

CONVEYANCE

David Steffensen ("GRANTOR"), for TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does by these presents hereby GRANT, BARGAIN, SELL, CONVEY AND ASSIGN the entirety of his interest in and to the document ("Document") filed of record as Document Number 96763-2008 in the official public records of the County of Utah, State of Utah, which document affects that certain real property situated in said County and State more particularly described on attached Exhibit A,

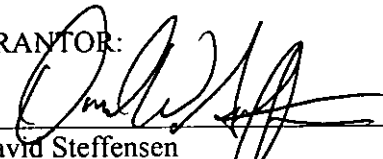
unto the following:

RFR HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY, c/o 448 E. 6400 S., Ste 450, Salt Lake City, Utah 84107, an undivided FIFTY PERCENT (50%) INTEREST; and unto

MNL HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY, c/o 2170 Scenic Drive, Salt Lake City, Utah 84109, the remaining FIFTY PERCENT (50%) INTEREST,

(hereafter collectively "GRANTEES") (the foregoing representing 100% of Grantor's interest in the Document).

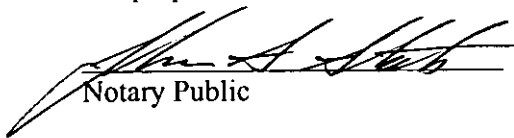
TO HAVE AND TO HOLD all and singular, the rights, privileges, appurtenances, interests and immunities thereto belonging or in any wise appertaining unto the said GRANTEES and unto GRANTEES' respective heirs, successors and assigns forever.

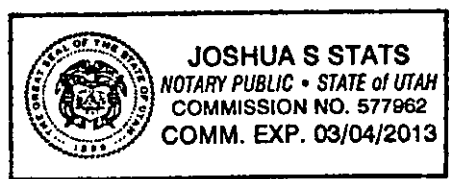
GRANTOR:


David Steffensen

STATE OF UTAH)
:SS
COUNTY OF UTAH)

On 6/17/09 personally before me, a Notary Public, personally appeared David Steffensen, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and for the purposes stated therein.


Notary Public



384
13

When Recorded
Return To
Thor Roundy, Esq.
448 East 400 South, Ste. 100
Salt Lake City, UT 84111

ENT 96763:2008 PG 1 of 13
RANDALL A. GOVINGTON
UTAH COUNTY RECORDER
2008 Aug 29 2:49 pm FEE 384.00-BY SS
RECORDED FOR SIMONSEN, SCOTT

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

NOTICE TO CLOSING AGENT, SELLER AND PURCHASER

THIS INSTRUMENT MAY REQUIRE COLLECTION OF A FEE,
CHARGE OR ASSESSMENT IN CONNECTION WITH CONVEYANCE OF TITLE.

Instructions to Closing Agent: Check the official public records for subsequent amendments to this Instrument. Check paragraph 6 of this Instrument for exempt sales. For non-exempt sales made before expiration of this Instrument (see paragraph 2), collect one percent (1%) of the Gross Sales Price from the Seller (see paragraph 5), retain Closing Agent fee (see ¶13e) and remit balance to Trustee (see paragraphs 9, 14). Contact Trustee with inquiries related to this Instrument and for assistance with closing. See also ¶13.

KNOW ALL MEN BY THESE PRESENTS THAT this Declaration is made by **FOX HOLLOW SARATOGA, LLC, A UTAH LIMITED LIABILITY COMPANY**, whose mailing address is 3750 West 500, South Salt Lake City, UT 84104 (hereinafter "Declarant") together with all of Declarant's heirs, successors and assigns and is as follows:

WITNESSETH:

WHEREAS, Declarant is the present owner of that certain real property ("Property") located in Utah County, State of Utah, described as follows:

Assessor Parcel #(s): _____

The real property located in Utah County, Utah, as more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Declarant hereby declares that the Property shall be held, sold, subjected to and conveyed subject to the following covenants, conditions, restrictions, charges, obligations, duties and Liens, ("Covenants");

1. **DEFINITIONS.** In addition to words and phrases defined elsewhere in this Instrument, the following definitions shall apply:

a. "Beneficiary" shall refer to each party entitled to all or part of a Transfer Fee paid pursuant to this Instrument. The plural term "Beneficiaries" shall refer to all parties entitled

EXHIBIT A

Parcel One:

Beginning at the West Quarter corner of Section 12, Township 6 South, Range 1 West, Salt Lake Base and Meridian; thence North 89°42'52" East along Quarter Section line 3910.47 feet to the Easterly boundary of the Village of Fox Hollow, Plat 1; thence the following three courses and distances along said Easterly boundary: 1) South 23°52'14" East 209.27 feet; 2) along the arc of a 2897.79 foot radius curve to the left, 276.57 feet through a central angle of 05°28'06" (chord bears South 26°29'14" East 276.47 feet); and 3) South 65°39'53" West 3.56 feet to the Westerly right of way of redwood road; thence the following three courses and distances along said Westerly right of way: 1) along the arc of a 2897.79 foot radius curve to the left 400.10 feet through a central angle of 07°54'39" (chord bears South 31°07'54" East for 399.78 feet); 2) South 37°07'44" East 254.89 feet; and 3) South 35°05'14" East 434.06 feet; thence North 89°57'46" West 1727.21 feet; thence South 41°05'44" West 412.10 feet to Quarter Section line; thence South 00°34'37" East along Quarter Section line 1006.90 feet to the South Quarter corner of said Section 12; thence North 89°46'43" West along the Section line 1375.31 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 13, Township 6 South, Range 1 West; thence South 00°13'35" West 1311.94 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 13; thence North 89°45'00" West 1374.37 feet to the Northeast corner of the South half of the Northeast Quarter of Section 14, Township 6 South, Range 1 West; thence South 00°11'07" West along Section line 1311.26 feet to the East Quarter corner of said Section 14; thence North 89°40'29" West along Quarter Section line 1347.98 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 14; thence South 00°20'25" East 1314.61 feet to the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 14; thence North 89°40'19" West 1334.69 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 14; thence North 00°55'09" West along Quarter line 1314.787 feet to the Southeast corner of the East half of the Northwest Quarter of said Section 14; thence North 89°40'29" West along Quarter Section line 1347.81 feet to the Southwest corner of the East half of the Northwest Quarter of said Section 14; thence North 01°27'21" West 2618.47 feet to the Northwest corner of the East half of the Northwest Quarter of said Section 14; thence South 89°47'40" East along Section line 1372.29 feet to the North Quarter corner of said Section 14; thence South 00°55'09" East along Quarter Section line 1310.34 feet to the Northwest corner of the South half of the Northeast Quarter of said Section 14; thence South 89°42'01" East 1360.60 feet to the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 14; thence North 00°22'00" West 1310.74 feet to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 14; thence South 89°43'32" East along Section line 1373.23 feet to the Southwest corner of said Section 12; thence North 00°17'21" East along Section 2635.06 feet to the point of beginning. Less and excepting any and all lands located within the Village of Fox Hollow Plats 1, 2, 3, 4, 5, and 6; and The Village of Fox Hollow Plat Neighborhood 2 phase 2 thru phase 4. Also Less and excepting Lots 3101 thru 3116, 3128 and 3130 of The Village of Fox Hollow Plat, Neighborhood "3-A". Also less and excepting any portion within the following

described parcel of land: The South half of the Southeast 1/4 of Section 12, Township 6 South, Range 1 West, Salt Lake Base and Meridian. Less and excepting that portion that lies Easterly of the Western right of way line of state highway 68; and less and excepting that portion on the Northwesterly corner of this parcel that is included within the legal description of the parcel of land for tax id no. 59-012-0010 which legal description is described as follows: beginning at the West Quarter corner of Section 12, Township 6 South, Range 1 West, Salt Lake Base and Meridian; thence North $89^{\circ}50'38''$ East 2,710.59 feet along the Quarter Section line to the center of said Section; thence North $89^{\circ}50'38''$ East 1,199.88 feet along the Quarter Section line; thence South $23^{\circ}51'28''$ East 84.23 feet; thence South $9^{\circ}02'49''$ West 90.95 feet; thence South $55^{\circ}41'49''$ West 171.89 feet; thence on a 16.50 foot radius curve to the left 38.60 feet, having a central angle of $134^{\circ}01'46''$ and whose long chord bears South $11^{\circ}18'11''$ East 30.38 feet; thence South $78^{\circ}18'11''$ East 282.80 feet; thence on a 2,897.79 foot radius curve to the left 104.55 feet, having a central angle of $2^{\circ}04'02''$ and whose long chord bears South $28^{\circ}16'01''$ East 104.54 feet; thence South $65^{\circ}58'00''$ West 748.59 feet; thence on a 640.00 foot radius curve to the right 60.31 feet, having a central angle of $5^{\circ}23'58''$ and whose long chord bears South $68^{\circ}39'59''$ West 60.29 feet; thence South $11^{\circ}28'54''$ West 185.01 feet; thence South $41^{\circ}06'30''$ West 918.29 feet; thence North $48^{\circ}53'30''$ West 263.28 feet; thence North $55^{\circ}55'52''$ West 79.81 feet; thence South $34^{\circ}45'07''$ West 41.74 feet; thence North $56^{\circ}03'37''$ West 56.00 feet; thence on a 15.00 foot radius curve to the left 22.78 feet, having a central angle of $87^{\circ}01'17''$ and whose long chord bears North $9^{\circ}34'16''$ West 20.65 feet; thence on a 322.00 foot radius curve to the left 196.34 feet, having a central angle of $34^{\circ}56'11''$ and whose long chord bears North $72^{\circ}13'47''$ West 193.31 feet; thence North $89^{\circ}41'53''$ West 505.51 feet; thence on a 928.00 foot radius curve to the right 119.14 feet, having a central angle of $7^{\circ}21'20''$ and whose long chord bears North $86^{\circ}01'13''$ West 119.05 feet; thence North $82^{\circ}20'33''$ West 126.60 feet; thence on a 15.00 foot radius curve to the left 24.01 feet, having a central angle of $91^{\circ}42'19''$ and whose long chord bears South $51^{\circ}48'18''$ West 21.53 feet; thence on a 1,460.00 foot radius curve to the left 81.65 feet, having a central angle of $3^{\circ}12'15''$ and whose long chord bears South $4^{\circ}21'01''$ West 81.64 feet; thence South $2^{\circ}44'53''$ West 595.30 feet; thence on a 1,640.00 foot radius curve to the right 213.60 feet, having a central angle of $7^{\circ}27'45''$ and whose long chord bears South $6^{\circ}28'45''$ West 213.45 feet; thence on a 25.00 foot radius curve to the left 38.40 feet, having a central angle of $88^{\circ}00'14''$ and whose long chord bears South $33^{\circ}47'29''$ East 34.73 feet; thence South $12^{\circ}12'24''$ West 66.00 feet; thence on a 25.00 foot radius curve to the left 38.40 feet, having a central angle of $88^{\circ}00'13''$ and whose long chord bears South $58^{\circ}12'18''$ West 34.73 feet; thence North $77^{\circ}06'33''$ West 80.02 feet; thence on a 25.00 foot radius curve to the left 41.02 feet, having a central angle of $94^{\circ}00'36''$ and whose long chord bears North $32^{\circ}44'05''$ West 36.57 feet; thence North $79^{\circ}44'23''$ West 69.32 feet; thence North $78^{\circ}33'17''$ West 85.87 feet; thence North $77^{\circ}33'10''$ West 64.43 feet; thence on a 628.00 foot radius curve to the right 162.08 feet, having a central angle of $14^{\circ}47'15''$ and whose long chord bears North $70^{\circ}09'33''$ West 161.63 feet; thence North $62^{\circ}45'55''$ West 88.50 feet; thence on a 228.00 foot radius curve to the right 250.97 feet, having a central angle of $63^{\circ}04'02''$ and whose long chord bears North $31^{\circ}13'54''$ West 238.49 feet; thence North $0^{\circ}18'07''$ East 148.09 feet; thence on a 228.00 foot radius curve to the right 80.89 feet, having a central angle of $20^{\circ}19'35''$ and whose long chord bears North $10^{\circ}27'54''$ East 80.46 feet; thence on a 15.00 foot radius curve to the left 20.89 feet, having a central angle of $79^{\circ}48'27''$ and whose long chord bears North $19^{\circ}16'32''$ West 19.25 feet; thence North $59^{\circ}10'45''$ West 209.91 feet; thence on a 15.00 foot radius curve to the left 28.03 feet, having a central angle of $107^{\circ}04'48''$ and whose long chord bears South $67^{\circ}16'51''$ West 24.13 feet; thence North $59^{\circ}12'40''$ West 59.22 feet; thence on a 15.65 foot radius curve to the left 28.18 feet, having a central angle of $103^{\circ}08'05''$ and whose long chord bears North $6^{\circ}45'11''$ West 24.53 feet; thence North $59^{\circ}10'45''$ West 196.10 feet; thence North $59^{\circ}09'47''$ West 88.24 feet; thence on a 272.00 foot radius curve to the left 124.81 feet, having a central angle of $26^{\circ}17'27''$ and whose

long chord bears North 76°28'45" West 123.72 feet; thence North 89°37'29" West 96.30 feet; thence North 0°18'07" East 1,358.75 feet along the West Section line of the Southwest Quarter of Section 12 (said Section line being the basis of bearing of this description), Township 6 South, Range 1 West, Salt Lake Base and Meridian to the point of beginning.

Parcel Two:

Lots 411, 413 and 418 Plat "4", The Village of Fox Hollow Subdivision, as on record in the Office of the Utah County Recorder, State of Utah.

Lots 504, 508, 510, 511, 512 and 513 Plat "5", The Village of Fox Hollow Subdivision, as on record in the Office of the Utah County Recorder, State of Utah.

Lot 606 thru 618, 620 and 622 of Plat "6", The Village of Fox Hollow Subdivision, as on record in the Office of the Utah County Recorder, State of Utah.