

Warranty Deed Page 1 of 6

Russell Shirts Washington County Recorder  
11/21/2019 04:12:46 PM Fee \$40.00 By  
COTTONWOOD TITLE INSURANCE AGENCY,  
INC.

RECORDED AT REQUEST OF  
RSF AV ST. GEORGE IL VII, L.P.

MAIL TAX NOTICE TO:  
RSF AV ST. GEORGE IL VII, L.P.  
c/o RSF PARTNERS  
3899 Maple Avenue - Suite 250  
Dallas, Texas 75219

Tax Parcel I.D. # W-5-2-13-245

CTIA#117684-WHF

### WARRANTY DEED

SIENNA HILLS PROPERTIES, LLC, a Utah limited liability company ("**Grantor**") hereby CONVEYS and WARRANTS to RSF AV ST. GEORGE IL VII, L.P., a Texas limited partnership ("**Grantee**"), for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described tract of land in Washington County, Utah (the "**Land**");

#### PARCEL 1:

Beginning at a point which is North 00°54'18" East 2212.95 feet along the center section line and North 90°00'00" East 395.90 feet from the South quarter corner of Section 13, Township 42 South, Range 15 West, Salt Lake Base and Meridian; said point also being a point on the Easterly right-of-way of Washington Parkway, recorded on July 5, 2006 as Document No. 20060029317 in the office of the Washington County Recorder, in said County, State of Utah and running thence along said Easterly Washington Parkway right-of-way North 04°36'52" West 267.62 feet to the point of curvature of a 25.00 foot radius curve concave to the right; said point also being a point on the Southerly right-of-way of Red Stone Road; thence along said Southerly right-of-way of Red Stone Road the following (3) three courses: Northeasterly 39.27 feet along the arc of said curve through a central angle of 89°59'59" to the point of tangency; thence North 85°23'06" East 309.67 feet to the point of curvature of a 235.00 foot radius curve concave to the left; thence Northeasterly 110.74 feet along the arc of said curve through a central angle of 26°59'55" to point of non-tangency; thence South 05°34'26" East 317.84 feet to a point on the arc of a 1786.48 foot radius curve concave to the right, the radius point of which bears North 05°51'45" West, said point also being on the Northerly right-of-way of Telegraph Road Phase II recorded on January 8, 2001 as Entry No. 706703 in Book 1391 at Page 247, in the office of the Washington County Recorder, in said County, State of Utah; thence along said Northerly right-of-way of Telegraph Road Phase II the following (2) two courses: Southwesterly 38.84 feet along the arc of said curve through a central angle of 01°14'45" to the point of tangency; thence South 85°23'00" West 407.83 feet to the point of beginning

**PARCEL 2:**

The nonexclusive easements, appurtenant to Parcel P described herein, provided for in that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Sienna Hills recorded January 27, 2006 as Entry No. 999848 in Book 1838 at Page 798, as amended by that certain First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Sienna Hills recorded March 8, 2010 as Entry No. 20100007553, and as amended, supplemented and/or otherwise affected by that certain Tract Declaration of Covenants, Conditions and Restrictions, dated June 12, 2019 and recorded June 28, 2019 as Entry No. 20190025529 among the official records of Washington County, Utah.

Tax I.D. No. W-5-2-13-245

Subject to, however, those, and only those, matters set forth on Exhibit A attached hereto and incorporated herein by reference.

[SIGNATURE PAGE FOLLOWS]

WITNESS, that Grantor has executed this Warranty Deed to be effective 21 of November  
\_\_, 2019.

SIENNA HILLS PROPERTIES, LLC,  
a Utah limited liability company

By: \_\_\_\_\_  
Name: ~~K. Rickard Miller, Jr.~~  
Title: ~~Manager~~

STATE OF OREGON §  
County of ~~Washington~~ CLATSOP §  
§  
§

On the 15 day of November 2019 personally appeared before me  
K. RICKARD MILLER, JR., MANAGER of Sienna Hills  
Properties, LLC, a Utah limited liability company, who duly acknowledged to me that he  
executed the same on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public  
My commission expires: 4/29/21  
Residing in: LAMG OREGON

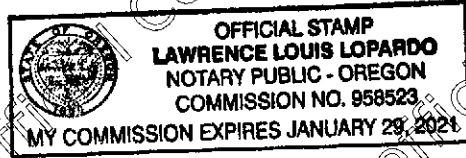


Exhibit A  
to  
Warranty Deed

1. Taxes for the year 2019 are paid under previous Parcel No. W-5-2-13-245.
2. The Land is located within the boundaries of Washington City, The Washington County Water Conservancy District, Ash Creek Special Service District, Washington County Special Service District No. 1, Southwest Mosquito Abatement and Control District, Washington County Flood Control, and is subject to any and all charges and assessments levied thereunder.
3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records.
4. Claim, right, title or interest to water or water rights whether or not shown by the public records.
5. Public utilities easements as shown on the Record of Survey for Parcel 14B of the Sienna Hills Development, filed in the office of the Washington County Surveyor on November 14, 2008 as No. 4992-08.

As shown on ALTA/NSPS Land Title Survey prepared by Roger M. Bundy, PLS No. 7654 of R & B Surveying dated September 17, 2019, last revised October 1, 2019.

6. Entry Feature Easement in favor of Sienna Hills Community Association for the purpose of the construction, access, maintenance, and repair of Entry Features and incidental purposes, by instrument dated October 26, 2017 and recorded October 27, 2017, as Entry No. 20170043410.

As shown on ALTA/NSPS Land Title Survey prepared by Roger M. Bundy, PLS No. 7654 of R & B Surveying dated September 17, 2019, last revised October 1, 2019.

7. Easement in favor of the City of Washington, a Utah municipal corporation for the use, operation, installation, maintenance, replacement and repair of improvements associated with a public sewer system and incidental purposes, by instrument dated January 19, 2018 and recorded January 19, 2018, as Entry No. 20180002872.

As shown on ALTA/NSPS Land Title Survey prepared by Roger M. Bundy, PLS No. 7654 of R & B Surveying dated September 17, 2019, last revised October 1, 2019.

8. Reservations and exceptions as contained in Patent No. 1167304 from the United States of America, recorded December 18, 1956 as Entry No. 102651 in Book S-10 at Page 145, official Washington County Records.

Rights of revision set forth in said Patent have expired on their own terms.

9. The reservations, exceptions and easements as set forth in State of Utah Patent No. 20621, recorded June 28, 2019 as Entry No. 20190025528, official Washington County Records.

10. Notice, dated September 27, 1988 and recorded September 30, 1988 as Entry No. 338481 in Book 499 at Page 504.

Indemnification by Washington County, a Utah Municipal Corporation, dated September 27, 1988 and recorded February 15, 1990 as Entry No. 360728 in Book 550 at Page 415.

11. United States Department of the Interior Bureau of Land Management Utah Clear List No. 18, recorded January 18, 1989 as Entry No. 343020 in Book 509 at Page 778.

12. Development Agreement by and between Washington City, a Utah municipal corporation and the State of Utah, School and Institutional Trust Lands Administration, an independent agency of the State of Utah, dated September 28, 2005 and recorded November 17, 2005 as Entry No. 985651 in Book 1815 at Page 165.

13. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Sienna Hills recorded January 27, 2006 as Entry No. 999848 in Book 1838 at Page 798, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

Amended March 8, 2010 as Entry No. 20100007553.

Tract Declaration of Covenants, Conditions and Restrictions, dated June 12, 2019 and recorded June 28, 2019 as Entry No. 20190025529.

14. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration of Covenants Regarding Development recorded June 28, 2019 as Entry No. 20190025530, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

15. Storm Water Management BMP Maintenance Agreement by Sienna Hills Properties, LLC, recorded August 9, 2019 as Entry No. 20190031728.

16. Subject to the following matters disclosed on that certain survey prepared by R & B Surveying, having been certified under the date of September 17, 2019, last revised October 1, 2019, as Job No. Not Disclosed, by Roger M. Bundy, a Professional Land Surveyor holding License No. 7654:

a. Electric boxes in Northwest portion appear to bisect property line

- b. Gas line per blue stakes along Westerly portion
- c. Century Link line per blue stakes along Westerly portion
- d. Fiber optic line per blue stakes along Westerly portion
- e. CATV line per blue stakes along Westerly portion
- f. Underground electric line per blue stakes along Westerly portion
- g. 10.00 foot Public Utility and Drainage Easement along the Southerly, Westerly and Northerly boundary lines
- h. 20 foot side-yard setback (0 feet if approved by planning commission conditional use approval) (per PCD Zoning-current zone)