



\*W3226083\*

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Holland & Hart LLP  
Attn: Carl W. Barton  
222 South Main Street, Suite 2200  
Salt Lake City, Utah 84101

E# 3226083 PG 1 OF 5  
Leann H. Kilts, WEBER COUNTY RECORDER  
25-Mar-22 0911 AM FEE \$40.00 DEP DAC  
REC FOR: GT TITLE SERVICES  
ELECTRONICALLY RECORDED

MAIL TAX NOTICES TO GRANTEE AT:  
950 East 100 South  
Salt Lake City, UT 84102

Transaction Reference Information:

GT Title File Number: L42526PM  
Tax Parcel Number(s): 23-128-0002, 23-128-0027  
Property Address(es): 7511 EAST HORIZON RUN, EDEN, UT 84310

**GENERAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mark Tercek, Trustee of the MRT 2013 Revocable Trust, u/a/d December 19, 2013 (“*Grantor*”), hereby conveys and warrants to **Fidelitas LLC, a Utah limited liability company**, (“*Grantee*”) whose address is 950 East 100 South, Salt Lake City, UT 84102, that certain real property (the “*Property*”) which is located in Weber County, Utah, and is more particularly described in attached Exhibit “A.”

Together with the tenements, hereditaments and appurtenances, including easements, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Subject only to the permitted encumbrances listed on the attached Exhibit “B.”

[Signature Page Follows]



**EXHIBIT A  
TO  
GENERAL WARRANTY DEED**

**LEGAL DESCRIPTION OF THE PROPERTY**

ALL OF LOT 6R, SUMMIT EDEN PHASE 1A, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER.

Tax Parcel Nos.: 23-128-0002 and 23-128-0027

Exhibit A

**EXHIBIT B  
TO  
GENERAL WARRANTY DEED  
  
PERMITTED ENCUMBRANCES**

1. Real property taxes and special assessments not yet due and payable.
2. The Property is within the boundaries of Eden, Weber County, Utah, and is therein located within certain tax districts located therein, and the Property is subject to any charges and assessments levied thereunder.
3. All terms, conditions, notes, and effects of, and matters shown on: county maps, including the official subdivision plat map recorded in the official records of Weber County, Utah (the "*Official Records*") on January 27, 2014 as Entry No. 2672943.
4. Any water rights, claims or title to water in or under the Property.
5. All right, title or interest to any minerals of whatsoever kind, oil, gas, subsurface substances or surface substances together with all privileges and immunities relating thereto, whether or not appearing in the Official Records.
6. The terms, conditions and effects of that certain Weber County Zoning Development Agreement by and between Western America Holding, LLC and Weber County, recorded November 12, 2012 as Entry No. 2607988 in the Official Records.

A First Amendment to Weber County Zoning Development Agreement was recorded July 12, 2019 as Entry No. 2990685 in the Official Records.

7. The effects of that certain Resolution No. 27-2012 confirming the tax to be levied for Municipal Services provided to the unincorporated area of Weber County and describing the Services to be provided therein, recorded December 13, 2012 as Entry No. 2610456 in the Official Records.
8. The effects of the following Notices, Resolutions, and Ordinances establishing the Weber County, Utah Summit Mountain Assessment Area and levying assessments thereon for the purpose of financing development improvements: Entry No. 2649359 recorded August 7, 2013 in the Official Records; Entry No. 2650764 recorded August 15, 2013 in the Official Records; Entry Nos. 2655411, 2655504, 2655522 recorded September 13, 2013 in the Official Records; Entry No. 2661052 recorded October 23, 2013 in the Official Records; Entry No. 2691724 recorded June 14, 2014 in the Official Records.
9. The effects of that certain Weber County Ordinance 2013-28 recorded October 13, 2013 as Entry No. 2661052 in the Official Records; and Notice of Adoption of Community Development Project Area Plan recorded October 25, 2013 as Entry No. 2661594.

Exhibit B

10. Those certain easements and agreements for access and monumentation purposes in favor of the Weber County Surveyor recorded January 27, 2014 as Entry Nos. 2672951 and 2672952 in the Official Records.
11. The effects, terms and conditions of the covenants, conditions and restrictions, and any related bylaws, recorded January 27, 2014, October 1, 2014, October 16, 2014, November 25, 2014, April 13, 2017, August 27, 2019 and October 26, 2021 as Entry Nos. 2672941, 2672947, 2704954, 2706799, 2712001, 2852197, 2999365 and 3193035 in the Official Records, respectively; and any charges created thereunder, including, without limitation, any charges, dues or assessments by any home owners association or similar organization.
12. The terms, conditions and effects of that certain Easement Agreement for Access to Facilities by and between Summit Mountain Holding Group, LLC and Powder Mountain Water and Sewer Improvement District, recorded January 27, 2014 as Entry No. 2672965.
13. The effects of that certain Notice of Assessment/Reinvestment Fee Covenant in favor of Powder Mountain Owners Association recorded October 1, 2014 as Entry No. 2704955.
14. The terms, conditions and effects of that certain Easement Agreement for Utility Lines by and between Weber County Corp. and Summit Mountain Holding Group LLC, recorded October 3, 2014 as Entry No. 2705343.
15. The terms, conditions, and effects of that certain Designation and Grant of Non-Exclusive Public Utility Easements recorded in the official records of the WEBER County Recorder's Office on October 31, 201 as Entry No. 2708835.
16. The terms, conditions and effects of that certain Weber County Zoning Development Agreement by and between Summit Mountain Holding Group LLC and Weber County, recorded January 14, 2015 as Entry No. 2717835.
17. The effects of that certain Notice of Interest for ongoing assessments wherein Powder Mountain Water and Sewer Improvement District claim(s) an interest in the Property, recorded November 30, 2018 as Entry No. 2954601.
18. The terms, conditions and effects of that certain First Amended and Restated Private Driveway Easement Agreement, by and between SMHG Phase I, LLC, a Delaware limited liability company, Mark Tercek, Trustee of the MRT 2013 Revocable Trust, u/a/d 12/19/2013 & Gregory V. Mauro and Summit Mountain Holding Group, L.L.C., a Utah limited liability company and Powder Mountain Owners Association, Inc., recorded January 13, 2022 as Entry No. 3210518.

## Exhibit B