532.
7. Notice of proposed assessment on behalf of the Jordanelle Special Service District for the purpose of financing the costs of acquisition and construction of certain water and sewer improvements and other related improvements by levying an assessment against land located in the Improvement District, recorded June 23, 2009 as Entry No. 349515 in Book 994 at Page 962.
8. Notice of Assessment Interest by Jordanelle Special Service District, recorded September 24, 2009 as Entry No. 352632 in Book 1000 at Page 1569.
9. Notice of Encumbrance and Assessment Area Designation, dated December 17, 2012 and Recorded December 18, 2012 as Entry No. 385110 in Book 1070 at Page 615.
10. The effects, if any, of easements and rights-of-way for existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipelines and power, telephone, sewer, gas or water lines, which may be ascertained by an inspection or survey of the subject Land.
11. The interest of the State of Utah in and to all oil, gas, coal and other minerals with any associated rights of ingress and egress to mine and prospect the same, as disclosed by various instruments of record, including but not limited to that certain Warranty Deed recorded February 22, 2000 as Entry No. 221956 in Book 453 at Page 141.

EXHIBIT B

12. Reservations as contained in that certain Quit Claim Deed recorded September 14, 1972 as Entry No. 97896 in Book 84 at Page 177.
13. An easement for access as disclosed by that certain Notice of Easement recorded February 22, 2000 as Entry No. 221959 in Book 453 at Page 160.
14. Easements, terms and conditions as contained in that certain Non-Exclusive Easement Agreement, dated April 13, 2006 and recorded April 18, 2006 as Entry No. 300048 in Book 848 at Page 191.
15. A 20 foot wide road easement as disclosed in that certain Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing, dated June 23, 2006 and recorded June 26, 2006 as Entry No. 303706 in Book 868 at Page 277.
16. Entitlement Agreement for Aspens, Christensen and Cummings Developments recorded October 12, 2016 as Entry No. 429994 in Book 1172 at Page 688.
17. Assignment and Assumption Agreement recorded January 19, 2018 as Entry No. 447488 in Book 1212 at Page 1667.
18. Jordanelle Special Service District Culinary Water and Sanitary Sewer Development and Service Agreement recorded January 23, 2019 as Entry No. 460031 in Book 1242 at Page 1847.
19. Partial Assignment and Assumption and Amendment of Culinary and Sanitary Sewer Development and Service Agreement recorded July 6, 2020 as Entry No. 480406 in Book 1300 at Page 627.
20. Jordanelle Special Service District Limited Water Reservation Agreement recorded January 19, 2018 as Entry No. 447489 in Book 1212 at Page 1690.
21. Amendment to Jordanelle Special Service District Limited Water Reservation Agreement recorded July 2, 2020 as Entry No. 480393 in Book 1300 at Page 430.
22. Partial Assignment and Assumption of Water Reservation Agreement, entered in to as of July 2, 2020, by and between AJ Fireside Park City LLC, a Delaware limited liability company ("Assignor"), and Benloch Ranch Land Company, LLC, a Utah limited liability company ("Assignee"), recorded July 6, 2020 as Entry No. 480405 in Book 1300 at Page 576.
23. Jordanelle Special Service District Limited Water Reservation Agreement recorded January 19, 2018 as Entry No. 447490 in Book 1212 at Page 1727.
24. Amendment to Jordanelle Special Service District Limited Water Reservation Agreement recorded July 2, 2020 as Entry No. 480394 in Book 1300 at Page 475.

EXHIBIT B

25. Benloch Ranch Development Agreement by and between AJ Fireside Park City LLC, a Delaware limited liability company and Wasatch County, a political subdivision of the State of Utah recorded June 12, 2020 as Entry No. 479211 in Book 1296 at Page 1159.
26. First Amendment to Benloch Ranch Development Agreement recorded December 22, 2020 as Entry No. 490917 in Book 1330 at Page 437.
27. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration of Covenants, Conditions and Restrictions for Benloch Ranch Improvement Association No. 1 recorded July 6, 2020 as Entry No. 480407 in Book 1300 at Page 671, 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 restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
28. Entry Feature License and Maintenance Agreement recorded December 22, 2020 as Entry No. 490916 in Book 1330 at Page 418.
29. Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Benloch Ranch recorded June 16, 2021 as Entry No. 502142 in Book 1360 at Page 1043
30. Access Easement executed by AJ Fireside Park City dated June 25, 2021, recorded June 25, 2021 as Entry No. 502776 in Book 1362 at Page 1025.

EXHIBIT B