

WHEN RECORDED, MAIL TAX NOTICE TO:

The Thackeray Company  
1165 E. Wilmington Ave., Suite 275  
Salt Lake City, UT 84106

Tax Parcel No. Part of Parcel ID No. 00-0007-8431

**SPECIAL WARRANTY DEED**

**CARDINAL FUNDING, L.C.**, a Utah limited liability company, ("Grantor"), hereby conveys and warrants against all claiming by, through or under Grantor only, to **JOHANSEN FAMILY HOLDINGS II, LLC**, a Utah limited liability company, whose address is 1165 E. Wilmington Ave., Suite 275, Salt Lake City, UT 84106 ("Grantee"), for the sum of Ten Dollars and other good and valuable consideration, an undivided fifty percent (50.0%) interest as a tenant in common, in an to the following described tract of land in Wasatch County, State of Utah:

See legal description on Exhibit "A" attached hereto and incorporated by reference herein.

TOGETHER WITH all improvements located thereon and all appurtenances related thereto including, without limitation, all rights and interests in any assignable licenses, permits, mineral rights, water rights, easements, rights-of-way and other items appurtenant or pertaining thereto

SUBJECT TO the lien for general taxes and assessments not yet due and payable and those matters (other than financial encumbrances) appearing of record or discoverable by a survey of the property.

*[signature and acknowledgment to follow]*

**SIGNATURE PAGE  
TO  
SPECIAL WARRANTY DEED**

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 30 day of December 2021.

**CARDINAL FUNDING, L.C.,**  
a Utah limited liability company

By: [Signature]  
Name: John R. Thackeray  
Title: Manager

By: [Signature]  
Name: Armand D. Johansen  
Title: Manager

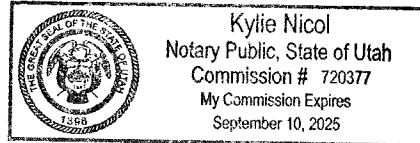
STATE OF UTAH            )  
  )  
COUNTY OF SALT LAKE )

On this 30 day of ~~January~~ <sup>December</sup> 2021 before me, KYLIE NICOL, a notary public, personally appeared John R. Thackeray and Armand D. Johansen, the managers of Cardinal Funding, L.C., a Utah limited liability company, proved on the basis of satisfactory name of document signer evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

Witness my hand and official seal.

[Signature]  
(Notary Signature)

(Seal)



**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

Real property located in Wasatch County, State of Utah specifically described as follows:

North Parcel:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE WEST HALF OF SECTION 20 ALL IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 40 PROJECT NO. F-019-1(1), SAID INTERSECTION BEING EAST 214.59 FEET AND SOUTH 1260.57 FEET FROM THE 2005 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); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 32°00'02" WEST 1,057.48 FEET TO THE SOUTHEASTERLY LINE OF PARCEL 2 AS DESCRIBED IN THAT WARRANTY DEED TO UTAH VALLEY STATE COLLEGE RECORDED AS ENTRY NO. 333087 OF SAID RECORDS AND ALSO DESCRIBED ON RECORD OF SURVEY NO. OWC-035-019-0-1157 AS FILED IN THE WASATCH COUNTY SURVEYORS OFFICE; THENCE ALONG SAID SOUTHEASTERLY LINE THE FOLLOWING TWO COURSES (1) NORTH 58°00'22" EAST 1,112.69 FEET (NORTH 57°59'34" EAST 1,111.85 FEET BY RECORD); AND (2) NORTH 48°11'59" EAST 1,098.03 FEET (NORTH 48°11'11" EAST 1,097.66 FEET BY RECORD) TO THE CENTERLINE OF THE TIMPANOGOS CANAL AS DESCRIBED IN THAT CONTRACT AND GRANT OF EASEMENT RECORDED AS ENTRY NO. 212641 OF SAID RECORDS; THENCE ALONG SAID CENTERLINE THE FOLLOWING NINE COURSES: (1) NORTH 17°22'52" WEST 54.83 FEET (NORTH 17°22'52" WEST 54.71 FEET PER SAID PARCEL 2); (2) NORTHWESTERLY 62.66 FEET ALONG A 57.21 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 62°45'14" AND A LONG CHORD OF NORTH 48°45'29" WEST 59.57 FEET; (3) NORTH 80°08'06" WEST 50.43 FEET; (4) NORTHWESTERLY 80.09 FEET ALONG A 77.16 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59°28'06" AND A LONG CHORD OF NORTH 50°24'03" WEST 76.54 FEET; (5) NORTH 20°40'00" WEST 67.54 FEET TO STA 212+38 OF SAID TIMPANOGOS CANAL WHICH STA 212+38 IS SOUTH 1318.48 FEET AND EAST 1244.36 FEET FROM THE 1976 WASATCH COUNTY BRASS CAP MONUMENT FOR THE NORTHWEST CORNER OF SECTION 20 PER PARCEL NO. WCWEP-T-0584(P) OF SAID ENTRY NO. 212641; (6) CONTINUING NORTH 20°40'00" WEST 39.32 FEET; (7) NORTHWESTERLY 26.35 FEET ALONG A 73.32 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 20°35'35" AND A LONG CHORD OF NORTH 30°57'47" WEST 26.21 FEET; (8) NORTH 41°15'35" WEST 114.29 FEET; AND (9) NORTHWESTERLY 11.22 FEET ALONG A 3,029.45 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°12'44" AND A LONG CHORD OF NORTH 41°09'13" WEST 11.22 FEET TO AN EXISTING FENCE; THENCE ALONG SAID EXISTING FENCE SOUTH 89°54'54" EAST 1,524.20 FEET TO THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 20; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 00°00'09" WEST 1,774.05 FEET TO THE

CENTERLINE OF THE SAID TIMPANOGOS CANAL; THENCE ALONG SAID CENTERLINE THE FOLLOWING EIGHT COURSES: (1) NORTH  $10^{\circ}34'34''$  WEST 26.14 FEET; (2) NORTHERLY 18.86 FEET ALONG A 63.10 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $16^{\circ}56'26''$  AND A LONG CHORD OF NORTH  $19^{\circ}02'47''$  WEST 18.59 FEET TO STA 236+55 OF SAID TIMPANOGOS CANAL WHICH STA 236+55 IS NORTH 2238.88 FEET AND WEST 10.76 FEET FROM THE 2005 WASATCH COUNTY ALUMINUM PIPE CAP MONUMENT FOR THE SOUTH QUARTER CORNER OF SECTION 20 PER SAID PARCEL NO. WCWEP-T-0584(P) OF SAID ENTRY NO. 212641; (3) CONTINUING NORTHWESTERLY 31.79 FEET ALONG SAID 63.10 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $28^{\circ}51'57''$  AND A LONG CHORD OF NORTH  $41^{\circ}56'59''$  WEST 31.45 FEET; (4) NORTH  $56^{\circ}22'57''$  WEST 51.03 FEET; (5) NORTHWESTERLY 56.42 FEET ALONG A 130.89 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF  $24^{\circ}41'49''$  AND A LONG CHORD OF NORTH  $44^{\circ}02'03''$  WEST 55.98 FEET; (6) NORTH  $31^{\circ}41'08''$  WEST 60.09 FEET; (7) NORTHWESTERLY 126.00 FEET ALONG A 664.07 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $10^{\circ}52'18''$  AND A LONG CHORD OF NORTH  $37^{\circ}07'17''$  WEST 125.82 FEET; AND (8) NORTH  $42^{\circ}33'26''$  WEST 8.76 FEET TO THE NORTH LINE OF PARCEL 1 DESCRIBED IN A WARRANTY DEED RECORDED AS ENTRY NO. 462588 OF SAID RECORDS (WHICH SAID PARCEL 1 IS THE SAME AS PARCEL 4 AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY EVERGREEN ENGINEERING FILED AS NO. OWC-035-020-0-881 IN THE WASATCH COUNTY SURVEYORS OFFICE, WHICH BEARINGS ARE ROTATED  $0^{\circ}00'48''$  CLOCKWISE TO AGREE WITH THE ABOVE DESCRIBED BASIS OF BEARINGS); THENCE ALONG SAID NORTH LINE NORTH  $89^{\circ}59'12''$  WEST 303.12 FEET (WEST BY DEED) TO THE NORTHWEST CORNER OF SAID PARCEL 1; THENCE ALONG THE WEST LINE OF SAID PARCEL 1 SOUTH  $00^{\circ}00'48''$  WEST 425.00 FEET (SOUTH BY DEED) TO AN EXISTING EVERGREEN ENGINEERING REBAR & CAP AND THE NORTHWEST CORNER OF PARCEL 2 OF SAID WARRANTY DEED (WHICH SAID PARCEL 2 IS THE SAME AS QUIT CLAIM #2 AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY BUHLER ASSOCIATES FILED AS NO. 0001830 IN THE WASATCH COUNTY SURVEYORS OFFICE); THENCE ALONG THE WEST LINE OF SAID QUIT CLAIM #2 SOUTH  $00^{\circ}32'12''$  EAST 134.12 FEET (SOUTH BY DEED) TO AN EXISTING BUHLER ASSOCIATES REBAR & CAP; THENCE ALONG THE SOUTH LINE OF SAID QUIT CLAIM #2 NORTH  $89^{\circ}49'38''$  EAST 528.67 FEET (EAST BY DEED) EXTENDING THROUGH AN EXISTING BUHLER ASSOCIATES REBAR & CAP TO SAID NORTH-SOUTH CENTER SECTION LINE; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH  $00^{\circ}00'09''$  WEST 1,263.25 FEET TO A BING CHRISTENSEN REBAR & CAP AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY MCM ENGINEERING AND FILED AS NO. 1033 IN SAID WASATCH COUNTY SURVEYOR'S OFFICE; THENCE ALONG AN EXISTING FENCE NORTH  $89^{\circ}59'12''$  WEST 676.35 FEET TO STATION 154+09 ON THE CENTERLINE OF THE WASATCH CANAL AS DESCRIBED IN SAID CONTRACT AND GRANT OF EASEMENT RECORDED AS ENTRY NO. 212841 OF SAID RECORDS, SAID POINT BEING 676.32 FEET WEST AND 668.13 FEET NORTH OF THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE CONTINUING NORTH  $89^{\circ}59'12''$  WEST 52.77 FEET TO THE WESTERLY LINE OF SAID WASATCH CANAL; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING FOURTEEN COURSES: (1) NORTHWESTERLY 36.10 FEET ALONG A 180.84 FEET RADIUS NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF  $11^{\circ}26'10''$  AND A LONG CHORD OF NORTH  $48^{\circ}19'44''$  WEST 36.04 FEET; (2) NORTH  $42^{\circ}36'39''$  WEST 243.31 FEET; (3) NORTHWESTERLY 59.37 FEET ALONG A 244.36 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $13^{\circ}55'16''$

AND A LONG CHORD OF NORTH 49°34'17" WEST 59.23 FEET; (4) NORTH 56°31'55" WEST 141.96 FEET; (5) 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; (6) NORTH 35°05'45" WEST 32.66 FEET; (7) 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; (8) NORTH 62°27'02" WEST 31.01 FEET; (9) 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; (10) NORTH 28°15'28" WEST 46.48 FEET; (11) 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; (12) NORTH 49°35'23" WEST 30.70 FEET; (13) 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; AND (14) NORTH 23°57'01" WEST 0.10 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD PER WASATCH COMMONS SUBDIVISION PHASE 1 RECORDED AS ENTRY NO. 362478 OF SAID RECORDS, WHICH SAID PHASE 1 BEARINGS ARE ROTATED 0°01'39" COUNTERCLOCKWISE TO AGREE WITH THE ABOVE DESCRIBED BASIS OF BEARINGS; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: (1) WESTERLY 252.73 FEET ALONG A 483.50 FEET RADIUS NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 29°56'58" AND A LONG CHORD OF NORTH 75°05'36" WEST 249.86 FEET; AND (2) NORTH 60°07'07" WEST 29.46 FEET; THENCE NORTH 29°52'53" EAST 67.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COMMONS BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHTEEN COURSES (1) NORTH 60°07'07" WEST 50.00 FEET; (2) NORTHWESTERLY 13.57 FEET ALONG A 17.50 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 44°24'55" AND A LONG CHORD OF NORTH 37°54'40" WEST 13.23 FEET; (3) NORTH 60°07'07" WEST 103.22 FEET; (4) WESTERLY 391.17 FEET ALONG A 488.50 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 45°52'49" AND A LONG CHORD OF NORTH 83°03'31" WEST 380.80 FEET; (5) WESTERLY 30.50 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 49°13'32" AND A LONG CHORD OF NORTH 81°23'10" WEST 29.57 FEET; (6) WESTERLY 50.41 FEET ALONG A 94.50 FEET RADIUS REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°33'53" AND A LONG CHORD OF NORTH 72°03'20" WEST 49.82 FEET; (7) NORTHWESTERLY 34.27 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°18'12" AND A LONG CHORD OF NORTH 59°41'11" WEST 32.95 FEET; (8) NORTH 32°02'05" WEST 11.88 FEET; (9) SOUTH 50°08'15" WEST 77.72 FEET; (10) SOUTH 32°02'05" EAST 1.29 FEET; (11) SOUTHERLY 34.27 FEET ALONG A 35.50 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°18'12" AND A LONG CHORD OF SOUTH 04°22'59" EAST 32.95 FEET; (12) SOUTHERLY 26.91 FEET ALONG A 94.50 FEET RADIUS REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°18'53" AND A LONG CHORD OF SOUTH 15°06'41" WEST 26.82 FEET; (13) SOUTHWESTERLY 31.61 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 51°00'41" AND A LONG CHORD OF SOUTH 32°27'35" WEST 30.57 FEET; (14) SOUTH 57°57'55" WEST 24.11 FEET; (15) SOUTHWESTERLY 21.44 FEET ALONG A 135.00 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 09°05'55" AND A LONG CHORD OF SOUTH 62°30'53" WEST 21.42 FEET; (16) SOUTH 67°03'50" WEST

52.01 FEET; (17) SOUTHWESTERLY 26.20 FEET ALONG A 165.00 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°05'55" AND A LONG CHORD OF SOUTH 62°30'53" WEST 26.17 FEET; AND (18) SOUTH 57°57'55" WEST 27.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,038,681 SQUARE FEET OR 138.629 ACRES.

LESS AND EXCEPTING the following described real property in Wasatch County:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 40, SAID POINT ALSO BEING NORTH 00°06'58" WEST 1,407.18 FEET ALONG THE SECTION LINE AND EAST 212.70 FEET FROM THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 32°00'26" WEST 1,057.02 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 40; THENCE NORTH 57°59'34" EAST 909.98 FEET TO THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 13.50 FEET ALONG THE ARC OF A 12.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 43°16'46" WEST AND THE CHORD BEARS SOUTH 14°28'51" EAST 12.80 FEET WITH A CENTRAL ANGLE OF 64°28'45") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 17°45'17" WEST 63.72 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 41.60 FEET ALONG THE ARC OF A 59.20 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 72°14'43" EAST AND THE CHORD BEARS SOUTH 02°22'27" EAST 40.75 FEET WITH A CENTRAL ANGLE OF 40°15'28") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 22°29'35" EAST 44.62 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHWESTERLY 4.17 FEET ALONG THE ARC OF A 4.35 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 67°30'25" WEST AND THE CHORD BEARS SOUTH 04°57'50" WEST 4.01 FEET WITH A CENTRAL ANGLE OF 54°54'51") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 32°25'20" WEST 61.85 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 79.97 FEET ALONG THE ARC OF A 65.40 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 57°34'40" EAST AND THE CHORD BEARS SOUTH 02°36'27" EAST 75.08 FEET WITH A CENTRAL ANGLE OF 70°03'35") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 37°38'04" EAST 20.28 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 61.74 FEET ALONG THE ARC OF A 273.10 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 52°21'56" WEST AND THE CHORD BEARS SOUTH 31°09'29" EAST 61.61 FEET WITH A CENTRAL ANGLE OF 12°57'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 24°40'52" EAST 30.12 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 99.61 FEET ALONG THE ARC OF A 133.72 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 65°19'08" EAST AND THE CHORD BEARS SOUTH 46°01'20" EAST 97.33 FEET WITH A CENTRAL ANGLE OF 42°40'55") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 67°21'45" EAST 30.51 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 43.52 FEET ALONG THE ARC OF A 64.31 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 22°38'15" WEST AND THE CHORD BEARS SOUTH 47°58'31" EAST 42.70 FEET WITH A CENTRAL ANGLE OF 38°46'28") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 28°35'28" EAST 39.08 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 61.02 FEET ALONG THE ARC OF A 138.66 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 61°24'32" EAST AND THE CHORD BEARS SOUTH 41°11'55" EAST 60.53 FEET WITH A CENTRAL ANGLE OF 25°12'54") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 53°48'18" EAST 38.81 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 51.43 FEET ALONG THE ARC OF A 124.93 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 36°11'42" EAST AND THE CHORD BEARS SOUTH 65°35'56" EAST 51.07 FEET WITH A CENTRAL ANGLE OF 23°35'17") ALONG

THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 77°23'47" EAST 41.08 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 50.29 FEET ALONG THE ARC OF A 340.23 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 12°36'13" WEST AND THE CHORD BEARS SOUTH 73°09'41" EAST 50.25 FEET WITH A CENTRAL ANGLE OF 08°28'11") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 68°55'35" EAST 27.75 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 4.32 FEET ALONG THE ARC OF A 3.28 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 21°04'25" WEST AND THE CHORD BEARS SOUTH 31°12'43" EAST 4.01 FEET WITH A CENTRAL ANGLE OF 75°25'43") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 06°29'59" WEST 49.88 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 91.09 FEET ALONG THE ARC OF A 98.34 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 83°30'01" EAST AND THE CHORD BEARS SOUTH 20°02'06" EAST 87.86 FEET WITH A CENTRAL ANGLE OF 53°04'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 46°34'04" EAST 16.21 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 45.58 FEET ALONG THE ARC OF A 162.73 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 43°25'56" EAST AND THE CHORD BEARS SOUTH 54°35'33" EAST 45.43 FEET WITH A CENTRAL ANGLE OF 16°02'58") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 32.56 FEET ALONG THE ARC OF A 99.98 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 27°22'58" WEST AND THE CHORD BEARS SOUTH 53°17'16" EAST 32.42 FEET WITH A CENTRAL ANGLE OF 18°39'31") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 43°57'28" EAST 25.44 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 126.92 FEET ALONG THE ARC OF A 109.54 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 46°02'32" EAST AND THE CHORD BEARS SOUTH 77°09'00" EAST 119.93 FEET WITH A CENTRAL ANGLE OF 66°23'03") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE NORTH 69°39'10" EAST 41.25 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 22.33 FEET ALONG THE ARC OF A 12.44 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 20°20'50" EAST AND THE CHORD BEARS SOUTH 58°54'45" EAST 19.45 FEET WITH A CENTRAL ANGLE OF 102°52'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 07°28'49" EAST 115.57 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 25.17 FEET ALONG THE ARC OF A 99.68 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 82°31'11" WEST AND THE CHORD BEARS SOUTH 00°14'49" EAST 25.10 FEET WITH A CENTRAL ANGLE OF 14°27'59") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 06°59'06" WEST 78.23 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 88.74 FEET ALONG THE ARC OF A 107.33 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 83°00'54" EAST AND THE CHORD BEARS SOUTH 16°42'03" EAST 86.23 FEET WITH A CENTRAL ANGLE OF 47°22'19") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 40°22'56" EAST 94.27 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 13.67 FEET ALONG THE ARC OF A 19.04 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 49°37'04" WEST AND THE CHORD BEARS SOUTH 19°48'25" EAST 13.38 FEET WITH A CENTRAL ANGLE OF 41°09'02") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 00°45'57" WEST 27.79 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 56.01 FEET ALONG THE ARC OF A 129.03 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 89°14'03" EAST AND THE CHORD SOUTH 11°40'13" EAST 55.57 FEET WITH A CENTRAL ANGLE OF 24°52'21") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 24°06'32" EAST 157.61 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 259.90 FEET ALONG THE ARC OF A 483.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 00°53'23" WEST AND THE CHORD BEARS NORTH 75°29'26" WEST 256.78 FEET WITH A CENTRAL ANGLE OF 30°47'55") ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 29.46 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 29°54'32" EAST 67.00 FEET TO THE NORTHERLY

RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 50.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 13.57 FEET ALONG THE ARC OF A 17.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 29°54'32" EAST AND THE CHORD BEARS NORTH 37°53'00" WEST 13.23 FEET WITH A CENTRAL ANGLE OF 44°24'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 103.22 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 391.17 FEET ALONG THE ARC OF A 488.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 29°54'32" WEST AND THE CHORD BEARS NORTH 83°01'52" WEST 380.80 FEET WITH A CENTRAL ANGLE OF 45°52'49") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 30.50 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 15°58'17" WEST AND THE CHORD BEARS NORTH 81°21'31" WEST 29.57 FEET WITH A CENTRAL ANGLE OF 49°13'32") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 50.41 FEET ALONG THE ARC OF A 94.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 33°15'16" WEST AND THE CHORD BEARS NORTH 72°01'41" WEST 49.82 FEET WITH A CENTRAL ANGLE OF 30°33'53") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 34.27 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 02°41'22" EAST AND THE CHORD BEARS NORTH 59°39'32" WEST 32.95 FEET WITH A CENTRAL ANGLE OF 55°18'12") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 32°00'26" WEST 11.87 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 50°09'54" WEST 77.72 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 32°00'26" EAST 1.29 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHEASTERLY 34.27 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 57°59'34" WEST AND THE CHORD BEARS SOUTH 04°21'20" EAST 32.95 FEET WITH A CENTRAL ANGLE OF 55°18'12") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 26.91 FEET ALONG THE ARC OF A 94.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 66°42'14" EAST AND THE CHORD BEARS SOUTH 15°08'20" WEST 26.82 FEET WITH A CENTRAL ANGLE OF 16°18'53") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 31.61 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 83°01'07" WEST AND THE CHORD BEARS SOUTH 32°29'14" WEST 30.57 FEET WITH A CENTRAL ANGLE OF 51°00'41") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 57°59'34" WEST 24.11 FEET; THENCE SOUTHWESTERLY 21.44 FEET ALONG THE ARC OF A 135.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 32°00'26" WEST AND THE CHORD BEARS SOUTH 62°32'31" WEST 21.42 FEET WITH A CENTRAL ANGLE OF 09°05'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 67°05'29" WEST 52.01 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 26.20 FEET ALONG THE ARC OF A 165.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 22°54'31" EAST AND THE CHORD BEARS SOUTH 62°32'32" WEST 26.17 FEET WITH A CENTRAL ANGLE OF 09°05'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 57°59'34" WEST 26.05 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD TO THE POINT OF BEGINNING.



WHEN RECORDED, MAIL TAX NOTICE TO:

The Thackeray Company  
1165 E. Wilmington Ave., Suite 275  
Salt Lake City, UT 84106

Tax Parcel No. Part of Parcel ID No. 00-0007-8431

**SPECIAL WARRANTY DEED**

**CARDINAL FUNDING, L.C.**, a Utah limited liability company, ("Grantor"), hereby conveys and warrants against all claiming by, through or under Grantor only, to **THACKERAY FAMILY HOLDINGS II, LLC**, a Utah limited liability company, whose address is 1165 E. Wilmington Ave., Suite 275, Salt Lake City, UT 84106 ("Grantee"), for the sum of Ten Dollars and other good and valuable consideration, an undivided fifty percent (50.0%) interest as a tenant in common, in an to the following described tract of land in Wasatch County, State of Utah:

See legal description on Exhibit "A" attached hereto and incorporated by reference herein.

TOGETHER WITH all improvements located thereon and all appurtenances related thereto including, without limitation, all rights and interests in any assignable licenses, permits, mineral rights, water rights, easements, rights-of-way and other items appurtenant or pertaining thereto

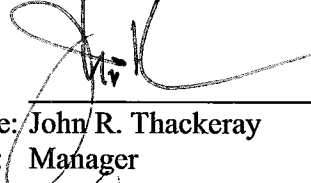
SUBJECT TO the lien for general taxes and assessments not yet due and payable and those matters (other than financial encumbrances) appearing of record or discoverable by a survey of the property.


*[signature and acknowledgment to follow]*

**SIGNATURE PAGE  
TO  
SPECIAL WARRANTY DEED**

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 30 day of December 2021.

**CARDINAL FUNDING, L.C.,**  
a Utah limited liability company


By:   
Name: John R. Thackeray  
Title: Manager

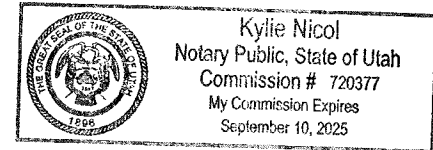
By:   
Name: Armand D. Johansen  
Title: Manager

STATE OF UTAH            )  
  )  
COUNTY OF SALT LAKE )

On this 30 day of December ~~January~~ 2021 before me, Kylie Nicol, a notary public, personally appeared John R. Thackeray and Armand D. Johansen, the managers of Cardinal Funding, L.C., a Utah limited liability company, proved on the basis of satisfactory name of document signer evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

Witness my hand and official seal.

  
(Notary Signature)

(Seal) 

**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

Real property located in Wasatch County, State of Utah specifically described as follows:

North Parcel:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE WEST HALF OF SECTION 20 ALL IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 40 PROJECT NO. F-019-1(1), SAID INTERSECTION BEING EAST 214.59 FEET AND SOUTH 1260.57 FEET FROM THE 2005 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); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 32°00'02" WEST 1,057.48 FEET TO THE SOUTHEASTERLY LINE OF PARCEL 2 AS DESCRIBED IN THAT WARRANTY DEED TO UTAH VALLEY STATE COLLEGE RECORDED AS ENTRY NO. 333087 OF SAID RECORDS AND ALSO DESCRIBED ON RECORD OF SURVEY NO. OWC-035-019-0-1157 AS FILED IN THE WASATCH COUNTY SURVEYORS OFFICE; THENCE ALONG SAID SOUTHEASTERLY LINE THE FOLLOWING TWO COURSES (1) NORTH 58°00'22" EAST 1,112.69 FEET (NORTH 57°59'34" EAST 1,111.85 FEET BY RECORD); AND (2) NORTH 48°11'59" EAST 1,098.03 FEET (NORTH 48°11'11" EAST 1,097.66 FEET BY RECORD) TO THE CENTERLINE OF THE TIMPANOGOS CANAL AS DESCRIBED IN THAT CONTRACT AND GRANT OF EASEMENT RECORDED AS ENTRY NO. 212641 OF SAID RECORDS; THENCE ALONG SAID CENTERLINE THE FOLLOWING NINE COURSES: (1) NORTH 17°22'52" WEST 54.83 FEET (NORTH 17°22'52" WEST 54.71 FEET PER SAID PARCEL 2); (2) NORTHWESTERLY 62.66 FEET ALONG A 57.21 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 62°45'14" AND A LONG CHORD OF NORTH 48°45'29" WEST 59.57 FEET; (3) NORTH 80°08'06" WEST 50.43 FEET; (4) NORTHWESTERLY 80.09 FEET ALONG A 77.16 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59°28'06" AND A LONG CHORD OF NORTH 50°24'03" WEST 76.54 FEET; (5) NORTH 20°40'00" WEST 67.54 FEET TO STA 212+38 OF SAID TIMPANOGOS CANAL WHICH STA 212+38 IS SOUTH 1318.48 FEET AND EAST 1244.36 FEET FROM THE 1976 WASATCH COUNTY BRASS CAP MONUMENT FOR THE NORTHWEST CORNER OF SECTION 20 PER PARCEL NO. WCWEP-T-0584(P) OF SAID ENTRY NO. 212641; (6) CONTINUING NORTH 20°40'00" WEST 39.32 FEET; (7) NORTHWESTERLY 26.35 FEET ALONG A 73.32 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 20°35'35" AND A LONG CHORD OF NORTH 30°57'47" WEST 26.21 FEET; (8) NORTH 41°15'35" WEST 114.29 FEET; AND (9) NORTHWESTERLY 11.22 FEET ALONG A 3,029.45 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°12'44" AND A LONG CHORD OF NORTH 41°09'13" WEST 11.22 FEET TO AN EXISTING FENCE; THENCE ALONG SAID EXISTING FENCE SOUTH 89°54'54" EAST 1,524.20 FEET TO THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 20; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 00°00'09" WEST 1,774.05 FEET TO THE

CENTERLINE OF THE SAID TIMPANOGOS CANAL; THENCE ALONG SAID CENTERLINE THE FOLLOWING EIGHT COURSES: (1) NORTH  $10^{\circ}34'34''$  WEST 26.14 FEET; (2) NORTHERLY 18.66 FEET ALONG A 63.10 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $16^{\circ}56'26''$  AND A LONG CHORD OF NORTH  $19^{\circ}02'47''$  WEST 18.59 FEET TO STA 236+55 OF SAID TIMPANOGOS CANAL WHICH STA 236+55 IS NORTH 2238.88 FEET AND WEST 10.76 FEET FROM THE 2005 WASATCH COUNTY ALUMINUM PIPE CAP MONUMENT FOR THE SOUTH QUARTER CORNER OF SECTION 20 PER SAID PARCEL NO. WCWEP-T-0584(P) OF SAID ENTRY NO. 212641; (3) CONTINUING NORTHWESTERLY 31.79 FEET ALONG SAID 63.10 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $28^{\circ}51'57''$  AND A LONG CHORD OF NORTH  $41^{\circ}58'59''$  WEST 31.45 FEET; (4) NORTH  $56^{\circ}22'57''$  WEST 51.03 FEET; (5) NORTHWESTERLY 56.42 FEET ALONG A 130.89 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF  $24^{\circ}41'49''$  AND A LONG CHORD OF NORTH  $44^{\circ}02'03''$  WEST 55.98 FEET; (6) NORTH  $31^{\circ}41'08''$  WEST 60.09 FEET; (7) NORTHWESTERLY 126.00 FEET ALONG A 664.07 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $10^{\circ}52'18''$  AND A LONG CHORD OF NORTH  $37^{\circ}07'17''$  WEST 125.82 FEET; AND (8) NORTH  $42^{\circ}33'26''$  WEST 8.76 FEET TO THE NORTH LINE OF PARCEL 1 DESCRIBED IN A WARRANTY DEED RECORDED AS ENTRY NO. 462588 OF SAID RECORDS (WHICH SAID PARCEL 1 IS THE SAME AS PARCEL 4 AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY EVERGREEN ENGINEERING FILED AS NO. OWC-035-020-0-881 IN THE WASATCH COUNTY SURVEYORS OFFICE, WHICH BEARINGS ARE ROTATED  $0^{\circ}00'48''$  CLOCKWISE TO AGREE WITH THE ABOVE DESCRIBED BASIS OF BEARINGS); THENCE ALONG SAID NORTH LINE NORTH  $89^{\circ}59'12''$  WEST 303.12 FEET (WEST BY DEED) TO THE NORTHWEST CORNER OF SAID PARCEL 1; THENCE ALONG THE WEST LINE OF SAID PARCEL 1 SOUTH  $00^{\circ}00'48''$  WEST 425.00 FEET (SOUTH BY DEED) TO AN EXISTING EVERGREEN ENGINEERING REBAR & CAP AND THE NORTHWEST CORNER OF PARCEL 2 OF SAID WARRANTY DEED (WHICH SAID PARCEL 2 IS THE SAME AS QUIT CLAIM #2 AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY BUHLER ASSOCIATES FILED AS NO. 0001830 IN THE WASATCH COUNTY SURVEYORS OFFICE); THENCE ALONG THE WEST LINE OF SAID QUIT CLAIM #2 SOUTH  $00^{\circ}32'12''$  EAST 134.12 FEET (SOUTH BY DEED) TO AN EXISTING BUHLER ASSOCIATES REBAR & CAP; THENCE ALONG THE SOUTH LINE OF SAID QUIT CLAIM #2 NORTH  $89^{\circ}49'38''$  EAST 528.67 FEET (EAST BY DEED) EXTENDING THROUGH AN EXISTING BUHLER ASSOCIATES REBAR & CAP TO SAID NORTH-SOUTH CENTER SECTION LINE; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH  $00^{\circ}00'09''$  WEST 1,263.25 FEET TO A BING CHRISTENSEN REBAR & CAP AS DEPICTED ON A RECORD OF SURVEY MAP PREPARED BY MCM ENGINEERING AND FILED AS NO. 1033 IN SAID WASATCH COUNTY SURVEYOR'S OFFICE; THENCE ALONG AN EXISTING FENCE NORTH  $89^{\circ}59'12''$  WEST 676.35 FEET TO STATION 154+09 ON THE CENTERLINE OF THE WASATCH CANAL AS DESCRIBED IN SAID CONTRACT AND GRANT OF EASEMENT RECORDED AS ENTRY NO. 212641 OF SAID RECORDS, SAID POINT BEING 676.32 FEET WEST AND 668.13 FEET NORTH OF THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE CONTINUING NORTH  $89^{\circ}59'12''$  WEST 52.77 FEET TO THE WESTERLY LINE OF SAID WASATCH CANAL; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING FOURTEEN COURSES: (1) NORTHWESTERLY 36.10 FEET ALONG A 180.84 FEET RADIUS NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF  $11^{\circ}26'10''$  AND A LONG CHORD OF NORTH  $48^{\circ}19'44''$  WEST 36.04 FEET; (2) NORTH  $42^{\circ}36'39''$  WEST 243.31 FEET; (3) NORTHWESTERLY 59.37 FEET ALONG A 244.36 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $13^{\circ}55'16''$

AND A LONG CHORD OF NORTH 49°34'17" WEST 59.23 FEET; (4) NORTH 56°31'55" WEST 141.96 FEET; (5) 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; (6) NORTH 35°05'45" WEST 32.66 FEET; (7) 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; (8) NORTH 62°27'02" WEST 31.01 FEET; (9) 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; (10) NORTH 28°15'28" WEST 46.48 FEET; (11) 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; (12) NORTH 49°35'23" WEST 30.70 FEET; (13) 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; AND (14) NORTH 23°57'01" WEST 0.10 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD PER WASATCH COMMONS SUBDIVISION PHASE 1 RECORDED AS ENTRY NO. 362478 OF SAID RECORDS, WHICH SAID PHASE 1 BEARINGS ARE ROTATED 0°01'39" COUNTERCLOCKWISE TO AGREE WITH THE ABOVE DESCRIBED BASIS OF BEARINGS; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: (1) WESTERLY 252.73 FEET ALONG A 483.50 FEET RADIUS NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 29°56'58" AND A LONG CHORD OF NORTH 75°05'36" WEST 249.86 FEET; AND (2) NORTH 60°07'07" WEST 29.46 FEET; THENCE NORTH 29°52'53" EAST 67.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COMMONS BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHTEEN COURSES (1) NORTH 60°07'07" WEST 50.00 FEET; (2) NORTHWESTERLY 13.57 FEET ALONG A 17.50 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 44°24'55" AND A LONG CHORD OF NORTH 37°54'40" WEST 13.23 FEET; (3) NORTH 60°07'07" WEST 103.22 FEET; (4) WESTERLY 391.17 FEET ALONG A 488.50 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 45°52'49" AND A LONG CHORD OF NORTH 83°03'31" WEST 380.80 FEET; (5) WESTERLY 30.50 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 49°13'32" AND A LONG CHORD OF NORTH 81°23'10" WEST 29.57 FEET; (6) WESTERLY 50.41 FEET ALONG A 94.50 FEET RADIUS REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°33'53" AND A LONG CHORD OF NORTH 72°03'20" WEST 49.82 FEET; (7) NORTHWESTERLY 34.27 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°18'12" AND A LONG CHORD OF NORTH 59°41'11" WEST 32.95 FEET; (8) NORTH 32°02'05" WEST 11.88 FEET; (9) SOUTH 50°08'15" WEST 77.72 FEET; (10) SOUTH 32°02'05" EAST 1.29 FEET; (11) SOUTHERLY 34.27 FEET ALONG A 35.50 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°18'12" AND A LONG CHORD OF SOUTH 04°22'59" EAST 32.95 FEET; (12) SOUTHERLY 26.91 FEET ALONG A 94.50 FEET RADIUS REVERSE CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°18'53" AND A LONG CHORD OF SOUTH 15°06'41" WEST 26.82 FEET; (13) SOUTHWESTERLY 31.61 FEET ALONG A 35.50 FEET RADIUS REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 51°00'41" AND A LONG CHORD OF SOUTH 32°27'35" WEST 30.57 FEET; (14) SOUTH 57°57'55" WEST 24.11 FEET; (15) SOUTHWESTERLY 21.44 FEET ALONG A 135.00 FEET RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 09°05'55" AND A LONG CHORD OF SOUTH 62°30'53" WEST 21.42 FEET; (16) SOUTH 67°03'50" WEST

52.01 FEET; (17) SOUTHWESTERLY 26.20 FEET ALONG A 165.00 FEET RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°05'55" AND A LONG CHORD OF SOUTH 62°30'53" WEST 26.17 FEET; AND (18) SOUTH 57°57'55" WEST 27.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,038,681 SQUARE FEET OR 138.629 ACRES.

LESS AND EXCEPTING the following described real property in Wasatch County:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 40, SAID POINT ALSO BEING NORTH 00°06'58" WEST 1,407.18 FEET ALONG THE SECTION LINE AND EAST 212.70 FEET FROM THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 32°00'26" WEST 1,057.02 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 40; THENCE NORTH 57°59'34" EAST 909.98 FEET TO THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 13.50 FEET ALONG THE ARC OF A 12.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 43°16'46" WEST AND THE CHORD BEARS SOUTH 14°28'51" EAST 12.80 FEET WITH A CENTRAL ANGLE OF 64°28'45") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 17°45'17" WEST 63.72 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 41.60 FEET ALONG THE ARC OF A 59.20 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 72°14'43" EAST AND THE CHORD BEARS SOUTH 02°22'27" EAST 40.75 FEET WITH A CENTRAL ANGLE OF 40°15'28") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 22°29'35" EAST 44.62 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHWESTERLY 4.17 FEET ALONG THE ARC OF A 4.35 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 67°30'25" WEST AND THE CHORD BEARS SOUTH 04°57'50" WEST 4.01 FEET WITH A CENTRAL ANGLE OF 54°54'51") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 32°25'20" WEST 61.85 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 79.97 FEET ALONG THE ARC OF A 65.40 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 57°34'40" EAST AND THE CHORD BEARS SOUTH 02°36'27" EAST 75.08 FEET WITH A CENTRAL ANGLE OF 70°03'35") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 37°38'04" EAST 20.28 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 61.74 FEET ALONG THE ARC OF A 273.10 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 52°21'56" WEST AND THE CHORD BEARS SOUTH 31°09'29" EAST 61.61 FEET WITH A CENTRAL ANGLE OF 12°57'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 24°40'52" EAST 30.12 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 99.61 FEET ALONG THE ARC OF A 133.72 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 65°19'08" EAST AND THE CHORD BEARS SOUTH 46°01'20" EAST 97.33 FEET WITH A CENTRAL ANGLE OF 42°40'55") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 67°21'45" EAST 30.51 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 43.52 FEET ALONG THE ARC OF A 64.31 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 22°38'15" WEST AND THE CHORD BEARS SOUTH 47°58'31" EAST 42.70 FEET WITH A CENTRAL ANGLE OF 38°46'28") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 28°35'28" EAST 39.08 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 61.02 FEET ALONG THE ARC OF A 138.66 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 61°24'32" EAST AND THE CHORD BEARS SOUTH 41°11'55" EAST 60.53 FEET WITH A CENTRAL ANGLE OF 25°12'54") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 53°48'18" EAST 38.81 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 51.43 FEET ALONG THE ARC OF A 124.93 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 36°11'42" EAST AND THE CHORD BEARS SOUTH 65°35'56" EAST 51.07 FEET WITH A CENTRAL ANGLE OF 23°35'17") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 77°23'47" EAST 41.08 FEET

ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 50.29 FEET ALONG THE ARC OF A 340.23 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 12°36'13" WEST AND THE CHORD BEARS SOUTH 73°09'41" EAST 50.25 FEET WITH A CENTRAL ANGLE OF 08°28'11") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 68°55'35" EAST 27.75 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 4.32 FEET ALONG THE ARC OF A 3.28 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 21°04'25" WEST AND THE CHORD BEARS SOUTH 31°12'43" EAST 4.01 FEET WITH A CENTRAL ANGLE OF 75°25'43") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 06°29'59" WEST 49.88 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 91.09 FEET ALONG THE ARC OF A 98.34 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 83°30'01" EAST AND THE CHORD BEARS SOUTH 20°02'06" EAST 87.86 FEET WITH A CENTRAL ANGLE OF 53°04'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 46°34'04" EAST 16.21 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 45.58 FEET ALONG THE ARC OF A 162.73 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 43°25'56" EAST AND THE CHORD BEARS SOUTH 54°35'33" EAST 45.43 FEET WITH A CENTRAL ANGLE OF 16°02'58") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 32.56 FEET ALONG THE ARC OF A 99.98 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 27°22'58" WEST AND THE CHORD BEARS SOUTH 53°17'16" EAST 32.42 FEET WITH A CENTRAL ANGLE OF 18°39'31") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 43°57'28" EAST 25.44 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 126.92 FEET ALONG THE ARC OF A 109.54 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 46°02'32" EAST AND THE CHORD BEARS SOUTH 77°09'00" EAST 119.93 FEET WITH A CENTRAL ANGLE OF 66°23'03") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE NORTH 69°39'10" EAST 41.25 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 22.33 FEET ALONG THE ARC OF A 12.44 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 20°20'50" EAST AND THE CHORD BEARS SOUTH 58°54'45" EAST 19.45 FEET WITH A CENTRAL ANGLE OF 102°52'09") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 07°28'49" EAST 115.57 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 25.17 FEET ALONG THE ARC OF A 99.68 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 82°31'11" WEST AND THE CHORD BEARS SOUTH 00°14'49" EAST 25.10 FEET WITH A CENTRAL ANGLE OF 14°27'59") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 06°59'06" WEST 78.23 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 88.74 FEET ALONG THE ARC OF A 107.33 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 83°00'54" EAST AND THE CHORD BEARS SOUTH 16°42'03" EAST 86.23 FEET WITH A CENTRAL ANGLE OF 47°22'19") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 40°22'56" EAST 94.27 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 13.67 FEET ALONG THE ARC OF A 19.04 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 49°37'04" WEST AND THE CHORD BEARS SOUTH 19°48'25" EAST 13.38 FEET WITH A CENTRAL ANGLE OF 41°09'02") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 00°45'57" WEST 27.79 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTHEASTERLY 56.01 FEET ALONG THE ARC OF A 129.03 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 89°14'03" EAST AND THE CHORD SOUTH 11°40'13" EAST 55.57 FEET WITH A CENTRAL ANGLE OF 24°52'21") ALONG THE WESTERLY LINE OF THE WASATCH CANAL; THENCE SOUTH 24°06'32" EAST 157.61 FEET ALONG THE WESTERLY LINE OF THE WASATCH CANAL TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 259.90 FEET ALONG THE ARC OF A 483.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 00°53'23" WEST AND THE CHORD BEARS NORTH 75°29'26" WEST 256.78 FEET WITH A CENTRAL ANGLE OF 30°47'55") ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 29.46 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 29°54'32" EAST 67.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 50.00 FEET

ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 13.57 FEET ALONG THE ARC OF A 17.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 29°54'32" EAST AND THE CHORD BEARS NORTH 37°53'00" WEST 13.23 FEET WITH A CENTRAL ANGLE OF 44°24'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 60°05'28" WEST 103.22 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 391.17 FEET ALONG THE ARC OF A 488.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 29°54'32" WEST AND THE CHORD BEARS NORTH 83°01'52" WEST 380.80 FEET WITH A CENTRAL ANGLE OF 45°52'49") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 30.50 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 15°58'17" WEST AND THE CHORD BEARS NORTH 81°21'31" WEST 29.57 FEET WITH A CENTRAL ANGLE OF 49°13'32") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 50.41 FEET ALONG THE ARC OF A 94.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 33°15'16" WEST AND THE CHORD BEARS NORTH 72°01'41" WEST 49.82 FEET WITH A CENTRAL ANGLE OF 30°33'53") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTHWESTERLY 34.27 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 02°41'22" EAST AND THE CHORD BEARS NORTH 59°39'32" WEST 32.95 FEET WITH A CENTRAL ANGLE OF 55°18'12") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE NORTH 32°00'26" WEST 11.87 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 50°09'54" WEST 77.72 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 32°00'26" EAST 1.29 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHEASTERLY 34.27 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 57°59'34" WEST AND THE CHORD BEARS SOUTH 04°21'20" EAST 32.95 FEET WITH A CENTRAL ANGLE OF 55°18'12") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 26.91 FEET ALONG THE ARC OF A 94.50 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 66°42'14" EAST AND THE CHORD BEARS SOUTH 15°08'20" WEST 26.82 FEET WITH A CENTRAL ANGLE OF 16°18'53") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 31.61 FEET ALONG THE ARC OF A 35.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 83°01'07" WEST AND THE CHORD BEARS SOUTH 32°29'14" WEST 30.57 FEET WITH A CENTRAL ANGLE OF 51°00'41") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 57°59'34" WEST 24.11 FEET; THENCE SOUTHWESTERLY 21.44 FEET ALONG THE ARC OF A 135.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 32°00'26" WEST AND THE CHORD BEARS SOUTH 62°32'31" WEST 21.42 FEET WITH A CENTRAL ANGLE OF 09°05'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 67°05'29" WEST 52.01 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTHWESTERLY 26.20 FEET ALONG THE ARC OF A 165.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 22°54'31" EAST AND THE CHORD BEARS SOUTH 62°32'32" WEST 26.17 FEET WITH A CENTRAL ANGLE OF 09°05'55") ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD; THENCE SOUTH 57°59'34" WEST 26.05 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF COMMONS BOULEVARD TO THE POINT OF BEGINNING.



When recorded return to:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, UT 84020  
Attention: Boyd A. Martin

Tax Parcel Nos. 00-0021-6813

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### **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 D.R. HORTON, INC., a Delaware corporation ("Grantee"), whose business address is 12351 South Gateway Park Place, Suite D-100, Draper, UT, 804020, 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]



**GRANTOR:**

JOHANSEN FAMILY HOLDINGS II, LLC,  
a Utah limited liability company

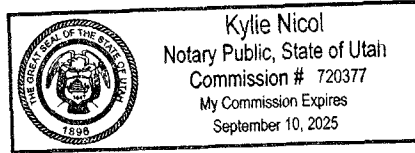
By: *Armand D. Johansen*  
Name: Armand D. Johansen  
Title: Manager

State of Utah )

:SS

County of Salt Lake )

The foregoing instrument was acknowledged before me this 25 day of JULY, 2024, by Armand Johansen, as Authorized Signatory of Johansen Family Holdings II, LLC, a Utah limited liability company.



*Kylie Nicol*

Notary Public

Residing at: SALT LAKE, UT

My commission expires: 09/10/2025

**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

**LEGAL DESCRIPTION OF THE REAL PROPERTY**

**HIGHLANDS STACKED FLATS PARCELS LEGAL DESCRIPTION**

**NORTH 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 NORTH LINE OF THE PROPOSED PHASE 1 OF THE HIGHLANDS RESIDENTIAL DEVELOPMENT;  
SAID POINT BEING NORTH 00°29'50" WEST 368.73 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 1215.64 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 SOUTH 41°48'01" EAST 64.48 FEET; THENCE SOUTH 70°50'04" EAST 357.18 FEET TO A POINT ON THE NORTHWESTERLY LINE OF A PROPOSED RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES & DISTANCES:  
(1) SOUTHERLY 400.91 FEET ALONG THE ARC OF A 637.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 72°01'17" EAST; (CHORD TO SAID CURVE BEARS SOUTH 00°03'07" EAST 394.33 FEET);  
(2) SOUTHWESTERLY 15.07 FEET ALONG THE ARC OF A 10.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS SOUTH 25°04'35" WEST 13.68 FEET);  
(3) SOUTH 21°45'54" EAST 3.00 FEET TO A POINT OF CURVATURE WITH A 441.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THE CENTER OF WHICH BEARS NORTH 21°45'54" WEST  
(4) WESTERLY 167.73 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 79°07'07" WEST 166.73 FEET)  
(5) NORTH 89°59'51" WEST 195.43 FEET TO A POINT ON A 541.50 FOOT RADIUS CURVE TO THE RIGHT;  
(6) WESTERLY 459.88 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO

SAID CURVE BEARS NORTH 65°40'04" WEST 446.18 FEET);  
 (7) NORTH 41°20'17" WEST 59.81 FEET;  
 THENCE NORTH 48°39'40" EAST 571.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 331,648 SQUARE FEET, OR 7.614 ACRES

**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.

THE ABOVE DESCRIBED PARCEL CONTAINS: 175,915 SQUARE FEET, OR 4.038  
ACRES

**AND**

**HIGHLANDS CHURCH PARCEL LEGAL DESCRIPTION**

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 NORTH LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; SAID POINT BEING NORTH 00°29'50" WEST 197.93 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 555.06 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 NORTHEASTERLY ALONG THE NORTH BOUNDARY LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT THE FOLLOWING TWO (2) COURSES & DISTANCES:

(1) NORTH 58°00'22" EAST 52.53 FEET;  
 (2) NORTH 48°11'59" EAST 553.42 FEET;  
 THENCE SOUTH 41°48'01" EAST 303.04 FEET; THENCE SOUTH 48°39'40" WEST 571.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES & DISTANCES:  
 (1) NORTH 41°20'17" WEST 104.29 FEET TO A POINT OF CURVATURE ON A 284.00 FOOT RADIUS CURVE TO THE LEFT;  
 (2) NORTHWESTERLY 60.81 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 47°28'19" WEST 60.69 FEET);  
 (3) NORTH 53°36'20" WEST 121.21 FEET TO A POINT OF CURVATURE ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT;  
 (4) NORTHWESTERLY 24.35 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 50°22'35" WEST 24.34 FEET) TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 174,707 SQUARE FEET, OR 4.011 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. Intentionally Deleted by Title Company
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. Intentionally Deleted by Title Company
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. There is currently no recorded means of access from a publicly dedicated roadway to said Land, but it is assumed that there exists a valid and subsisting easement over and across adjoining land for that purpose. The Company does not insure against any loss, damage, claims or rights based on a contrary state of facts.
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.

##

32348329\_v4

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.

32392238\_v4

MAIL RECORDED DOCUMENT AND TAX  
STATEMENTS TO:

Thackeray Family Holdings II, LLC  
Johansen Family Holdings II, LLC  
1165 E. Wilmington Ave., Suite 275  
Salt Lake City, Utah 84106

APNs: 00-0022-0104; 00-0022-0107

FATC File # 6322319

**SPECIAL WARRANTY DEED**

For the consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations received, JORDANELLE REF ACQUISITION LLC, a Delaware limited liability company (“**Grantor**”), does hereby convey and warrant, against all persons claiming by, through or under Grantor, but not otherwise, to THACKERAY FAMILY HOLDINGS II, LLC, a Utah limited liability company, as to an undivided fifty percent (50%) interest as a tenant in common, and to JOHANSEN FAMILY HOLDINGS II, LLC, a Utah limited liability company, as to an undivided fifty percent (50%) interest as a tenant in common (collectively, the “**Grantee**”), whose address is 1165 E. Wilmington Ave., Suite 275, Salt Lake City, Utah 84106, the following described property (the “**Property**”) situated in Wasatch County, Utah:

See Exhibit A attached hereto and made a part hereof

**TOGETHER WITH** all tenements, hereditaments and appurtenances thereto belonging or appertaining.

**EXCEPTING THEREFROM** any right title or interest in any water or rights to water or any rights to the extent appurtenant to any real property other than the Property.

**SUBJECT TO** current taxes; assessments; patent reservations; all covenants, conditions, restrictions, reservations, easements, and declarations or other matters of record.

**THIS DEED** is given as a bona fide division of land in anticipation of future land use approvals on the herein described property pursuant to UCA 10-9a-103-(68)(c)(v) of the Utah Code. This deed does not confer any land use approvals and has not been approved by the land use authority.

*[Signature to follow]*

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the day and year written below.

Date: September 26, 2024

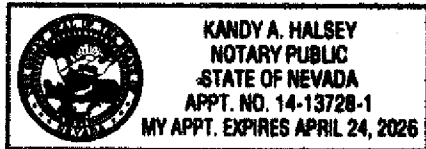
**GRANTOR:**

Jordanelle REF Acquisition LLC,  
a Delaware limited liability company

By: [Signature]  
Name: Cody Winterton  
Title: Authorized Agent

STATE OF ~~UTAH~~ Nevada  
COUNTY OF Clark ) ss.

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September, 2024, by Cody Winterton in such person's capacity as the Authorized Agent of Jordanelle REF Acquisition LLC, a Delaware limited liability company.



[Signature]  
NOTARY PUBLIC

App# 14-13728-1  
EX April 24, 2024

**Exhibit A**

## Legal Description of Property

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER 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 NORTH LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; SAID POINT BEING NORTH 00°29'50" WEST 1307.75 FEET ALONG THE SECTION LINE AND NORTH 89°30'10" EAST 1717.20 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 NORTH 21°24'08" EAST 258.16 FEET; THENCE SOUTH 70°03'55" EAST 252.30 FEET; THENCE SOUTH 26°05'49" EAST 172.53 FEET TO A POINT ON THE NORTH LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; THENCE NORTH 89°54'54" WEST 407.29 FEET ALONG THE NORTH LINE OF SAID PROPOSED HIGHLANDS DEVELOPMENT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 64,087 SQUARE FEET, OR 1.471 ACRES

A PARCEL OF LAND LOCATED IN THE EAST 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 EAST LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; SAID POINT BEING NORTH 00°29'50" WEST 512.50 FEET ALONG THE SECTION LINE AND NORTH 89°30'10" EAST 2641.36 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 SOUTH 50°47'07" EAST 630.14 FEET; THENCE SOUTH 39°12'53" WEST 160.00 FEET; THENCE SOUTH 48°47'41" WEST 209.84 FEET; THENCE SOUTH 47°21'15" WEST 58.64 FEET; THENCE SOUTH 11°49'56" EAST 40.21 FEET; THENCE SOUTH 49°46'59" WEST 126.86 FEET; THENCE SOUTH 59°43'42" WEST 112.86 FEET TO A POINT ON THE EAST LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; THENCE NORTH 0°0'09" EAST 878.48 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.



THE ABOVE DESCRIBED PARCEL CONTAINS: 224,569 SQUARE FEET, OR 5.155 ACRE