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DOC # 20190007997

Special Warranty Deed Page 1 of 5
Russell Shirts Washington County Recorder
03/05/2019 10:51:24 AM Fee \$ 19.00
By SOUTHERN UTAH TITLE CO

When recorded mail deed and tax notice to:
Kerry Holt Farms, LTD., a Utah Limited Partnership
P.O. Box 249
Enterprise, UT 84725



Order No. 203670 - DJP
Tax I.D. No. SG-6745-I-1-A

Space Above This Line for Recorder's Use

SPECIAL WARRANTY DEED

Desert Canyons Land, LLC, a Utah limited liability company , grantor(s), of St. George, County of Washington, State of Utah, hereby CONVEY and WARRANT against all claiming by, through or under Grantor(s) to

Kerry Holt Farms, LTD., a Utah Limited Partnership , grantee(s) of Enterprise, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

RESERVING UNTO GRANTOR ANY AND ALL MINERAL RIGHTS.

WITNESS the hand(s) of said grantor(s), this 4 day of March, 2019.

Desert Canyons Land, LLC, a Utah limited liability company

By: Ed Burgess
Ed Burgess, Manager

STATE OF Utah)
) :SS.
COUNTY OF Washington)

On the 4 day of March, 2019, personally appeared before me, Ed Burgess, who being by me duly sworn, did say that he/she is the Manager of Desert Canyons Land, LLC, a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Ed Burgess acknowledged to me that said limited liability company executed the same.



Debora Samler
NOTARY PUBLIC

My Commission Expires: 2-13-2020

Attachment to that certain Special Warranty Deed executed by Desert Canyons Land, LLC, a Utah limited liability company grantor(s), to Kerry Holt Farms, LTD., a Utah Limited Partnership grantee(s).

Order No. 203670
Tax I.D. No. SG-6745-I-1-A

EXHIBIT "A"

PARCEL 1:

BEGINNING AT A POINT NORTH 88°47'21" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 2363.111 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 88°47'21" WEST ALONG THE QUARTER SECTION LINE BETWEEN THE EAST QUARTER CORNER AND THE WEST QUARTER CORNER OF SAID SECTION 34), AND RUNNING THENCE SOUTH 00°57'08" WEST 318.816 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 95°46'27", A DISTANCE OF 33.431 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF A 1970.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°47'51", A DISTANCE OF 27.419 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 2030.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°17'13", A DISTANCE OF 222.749 FEET; THENCE NORTH 88°45'47" WEST 1300.544 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 5970.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01°20'46", A DISTANCE OF 140.267 FEET; THENCE NORTH 87°25'01" WEST 487.662 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 470.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 75°44'50", A DISTANCE OF 621.358 FEET; THENCE NORTH 88°49'50" WEST 173.605 FEET; THENCE NORTH 01°10'10" EAST 461.674 FEET; THENCE NORTH 08°46'18" EAST 378.517 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHERN PARKWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (4) FOUR COURSES: (1) SOUTH 89°12'30" EAST 34.271 FEET TO A POINT OF CURVATURE; (2) RUNNING NORTHEASTERLY ALONG THE ARC OF A 1000.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18°30'19", A DISTANCE OF 322.980 FEET; (3) NORTH 72°17'11" EAST 304.274 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 02°23'51" WEST); AND (4) RUNNING NORTHEASTERLY ALONG THE ARC OF A 4150.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01°44'41", A DISTANCE OF 126.380 FEET; THENCE SOUTH 04°08'33" EAST 40.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 04°08'33" WEST); THENCE ALONG THE ARC OF A 4190.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08°36'55", A DISTANCE OF 630.034 FEET; THENCE SOUTH 43°58'49" EAST 519.292 FEET; THENCE NORTH 45°49'58" EAST 195.095 FEET; THENCE SOUTH 53°40'55" EAST 341.863 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 650.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 50°31'34", A DISTANCE OF 573.199 FEET; THENCE SOUTH 15°34'10" EAST 49.286 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 765.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°31'19", A DISTANCE OF 220.596 FEET; THENCE SOUTH 00°57'08" WEST 337.650 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A THIRTY FOOT WIDE EASEMENT FOR INGRESS, EGRESS, ACCESS, AS CREATED BY INGRESS/EGRESS ACCESS EASEMENT, RECORDED MARCH 5th, 2019, AS DOC. NO. 20190007997, OFFICIAL WASHINGTON COUNTY RECORDS, BEING FIFTEEN FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF THE DESERT VIEW – PHASE 1 SUBDIVISION AND THE WESTERLY EXTENT OF BROKEN MESA DRIVE, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING NORTH 88°47'21" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 460.599 FEET AND NORTH 1141.738 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 88°47'21" WEST ALONG THE QUARTER SECTION LINE BETWEEN THE WEST QUARTER CORNER AND THE EAST QUARTER

CORNER OF SAID SECTION 34), SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS SOUTH 12°45'43" WEST), AND RUNNING THENCE WESTERLY ALONG THE ARC OF A 897.500 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 19°38'34", A DISTANCE OF 307.690 FEET; THENCE SOUTH 83°07'09" WEST 227.728 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 997.500 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°59'18", A DISTANCE OF 226.122 FEET; THENCE SOUTH 70°07'51" WEST 106.280 FEET; THENCE SOUTH 74°42'52" WEST 266.495 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 797.500 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 07°20'27", A DISTANCE OF 102.179 FEET; THENCE SOUTH 67°22'25" WEST 791.000 FEET TO THE EASTERLY BOUNDARY OF GRANTEE'S LAND AND THE POINT OF TERMINATION.

Initials EB/KK

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Desert Canyons Land, LLC, a Utah limited liability company
 Grantee: Kerry Holt Farms, LTD., a Utah Limited Partnership
 Tax ID Number(s): SG-6745-I-1-A

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

- Check one box only**
- | | | |
|---------------------------------------|---|----------------------|
| 1 <input type="checkbox"/> | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. | Proceed to Section A |
| 2 <input type="checkbox"/> | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B |
| 3 <input checked="" type="checkbox"/> | No water rights are being conveyed. | C |
| 4 <input type="checkbox"/> | Water rights are being conveyed by separate deed. | C |

Section		Important Notes (see other side)
A	The water right(s) being conveyed included Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <input type="checkbox"/> Culinary water service is provided by: <input type="checkbox"/> Outdoor water service is provided by: <input checked="" type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input type="checkbox"/> Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Desert Canyons Land, LLC, a Utah limited liability company

Ed Burgess
 Ed Burgess, Manager

Grantee's Acknowledgment of Receipt: Kerry Holt Farms, LTD., a Utah Limited Partnership

Kerry Holt
 Kerry Holt, General Partner

Grantee's Address: P.O. Box 249, Enterprise, Utah 84725

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply"[the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: www.waterrights.utah.gov