

WHEN RECORDED, RETURN TO:

Lennar Homes of Utah, LLC
Attn: Steven Jackson
111 E Segoe Lily Drive, Suite 150
Sandy, UT 84070

Tax Parcel ID Nos:

49-991-0101 through 0111, and 49-991-0116 through 0169
49-992-0201 through 0211, and 49-992-0222 through 0236
49-993-0101 through 0126, and 49-993-0147 through 0195

SPECIAL WARRANTY DEED

BCP DEVELOPMENT, INC., a Utah corporation, GRANTOR, hereby conveys and warrants against all who claim by, through, or under Grantor, to LENNAR HOMES OF UTAH, LLC, a Delaware limited liability company (as successor-in-interest by conversion to Lennar Homes of Utah, Inc., a Delaware corporation), GRANTEE, for the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the following described parcel of real property in Utah County, Utah (the "*Property*"), to wit:

SEE **EXHIBIT A** HERETO.

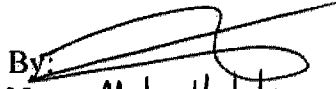
SUBJECT ONLY TO the items listed on **EXHIBIT B** hereto.

[SIGNATURE ON FOLLWING PAGE]

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be signed and its official seal to be affixed hereto by its duly authorized officer on March 31, 2023.

GRANTOR:

BCP DEVELOPMENT, INC.,
a Utah corporation

By: 
Name: Nate Hutchinson
Title: President

State of UTAH)
) ss.
County of UTAH)

The foregoing instrument was acknowledged before me this 31 day of MARCH, 2023, by Nathan T. Hutchinson, as President of BCP Development, Inc., a Utah corporation.


Notary Public

My commission expires: 10-10-26
Residing at: Utah, VT

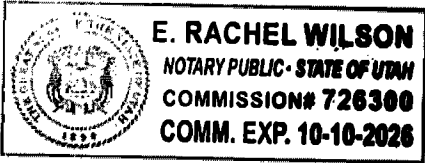


EXHIBIT A

Legal Description of the Property

(Tax Parcels: 49-991-0101 through 0111, and 49-991-0116 through 0169):

LOTS 101 THROUGH 111 AND 116 THROUGH 169, PLAT 1, PARKWAY FIELDS, PHASE A SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OR RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.

(Tax Parcels: 49-992-0201 through 0211, and 49-992-0222 through 0236):

LOTS 201 THROUGH 211 AND 222 THROUGH 236, PLAT 2.1, PARKWAY FIELDS, PHASE A SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.

(Tax Parcels: 49-993-0101 through 0126, and 49-993-0147 through 0195):

LOTS 101 THROUGH 126 AND 147 THROUGH 195, PLAT 1, PARKWAY FIELDS, PHASE B SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.

EXHIBIT B

List of Permitted Exceptions

1. Taxes for the present year and thereafter. Taxes for the year 2022 were PAID in the amount of **\$2,073.54** . County Tax Parcel Number(s): **59-018-0048 (Prior Parcel)** New Parcel No. **59-01-0052** not assessed until the 2023 tax year. **Rollback Taxes** for portions withdrawn for Parkway Fields Subdivision Plats A-1, A-2.1, and B-1, have been **PAID**. Parkway Fields Subdivision parcels (49-991; 49-992, and 46-992) not taxed until 2023 tax year.
2. The Land is within the boundaries of **EAGLE MOUNTAIN, UTAH COUNTY, UTAH** and is therein located within **Tax District 38, Timpanogos Special Service District, Central Utah Water Conservancy, Wasatch Mental Health Special Service District, North**, and is subject to any charges and assessments levied thereunder.
3. Easements, restrictions, covenants, conditions, notes, building set-back lines, and rights of ways for roads, ditches, canals, streams, rivers, telephones and transmission lines, drainage, utilities or other incidental purposes, over, under or across the Land, which are of record or which may be ascertained by an inspection or accurate survey, including, without limitation, any easements, notes, restrictions, building site requirements, setback lines, or rights of way contained in the official plat map(s) of record.
4. Any water rights, claims or title to water in or under the Land.
5. Any and all outstanding oil, gas, mining, and/or mineral rights, etc., including but not limited to the right of the proprietor of a vein or lode to extract his ore therefrom should the same be found to penetrate or intersect the premises, and the right of ingress and egress for the use of said rights.
6. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title, including discrepancies, conflicts in boundary lines, shortage in area, party walls, or any other facts that would be disclosed by an accurate and complete land survey of the Land.
7. Rights of tenant(s) in possession, if any, as tenants only, and the rights of all parties claiming by, through or under said tenant(s).
8. Access to the Land may be via a roadway that is designated as a *Controlled Access Highway* under Utah law, or the Land may otherwise have limited access under Utah law. Therefore, even though the Land might abut a highway, street, or roadway, access to the Land may be restricted or limited as determined by the governmental authority having jurisdiction over said highway, street, or roadway.
9. Resolution No. 1996-82 Approving a Petition for the Incorporation of the Town of Eagle Mountain Pursuant to Section 10-2-109, Utah Code Annotated, 1953 as Amended, recorded December 4, 1996 as Entry No. 97761 in Book 4137 at Page 224
10. Resolution No. 23-08 to Petition the Utah Transit Authority for Annexation to a Transportation District, recorded December 18, 2008 as Entry No. 131957:2008.
11. Easement in favor of Utah Power and Light Company, to construct, reconstruct, operate, maintain and repair electric transmission and other equipment over, under and across a portion of the subject Land. Said Easement recorded May 13, 1970, as Entry No. 4642, in Book 1178, at Page 120.

(continued)

Exhibit B: Permitted Exceptions Continued:

12. Easement in favor of Utah Power and Light Company, to construct, reconstruct, operate, maintain and repair electric transmission and other equipment over, under and across a portion of the subject Land. Said Easement recorded October 6, 1970, as Entry No. 10443, in Book 1195, at Page 269.
13. Easement in favor of Utah Power and Light Company, to construct, reconstruct, operate, maintain and repair electric transmission and other equipment over, under and across a portion of the subject Land. Said Easement recorded March 14, 1974, as Entry No. 4130, in Book 1363, at Page 66.

Quitclaim Deed and Assignment in favor of Eagle Mountain City, a Utah municipal corporation, dated June 19, 2012 and recorded June 22, 2012 as Entry No.51877:2012.
14. Easement(s) in favor of Utah Power and Light Company, to construct, reconstruct, operate, maintain and repair electric transmission and other equipment and incidental purposes, over, under and across a portion of the subject Land, as evidenced by that certain Quitclaim Deed and Assignment recorded June 22, 2012, as Entry No. 51877:2012.
15. Right of Way Easement in favor of the Mountain States Telephone and Telegraph Company, to construct, operate, maintain and remove communication equipment and other facilities, from time to time, upon, over, under and across a portion of the subject Land, recorded October 15, 1979, as Entry No. 40370, in Book 1784, at Page 816.
16. Debtor in Possession's Deed of Exclusive Right-of-Way and Easement to Kern River Gas Transmission Company by Monte Vista Ranch, Inc., a Utah corporation, the duly qualified and acting Debtor in Possession for the bankruptcy estate of Monte Vista Ranch, Inc., dated July 9, 1991 and recorded July 23, 1991 as Entry No. 28819 in Book 2815 at Page 588.

Amendment to Right-of-Way and Easement Contract, dated April 9, 2002 and recorded April 11, 2002 as Entry No. 40924:2002

Amendment to Exclusive Rights-of-Way and Easements, dated June 3, 2011 and recorded June 9, 2011 as Entry No. 42669:2011.
17. Easements for access, pipeline, road and incidental purposes as contained in that certain Warranty Deed, dated April 25, 1994 and recorded April 26, 1994 as Entry No. 34893 in Book 3428 at Page 334.
18. Well Protection Zone Easement Howard Ault Well by Howard Ault and Lurae Ault, dated November 21, 1996 and recorded November 22, 1996 as Entry No. 95101 in Book 4127 at Page 693.
19. Well Protection Zone Easement John Walden Well by Howard Ault, Lurae Ault and John Walden, dated November 21, 1996 and recorded November 22, 1996 as Entry No. 95102 in Book 4127 at Page 694.
20. Easements as contained in that certain Quit Claim Deed, dated December 9, 1996 and recorded December 13, 1996 as Entry No. 100502 in Book 4145 at Page 48 and in that certain Warranty Deed, dated October 8, 2004 and recorded October 8, 2004 as Entry No. 115246:2004.
21. Easement in favor of the Town of Eagle Mountain for the purpose of installing and maintaining a storm drain pipeline and incidental purposes, by instrument recorded February 22, 1999, as Entry No. 20688, in Book 4983, at Page 71.

(continued)

Exhibit B: Permitted Exceptions Continued:

22. **Non-Exclusive Right-of-Way and Easement in favor of Eagle Mountain City, a municipal corporation of the State of Utah to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmissions and distribution facilities and incidental purposes, by instrument dated December 27, 2010 and recorded January 5, 2011, as Entry No. 1458:2011.**

Assignment and Apportionment of Easements Natural Gas Pipeline Facilities in favor for Questar Gas company, a Utah corporation, recorded March 9, 2015 as Entry No. 19044:2015.

Agreement for the Apportionment of Easements by and between PacifiCorp, an Oregon corporation, d/b/a Rocky Mountain Power and Eagle Mountain City, dated June 9, 2016 and recorded September 19, 2016 as Entry No. 91360:2016.

23. **Construction, Operating and Maintenance Agreement by and between Kern River Gas Transmission Company, a Texas General Partnership and Williams Communications, Inc., formerly known as Vyvx, Inc., a Delaware corporation, dated July 17, 1998 and recorded September 14, 1998 as Entry No. 92727 in Book 4773 at Page 443.**

Affidavit to Identify Legal Descriptions wherein WiTel Communications, LLC, formerly known as Williams Communications, Inc. entered into a Construction, Operation and Maintenance Agreement with Kern River Gas Transmission Company, recorded May 17, 2004 as Entry No. 56210:2004.

24. **Utah County Agreement acknowledging non-compliant subdivision(s) and sale(s) of land parcels, and imposing conditions of future compliance recorded February 24, 1986 as Entry No. 5415 in Book 2283 at Page 491. References and supersedes those certain covenants restricting non-agricultural land use recorded December 10, 1990, January 13, 1982, April 10, 1984, and April 19, 1984 as Entry Nos. 43710, 853, 10454, and 11547, respectively**

25. **Subject to any Rollback Tax Assessment which may be levied pursuant to the withdrawal of land subject to the 1969 Farmland Assessment Act as evidenced by those certain Applications for Assessment and Taxation of Agricultural Land recorded April 16, 2004 as Entry No. 43724:2004; December 5, 1996 as Entry No. 98180:1996; and July 18, 2003 as Entry No. 110453:2018 and March 27, 2020 as Entry No. 39092:2020..**

26. **Resolution No. R 19-2002 to Create The Eagle Mountain City, Utah Special Improvement District No. 2002-1 Described in the Notice of Intention Concerning the District and Authorizing the City Officials to Proceed to make Improvements as set forth in the Notice of Intention to Create the District recorded January 9, 2003 as Entry No. 3750:2003; as Amended by Resolution No. R 16-2003 to create District No. 2003-1 recorded September 24, 2003 as Entry No. 155877:2003.**

27. **The effects of that certain Well Access and Water Line Easement in favor of Sherie A. Warner And Janice A. Pace As Co-trustees Of The Hrls Alaska Trust, Dated January 2, 2014 recorded September 23, 2019 as Entry No. 94034:2019 in the official records of the Utah County Recorder's Office.**

28. **The terms, conditions and effects of that certain Access and Easement Agreement by and between Belle Street Investments LLC and Scarlet Ridge Partners LLC, recorded December 28, 2020 as Entry No. 208135:2020.**

29. **The terms, conditions and effects of that certain Access and Easement Agreement by and between Flagship EM Holdings LLC and Scarlet Ridge Partners LLC, recorded December 28, 2020 as Entry No. 208144:2020.**

(Continued)

Exhibit B: Permitted Exceptions Continued:

30. Subject to any **Rollback Tax Assessment** which may be levied pursuant to the 1969 Farmland Assessment Act as evidenced by that certain Application for Assessment and Taxation of Agricultural Land recorded April 21, 2022 as Entry No. 49530:2022.
31. The official **Plat Map for Parkway Fields Phase A, Plat 1**, recorded in the official records December 28, 2022 as Entry No. 2022-127983; Sub Map No. 18597, and the easements, rights-of-way, terms, conditions, restrictions, reservations, and limitations as set forth therein.
32. The official **Plat Map for Parkway Fields Phase A, Plat 2.1**, recorded in the official records December 28, 2022 as Entry No. 2022-127984; Map No. 18598, and the easements, rights-of-way, terms, conditions, restrictions, reservations, and limitations as set forth therein.
33. The official **Plat Map for Parkway Fields, Phase B, Plat 1**, recorded in the official records December 28, 2022 as Entry No. 127895-2022; Map No. 18599, and the easements, rights-of-way, terms, conditions, restrictions, reservations, and limitations as set forth therein.
34. Declaration of Covenants Conditions and Restrictions, and Reservation of Easements for the Parkway Fields Owners Association, recorded in the official records March 31, 2023 as Entry No. 20242:2023.