

WHEN RECORDED, MAIL TO:

Snell & Wilmer L.L.P.
Attn: AJ Pepper
15 W. South Temple, Suite 1200
Salt Lake City, UT 84101

ENT4263:2021 PG 1 of 8
Andrea Allen
Utah County Recorder
2021 Jan 08 12:01 PM FEE 40.00 BY IP
RECORDED FOR First American Title Insurance Company
ELECTRONICALLY RECORDED

SPECIAL WARRANTY DEED

EM COMMERCIAL DEVELOPMENT, LLC, a Utah limited liability company, whose address is 1754 E. Cedar Trails Way, Eagle Mountain, Utah 84005 (“**Grantor**”), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **CONVEYS AND WARRANTS** against all who claim by, through, or under said Grantor, to **JERRY L. RIDLEY** and **CONSTANCE F. RIDLEY**, husband and wife as Joint Tenants with right of survivorship (the “**Grantee**”) that certain real property more particularly described on **Exhibit A** attached hereto (the “**Property**”);

TOGETHER WITH all improvements thereon, and any and all water rights, mineral rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges, entitlements, and appurtenances with respect to the Property, now or hereafter appertaining to, used or enjoyed with said real property, or any part thereof; and

SUBJECT TO the covenants, conditions, easements, rights-of-way, reservations and restrictions set forth on **Exhibit B** attached hereto.

The Property described on Exhibit A is a portion of a subdivision to be known as Marketplace at Eagle Mountain Town Center. This division of the Property is made pursuant to Utah Code Annotated § 10-9a-103(65)(c)(v), as consented to by Eagle Mountain City.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 7th day of January, 2021.

GRANTOR:

EM COMMERCIAL DEVELOPMENT, LLC,
a Utah limited liability company

By: its Manager
Name: CP EM, LLC,
a Utah limited liability company

By: [Signature]
Name: William Gaskill
Its: Manager

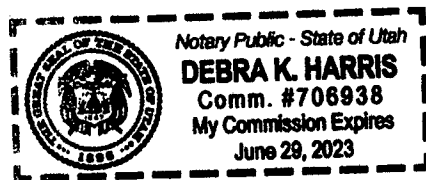
By: its Manager
Name: Diamante Vista, L.L.C.,
a Utah limited liability company

By: [Signature]
Name: Tiffany Walden
Its: Manager

STATE OF Utah §
COUNTY OF Salt Lake §

On January 7th, 2021, before me, the undersigned notary public, personally appeared William Gaskill, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature]
Notary Public



STATE OF Utah §
COUNTY OF Utah §

On January 7th, 2021, before me, the undersigned notary public, personally appeared Tiffany Walden, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Christine Giordano
Notary Public

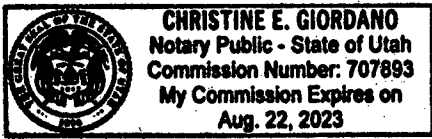


EXHIBIT A**Legal Description of the Property**

The Property located in Eagle Mountain City, Utah County, Utah is more particularly described as follows:

A part of the South Half of Section 12, Township 6 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey in Utah County, Utah:

Beginning at a point on the Northerly Line of Eagle Mountain Boulevard as widened to 61.00 foot half-width located 695.91 feet North $0^{\circ}27'04''$ East along the Section Line; and 2893.76 feet North $89^{\circ}32'56''$ West from the Southeast Corner of said Section 12; and running thence Northwesterly along the arc of a 9939.00 foot radius curve to the right a distance of 330.69 feet (Center bears North $20^{\circ}53'13''$ East, Central Angle equals $1^{\circ}54'23''$ and Long Chord bears North $68^{\circ}09'36''$ West 330.68 feet) along said Northerly Line of Eagle Mountain Boulevard; thence North $18^{\circ}56'36''$ East 231.08 feet; thence North $71^{\circ}03'24''$ West 188.24 feet; thence North $18^{\circ}56'36''$ East 130.88 feet; thence South $71^{\circ}03'24''$ East 25.75 feet; thence North $18^{\circ}56'36''$ East 281.83 feet; thence South $71^{\circ}03'24''$ East 403.95 feet; thence South $65^{\circ}19'22''$ East 70.35 feet; thence South $18^{\circ}56'36''$ West 292.28 feet; thence South $73^{\circ}41'43''$ East 58.11 feet; thence South $18^{\circ}56'36''$ West 258.00 feet; thence North $71^{\circ}03'24''$ West 39.25 feet; thence South $18^{\circ}56'36''$ West 105.88 feet to the Northerly Line of Eagle Mountain Boulevard and the point of beginning.

EXHIBIT B**Permitted Exceptions**

1. General property taxes for the year 2021 and subsequent, a lien not yet due and payable. Tax Parcel No. 59:044:0081.
2. General property taxes for the year 2021 and subsequent, a lien not yet due and payable. Tax Parcel No. 59:044:0082.
3. The land is located within the boundaries of Utah County Taxing District No. 38, Eagle Mountain City and is subject to any assessments or fees levied thereby. None due and payable as of Date of Policy.
4. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B.
5. Vehicular access is limited to openings permitted by Eagle Mountain City and the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2005.
6. Easements, notes, and restrictions as shown on the recorded Plat of Eagle Mountain Boulevard recorded October 23, 1997 as Entry No. 83435, Map Filing No. 7292-85 of Official Records.
7. Resolution No. 24-98 establishing the Eagle Mountain, Utah Special Improvement District No. 98-3 (Sweet Water Road/Storm Drainage Phase I) and the terms, conditions and limitations contained therein, recorded November 16, 1998 as Entry No. 118016 in Book 4859 at Page 74 of Official Records.
8. Any Easements as contained in that Special Warranty Deed by and between Eagle Mountain Properties, L.C. as Grantor, and the Town of Eagle Mountain as Grantee, recorded June 9, 2000 as Entry No. 45368:2000 of Official Records.
9. A Resolution establishing the Utah Valley Dispatch Special Service District, Utah County, Utah, and providing for other related matters recorded September 30, 2008 as Entry No. 107508:2008 of Official Records.

Certificate of Creation of the Utah Valley Dispatch Special Service District recorded October 22, 2008 as Entry No. 114949:2008 of Official Records.

10. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain declarations recorded October 29, 2009 as Entry No. 113261:2009 of Official Records, and any amendments thereto, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).

Amendment to declarations recorded December 13, 2010 as Entry No. 108314:2010 of Official Records.

Amendment to declarations recorded May 25, 2018 as Entry No. 49096:2018 of Official Records.

Amendment to declarations recorded June 14, 2019 as Entry No. 54420:2019 of Official Records.

Amendment to declarations recorded September 17, 2019 as Entry No. 92248:2019 of Official Records.

Amendment to declarations recorded November 8, 2019 as Entry No. 117084:2019 of Official Records.

Note: Said documents provide for among other things the formation of a management committee which has the power to assess and levy fees within the development.

11. Notice of Reinvestment Fee Covenant (Pursuant to Utah Code Ann. 56-1-46) and the terms, conditions and limitations contained therein, recorded May 20, 2010 as Entry No. 41553:2010 of Official Records.
12. Communications Easement Agreement in favor of FirstDigital Telecom, LLC, a Utah limited liability company recorded August 15, 2018 as Entry No. 77533:2018 of Official Records.
13. Matters disclosed by an ALTA/NSPS survey made by Anderson Wahlen & Associates on November 10, 2020, designated Job No. 18-180os.

CONSENT TO RECORD

Pursuant to Utah Code Ann. § 10-9a-103(65)(c)(v), Eagle Mountain City, a Utah municipal corporation (the "City"), consents to the conveyance of the that certain real property more particularly descried on Exhibit A attached hereto (the "Property") by metes and bounds prior to recordation of a plat of subdivision for the Property. EM Commercial Development, LLC, a Utah limited liability company, (the "Grantor"), and Jerry L. Ridley and Constance F. Ridley (collectively, the "Grantees"), expressly acknowledge that City's execution of a deed for the Property shall not in any way be deemed a waiver of the requirements that the Property owner comply with the City's approval and development process, including without limitation, recordation of a final plat. Recording of a deed for the Property alone shall not result in a requirement to complete any infrastructure improvements under Utah Code Ann. § 10-9a-604.5.

Dated this 7 day of January, 2021.

EAGLE MOUNTAIN CITY,
a Utah municipal corporation



By: [Signature]
Name: Tom Westmoreland
Its: Mayor

ATTEST:

BY: [Signature]
DEPUTY RECORDER
STATE OF UTAH)
) ss
COUNTY OF)

On the 7 day of January, 2021, personally appeared before me, the undersigned notary public, Tom Westmoreland, the Mayor of Eagle Mountain City, a Utah municipal corporation, the signer of the foregoing instrument who duly acknowledged that he/she executed the same.

[Signature]
NOTARY PUBLIC of Utah

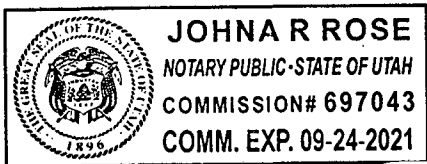


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