

Mail Recorded Deed and Tax Notice To:
CND-On Point, LLC, a Utah limited liability company
1111 North Post Oak Road
Houston, TX 77055

13946872 B: 11336 P: 3668 Total Pages: 5
05/05/2022 04:18 PM By: jlucas Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121



**COTTONWOOD
TITLE**

File No.: 156118-CAF

SPECIAL WARRANTY DEED

Boyer Project Company, L.C., a Utah limited liability company

GRANTOR(S) of Salt Lake City, State of Utah, hereby Conveys and Warrants against all who claim by, through, or under the Grantor to

CND-On Point, LLC, a Utah limited liability company

GRANTEE(S) of Houston, State of Texas

for the sum of Ten and no/100 (\$10.00) DOLLARS and other good and valuable consideration, the following described tract of land in **Salt Lake County**, State of Utah:

SEE EXHIBIT A ATTACHED HERETO

TAX ID NO.: 27-32-201-006 (for reference purposes only)

This deed is given as a bona fide division of land in anticipation of future land use approvals on the herein described tract of land pursuant to UCA 10-9a-103-(65)(c)(v) of the Utah Code. This deed does not confer any land use approvals and has not been approved by the land use authority.

SUBJECT TO: Property taxes for the year 2022 and thereafter; covenants, conditions, restrictions, reservations and easements of record; and all applicable zoning laws and ordinances.

ALSO SUBJECT TO: Permitted Exceptions as shown in **EXHIBIT B** attached hereto.

[Signature on following page]

Dated this 5th day of May, 2022.

Boyer Project Company, L.C., a Utah limited liability company

BY: The Boyer Company, L.C.,
a Utah limited liability company
its Manager

BY: _____
Name: Brian Gochnour
Title: MANAGER

STATE OF UTAH

COUNTY OF SALT LAKE

On this 5 day of May, 2022, before me, personally appeared Brian Gochnour, who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this document, and acknowledged before me that he/she/they executed the same on behalf of Boyer Project Company, L.C., a Utah limited liability company.

Amy Byington
Notary Public

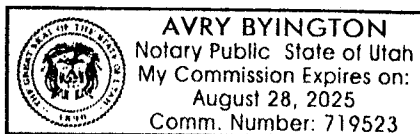


EXHIBIT A
Legal Description

A part of Lot 1, ON POINT PROPERTIES LLC COMMERCIAL CAMPUS, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on November 13, 2003 as Entry No. 8891528 in Book 2003P at Page 352, more particularly described as follows:

Beginning at a point at the Northwest corner of Lot 1, On Point Properties LLC Commercial Campus Subdivision, as recorded November 13, 2003 as Entry No. 8891520 in Book 2003P at Page 352; said point being South 00°14'42" West 825 feet along the section line and East 53 feet from the North quarter corner of Section 32, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence along the Northerly line of said Lot 1 East 903.02 feet to the Northwest corner of a Warranty Deed, recorded as Entry No. 13763635 in Book 11233 at Pages 3971-3972, Date: September 2, 2021 on file with the Salt Lake County Recorder; thence along the Westerly line of said deed South 00°06'20" East 235.32 feet to the Northerly right of way of Water Street as dedicated by said subdivision plat; thence along said right of way the following five (5) courses: (1) West 21.68 feet; thence (2) Westerly along the arc of a curve to the left with a radius of 330.50 feet a distance of 123.89 feet through a central angle of 21°28'40" chord bearing South 79°13'19" West chord distance 123.20 feet; thence (3) South 68°31'20" West 574.98 feet; thence (4) Westerly along the arc of a curve to the right with a radius of 139 feet a distance of 52.11 feet through a central angle of 21°28'40" chord bearing South 79°16'25" West chord distance 51.80 feet; thence (5) West 176.86 feet to the Westerly line of Lot 1 of said subdivision, said point also being located on the Easterly right of way of 3600 West street as dedicated by said subdivision plat; thence along said Westerly lot line and Easterly right of way line North 00°14'33" East 478.53 feet to the point of beginning.

EXHIBIT B
Permitted Exceptions

1. Intentionally deleted by Title Company.
2. Intentionally deleted by Title Company.
3. Intentionally deleted by Title Company.
4. Intentionally deleted by Title Company.
5. Intentionally deleted by Title Company.
6. Intentionally deleted by Title Company.
7. Intentionally deleted by Title Company.
8. Intentionally deleted by Title Company.
9. Taxes for the year 2022 and subsequent years, a lien not yet due and payable.
10. The herein described Land is located within the boundaries of Riverton City, South Salt Lake Valley Mosquito Abatement District, Jordan Valley Water Conservancy District, South Valley Sewer District, Central Utah Water Conservancy District, Unified Fire Services, Riverton Law Enforcement Service Area, and is subject to any and all charges and assessments levied thereunder.

NOTE: None due and payable at Date of Policy.

11. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
12. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
13. Easements as shown on the recorded plat for On Point Properties LLC Commercial Campus, recorded November 13, 2003 as Entry No. 8891528 in Book 2003P at Page 352.
14. Reservations contained within that certain Quit Claim Deed recorded January 9, 1943 as Entry No. 944253 in Book 383 at Page 230.
15. The following matters disclosed on that certain survey prepared by Focus Engineering & Surveying, LLC, having been certified under the date of April 13, 2022, as Job No. 22-0066, by Evan J. Wood, a Professional Land Surveyor holding License No. 183395:
 - a. Existing communications line, communications box, and fire hydrant, located on and across the Land without recorded easements
 - b. Existing open ditches located on and across the Land without recorded easements
 - c. Existing fence not coincident with the north boundary and existing fence not coincident with the west boundary

16. Notice by the Riverton City Development Services Department recorded April 20, 2022 as Entry No. 13936534 in Book 11330 at Page 7296.

17. Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing from CND-On Point, LLC, a Utah limited liability company, to _____, Trustee for the benefit of Texas Capital Bank, a Texas state bank, in the principal sum of \$6,578,850.00 dated _____, 2022 and recorded _____, 2022 as Entry Number _____ in Book _____ at Page _____.