

E 165764 B 409 P 282
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Filed By: JM
BRENDA NELSON, Recorder
MORGAN COUNTY
For: HOLLAND & HART LLP - SLC
Recorded Electronically by Simplifile

When recorded return to:
Anaya Gayle
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101

SPECIAL WARRANTY DEED

Wasatch Peaks Ranch, LLC, a Delaware limited liability company of Salt Lake City, Utah ("**Grantor**"), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby conveys and warrants against all who claim by, through, or under the Grantor to NVRMV1, LLC, a Delaware limited liability company ("**Grantee**"), of Salt Lake City, Utah, all of Grantor's ownership, right, claim, and interest in and to the real property situated in Morgan County, Utah and more fully described on Exhibit A ("**Property**") attached hereto and incorporated herein by this reference, subject to the matters set forth on Exhibit B attached hereto and incorporated herein by this reference.

TOGETHER WITH any and all interests, rights and appurtenances thereto, including any and all improvements thereon to have and to hold forever.


[Signature page follows]

Witness, the hand of said Grantor this 2nd day of May, 2024.

GRANTOR:

WASATCH PEAKS RANCH, LLC, a Delaware
limited liability company

By: Wasatch Peaks Ranch Management,
LLC, its Manager


By: Ed Schultz 
Name: Ed Schultz
Its: Authorized Signatory

STATE OF UTAH)
) ss.
County of SALT LAKE)

This instrument was acknowledged before me on May 2, 2024, by Ed Schultz, as Authorized Signatory of Wasatch Peaks Ranch Management, LLC, manager of Wasatch Peaks Ranch, LLC.



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®

Heather L. Grey 

Notary Public
My Commission Expires: 9/19/24

**EXHIBIT A
TO
SPECIAL WARRANTY DEED**

LEGAL DESCRIPTION

A PARCEL OF LAND LYING AND SITUATED IN THE NORTH HALF OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 5, WASATCH PEAKS RANCH PLAT 1, FIRST AMENDMENT, AS RECORDED ON MAY 1, 2023, AS ENTRY NO 163347 IN THE OFFICE OF THE MORGAN COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF NORTH VILLAGE LANE AS SHOWN ON SAID WASATCH PEAKS RANCH PLAT 1, FIRST AMENDMENT, SAID POINT ALSO BEING 2418.89 FEET NORTH 89°22'17" WEST, ALONG THE NORTH LINE OF SAID SECTION 11, AND 1056.97 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID SECTION 11, TOWNSHIP 4 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE, ALONG THE RIGHT-OF-WAY LINE OF SAID NORTH VILLAGE LANE THE FOLLOWING SIX (6) COURSES: (1) SOUTHEASTERLY 196.35 FEET ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", CHORD BEARS SOUTH 47°53'50" EAST 176.78 FEET, (2) SOUTH 02°53'50" EAST 84.78 FEET, (3) SOUTHWESTERLY 141.98 FEET ALONG THE ARC OF A 95.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 85°37'52", CHORD BEARS SOUTH 39°55'06" WEST 129.13 FEET, (4) SOUTH 82°44'02" WEST 266.72 FEET, (5) NORTHWESTERLY 24.58 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 93°53'31", CHORD BEARS NORTH 50°19'12" WEST 21.92 FEET, (6) NORTHERLY 92.47 FEET ALONG THE ARC OF A 2025.00 FOOT RADIUS REVERSE CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 2°36'59", CHORD BEARS NORTH 04°40'56" WEST 92.47 FEET TO THE BOUNDARY LINE OF PARCEL 6 OF SAID WASATCH PEAKS RANCH PLAT 1, FIRST AMENDMENT; THENCE, ALONG THE SAID BOUNDARY LINE OF PARCEL 6, THE FOLLOWING FIVE (5) COURSES: (1) NORTH 82°44'24" EAST 235.70 FEET, (2) NORTHEASTERLY 44.84 FEET ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 85°38'14", CHORD BEARS NORTH 39°55'17" EAST 40.78 FEET, (3) NORTH 02°53'50" WEST 23.86 FEET, (4) NORTHWESTERLY 47.12 FEET ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°59'57", CHORD BEARS NORTH 47°53'48" WEST 42.43 FEET, (5) SOUTH 87°06'13" WEST 238.58 FEET TO THE AFORE SAID RIGHT-OF-WAY LINE OF NORTH VILLAGE LANE; THENCE, ALONG SAID RIGHT-OF-WAY LINE OF NORTH VILLAGE LANE, THE FOLLOWING THREE (3) COURSES: (1) NORTH 06°11'33" WEST 89.58 FEET, (2) NORTHEASTERLY 40.71 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 93°17'44", CHORD BEARS NORTH 40°27'18" EAST 36.36 FEET, (3) NORTH 87°06'10" EAST 233.77 FEET TO THE POINT OF BEGINNING.

CONTAINS 88,244 SQUARE FEET OR 2.026 ACRES
PARCEL NO. 00-0091-9335

**EXHIBIT B
TO
SPECIAL WARRANTY DEED**

PERMITTED EXCEPTIONS

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Permitted Exceptions – Wasatch Peaks Ranch NVRMVI

1. Taxes for the year 2024, and subsequent years, as a lien as of January 1st, not yet due and payable.
2. The herein described Land is located within the boundaries of Morgan County, Weber Basin Water Conservancy District, Mountain Green Sewer Improvement District, WPR Utility District, WPR Road And Fire District, and is subject to any and all charges and assessments levied thereunder.
3. 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.
4. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
5. 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.
6. Notwithstanding the covered risks and insuring clauses as set forth in the policy or any assumption there exists a valid and subsisting right-of-way for access over and across an adjoining land for that purpose, the Company does not insure against loss or damage by reason of a lack of access to and from the Land to a dedicated public road, street or highway.
7. Easements, notes and restrictions as shown on the recorded plat for Wasatch Peaks Ranch Plat 1 recorded May 3, 2022 as Entry No. 160852 in Book 391 at Page 382.

Easements, notes and restrictions as shown on the recorded plat for Wasatch Peaks Ranch Plat 1, First Amendment recorded May 1, 2023 as Entry No. 163347 in Book 399 at Page 1237.
8. Morgan County Reinvestment & Renewal Agency Boundary Plat, recorded March 13, 2017 as Entry No. 141018 in Book 334 at Page 439.
9. Ordinance No. CO-19-11 Amending a Portion of the Morgan County General Plan Future Land Use Map From the Natural Resources and Recreation and Agricultural Designation to the Master Planned Community Designation in the Peterson and Milton Areas, recorded November 7, 2019 as Entry No. 149276 in Book 355 at Page 1106.
10. Ordinance No. CO-19-12 Amending the Morgan County Official Zoning Map, From the Existing F-1 and MU-160 Zoning District to Resort Special District RSD-Wasatch Peaks

Ranch Zoning District, recorded November 7, 2019 as Entry No. 149277 in Book 355 at Page 1112.

11. Reservations as reserved in that certain Patent recorded May 25, 1904 as Entry No. 3080 in Book H at Page 75.

Quitclaim Deed by and between Union Pacific Railroad Company, a Utah corporation and its wholly-owned subsidiary, Union Pacific Land Resources Corporation, a Utah corporation, recorded April 16, 1971 as Entry No. 37368 in Book M-7 at Page 249.

Release and Quitclaim Deed between Union Pacific Railroad Company, a Utah corporation and Union Pacific Land Resources Corporation, a Nebraska corporation, recorded January 25, 1999 as Entry No. 78211 in Book M146 at Page 734.

12. Replacement Contract Between Weber Basin Water Conservancy District and Gailey Ranch, LLC for the Sale and Use of Untreated Water, dated July 29, 2011 and recorded August 11, 2011 as Entry No. 123757 in Book 292 at Page 1352.

Assignment in favor of Wasatch Peaks Ranch, LLC, recorded February 21, 2019 as Entry No. 146909 in Book 348 at Page 1900.

13. Contract and Lien Between Weber Basin Water Conservancy District and Wasatch Peaks Ranch, LLC, a Delaware limited liability company, or its assigns for the Sale and Use of Untreated Water, dated January 24, 2019 and recorded February 7, 2019 as Entry No. 146835 in Book 348 at Page 1536.

14. Development Agreement for the "Wasatch Peaks Ranch", recorded November 7, 2019 as Entry No. 149303 in Book 355 at Page 1235.

First Amendment to WPR Development Agreement for Wasatch Peaks Ranch Resort Special District, recorded October 6, 2021 as Entry No. 158611 in Book 383 at Page 650.

15. Out of District Service Agreement between Mountain Green Sewer Improvement District and Wasatch Peaks Ranch, LLC, dated October 15, 2020 and recorded October 29, 2020 as Entry No. 153716 in Book 369 at Page 253.

First Amendment to Out of District Service Agreement and Joinder Agreement by and between Mountain Green Sewer Improvement District, Wasatch Peaks Ranch, LLC and WPR Utility District, recorded October 4, 2021 as Entry No. 158581 in Book 383 at Page 497.

16. Declaration of Development and Use Restrictions by Ronnie B. Whitear, Christine W. Whitear, and Lone Tree Land, L.L.C., a Utah limited liability company, dated January 15, 2019 and recorded September 1, 2021 as Entry No. 158216 in Book 382 at Page 239.

17. Memorandum of Agreement Regarding Easements, Improvements, and Services between Wasatch Peaks Ranch, LLC, a Delaware limited liability company and M A S Family LLC,

a Utah limited liability company, dated and effective as of September 13, 2021 and recorded May 3, 2022 as Entry No. 160850 in Book 391 at Page 370.

18. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements recorded May 3, 2022 as Entry No. 160853 in Book 391 at Page 402, 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.

First Supplemental Declaration for Wasatch Peaks Ranch, recorded May 1, 2023 as Entry No. 163348 in Book 399 at Page 1242.

Second Supplemental Declaration and First Amendment to Master Declaration for Wasatch Peaks Ranch, recorded May 1, 2023 as Entry No. 163355 in Book 399 at Page 1288.

Third Supplemental Declaration and Second Amendment to Master Declaration for Wasatch Peaks Ranch recorded November 8, 2023 as Entry No. 164605 in Book 404 at Page 853.

Fourth Supplemental Declaration to Master Declaration for Wasatch Peaks Ranch recorded February 16, 2024 as Entry No. 165236 in Book 407 at Page 15.

19. Notice of Reinvestment Fee Covenant for Wasatch Peaks Ranch a Private Planned Recreational Community in favor of Wasatch Peaks Ranch Homeowners Association, Inc., a Utah nonprofit corporation, dated April 6, 2022 and recorded May 3, 2022 as Entry No. 160854 in Book 391 at Page 535.

First Amendment to Notice of Reinvestment Fee Covenant for Wasatch Peaks Ranch a Private Planned Recreational Community, recorded June 15, 2023 as Entry No. 163633 in Book 400 at Page 1310.

20. Grant of Easement in favor of Rocky Mountain Power, an unincorporated division of PacifiCorp, an Oregon corporation, its successors and assigns for a non-exclusive blanket easement to construct, reconstruct, operate, maintain and repair, replace, enlarge and remove electric power substations, transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation supporting towers, poles, fences, props, guys and anchors, wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets and incidental purposes, over, under and across a portion of the subject Land. Said Easement recorded May 3, 2022, as Entry No. 160857, in Book 391, at Page 556.

Release and Extinguishment of Easement, recorded October 6, 2022 as Entry No. 162096 in Book 395 at Page 1014.

First Amendment to Release and Extinguishment of Easement, recorded May 2, 2023 as Entry No. 163366 in Book 399 at Page 1376.

Release and Extinguishment of Easement, recorded May 2, 2023 as Entry No. 163371 in Book 399 at Page 1391.

21. Easement Agreement, by and between Wasatch Peaks Ranch, LLC, a Delaware limited liability company and WPR Utility District, a Utah independent local district, its successors and assigns recorded October 6, 2022 as Entry No. 162094 in Book 395 at Page 984.

First Amendment to Easement Agreement, recorded May 1, 2023 as Entry No. 163353 in Book 399 at Page 1271.

22. Easement Agreement, by and between Wasatch Peaks Ranch, LLC, a Delaware limited liability company and WPR Road and Fire District, a Utah independent local district, its successors and assigns recorded October 6, 2022 as Entry No. 162095 in Book 395 at Page 999.

First Amendment to Easement Agreement, recorded May 1, 2023 as Entry No. 163352 in Book 399 at Page 1264.

23. Declaration of Wellhead Protection Covenant and Land Use Restrictions recorded March 28, 2023 as Entry No. 163128 in Book 399 at Page 221.

24. The effect of the 1969 Farmland Assessment Act, wherein there is a five (5) year roll-back provision with regard to assessment and taxation, by reason of that certain Application for Assessment and Taxation of Agricultural Land, recorded June 2, 2022 as Entry No. 161149, in Book 392, at Page 631. (covers this and other land)

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

26. Certificate of Creation for the Wasatch Peaks Ranch Public Infrastructure District, recorded April 26, 2023 as Entry No. 163323 in Book 399 at Page 1084.

Notice of Public Infrastructure District by Wasatch Peaks Ranch Public Infrastructure District recorded June 12, 2023 as Entry No. 163608 in Book 400 at Page 1171.

Notice of Resolution and Bonds to be Issued by Wasatch Peaks Ranch Public Infrastructure District recorded June 12, 2023 as Entry No. 163609 in Book 400 at Page 1188.

Notice of Resolution and Bonds to be Issued by Wasatch Peaks Ranch Public Infrastructure District recorded July 6, 2023 as Entry No. 163786 in Book 401 at Page 537.

Certificate of Annexation for the Wasatch Peaks Ranch Public Infrastructure District Addition No. 1 recorded December 26, 2023 as Entry No. 164929 in Book 405 at Page 1070.

27. The effect of the 1969 Farmland Assessment Act, wherein there is a five (5) year roll-back provision with regard to assessment and taxation, by reason of that certain Application for Assessment and Taxation of Agricultural Land, recorded May 24, 2023 as Entry No. 163517, in Book 400, at Page 607. (covers this and other land)
28. Easement Agreement by and between Wasatch Peaks Ranch, LLC, a Delaware limited liability company and WPR Public Infrastructure District, a Utah independent local district, its successors and assigns recorded November 8, 2023 as Entry No. 164608 in Book 404 at Page 886.
29. Easement Agreement by and between Wasatch Peaks Ranch Homeowners Association, Inc., a Utah nonprofit corporation and WPR Road and Fire District, a special district and body corporate and politic of the State of Utah, its successors and assigns recorded December 29, 2023 as Entry No. 164966 in Book 405 at Page 1364.
30. Easement Agreement by and between Wasatch Peaks Ranch Homeowners Association, Inc., a Utah nonprofit corporation and WPR Utility District, a special district and body corporate and politic of the State of Utah, its successors and assigns recorded December 29, 2023 as Entry No. 164967 in Book 405 at Page 1382.

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