

Warranty Deed Page 1 of 6  
Russell Shirts Washington County Recorder  
04/17/2018 03:11:52 PM Fee \$23.00 By  
SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:  
Gooseberry Preserve LLC  
3242 E Alta Hills Dr.  
Sandy, UT 84093



SOUTHERN UTAH TITLE  
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Doing Good Deeds for Over 60 Years

Order No. 198419 - BD  
Tax I.D. No. AV-1311-A-7, AV-1311-A-1, and AV-1-2-20-440

Space Above This Line for Recorder's Use

**WARRANTY DEED**

**Majestic Development LLC, A Utah Limited Liability Company**, grantor(s), of St. George, County of Washington, State of Utah, hereby **CONVEY and WARRANT** to

**Gooseberry Preserve, LLC, a Utah Limited Liability Company**, grantees(s) of Sandy, County of Salt Lake, State of Utah, for the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** the following described tract of land in Washington County, State of Utah:

**See Attached Exhibit "A"**

**See Water Rights Addendum to Land Deeds attached hereto and made a part hereof**

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity

WITNESS the hand(s) of said grantor(s), this 13<sup>th</sup> day of April, 2018.

Majestic Development LLC, A Utah Limited Liability Company

By: [Signature]  
Jack D. Raleigh, Member

By: [Signature]  
Tena M. Raleigh, Member

STATE OF Utah )

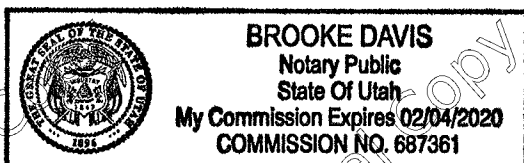
ss.

COUNTY OF Washington )

On the 13<sup>th</sup> day of April, 2018, personally appeared before me, Jack D. Raleigh, Member and Tena M. Raleigh, Member of Majestic Development LLC, A Utah Limited Liability Company, the signers of the within instrument who duly acknowledged to me that they executed the same.

[Signature]  
NOTARY PUBLIC

My Commission Expires:



Attachment to that certain Warranty Deed executed by Majestic Development LLC, A Utah Limited Liability Company grantor(s), to Gooseberry Preserve, LLC, a Utah Limited Liability Company grantee(s).

Order No. 198419

Tax LD. No. AV-1311-A-7, AV-1311-A-1, and AV-1-2-20-440

**EXHIBIT "A"**

**Parcel 1:**

Beginning at the Northwest Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 89°59'31" East along the Section line 1320.18 feet to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW¼NW¼) of said Section 20; thence South 0°04'22" East along the 1/16 section line 555.00 feet; thence South 81°49'22" West 668.26 feet; thence South 65°40' West 236.00 feet; thence North 68°00' West 360.00 feet; thence North 59°20' West 315.00 feet; thence South 87°00' West 375.00 feet; thence North 80°00' West 332.00 feet; thence North 43°50' West 295.00 feet; thence North 16°10' West 309.00 feet; thence North 7°00' East 597.00 feet; North 36°30' West 789.00 feet to the 1/16 Section line; thence South 89°49'34" East along the 1/16 line 1544.47 feet to the Northeast Corner of the Southeast Quarter of the Southeast Quarter (SE¼SE¼) of Section 18, said township and range; thence South 0°11'04" East 1318.13 feet to the point of beginning.

**Parcel 2:**

Commencing at the Northwest Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and running thence North 89°59'31" East 1320.18 feet to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW¼NW¼) of said Section 20; thence South 0°04'22" East 555.00 feet along the 1/16 Section line to the true point of beginning; thence South 81°49'22" West 668.26 feet; thence South 65°39'54" West 178.76 feet; thence South 8°11'50" East 256.52 feet; thence North 81°48'11" East 796.29 feet; thence North 0°04'22" West 309.08 feet to the true point of beginning.

**Parcel 3:**

Commencing at the Northwest Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and running thence North 89°59'31" East 1320.18 feet to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW¼NW¼) of said Section 20; thence South 0°04'22" East 864.08 feet along the 1/16 Section line to the TRUE POINT OF BEGINNING; thence continuing South 0°04'22" East along the 1/16 Section line, 373.24 feet to a point where the Easterly prolongation of the centerline of Smithsonian Way intersects with the 1/16th Section line; thence South 85°48'31" West, along said center line, 1.0 feet to a point of curvature of a non-tangent 50.00 foot radius curve to the left, having a radius line bearing South 85°48'31" West, said point being on the Easterly boundary of APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; thence Northwesterly along the Easterly boundary of said APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION and along the arc of said curve, through a central angle of 89°00'16", a distance of 77.671 feet to the Southeast corner of Lot 106 of said APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; thence continuing along the Easterly and Northerly boundary of said APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION through the following courses and distances, North 0°04'22" West, 236.81 feet to beginning of a 25.00 foot radius curve to the left; thence Northwesterly along the arc of said curve, 42.815 feet, through a central angle of 98°07'28"; thence South 81°48'10" West 802.46 feet to the beginning of a 550.00 foot radius curve to the right; thence Westerly along the arc of said curve, through a central angle of 24°07'06", a distance of 229.81 feet to point of intersection with a 187.318 foot radius curve to the left; thence Northwesterly along the arc of said curve, through a central angle of 38°37'25", a distance of 126.273 feet to the

Southeasterly corner of Lot 124 of said APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; thence leaving the Easterly boundary of said APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION, South 63°41' East 17.68 feet to a point of tangency with a 500 foot radius curve to the left; thence Southeasterly along the arc of said curve, 301.19 feet; thence North 81°48'10" East 888.93 feet to the TRUE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM any portion of Parcel 2 and Parcel 3 lying within the following:

Commencing at the Northwest Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and running thence North 89°59'31" East 1320.18 feet to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of said Section 20; thence South 0°04'22" East 555.0 feet along the 1/16th Section line; thence South 81°49'22" West 358.217 feet to the TRUE POINT OF BEGINNING; thence South 81°49'22" West 310.043 feet; thence South 65°40' West 178.75 feet; thence South 8°11'50" East 256.52 feet; thence South 81°48'10" West 92.64 feet to a point of tangency with a 500 foot radius curve to the right; thence Northwesterly along the arc of said curve 301.19 feet, through a central angle of 34°30'50"; thence North 63°41' West 17.68 feet to a point on a 187.31 foot radius curve with a radius line bearing of South 26°19' West, (said point being the Southeast corner of Lot 124 of APPLE VALLEY RANCH SUBDIVISION, GOOSE BERRY UNIT NO. 1, according to the official plat thereof on file in the office of the Washington County Recorder, State of Utah); thence Southeasterly along the Easterly and Northerly boundary of said Subdivision through the following courses and distances, to the right, along the arc of said curve through a central angle of 38°37'25", a distance of 126.273 feet to a point of intersection with a non-tangent 550 foot radius reverse curve to the left with a radius line bearing of North 15°55'16" East; thence Southeasterly to the left along the arc of said curve 231.519 feet through a central angle of 24°07'06"; thence North 81°48'10" East 574.392 feet; thence departing from the boundary of said APPLE VALLEY RANCH SUBDIVISION, GOOSE BERRY UNIT NO. 1 and running North 8°11'50" West 356.09 feet to the TRUE POINT OF BEGINNING.

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Initials 

**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Majestic Development LLC, A Utah Limited Liability Company  
 Grantee: Gooseberry Preserve, LLC, a Utah Limited Liability Company  
 Tax ID Number(s): AV-1311-A-7, AV-1311-A-1, and AV-1-2-20-440

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

- |                                       |   |                      |
|---------------------------------------|---|----------------------|
| 1 <input type="checkbox"/>            | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.   | Proceed to Section A |
| 2 <input checked="" type="checkbox"/> | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B                    |
| 3 <input type="checkbox"/>            | No water rights are being conveyed.   | C                    |
| 4 <input checked="" type="checkbox"/> | Water rights are being conveyed by separate deed.   | C                    |

Section	Important Notes (see other side)
A The water right(s) being conveyed included Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B Only the following water rights are being conveyed: (check all boxes that apply) <input checked="" type="checkbox"/> All of Water Rights No(s). <u>81-2171 and 81-4614</u> <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5  N2
C Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <input type="checkbox"/> Culinary water service is provided by: <input type="checkbox"/> Outdoor water service is provided by: <input checked="" type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input type="checkbox"/> Other water related disclosures:	N6  N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Majestic Development LLC, A Utah Limited Liability Company

Jack D. Raleigh      Tena M. Raleigh  
 Jack D. Raleigh, Member      Tena M. Raleigh, Member

Grantee's Acknowledgment of Receipt: Gooseberry Preserve, LLC, a Utah Limited Liability Company

Robert Conti, Manager      Richard DeSpain, Manager

Grantee's Address: 3242 E Alta Hills Dr., Sandy, Utah 84093

**NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.**

**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Majestic Development LLC, A Utah Limited Liability Company  
 Grantee: Gooseberry Preserve, LLC, a Utah Limited Liability Company  
 Tax ID Number(s): AV-1311-A-7, AV-1311-A-1, and AV-1-2-20-440

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

- |                                       |   |                      |
|---------------------------------------|---|----------------------|
| 1 <input type="checkbox"/>            | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.   | Proceed to Section A |
| 2 <input checked="" type="checkbox"/> | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B                    |
| 3 <input type="checkbox"/>            | No water rights are being conveyed.   | C                    |
| 4 <input type="checkbox"/>            | Water rights are being conveyed by separate deed.   | C                    |

Section	Important Notes (see other side)
A The water right(s) being conveyed included Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B Only the following water rights are being conveyed: (check all boxes that apply) <input checked="" type="checkbox"/> All of Water Rights No(s). <u>81-2171 and 81-4614</u> <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5  N2
C Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <input type="checkbox"/> Culinary water service is provided by: <input type="checkbox"/> Outdoor water service is provided by: <input checked="" type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input type="checkbox"/> Other water related disclosures:	N6  N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Majestic Development LLC, A Utah Limited Liability Company

Jack D. Raleigh, Member

Tena M. Raleigh, Member

Grantee's Acknowledgment of Receipt: Gooseberry Preserve, LLC, a Utah Limited Liability Company

Robert Conti, Manager

Richard DeSpain, Manager

Grantee's Address: 3242 E Alta Hills Dr., Sandy, Utah 84093

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

**The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.**

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

**The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300. Telephone: 801-553-7240 Web Address: [www.waterrights.utah.gov](http://www.waterrights.utah.gov)**