

When recorded return to:

Forestar (USA) Real Estate Group Inc.  
Legal Department  
1661 E. Camelback Rd. Suite 300  
Phoenix, AZ 85016  
Attn: Cody Backus

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Tax Parcel Nos. 00-0021-6813

### **SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THACKERAY FAMILY HOLDINGS II, LLC, a Utah limited liability company and JOHANSEN FAMILY HOLDINGS II, LLC, a Utah limited liability company (collectively, "Grantors"), whose address is 1165 E. Wilmington Ave., Salt Lake City, Utah 84106, hereby conveys and warrants against all who claim by, through, or under Grantor, to FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation ("Grantee"), whose business address is, 2221 E. Lamar Blvd., Suite 790, Arlington, Texas 76006, the real property located in Wasatch County, Utah described on Exhibit A attached hereto and made a part hereof (the "Real Property"), subject to the matters set forth on Exhibit B attached hereto and made a part hereof, and together with all appurtenances.

Dated to be effective as of July 30, 2024.

[Signature and Acknowledgment Page Follows]





**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

**LEGAL DESCRIPTION OF THE REAL PROPERTY**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE WASATCH CANAL, AND THE SOUTH PROPERTY LINE OF THE UTAH VALLEY STATE COLLEGE PROPERTY AS DESCRIBED PER ENTRY NO. 333087, SAID INTERSECTION BEING NORTH 00°29'50" WEST 118.62 FEET ALONG THE SECTION LINE AND EAST 427.42 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS);

RUNNING THENCE ALONG SAID SOUTH PROPERTY LINE NORTH 58°00'22" EAST 149.69 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES & DISTANCES:

- (1) SOUTHERLY 24.35 FEET ALONG THE ARC OF A 216.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 42°51'11" EAST; CHORD TO SAID CURVE BEARS SOUTH 50°22'35" EAST 24.34 FEET;
- (2) SOUTH 53°36'20" EAST 121.21 FEET TO A POINT OF CURVATURE WITH A 284.00 FOOT RADIUS CURVE TO THE RIGHT;
- (3) SOUTHEASTERLY 60.81 FEET ALONG THE ARC OF SAID CURVE; CHORD TO SAID CURVE BEARS SOUTH 47°28'19" EAST 60.69 FEET;
- (4) SOUTH 41°20'17" EAST 164.09 FEET TO A POINT OF CURVATURE WITH A 541.50 FOOT RADIUS CURVE TO THE LEFT;
- (5) SOUTHEASTERLY 459.88 FEET ALONG THE ARC OF SAID CURVE; CHORD TO SAID CURVE BEARS SOUTH 65°40'04" EAST 446.18 FEET;
- (6) SOUTH 89°59'51" EAST 195.43 FEET TO A POINT OF CURVATURE WITH A 441.50 FOOT RADIUS CURVE TO THE LEFT;
- (7) EASTERLY 167.73 FEET ALONG THE ARC OF SAID CURVE; CHORD TO SAID CURVE BEARS NORTH 79°07'07" EAST 166.73 FEET;
- (8) NORTH 21°45'54" WEST 3.00 FEET TO A POINT OF CURVATURE WITH A 10.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 21°45'54" WEST;
- (9) NORTHERLY 15.07 FEET ALONG THE ARC OF SAID CURVE; CHORD TO SAID CURVE BEARS

NORTH 25°04'35" EAST 13.68 FEET;

(10) NORTHERLY 400.91 FEET ALONG THE ARC OF A 637.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THE CENTER OF WHICH BEARS NORTH 71°55'04" EAST; CHORD TO SAID CURVE BEARS NORTH 00°03'07" WEST 394.33 FEET)

THENCE SOUTH 70°50'04" EAST 89.02 FEET TO A POINT ON A 548.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 72°12'51" EAST; THENCE SOUTHERLY 302.80 FEET ALONG THE ARC OF SAID CURVE AND A LONG CHORD OF SOUTH 01°57'23" WEST 298.96 FEET; THENCE EAST 57.67 FEET; THENCE SOUTH 15.05 FEET; THENCE EAST 282.00 FEET; THENCE SOUTH 42.40 FEET; THENCE EAST 100.58 FEET TO A POINT ON THE WEST LINE OF THE MARK POTTER PARCEL, AS DESCRIBED PER ENTRY NO. 544002, ON FILE IN THE OFFICE OF THE WASATCH COUNTY RECORDER; THENCE ALONG THE WEST PROPERTY LINE OF SAID PARCEL SOUTH 0°00'48" WEST 402.60 FEET TO THE NORTHWEST CORNER OF THE MARK POTTER PARCEL 2, AS DESCRIBED PER SAID ENTRY NO. 544002; THENCE SOUTH 0°32'12" EAST 134.12 FEET TO THE SOUTHWEST PROPERTY CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTH PROPERTY LINE NORTH 89°49'38" EAST 170.29 FEET; THENCE SOUTH 118.57 FEET; THENCE SOUTH 01°25'56" WEST 40.01 FEET; THENCE SOUTH 93.00 FEET; THENCE WEST 51.71 FEET; THENCE NORTH 88°41'42" WEST 43.91 FEET; THENCE WEST 92.44 FEET; THENCE SOUTH 65.31 FEET; THENCE SOUTH 48°45'17" EAST 36.50 FEET; THENCE SOUTH 41°14'43" WEST 93.00 FEET;

THENCE SOUTH 48°45'17" EAST 8.51 FEET; THENCE SOUTH 41°14'43" WEST 291.50 FEET; THENCE NORTH 48°45'17" WEST 52.06 FEET; THENCE SOUTH 41°14'43" WEST 231.00 FEET; THENCE NORTH 48°45'17" WEST 10.00 FEET;

THENCE SOUTH 41°14'46" WEST 85.00 FEET; THENCE SOUTH 48°45'17" EAST 50.69 FEET; THENCE SOUTH 41°14'56" WEST 121.14 FEET TO A POINT ON THE WEST LINE OF WASATCH CANAL AS DESCRIBED IN THAT CONTRACT AND GRANT OF EASEMENT RECORDED AS ENTRY NO. 212641 OF SAID RECORDS; THENCE ALONG SAID WEST LINE OF THE WASATCH CANAL THE FOLLOWING FORTY-NINE COURSES:

(1) NORTH 56°31'55" WEST 24.56 FEET; (2) NORTHWESTERLY 52.18 FEET ALONG A 139.48 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 21°26'10" AND A LONG CHORD OF NORTH 45°48'50" WEST 51.88 FEET; (3) NORTH 35°05'45" WEST 32.66 FEET; (4) NORTHWESTERLY 24.90 FEET ALONG A 52.16 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 27°21'17" AND A LONG CHORD OF NORTH 48°46'23" WEST 24.67 FEET; (5) NORTH 62°27'02" WEST 31.01 FEET; (6) NORTHWESTERLY 59.68 FEET ALONG A 100.00 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 34°11'34" AND A LONG CHORD OF NORTH 45°21'15" WEST 58.80 FEET; (7) NORTH 28°15'28" WEST 46.48 FEET; (8) NORTHWESTERLY 27.92 FEET ALONG A 75.00 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 21°19'55" AND A LONG CHORD OF NORTH 38°55'26" WEST 27.76 FEET; (9) NORTH 49°35'23" WEST 30.70 FEET; (10) NORTHWESTERLY 89.92 FEET ALONG A 200.95 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 25°38'22" AND A LONG CHORD OF NORTH 36°46'12" WEST 89.18 FEET; (11) NORTH 23°57'01" WEST 161.09 FEET; (12) NORTHERLY 56.02 FEET ALONG A 129.03 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24°52'29" AND A LONG CHORD OF NORTH 11°30'47" WEST 55.58 FEET; (13) NORTH 0°55'28" EAST 27.79 FEET; (14) NORTHWESTERLY 13.67 FEET ALONG A 19.04 FEET

RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 41°08'53" AND A LONG CHORD OF NORTH 19°38'58" WEST 13.38 FEET; (15) NORTH 40°13'25" WEST 94.27 FEET; (16) NORTHERLY 88.73 FEET ALONG A 107.33 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 47°22'02" AND A LONG CHORD OF NORTH 16°32'24" WEST 86.23 FEET; (17) NORTH 7°08'37" EAST 78.23 FEET; (18) NORTHERLY 25.17 FEET ALONG A 99.68 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 14°27'55" AND A LONG CHORD OF NORTH 0°05'21" WEST 25.10 FEET; (19) NORTH 7°19'18" WEST 115.57 FEET; (20) NORTHWESTERLY 22.33 FEET ALONG A 12.44 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 102°52'01" AND A LONG CHORD OF NORTH 58°45'19" WEST 19.45 FEET; (21) SOUTH 69°48'41" WEST 41.25 FEET; (22) NORTHWESTERLY 126.93 FEET ALONG A 109.54 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 66°23'22" AND A LONG CHORD OF NORTH 76°59'38" WEST 119.94 FEET; (23) NORTH 43°47'57" WEST 25.44 FEET; (24) NORTHWESTERLY 32.56 FEET ALONG A 99.98 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°39'30" AND A LONG CHORD OF NORTH 53°07'42" WEST 32.41 FEET; (25) NORTHWESTERLY 45.58 FEET ALONG A 162.73 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 16°02'54" AND A LONG CHORD OF NORTH 54°26'00" WEST 45.43 FEET; (26) NORTH 46°24'33" WEST 16.21 FEET; (27) NORTHERLY 91.08 FEET ALONG A 98.34 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 53°04'03" AND A LONG CHORD OF NORTH 19°52'32" WEST 87.86 FEET; (28) NORTH 6°39'30" EAST 49.88 FEET; (29) NORTHWESTERLY 4.32 FEET ALONG A 3.28 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 75°25'34" AND A LONG CHORD OF NORTH 31°03'17" WEST 4.01 FEET; (30) NORTH 68°46'04" WEST 27.75 FEET; (31) NORTHWESTERLY 50.30 FEET ALONG A 340.23 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 8°28'12" AND A LONG CHORD OF NORTH 73°00'10" WEST 50.25 FEET; (32) NORTH 77°14'16" WEST 41.08 FEET; (33) NORTHWESTERLY 51.44 FEET ALONG A 124.93 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 23°35'29" AND A LONG CHORD OF NORTH 65°26'31" WEST 51.08 FEET; (34) NORTH 53°38'47" WEST 38.81 FEET; (35) NORTHWESTERLY 61.02 FEET ALONG A 138.65 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 25°12'50" AND A LONG CHORD OF NORTH 41°02'22" WEST 60.52 FEET; (36) NORTH 28°25'57" WEST 39.08 FEET; (37) NORTHWESTERLY 43.52 FEET ALONG A 64.31 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 38°46'17" AND A LONG CHORD OF NORTH 47°49'05" WEST 42.69 FEET; (38) NORTH 67°12'14" WEST 30.51 FEET; (39) NORTHWESTERLY 99.61 FEET ALONG A 133.72 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 42°40'53" AND A LONG CHORD OF NORTH 45°51'47" WEST 97.32 FEET; (40) NORTH 24°31'21" WEST 30.12 FEET; (41) NORTHWESTERLY 61.74 FEET ALONG A 273.10 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12°57'12" AND A LONG CHORD OF NORTH 30°59'57" WEST 61.61 FEET; (42) NORTH 37°28'33" WEST 20.28 FEET; (43) NORTHERLY 79.97 FEET ALONG A 65.40 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 70°03'24" AND A LONG CHORD OF NORTH 2°26'51" WEST 75.08 FEET; (44) NORTH 32°34'51" EAST 61.85 FEET; (45) NORTHERLY 4.17 FEET ALONG A 4.35 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 54°54'55" AND A LONG CHORD OF NORTH 5°07'24" EAST 4.01 FEET; (46) NORTH 22°20'04" WEST 44.62 FEET; (47) NORTHERLY 41.59 FEET ALONG A 59.20 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 40°14'52" AND A LONG CHORD OF NORTH 2°12'38"

WEST 40.74 FEET; (48) NORTH 17°54'48" EAST 63.72 FEET; (49) NORTHERLY 6.30 FEET ALONG A 12.00 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°03'44" AND A LONG CHORD OF NORTH 2°52'56" EAST 6.22 FEET TO THE POINT OF BEGINNING.

CONTAINING 37.085 ACRES.

**LESS & EXCEPTING THERFROM: STACKED FLATS SOUTH PARCEL**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD; SAID POINT BEING NORTH 00°29'50" WEST 152.68 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 503.57 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS);

AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES & DISTANCES:

- (1) SOUTHERLY 38.69 FEET ALONG THE ARC OF A 284.00 FOOT RADIUS CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 44°12'02" EAST; (CHORD TO SAID CURVE BEARS SOUTH 49°42'09" EAST 38.66 FEET);
- (2) SOUTH 53°36'20" EAST 121.21 FEET TO A POINT ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT;
- (3) SOUTHEASTERLY 46.25 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 47°28'19" EAST 46.16 FEET);
- (4) SOUTH 41°20'17" EAST 164.09 FEET TO A POINT ON A 609.50 FOOT RADIUS CURVE TO THE LEFT;
- (5) EASTERLY 517.63 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 65°40'04" EAST 502.21 FEET);
- (6) SOUTH 89°59'51" EAST 44.75 FEET TO A POINT ON A 13.00 FOOT RADIUS CURVE TO THE RIGHT;
- (7) SOUTHEASTERLY 20.42 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 44°59'51" EAST 18.38 FEET);
- (8) SOUTH 00°00'09" WEST 9.95 FEET TO A POINT ON A 518.00 FOOT RADIUS CURVE TO THE LEFT;
- (9) SOUTHERLY 214.66 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 11°52'09" EAST 213.12 FEET);

(10) SOUTH 23°44'26" EAST 10.82 FEET TO A POINT ON A 180.47 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 23°05'57" EAST; THENCE SOUTHWESTERLY 42.68 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 60°07'34" WEST 42.58 FEET); TO A POINT ON A 73.66 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHERLY 39.69 FEET ALONG THE ARC OF SAID CURVE; THE CENTER OF WHICH BEARS NORTH 55°31'30" EAST; (CHORD TO SAID CURVE BEARS NORTH 19°02'25" WEST 39.21 FEET) THENCE NORTH 02°25'50" WEST 3.92 FEET TO A POINT ON A 37.44 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 56.64 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 42°02'21" WEST 51.39 FEET); THENCE NORTH 89°17'32" WEST 90.77 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 15.89 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 84°44'24" WEST 15.87 FEET; THENCE NORTH 80°11'17" WEST 114.82 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 17.78 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 75°05'39" WEST 17.76 FEET); THENCE NORTH 70°00'00" WEST 113.78 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 16.46 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 65°17'05" WEST 16.44 FEET); THENCE NORTH 60°34'11" WEST 158.86 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 28.96 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 52°16'24" WEST 28.86 FEET); THENCE NORTH 43°58'37" WEST 104.25 FEET; THENCE NORTH 40°49'41" WEST 239.61 FEET TO A POINT ON A 87.66 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 68°05'19" WEST; THENCE NORTHERLY 70.44 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 01°06'41" WEST 68.56 FEET) THENCE NORTHERLY 63.22 FEET ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS NORTH 02°12'38" WEST 61.93 FEET); THENCE NORTH 17°54'48" EAST 22.06 FEET TO A POINT ON A 96.08 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY 67.19 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 02°27'05" WEST 65.82 FEET) TO THE POINT OF BEGINNING.

CONTAINING: OR 4.038 ACRES



**EXHIBIT B  
TO  
SPECIAL WARRANTY DEED**

**PERMITTED EXCEPTIONS**

1. Intentionally Deleted by Title Company.
2. Intentionally Deleted by Title Company.
3. Intentionally Deleted by Title Company.
4. Intentionally Deleted by Title Company.
5. Intentionally Deleted by Title Company.
6. Intentionally Deleted by Title Company.
7. Intentionally Deleted by Title Company.
8. Intentionally Deleted by Title Company.
9. Taxes for the year 2024 are accruing as a lien not yet due and payable under Parcel No. 00-0021-6813. Taxes for the year 2023 have been paid in the amount of \$59,976.67 under Parcel No. 00-0021-6813. (affects this and other land)
10. The herein described Land is located within the boundaries of Wasatch County School District, Central Utah Water Conservancy District, Jordanelle Special Service District, Wasatch County Park and Recreation Special Service District No. 2, Wasatch County Fire Protection Special Service District, Heber City, 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. Intentionally Deleted by Title Company.
14. Contract and Grant of Easement between The United States of America and James W. Winkler and Barbara J. Winkler, husband and wife for a perpetual easement including the right of ingress and egress to construct, reconstruct, realign, enlarge, improve, relocate, repair, operate, and maintain the Timpanogos Canal and Wasatch Canal and appurtenant structures and incidental purposes, by instrument dated August 3, 1998 and recorded April 1, 1999, as Entry No. 212641, in Book 419, at Page 74.

Termination of Temporary Easement, recorded March 15, 2002 as Entry No. 242798 in Book 550 at Page 532.

15. Notice of Interest wherein Wasatch County Special Service Area No. 1 has an easement across said Land by virtue of an Easement Agreement dated September 8, 1999. Said Notice of Interest recorded September 28, 1999 as Entry No. 218182 in Book 438 at Page 443.

Pipeline Easements, recorded June 13, 2003 as Entry No. 259146 in Book 630 at Page 752.

Notice of Location of Easement, recorded August 19, 2005 as Entry No. 287390 in Book 778 at Page 402.

Assignment of Notice of Location of Easements and Related Easements and Rights-of-Way in favor of Central Utah Water Conservancy District, a body corporate and politic of the State of Utah, recorded April 28, 2015 as Entry No. 411327 in Book 1128 at Page 164.

16. Agreement Concerning Easements by and between James W. Winkler and James W. Winkler, Trustee, under the James W. Winkler Family Living Trust dated June 30, 1998 and any amendments thereto and Investment Lodging Corporation, a Utah corporation, dated September 6, 2005 and recorded September 12, 2005 as Entry No. 288575 in Book 785 at Page 278.
17. Right of Way for Wasatch Canal, and any facilities appurtenant thereto, including but not limited to, water pipelines and ditches, as the same may be found to intersect the herein described Land, together with any rights or asserted rights in and to said Canal or pertaining to the use and maintenance of said Canal. The Company further excepts any adverse claim based on (i) the assertion that some of the boundaries of the herein described Land have been affected by a change in the course of said Canal; (ii) the uncertainty of the boundaries of said Canal; and (iii) the assertion that the Land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
18. Intentionally Deleted by Title Company.
19. Wasatch Commons Supplemental Development Agreement by and between Cardinal Funding, L.C., a Utah limited liability company and Wasatch County, a political subdivision of the State of Utah, recorded September 10, 2010 as Entry No. 362480 in Book 1021 at Page 247.
- Notice of Compliance Wasatch Commons Supplemental Development Agreement, recorded March 26, 2015 as Entry No. 410361 in Book 1125 at Page 1783.
20. Notice of Approval of Reconfiguration of Real Property Parcels, recorded October 1, 2013 as Entry No. 394389 in Book 1091 at Page 1005.
- Corrected Notice of Approval of Reconfiguration of Real Property Parcels, recorded December 13, 2013 as Entry No. 396882 in Book 1096 at Page 729.
21. North Village Special Service District Culinary Water and Sanitary Sewer Development and Service Agreement by and between North Village Special Service District, a political subdivision of the State of Utah and Cardinal Funding, L.C., a Utah limited liability company, dated September 11, 2017 and recorded September 13, 2017 as Entry No. 442686 in Book 1201 at Page 503.
22. Ordinance No. 2021-38 Approving the Highlands Annexation Located at Approximately 3000 North Highway 40, recorded April 14, 2022 as Entry No. 518203 in Book 1405 at Page 1517.
- Third Amendment to Development Agreement for the Highlands Master Planned Community recorded March 6, 2024 as Entry No. 542653 in Book 1468 at Page 234.
- Ordinance No. 2024-01 Approving the Third Amendment to Development Agreement for the Highlands Master Planned Community recorded March 6, 2024 as Entry No. 542654 in Book

1468 at Page 287.

23. Intentionally Deleted by Title Company.
24. Intentionally Deleted by Title Company.
25. Intentionally Deleted by Title Company.
26. Intentionally Deleted by Title Company.
27. The following matters disclosed on that certain survey prepared by Ward Engineering Group, dated February 27, 2023, as Job No. 1305-CIT026-15, by Sattar N. Tabriz, a Professional Land Surveyor holding License No. 155100:
  - a. Wasatch Canal along Southwesterly boundary.
  - b. Existing Bridge and existing Bridge Structure and utility crossings over the Wasatch Canal.
  - c. Paved Access Road from end of dedicated roadway Southwesterly of subject Land, traversing said Land to Viewpoint Holdings, LLC parcels.
  - d. Existing Building Foundations.
  - e. Existing A.C. Landing Strip.
  - f. Existing A.C. Surface.
  - g. Various utility lines and/or facilities lying outside of recorded easements.
  - h. Fence lines do not coincide with record boundaries.

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