

3508474
BK 8139 PG 390

E 3508474 B 8139 P 390-396
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/22/2022 11:53:00 AM
FEE \$40.00 Pgs: 7
DEP eCASH REC'D FOR COTTONWOOD TITLE

WHEN RECORDED, RETURN TO:

CW The Charlotte, LLC
Attn: Legal Department
1222 W. Legacy Crossing Blvd., STE 6
Centerville, UT 84014

Parcel No. 08-060-0029

153552-CAF

SPECIAL WARRANTY DEED

Michael R. Benson and Christie N. Benson, husband and wife (collectively, the "**Grantor**"), whose address is 1293 West Burke Lane, Farmington, UT 84025, hereby CONVEYS AND WARRANTS against those claims, and only those claims, of all persons who shall claim title to or assert claims affecting title to the Property or any part thereof, by, through, under, or based on the acts of Grantor, to **CW The Charlotte, LLC**, a Utah limited liability company ("**Grantee**"), whose address is 1222 W. Legacy Crossing Blvd., STE 6, Centerville, Utah 84014 for the sum of Ten and No/100 Dollars and other good and valuable consideration, the following described tract of land in Davis County, State of Utah (the "**Property**"), to-wit:

See Exhibit "A" attached hereto and incorporated herein.

SUBJECT ONLY TO the matters set forth on **Exhibit "B"** attached hereto and incorporated herein.

{Signature on following page}

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed on this 21st day of November, 2022.

GRANTOR:

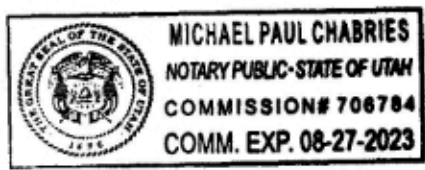
By: 
Name: Michael R. Benson

By: 
Name: Christie N. Benson

STATE OF UTAH)
 §
COUNTY OF DAVIS)

On this 21st day of November, in the year 2022, before me, MICHAEL P. CHABRIES, a notary public, personally appeared Michael R. Benson and Christie N. Benson, proved on the basis of satisfactory evidence to be the persons whose names are subscribed to this instrument, and acknowledged they executed the same.

Witness my hand and official seal.




(Notary Public)

(Seal)

Exhibit "A"
(Legal Description)

BEG AT THE NW COR OF LOT 12, BLK 27, BIG CREEK PLAT, FARMINGTON TOWNSITE SURVEY, WH PT IS S 89°45'48" W 1369.01 FT ALG THE SEC LINE & N 00°20'03" W 1444.78 FT FR THE SE COR OF SEC 14-T3N-R1W, SLM, DAVIS COUNTY, UTAH; & RUN TH S 89°41'35" E 213.32 FT ALG THE S LINE OF BURKE LANE; TH S 0°20'03" E 990.00 FT; TH N 89°41'35" W 213.32 FT; TH N 0°20'03" W 990.00 FT TO THE POB. CONT. 4.85 ACRES

Parcel Number 08-060-0029 (for reference purposes only)

3508474
BK 8139 PG 393

Exhibit "B"
(Title Commitment Permitted Exceptions)

EXHIBIT "B"
(Permitted Exceptions)

1. (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Any defect, lien, encumbrance, adverse claim, or other matter, that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
8. Any service, installation, connection, maintenance, or construction charges for sewer, water, electricity, or garbage collection or disposal, or other utilities unless shown as an existing lien by the Public Records.
9. Taxes for the year 2022 are a lien now due and payable in the amount of \$7,429.28 but will not become delinquent until November 30, 2022 under Parcel No. 08-060-0029. Taxes for the year 2021 have been paid under Parcel No. 08-060-0029.
10. The herein described Land is located within the boundaries of Farmington City, Weber Basin Water Conservancy District, Davis County Mosquito Abatement District, Central Davis County Sewer District, and is subject to any and all charges and assessments levied

thereunder.

11. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
12. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
13. 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.
14. Improvement Agreement and Grant of Lien, by and between Paul R. Johansen Jr. and Marianne Johansen and Davis County, a County of the State of Utah recorded October 17, 1994 as Entry No. 1147404 in Book 1811 at Page 461.

Assignment of Improvement Agreement and Grant of Lien recorded June 8, 2012 as Entry No. 2666548 in Book 5539 at Page 839.

15. Ordinance No. 2001-44 Extending the Corporate Limits of Farmington City to Include the Annexation of a Part of West Farmington Located North of Clark Lane, East of the DRG&W R.R. Tracks, South and Shepard Lane, and West of I-15, and Amending the Farmington City Zoning Map to Zone and Designate the Area as "A" Upon its Annexation to the City recorded March 5, 2002 as Entry No. 1734425 in Book 2997 at Page 252.
16. Resolution No. 2018-07 Adopting North Station CRA 2 Project Area Plan recorded February 11, 2019 as Entry No. 3142683 in Book 7197 at Page 178.
17. Terms and conditions as set forth in that certain Letter of Understanding for an existing Well recorded September 3, 1996 as Entry No. 1271657 in Book 2040 at Page 827.
18. Memorandum of Understanding, by and between Michael and Christie Benson and Farmington City recorded August 31, 2020 as Entry No. 3288478 in Book 7586 at Page 4243.
19. Intentionally deleted by Title Company.
20. Intentionally deleted by Title Company.

21. Notwithstanding those items described herein-above, the Land is also subject to any additional discrepancies, conflicts in the boundary lines, shortage in area, encroachments, or any other facts which an ALTA/NSPS Survey, (made in accordance with the current Minimum Standard Detail Requirements for Land Title Surveys jointly established and adopted by (ALTA) American Land Title Association and (NSPS) National Society of Professional Surveyors) may disclose.