

MAIL RECORDED DEED AND TAX NOTICE TO:  
MWIC Kelton, LLC  
Attn: Mountain West Investment Corporation, Manager  
201 Ferry Street SE, Suite 400  
Salem, OR 97301

CT-105805-CAD

TIN 44-238-0002 through 44-238-0015  
WARRANTY DEED

**MWIC Turner Road UT, LLC**, a Utah limited liability company, as to an undivided 45.50% interest, and **MWIC Parkway UT, LLC**, a Utah limited liability company, as to an undivided 54.50% interest (together "**Grantors**"), hereby convey and warrant to **MWIC Kelton, LLC**, a Utah limited liability company ("**Grantee**"), as a contribution to the capital of Grantee and other good and valuable consideration, the following tract of land described as follows:

PARCEL 1:

Lots 2 through 15, inclusive, KELTON APARTMENTS PHASE 1 PLAT, according to the official plat thereof, recorded April 13, 2021 as Entry No. 69769:2021 in the office of the Utah County Recorder.

PARCEL 1A:

A nonexclusive reciprocal access and utility easement, appurtenant to Parcel 1 above, as set forth and defined in that certain Declaration of Access and Utility Easement and Maintenance Declaration recorded June 15, 2023 as Entry No. 38739:2023 in the office of the Utah County Recorder.

Free of encumbrances except as set forth in **Exhibit A**, attached hereto and incorporated herein.

[Signature Pages to Follow]

Dated June 9, 2023.

**MWIC Turner Road UT, LLC,**  
a Utah limited liability company

**By: Mountain West Investment Corporation,**  
Manager

By: *Jason E. Tokarski*  
Jason E. Tokarski, Vice President

State of OREGON )  
  )ss.  
County of MARION )

On this 9 day of June, 2023, personally appeared before me, Jason E. Tokarski, who being duly sworn, did say that he is the Vice President of Mountain West Investment Corporation, Manager of MWIC Turner Road UT, LLC, a Utah limited liability company, and that said instrument was signed on behalf of said company by authority of its certificate of organization or its operating agreement, and that Jason E. Tokarski acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.

*Kaylee Krista Bernards*  
Notary Public



Dated June 9, 2023.

**MWIC Parkway UT, LLC,**  
a Utah limited liability company

**By: Mountain West Investment Corporation,**  
Manager

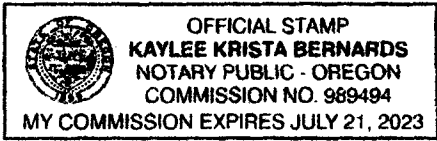
By: *Jason E. Tokarski*  
Jason E. Tokarski, Vice President

State of OREGON )  
                                  )ss.  
County of MARION )

On this 9 day of June, 2023, personally appeared before me, Jason E. Tokarski, who being duly sworn, did say that he is the Vice President of Mountain West Investment Corporation, Manager of MWIC Parkway UT, LLC, a Utah limited liability company, and that said instrument was signed on behalf of said company by authority of its certificate of organization or its operating agreement, and that Jason E. Tokarski acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.

*Kaylee Krista Bernards*  
Notary Public



**EXHIBIT A**  
**ENCUMBRANCES**

1. The herein described Land is located within the boundaries of American Fork City, American Fork Metropolitan Water District, North Utah County Water Conservancy District, Central Utah Water Conservancy, Wasatch Behavioral Health Special Service District, North Utah Valley Animal Shelter Special Service District, Utah Valley Dispatch Special Service District, and is subject to any and all charges and assessments levied thereunder.
2. Ordinance No. 2015-10-68 Amending Section 1.12.2010 of the Revised Ordinances of American Fork City 1985, as Amended, Annexing Certain Land to American Fork City and Establishing Zoning Classification for said Land, recorded January 6, 2016 as Entry No. 1080:2016.
3. 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.
4. Claim, right, title or interest to water or water rights whether or not shown by the public records.
5. Easement in favor of Timpanogos Special Service District, a body politic of the State of Utah for a perpetual right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, by instrument recorded November 4, 1977 as Entry No. 37078 in Book 1596 at Page 17.
6. Grant of Easement in favor of Central Utah Water Conservancy District, a political subdivision of the State of Utah, and its successors and assigns for a nonexclusive and perpetual easement and right-of-way, together with the right of ingress and egress, for the ownership, location, survey, installation, construction, reconstruction, operation, inspection, maintenance, repair, renewal and replacement of underground water pipelines and all equipment and facilities related thereto and for a temporary construction easement and right-of-way, together with the right of ingress and egress, for the initial construction and installation of the water facilities and incidental purposes, by instrument dated August 29, 2011 and recorded September 19, 2011, as Entry No. 65836:2011.
7. Grant of Easement in favor of Central Utah Water Conservancy District, a political subdivision of the State of Utah, and its successors and assigns for a nonexclusive and perpetual easement and right-of-way, together with the right of ingress and egress, for the ownership, location, survey, installation, construction, reconstruction, operation, inspection, maintenance, repair, renewal and replacement of underground water pipelines and all equipment and facilities related thereto and for a temporary construction easement and right-of-way, together with the right of ingress and egress, for the initial construction and installation of the water facilities and incidental purposes, by instrument dated August 29, 2011 and recorded September 19, 2011, as Entry No. 65837:2011.

8. Agreement between Harbor View Development, L.L.C., a Utah limited liability company, Olive Tree Enterprises, LLC, a Utah limited liability company, NBFF Property, LLC, a Utah limited liability company and TACE, LLC, a Utah limited liability company, dated October 3, 2019 and recorded October 31, 2019 as Entry No. 113100:2019.
9. Easements, notes and restrictions as shown on the recorded plat for Kelton Apartments Phase 1 Plat, recorded April 13, 2021 as Entry No. 69769:2021.
10. Pioneering Agreement by and between White Horse Developers, a limited liability company and American Fork City, a municipal corporation and political subdivision of the State of Utah, dated March 9, 2021 and recorded June 24, 2021 as Entry No. 113930:2021.
11. Owner Acknowledgment and Utility Liability Indemnification by MWIC Turner Road UT, LLC, a Utah limited liability company and MWIC Parkway UT, LLC, a Utah limited liability company, dated March 18, 2021 and recorded September 2, 2021 as Entry No. 153225:2021.
12. Notice of Interest, High Groundwater Indemnification, dated March 11, 2021 and recorded September 2, 2021 as Entry No. 153226:2021.
13. Notice of Interest, Building Requirements, and Establishment of Restrictive Covenants, dated March 11, 2021 and recorded September 2, 2021 as Entry No. 153298:2021.
14. Storm Water Facility Agreement by and between MWIC Turner Road UT, LLC, a Utah limited liability company and MWIC Parkway UT, LLC, a Utah limited liability company and American Fork City, dated March 17, 2021 and recorded September 2, 2021 as Entry No. 153375:2021.
15. Pioneering Agreement by and between MWIC Turner Road UT, LLC, a Utah limited liability company and MWIC Parkway UT, LLC, a Utah limited liability company and American Fork City, a municipal corporation and political subdivision of the State of Utah, dated February 22, 2022 and recorded April 11, 2022 as Entry No. 44550:2022.
16. The following matters disclosed on that certain survey dated April 11, 2023, prepared by REDD Group, LLC, with last revision and certificate dated June 13, 2023, as REDD Group Project No. 23-1425, by Robbin J. Mullen, a Professional Land Surveyor holding License No. 368365:
  - a. Existing fences not located on boundary lines
  - b. Existing sign encroaches onto adjoining public right of way