

8-3
B & G Foothills, LLC
an Idaho Limited Liability Company
P. O. BOX 51298
Idaho Falls, ID 83405

DOC # 20060023175

Patent Page 1 of 3
Russell Shirts Washington County Recorder
6/1/06 3:50 PM Fee \$ 14.00 by SOUTHERN UTAH TITLE CO



STATE OF UTAH PATENT NO. 19927

WHEREAS, B AND G FOOTHILLS, LLC, an Idaho limited liability company, P.O. Box 51298, Idaho Falls, Idaho 83405, purchased from the State of Utah, the lands hereinafter described, pursuant to the laws of said State;

AND WHEREAS, the said B AND G FOOTHILLS, LLC, an Idaho limited liability company, has paid the State of Utah for said lands, pursuant to the conditions of said sale, and the laws of the State duly enacted in relation thereto, the sum of Five Hundred Thirty Seven Thousand Two Hundred Fifty Dollars and No Cents (\$537,250.00), and all legal interest thereon accrued, as fully appears by the certificate of sale.

NOW THEREFORE, I, JON M. HUNTSMAN, JR., Governor, by virtue of the power and authority vested in me by the laws of the State of Utah, do issue this PATENT, in the name and by the authority of the State of Utah, hereby granting and confirming unto the said B AND G FOOTHILLS, LLC, an Idaho limited liability company, and to its successors and assigns forever, the following tract or parcel of land, situated in the County of Washington, State of Utah, to-wit:

Township 42 South, Range 14 West, SLB&M

A part of section 4, more particularly described as follows:

Beginning at a point which is South 00°28'35" West 1343.35 feet along the Center Section Line from the North Quarter Corner of Section 4, Township 42 South, Range 14 West of the Salt Lake Base and Meridian, said point also being on the Westerly boundary line of Orgill Inc. boundary, recorded December 30, 2004, as Entry No. 919292, in Book 1701, at Page 2109, Official Washington County Records, in said County, in the State of Utah, and running thence along said property boundary and leaving said Center Section Line South 24°36'08" East 771.45 feet to a point on the Northerly Right-of-Way Line of Highway 91 realignment, recorded as Entry No. 579572, in Book 1141, at Page 84, Official Washington County Records; thence leaving said Orgill Inc. boundary line and along said Right-of-Way South 70°41'29" West 347.50 feet to the Southeast Corner of Knollwood Townhomes Phase 1-Amended, recorded as Entry No. 489341, in Book 879, at Page 76, Official Washington County Records, said point also being on the said Center Section Line of Section 4; thence along said Center Section Line and boundary line of said Knollwood Townhomes Phase 1-Amended North 00°28'35" East 262.54 feet; thence leaving the boundary line of said Knollwood Townhomes Phase 1-Amended and continuing along said Center Section Line North 00°28'35" East 553.81 feet to the point of beginning; as described by Survey by ALLIANCE CONSULTING under date of March 15, 2006; said property is formerly described as follows: Commencing at the Center Quarter Corner of Section 4, Township 42 South, Range 14 West, Salt Lake Base and Meridian; thence North 00°23'16" West along the center line a distance of 483.05 feet to the point of beginning, said point being on the Northerly Right-of-way Line of Highway 91 re-alignment; thence continuing North 00°23'16" West along said line, a distance of 817.22 feet; thence South 25°29'17" East, a distance of 772.30 feet, to a point on the Northerly Right-of-Way line of said Highway 91 re-alignment; thence South 69°49'38" West, along said Northerly line, a distance of 348.16 feet to the point of beginning.

Containing 3.07 acres, more or less

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TO HAVE AND TO HOLD, the above described and granted premises unto the said B AND G FOOTHILLS, LLC, an Idaho limited liability company, and to its successors and assigns forever;

Excepting and reserving to the State all coal and other mineral deposits (other than oil and gas that have been previously reserved to the United States) along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also,

Subject to Exceptions, Subjections, Reservations and Rights of Way as contained in Patent recorded March 30, 1928, as Entry No. 29777, in Book S, at Pages 852-853, Official Washington County Records, viz: (Affects this and other property); also,

Subject to Right-of-Way easement, in favor of Dixie Power Company, a Utah Corporation, for a perpetual easement and right-of-way to erect and maintain telephone and electric light and power transmissions wires over, and poles with necessary fixtures to support said wires in and upon the property herein described, and rights incidental thereto, as set forth in Deed recorded January 8, 1931, in Book S-2, at Pages 55-56, Official Washington County Records. [General Easement affecting that portion lying within Southeast Quarter of the Northeast Quarter (SE4NE4)]; also,

Subject to the following reservations, as set forth on Warranty Deed from Van Sullivan and Ada Sullivan, husband and wife, Grantor, to Leland Sullivan and Lula B. Sullivan, his wife, Grantee recorded November 8, 1955, as Entry No. 99110, in Book S-5, at Page 333, Official Washington County Records: (Affects this and other property)

Reserving, however, to the grantors, their heirs and assigns, all oil, gas and mineral rights in the above conveyed property; also,

Liability to Assessments levied by the Ash Creek Special Service District, as disclosed by Instrument recorded October 16, 1985, as Entry No. 283078, in Book 390, at Pages 907-916, Official Washington County Records. (Affects this and other property); also,

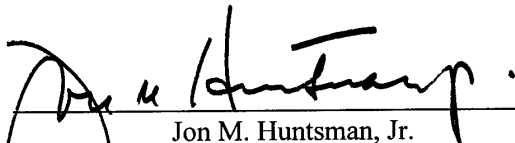
Ordinance No. CC-92917-3, created by Hurricane City Council for the Hurricane redevelopment project area #3, recorded October 26, 1992, as Entry No. 418021, in Book 687, at Pages 569-580, Official Washington County Records. (May affect a portion and also affects other property); also,

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Subject to those matter as set forth and disclosed on ALTA/ACSM Land Title Survey for B and G Foothills, LLC, performed by Alliance Consulting, under date of March 15, 2006, Job No. 4165-06, and Certified by Michael W. Bradshaw, Utah License No. 4804681.

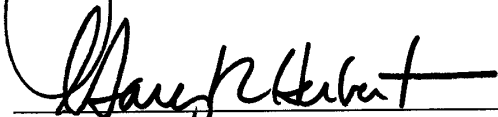
IN TESTIMONY WHEREOF, I affix my signature. Done this 30 day of May, 2006.

By the Governor:

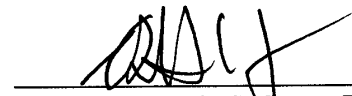


Jon M. Huntsman, Jr.

Attested:



Gary R. Herbert
Lieutenant Governor



Kevin S. Carter, Director
School and Institutional
Trust Lands Administration



APPROVED AS TO FORM
Mark L. Shurtleff
Attorney General

By



Special Assistant Attorney General

Recorded Patent Book 43, Page 27
Certificate of Sale No. 26371
Fund: Miners Hospital