

WHEN RECORDED, RETURN TO  
AND SEND TAX NOTICES TO:

CAT Herriman, LLC  
3805 Edwards Road, Suite 390  
Cincinnati, Ohio, 45208

**14053485 B: 11391 P: 2734 Total Pages: 8**  
**12/15/2022 04:48 PM By: SCalderon Fees: \$40.00**  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: MERIDIAN TITLE COMPANY  
64 E WINCHESTER STSALT LAKE CITY, UT 841075600

### **SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, dated effective as of December 15, 2022, is executed by ANTHEM DEVELOPER, LLC, a Utah limited liability company, whose address is 10610 South Jordan Gateway, Suite 110, South Jordan, Utah 84095 (collectively, the "**Grantor**"), in favor of CAT HERRIMAN, LLC, an Ohio limited liability company, whose address is 3805 Edwards Road, Suite 390, Cincinnati, Ohio, 45208 ("**Grantee**").

### **WITNESSETH:**

FOR TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby CONVEYS AND WARRANTS to Grantee, warranting title against persons claiming by, through or under Grantor, but not otherwise, the real property located in Salt Lake County, Utah, and more particularly described on Exhibit A attached hereto and made a part hereof together with all improvements located thereon (the "**Property**").

THE CONVEYANCE HEREBY ACCOMPLISHED IS SUBJECT TO the liens, encumbrances, rights-of-way, easements, restrictions, reservations and other matters of record or enforceable at law or equity as set forth on Exhibit B attached hereto and made a part hereof and matters which may be disclosed by an accurate survey of the Property.

This Special Warranty Deed may be executed in counterparts.


[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date and year first written above.


GRANTOR:

ANTHEM DEVELOPER, LLC, a Utah limited liability company, by its managers

Arbor Commercial Real Estate L.L.C., a Utah limited liability company

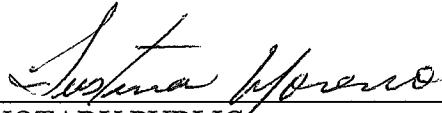
By:   
Name: Cory Gust  
Title: Manger

Anthem Commercial, LLC, a Utah limited liability company

By:   
Name: Ryan Button  
Title: Manager

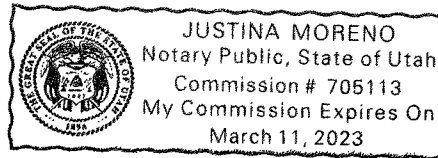
STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

On this   1   day of December, 2022, personally appeared before me Cory Gust, a Manager of Arbor Commercial Real Estate L.L.C., a Utah limited liability company, a manager of Anthem Developer, LLC, a Utah limited liability company, who executed the foregoing instrument on behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:

My Commission Expires:

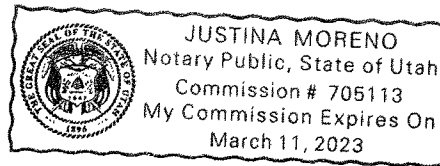
STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )



On this   1   day of December, 2022, personally appeared before me Ryan Button, a Manager of Anthem Commercial, LLC, a Utah limited liability company, a manager of Anthem Developer, LLC, a Utah limited liability company, who executed the foregoing instrument on behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:

My Commission Expires:



## **EXHIBIT A**

### **Current Legal Description of Real Property**

The following real property located in Salt Lake County, Utah:

Lot 902, Anthem Commercial 9th Amended Subdivision, Amendment Lot 309 of Anthem Commercial 3rd Amended Subdivision, accordingly to the plat thereof recorded in the office of the Salt Lake County Recorder.

Tax Parcel Id: 26-25-252-002

**Exhibit "B"**  
**(Permitted Exceptions)**

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by the law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public record.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c), or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the Public Records.
8. Property I.D. No. for the year 2023 will be 26-25-252-007.

Taxes for the year 2022 have been paid. Property I.D. No. 26-25-252-002. (Includes other property)

9. Said property is located within the boundaries of the Herriman City, South Valley Sewer District and Jordan Valley Water Conservancy District and is subject to the charges and assessments levied thereunder.
10. All rights, titles or interests in minerals of any kind, oil, gas, coal or other hydrocarbons and the consequences of the right to mine or remove such substances including, but not limited to express or implied easements and rights to enter upon and use the surface of the land for exploration, drilling or extraction related purposes.

(This commitment/policy does not purport to disclose documents of record pertaining to the above referenced rights).

11. Claim, right, title or interest to water or water rights whether or not shown by the public records.
12. The terms, covenants and conditions of that certain "Easement Agreement" by and between The Last Holdout LLC and Fort Herriman Crossing, LLC;  
Recorded: December 7, 2010 as Entry No. 11091827 in Book 9886 at Page 7024 of Official Records.

13. The matters contained in a document captioned Master Development Agreement for Anthem Commercial Project;  
Recorded: January 12, 2017 as Entry No. 12453407 in Book 10520 at Page 2618 of Official Records.

The matters contained in a document captioned First Amendment to Master Development Agreement for Anthem Commercial Project;  
Recorded: November 2, 2020 as Entry No. 13448819 in Book 11053 at Page 456 of Official Records.

14. An easement(s) for the purposes and rights incidental thereto as shown or as offered for dedication on the recorded map of "Anthem Commercial 3rd Amended Subdivision, Amending Lots 2 thru 5 of Anthem Commercial Subdivision", recorded April 1, 2019 as Entry No. 12959658 in Book 2019 at Page 106 of Official Records.

Subject to Notes, Dedications, Easements, and/or Reservations, as shown on recorded plat.

15. The matters contained in a document captioned Declaration of Easements and Conditions.  
Recorded: April 23, 2019 as Entry No. 12973216 in Book 10772 at Page 8661 of Official Records.

The matters contained within that certain First Amendment to Declaration of Easements and Conditions;  
Recorded: August 13, 2019 as Entry No. 13051013 in Book 10815 at Page 8588 of Official Records.

The matters contained within that certain Supplement to Declaration of Easements and Conditions;  
Recorded: June 30, 2020 as Entry No. 13314863 in Book 10971 at Page 2551 of Official Records.

The matters contained within that certain Supplement to Declaration of Easements and Conditions;  
Recorded: July 29, 2021 as Entry No. 13730878 in Book 11214 at Page 748 of Official Records.

The matters contained within that certain Supplement to Declaration of Easements and Conditions recorded December 15, 2022;

16. The terms, covenants and conditions of that certain "Memorandum of Site Development Agreement";  
Recorded: April 23, 2019 as Entry No. 12973217 in Book 10772 at Page 8728 of Official Records.

17. An Easement including its terms, covenants and provisions as disclosed by instrument;  
Purpose: 20-foot wide sanitary sewer easement  
Recorded: August 15, 2019 as Entry No. 13052525 in Book 10816 at Page 6892 of Official Records.

Affects: See documents for full particulars

18. The matters contained in a document captioned Public Utility Easement Dedication;

Recorded: September 27, 2019 as Entry No. 13085751 in Book 10837 at Page 8232 of Official Records.

19. An Easement including its terms, covenants and provisions as disclosed by instrument;  
To: Questar Gas Company dba Dominion Energy Utah  
Purpose: A right of way and easement to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities through and across the property.  
Recorded: October 8, 2019 as Entry No. 13094917 in Book 10843 at Page 1359 of Official Records.
- Affects: See document for full particulars
20. The terms, covenants and conditions of that certain "Landscape Maintenance Agreement";  
Recorded: March 6, 2020 as Entry No. 13211549 in Book 10906 at Page 8048 of Official Records.
21. The terms, covenants and conditions of that certain "Restrictive / Exclusive Use Agreement";  
Recorded: March 6, 2020 as Entry No. 13211551 in Book 10906 at Page 8061 of Official Records.
22. The terms, covenants and conditions of that certain "Restrictive / Exclusive Use Agreement";  
Recorded: June 30, 2020 as Entry No. 13314861 in Book 10971 at Page 2529 of Official Records.
23. The terms, covenants and conditions of that certain "Landscape Maintenance Agreement";  
Recorded: June 30, 2020 as Entry No. 13314862 in Book 10971 at Page 2537 of Official Records.
24. The terms, covenants and conditions of that certain "Restrictive / Exclusive Use Agreement";  
Recorded: August 14, 2020 as Entry No. 13361726 in Book 10999 at Page 2099 of Official Records.
25. The terms, covenants and conditions of that certain "Restrictive / Exclusive Use Agreement";  
Recorded: August 28, 2020 as Entry No. 13377790 in Book 11008 at Page 7768 of Official Records.
26. The terms, covenants and conditions of that certain "Restrictive / Exclusive Use Agreement";  
Recorded: October 27, 2021 as Entry No. 13809551 in Book 11260 at Page 2923 of Official Records.
27. The terms, covenants and conditions of that certain Restrictive/ Exclusive Use Agreement;  
Recorded: October 18, 2022 as Entry No. 14031057 in Book 11380 at Page 458 of Official Records.
28. An easement(s) for the purposes and rights incidental thereto as shown or as offered for dedication on the recorded map of Anthem Commercial 9th Amended Subdivision, recorded September 1, 2022 as Entry No. 14010019 in Book 2022 at Page 206 of Official Records.

Subject to Notes, Dedications, Easements, and/or Reservations, as shown on recorded plat.

29. The terms, covenants and conditions of a Grant of Access Easement recorded December 15, 2022;

24. Rights of tenant(s) in the land, if any, and rights of all parties claiming by, through or under said tenant(s).