



W3205179

149011-JCP

**MAIL RECORDED DEED and
MAIL TAX STATEMENT TO:**

Claradon Management, LLC
c/o D&D Construction Specialties, Inc.
1043 Olinda St.
Sun Valley, CA 91352:

08-028-0078
08-028-0079
08-028-0091

08-028-0089
08-028-0083

SPECIAL WARRANTY DEED

E# 3205179 PG 1 OF 5
Leann H. Kilts, WEBER COUNTY RECORDER
17-Dec-21 0446 PM FEE \$40.00 DEP LK
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY
ELECTRONICALLY RECORDED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MIDLAND PARTNERS ONE, LLC, a ~~Utah Limited Liability Company~~ and MIDLAND PARTNERS TWO, LLC, a Utah Limited Liability Company (together, "Grantors"), do hereby convey and warrant against all claiming by, through or under Grantors but not otherwise, to Claradon Management, LLC, a Delaware limited liability company ("Grantee") (whose address is: c/o D&D Construction Specialties, Inc., 1043 Olinda St., Sun Valley, CA 91352), the real property situated in Davis County, State of Utah, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference:

TOGETHER with the tenements, hereditaments and appurtenances, including easements, minerals, mineral rights, waters, and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

SUBJECT to the matters set forth on Exhibit "B" attached hereto and incorporated herein by this reference:

Dated as of the 16th day of December, 2021.

MIDLAND PARTNERS ONE, LLC,
a Utah Limited Liability Company

By: BENCHMARK HOLDING, LLC,
a Utah Limited Liability Company
Its: Manager

By: _____
Its: Manager

MIDLAND PARTNERS TWO, LLC,
a Utah Limited Liability Company

By: BENCHMARK HOLDING, LLC,
a Utah Limited Liability Company
Its: Manager

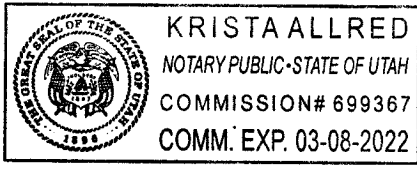
By: _____
Its: Manager

STATE OF UTAH)
)
:ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 16th day of December, 2021, by Neil J. Wall as Manager of BENCHMARK HOLDING, LLC, a Utah Limited Liability Company, manager of MIDLAND PARTNERS ONE, LLC.

Krista Allred
NOTARY PUBLIC
Residing at: DAVIS COUNTY, UT

My Commission Expires:
03-09-2022



STATE OF UTAH)
)
:ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 16th day of December, 2021, by Neil J. Wall as Manager of BENCHMARK HOLDING, LLC, a Utah Limited Liability Company, manager of MIDLAND PARTNERS TWO, LLC.

Krista Allred
NOTARY PUBLIC
Residing at: DAVIS COUNTY, UT

My Commission Expires:
03-08-2022



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MIDLAND DRIVE, SAID POINT BEING NORTH 00°51'40" EAST 891.01 FEET AND SOUTH 89°08'20" EAST 2417.79 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 2; THENCE SOUTH 44°09'52" EAST 344.87 FEET; THENCE SOUTH 00°41'05" WEST 695.65 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HINCKLEY DRIVE (SR 79); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES (1) SOUTH 34°21'17" WEST 6.08 FEET (2) SOUTH 77°38'44" WEST 206.47 FEET AND (3) SOUTH 86°00'00" WEST 204.79 FEET; THENCE NORTH 04°00'00" WEST 82.80 FEET; THENCE SOUTH 86°40'43" WEST 19.63 FEET; THENCE NORTH 03°19'17" WEST 26.64 FEET; THENCE SOUTH 85°22'02" WEST 41.76 FEET; THENCE NORTH 00°31'13" WEST 118.73 FEET; THENCE NORTH 03°19'17" WEST 155.07 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 130.55 FEET, A RADIUS OF 188.00 FEET, A CHORD BEARING OF NORTH 23°12'55" WEST AND A CHORD LENGTH OF 127.94 FEET; THENCE SOUTH 46°53'29" WEST 28.84 FEET; THENCE NORTH 45°04'30" WEST 152.26 FEET TO THE EASTERLY RIGHT OF WAY LINE OF MIDLAND DRIVE; THENCE NORTH 45°50'00" EAST ALONG SAID EASTERLY RIGHT OF WAY 606.90 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MIDLAND DRIVE, SAID POINT BEING NORTH 00°51'40" EAST 465.10 FEET (461.66 FEET BY RECORD) AND SOUTH 89°08'20" EAST 1985.31 FEET (1988.85 FEET BY RECORD) FROM THE WEST QUARTER CORNER OF SAID SECTION 2; AND RUNNING THENCE SOUTH 45°04'30" EAST 157.20 FEET (152.26 FEET BY RECORD); THENCE NORTH 46°53'29" EAST 28.84 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 130.55 FEET, A RADIUS OF 188.00 FEET, A CHORD BEARING OF SOUTH 23°12'55" EAST, AND A CHORD LENGTH OF 127.94 FEET; THENCE SOUTH 03°19'17" EAST 155.07 FEET; THENCE SOUTH 00°31'13" EAST 118.73 FEET; THENCE NORTH 85°22'02" EAST 41.67 FEET; THENCE SOUTH 03°19'17" EAST 26.54 FEET; THENCE NORTH 86°40'43" EAST 19.63 FEET; THENCE SOUTH 04°00'00" EAST 82.80 FEET TO THE NORTHERLY RIGHT OF WAY LINE; THENCE SOUTH 86°00'00" WEST, 244.50 FEET; THENCE NORTH 44°10'20" WEST 348.54 FEET; THENCE NORTH 44°55'30" EAST 208.81 FEET; THENCE NORTH 45°04'30" WEST 92.01 FEET (88.77 FEET BY RECORD) TO THE EASTERLY RIGHT OF WAY LINE OF MIDLAND DRIVE; THENCE NORTH 45°20'43" EAST 201.12 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE (NORTH 45°50'00" EAST 201.14 FEET BY RECORD) TO THE POINT BEGINNING.

Tax Id No.: 08-028-0078, 08-028-0079, 08-022-0089, 08-028-0083 and 08-022-0091

EXHIBIT B
PERMITTED EXCEPTIONS

1. Property taxes not yet due and payable.
2. Charges and assessments of West Haven City, Weber Basin Water Conservancy District, Central Weber Sewer Improvement District, Weber County Mosquito Abatement District, Roy Water Conservancy Subdistrict, Weber Fire District, Weber County Sewer Service Area No. 2, West Haven Waste Water Special Service District, Weber Area Dispatch 911 and Emergency Services District, and Weber Fire District Bond not yet due and payable.
3. Water rights, claims or title to water.
4. 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.
5. Pole Line Easement 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. Said Easement recorded September 5, 1945, as Entry No. 95885, in Book 215 of Leases, at Page 144.
6. Easement Contract in favor of Taylor-West Weber Water Improvement District to construct, maintain and repair underground pipelines and/or mains for the purpose of conveying culinary water, together with the right to excavate and refill ditches and/or trenches and incidental purposes, by instrument dated September 4, 1974 and recorded August 12, 1975, as Entry No. 643675, in Book 1094, at Page 681.
7. Easement Agreement by and between West Haven Special Service District, its assigns and Don N. Stokes & Linda D. Stokes; Joyce Lavon Stokes Wall & La Mar Ross Wall to survey, clear and excavate for, lay, construct, operate, inspect, maintain, protect, repair, replace or remove sewer utility pipeline (sewer) and appurtenances only for the transportation of waste water and waste materials and incidental purposes, by instrument dated September 24, 2003 and recorded August 23, 2006, as Entry No. 2202946.
8. Easement Agreement by and between West Haven Special Service District, its assigns and Scott D. Jones and Nancy M. Jones to survey, clear and excavate for, lay, construct, operate, inspect, maintain, protect, repair, replace or remove sewer utility pipeline (sewer) and appurtenances only for the transportation of waste water and waste materials and incidental purposes, by instrument dated September 26, 2003 and recorded August 23, 2006, as Entry No. 2202947.
9. Easement in favor of the Utah Department of Transportation for the purpose of constructing and maintaining public utilities and appurtenant parts thereof including, but not limited to ATMS Fiber Optic conduit, electrical service transmission lines, culinary and closed irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street lighting facilities and traffic information signs and incidental purposes, by instrument recorded November 6, 2008, as Entry No. 2374148.
10. Easement in favor of the Utah Department of Transportation for the purpose of constructing and maintaining public utilities and appurtenant parts thereof including, but not limited to ATMS Fiber Optic conduit, electrical service transmission lines, culinary and closed irrigation water

facilities; and highway appurtenances including, but not limited to, slopes, street lighting facilities and traffic information signs and incidental purposes, by instrument recorded November 6, 2008, as Entry No. 2374150.

11. Easement in favor of the Utah Department of Transportation for the purpose of constructing and maintaining public utilities and appurtenant parts thereof including, but not limited to ATMS Fiber Optic conduit, electrical service transmission lines, culinary and closed irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street lighting facilities and traffic information signs and incidental purposes, by instrument recorded November 6, 2008, as Entry No. 2374158.
12. Easement in favor of Taylor-West Weber Water Improvement District for the purpose of, but not limited to, installation, construction, operation, repair, removal, replacement, inspection, protection and maintenance of one or more water or storm drain pipelines along with the necessary accessories and appurtenances used in connection therewith and incidental purposes, by instrument recorded April 28, 2015, as Entry No. 2732952.
13. Right of Way and Easement Grant, in favor of Questar Gas Company, a corporation of the State of Utah, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes, and other gas transmission and distribution facilities and incidental purposes, through and across a portion of the subject Land. Said Right of Way and Easement Grant recorded September 23, 2015, as Entry No. 2757307.
14. Blanket Easement in favor of Rocky Mountain Power, an unincorporated division of PacifiCorp, its successors and assigns 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. Said Easement recorded December 11, 2015, as Entry No. 2769268.
15. Blanket Easement in favor of Rocky Mountain Power, an unincorporated division of PacifiCorp, its successors and assigns 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. Said Easement recorded December 11, 2015, as Entry No. 2769269.
16. Blanket Easement in favor of Rocky Mountain Power, an unincorporated division of PacifiCorp, its successors and assigns 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. Said Easement recorded December 11, 2015, as Entry No. 2769270.
17. Grant of Easement and Joint Use Declaration by Midland Partners One, LLC, dated August 3, 2016 and recorded August 10, 2016 as Entry No. 2808278.
18. Rights of tenant(s) in the Land, if any, and rights of all parties claiming by, through or under said tenant(s).