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2/25/2021 11:10:00 AM \$40.00
Book - 11125 Pg - 2588-2595
RASHELLE HOBBS
Recorder, Salt Lake County, UT
OLD REPUBLIC TITLE DRAPER/OREM
BY: eCASH, DEPUTY - EF 8 P.

When Recorded Return To:

Lennar Homes of Utah, Inc.
111 E Segoe Lily Drive Suite 150
Sandy, UT 84070
Attention: Matthew Anderson

Assessor's Parcel Number(s): 33-14-330-052; 33-14-330-051;
33-14-330-050; 33-14-330-049; 33-14-330-037; 33-14-330-038;
33-14-330-039 and 33-14-330-040

2153812FA

SPECIAL WARRANTY DEED

4 INDEPENDENCE, LLC, a Utah limited liability company ("**Grantor**"), hereby conveys and warrants against all who claim by, through, or under the Grantor, to **LENNAR HOMES OF UTAH, INC.**, a Delaware corporation ("**Grantee**"), whose mailing address is 111 E Segoe Lily Drive Suite 150 Sandy, UT 84070, Attention: Matthew Anderson, for the sum of \$10.00 and other good and valuable consideration the real property located in Salt Lake County, State of Utah, and more particularly described on **Exhibit A** attached hereto and incorporated herein by reference.

TOGETHER WITH (a) buildings, fixtures, and improvements thereon, if any, and (b) any and all rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges, rights and appurtenances benefiting, appertaining, or belonging to the Property, including, without limitation, any and all streets and roads (whether opened or proposed) abutting the Property, water or water rights and stock evidencing any such water rights, and oil, gas, or other minerals laying under the Property.

SUBJECT ONLY TO the exceptions contained on the attached **Exhibit B** ("**Permitted Exceptions**").

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed as of February 22, 2021.

GRANTOR:

4 INDEPENDENCE, LLC,
a Utah limited liability company

By: DAI Partners, LLC a Utah limited liability
company, its Manager

By: [Signature]
Name: Brian Flamm
Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 22nd day of February 2021, by Brian Flamm, as Manager of 4 Independence, LLC, a Utah limited liability company on behalf of the company.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**EXHIBIT A
TO SPECIAL WARRANTY DEED
DESCRIPTION OF PROPERTY**

The real property referenced in the foregoing instrument is located in Salt Lake County, Utah and is more particularly described as:

Lots 124, 125, 126, 127, 156, 157, 158 and 159, HERITAGE 76, PLAT "B", a Planned Unit Development, according to the official plat thereof recorded June 12, 2020 as Entry No. 13297076 in Book 2020P at Page 150 of the Official Records, Salt Lake County, State of Utah.

Together with: (a) The undivided ownership interest in said Project's Common Areas and Facilities which is appurtenant to said unit, (the referenced Declaration of Project providing for periodic alteration both in the magnitude of said undivided ownership interest and in the composition of the Common Areas and Facilities to which said interest relates); (b) The exclusive right to use and enjoy each of the Limited Common Areas which is appurtenant to said unit, and (c) The non-exclusive right to use and enjoy the Common Areas and Facilities included in said Project (as said project may hereafter be expanded) in accordance with the aforesaid Declaration and Survey Map (as said Declaration and Map may hereafter be amended or supplemented).

(The following is for informational purposes only: Tax ID No(s). 33-14-330-052; 33-14-330-051; 33-14-330-050; 33-14-330-049; 33-14-330-037; 33-14-330-038; 33-14-330-039 and 33-14-330-040)

**EXHIBIT B
TO SPECIAL WARRANTY DEED**

PERMITTED EXCEPTIONS

1. Non-delinquent property taxes for the current year; none due and payable. Tax ID Nos. 33-14-330-052; 33-14-330-051; 33-14-330-050; 33-14-330-049; 33-14-330-037; 33-14-330-038; 33-14-330-039 and 33-14-330-040
2. Subject property is included within the boundaries of Tax District 45F and is subject to the charges and assessments thereof. None due and payable.
3. Water rights, or claims or title to water.
4. Grant of Easement and/or Right-of-Way and the terms, conditions and limitations contained therein:
In favor of: The Mountain States Telephone and Telegraph Co.
Recorded: August 22, 1918
Entry No.: 399907
Book: 3-E
Page: 470, of the Official Records
Note: The above instrument purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description.
5. (Affects Plat B, as to Common Area)
Grant of Easement and/or Right-of-Way and the terms, conditions and limitations contained therein:
In favor of: Utah Power & Light Company
Recorded: June 20, 1950
Entry No.: 1204777
Book: 775
Page: 268, of the Official Records
The terms, conditions, restrictions and limitations of that certain Easement Correction Agreement:
Recorded: October 2, 2000
Entry No.: 7730248
Book: 8391
Page: 5742, of the Official Records
6. Covenants, Conditions and/or Restriction, Easements, Assessments, Liens, Charges, Terms and Provisions contained within those certain Declarations and any amendments thereto, filed of record for said subdivision, but omitting any Covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income as set forth in applicable state or federal laws, except to the extent that said Covenant or Restriction is permitted by applicable law.

Recorded: December 30, 1983
Entry No: 3887069
Book : 5519
Page: 311, of the Official Records

Amended Covenants, Conditions, Restrictions and/or Easements recorded July 18, 1996 as Entry No. 6409430, in Book 7446 at Page 2671, of the Official Records

7. The terms, conditions, restrictions and limitations of that certain Statement of Approval of the Official Economic Development Plan for the Jordan Narrows Economic Development Project Area:
Recorded: May 25, 2000
Entry No.: 7646492
Book: 8363
Page: 8830, of the Official Records
8. Development Agreement by and between Artemis Investments, LLC, a Utah limited liability company and Bluffdale City, a Utah municipal corporation and the terms, conditions, restrictions and limitations contained therein:
Recorded: July 2, 2008
Entry No: 10470370
Book : 9623
Page: 8016, of the Official Records

Amended Development Agreement by and between 4 Independence. LLC, a Utah limited liability company and City of Bluffdale, a Utah municipal corporation and the terms, conditions, restrictions and limitations contained therein:

Recorded: January 7, 2013
Entry No: 11550599
Book : 10095
Page: 2278, of the Official Records

Amended Development Agreement by and between 4 Independence, LLC and City of Bluffdale, a Utah municipal corporation and the terms, conditions, restrictions and limitations contained therein:

Recorded: March 25, 2015
Entry No: 12017229
Book : 10308
Page: 1749, of the Official Records

Amended Development Agreement by and between 4 Independence, LLC and City of Bluffdale, a Utah municipal corporation and the terms, conditions, restrictions and limitations contained therein:

Recorded: May 2, 2017
Entry No: 12527102
Book : 10553
Page: 5313, of the Official Records

9. The terms, conditions, restrictions and limitations of that certain Declaration of Easements and Restrictive Covenants:
Recorded: December 27, 2011

Entry No.: 11303324
Book: 9977
Page: 3215, of the Official Records

10. The terms, conditions, restrictions and limitations of that certain Notice of Agreement by and between 4 Independence, LLC and Mt. Jordan Limited, a Utah limited partnership:
Recorded: December 27, 2011
Entry No: 11303325
Book : 9977
Page: 3232, of the Official Records
11. The terms, conditions, restrictions and limitations of that certain Cross Easement Agreement:
Recorded: May 8, 2012
Entry No.: 11386905
Book: 10015
Page: 6599, of the Official Records
12. Covenants, Conditions and/or Restriction, Easements, Assessments, Liens, Charges, Terms and Provisions contained within those certain Declarations and any amendments thereto, filed of record for said subdivision, but omitting any Covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income as set forth in applicable state or federal laws, except to the extent that said Covenant or Restriction is permitted by applicable law.

Any and all assessments associated with said Declaration and Covenants in favor of the appropriate Home Owners Association.

Recorded: October 17, 2012
Entry No: 11493945
Book : 10067
Page: 3032, of the Official Records

Supplement to the Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point (Annexation of Heritage 76 Plats A & B) recorded June 16, 2020 as Entry No. 13300043 in Book 10962 at Page 2630 of the Official Records.

Notice of Reinvestment Fee Covenant (Heritage 76 Plats A & B) recorded June 16, 2020 as Entry No. 13300068 in Book 10962 at Page 2928 of the Official Records.

13. The terms, conditions, restrictions and limitations of that certain Memorandum of Purchase Agreement by and between 4 Independence, LLC, a Utah limited liability company and CalAtlantic Homes of Utah, Inc., a Delaware corporation:
Recorded: January 17, 2018
Entry No.: 12699424
Book: 10639

Page: 3449, of the Official Records

14. The terms, conditions, restrictions and limitations of that certain Memorandum of Purchase Agreement by and between 4 Independence, LLC, a Utah limited liability company and CalAtlantic Homes of Utah, Inc., a Delaware corporation:
Recorded: January 17, 2018
Entry No.: 12699426
Book: 10639
Page: 3473, of the Official Records
15. The terms, conditions, restrictions and limitations of that certain Memorandum of Purchase Agreement by and between 4 Independence, LLC, a Utah limited liability company and CalAtlantic Homes of Utah, Inc., a Delaware corporation:
Recorded: January 18, 2018
Entry No.: 12699623
Book: 10639
Page: 4511, of the Official Records
16. The terms, conditions, restrictions and limitations of that certain Memorandum of Purchase Agreement by and between 4 Independence, LLC, a Utah limited liability company and CalAtlantic Homes of Utah, Inc., a Delaware corporation:
Recorded: January 18, 2018
Entry No.: 12699632
Book: 10639
Page: 4601, of the Official Records
17. (Affects Plats A and B, as to Common Area)
Grant of Easement and/or Right-of-Way and the terms, conditions and limitations contained therein:
In favor of: South Valley Sewer District
Recorded: March 17, 2020
Entry No.: 13219288
Book: 10911
Page: 2191, of the Official Records
18. Subject to Easements, Restrictions, Notes, Setbacks, and Conditions of Approval as shown on the Recorded Plat of said HERITAGE 76 PLAT "B" Subdivision recorded June 12, 2020 as Entry No. 13297076 in Book 2020P of Plats at Page 150.

The Owner Consent to record The Heritage 76 Plat B Plat located in Bluffdale City, Utah which recorded August 6, 2020 as Entry No. 13352405 in Book 10993 at Page 8912 of the Official Records
19. Covenants, Conditions and/or Restrictions, Easements, Assessments, Liens, Charges, Terms and Provisions contained within those certain Declarations and any amendments thereto, filed of record for said subdivision, but omitting any Covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual

orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income as set forth in applicable state or federal laws, except to the extent that said Covenant or Restriction is permitted by applicable law.

Said Declaration and/or Covenants, Conditions and/or Restrictions may provide for, among other things the formation of an Association, which has the power to assess charges for maintenance, and/or transfer fees.

Recorded: June 16, 2020
Entry No: 13300060
Book : 10962
Page: 2793, of the Official Records

Notice of Reinvestment Fee Covenant (Heritage 76) which recorded June 16, 2020 as Entry No. 13300100 in Book 10962 at Page 3126 of the Official Records

20. Notice of Internet Services Contract, by and between Heritage 76, LLC, a Utah limited liability company, as Declarant, and Heritage 76 Owners Association, as Association, giving notice of a service contracts with Fiber Direct, LLC, and the matters set forth therein, recorded July 9, 2020 as Entry No. 13324193 in Book 10976 at Page 4352 of Official Records.