

11987389  
2/4/2015 3:47:00 PM \$28.00  
Book - 10293 Pg - 6883-6890  
Gary W. Ott  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 8 P.

**AFTER RECORDING, PLEASE RETURN TO:**

Kirton McConkie  
Attn: Benson L. Hathaway, Jr. Esq.  
50 East South Temple, Suite 400  
Salt Lake City, UT 84111  
Telephone: (801) 328-3600  
Email: bhathaway@kmclaw.com

**MAIL TAX NOTICE TO:**

Ivory Land Corporation  
978 East Woodoak Lane,  
Salt Lake City, UT 84117  
Attn: Darin Haskell  
Telephone: (801) 747-7000  
Email: jims@icocompanies.com

CTIA-74733-AF

Tax Parcel Nos.: Part of Prior  
Parcel # 27-36-351-009

**SPECIAL WARRANTY DEED**

BG VISTA STATION, L.C., a Utah limited liability company ("Grantor"), CONVEYS AND WARRANTS against all claiming by, through or under it to Ivory Land Corporation, Inc., a Utah corporation ("Grantee"), all that certain tract or parcel of land lying and being situated in the County of Salt Lake County, State of Utah (the "Property") and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference. Such conveyance is made subject to general taxes, easements, restrictions and rights of way of record and the Permitted Exceptions as set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

WITNESS, the hand of said Grantor, this 3<sup>RD</sup> day of February, 2015.

*(Signatures on following page)*

WITNESS, the hand of said Grantor, this 3<sup>rd</sup> day of February, 2015.

BG VISTA STATION, L.C.,  
a Utah limited liability company

By: The Boyer Company, L.C.,  
a Utah limited liability company

Its: Manager

By: [Signature]  
Name: Jacob L. Boyer  
Its: Manager

STATE OF UTAH            )  
  : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2015, by Jacob L. Boyer, the Manager of THE BOYER COMPANY, L.C., a Utah limited liability company, which is a Manager of BG VISTA STATION, L.C., a Utah limited liability company.

[Signature]  
NOTARY PUBLIC  
Residing at: Salt Lake

My Commission Expires:  
04-04-16

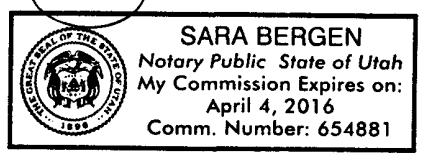


EXHIBIT A

Legal Description of Property

Lots 116, 117, 118, 119 and 121, DRAPER TOD SECOND AMENDMENT, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder, State of Utah.

## EXHIBIT B

### 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 2015 are accruing as a lien not yet due and payable under Parcel No. 27-36-351-009.
10. Said property is located within the boundaries of Draper City, and subject to the charges and assessments thereof. For more information please call 801-576-6500. Said property is located within the boundaries of South Valley Sewer District, and subject to the charges and assessments thereof. For more information please call 801-571-1166.
11. Notice of Adoption of Draper Frontrunner Community Development Project Area Plan, dated August 10, 2012 and recorded October 11, 2012 as Entry No. 11489936 in Book 10065 at Page 4047.
12. 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 in Schedule B. 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.
13. Claim, right, title or interest to water or water rights whether or not shown by the public records.

14. Easements, notes and restrictions as shown on the recorded plat for Draper TOD Second Amendment.
15. Right of Way for Corner Canyon Creek and Galena Park Creek, 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 Creek or pertaining to the use and maintenance of said Creek. 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 Creek; (ii) the uncertainty of the boundaries of said Creek; 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.
16. Right of Way for Galena 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.
17. Easement in favor of Salt Lake County Sewerage Improvement District No. 1, a body politic of the State of Utah for a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipe-lines, manholes, laterals and other sewer collection and transmission structures and facilities and incidental purposes, by instrument recorded March 24, 1988, as Entry No. 4601226, in Book 6013, at Page 2315.
18. Trail Easement and Contract by and between The State of Utah/Division of Facilities Construction and Management and the City of Draper, Utah, recorded October 4, 1999 as Entry No. 7480747 in Book 8313 at Page 6385.
19. Easement in favor of South Valley Sewer District, a body politic of the State of Utah for a twenty (20) foot wide sanitary sewer easement and incidental purposes, by instrument recorded November 17, 2011, as Entry No. 11281128, in Book 9967, at Page 3763.
20. Easement Agreement by and between Draper Holdings, LLC, a Utah limited liability company and EBAY INC., a Delaware corporation, dated November 18, 2011 and recorded November 18, 2011 as Entry No. 11282241 in Book 9967 at Page 8577.

21. Easement Agreement by and between Draper Holdings, LLC, a Utah limited liability company and The City of Draper, a municipal corporation, dated November 17, 2011 and recorded December 5, 2011 as Entry No. 11291426 in Book 9971 at Page 9828.
22. Grant of Permanent Easement in favor of Utah Transit Authority for a permanent, exclusive easement on, across, upon, over and beneath the surface of said property and incidental purposes, by instrument recorded October 4, 2012, as Entry No. 11485646, in Book 10063, at Page 3539.
23. Perpetual Utility Easement in favor of Utah Transit Authority for an exclusive perpetual easement for a right of way (15) feet in width for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, cabinets and vaults on, across or under the surface of said property and incidental purposes, by instrument recorded October 4, 2012, as Entry No. 11485647, in Book 10063, at Page 3543.
24. Easement in favor of South Valley Sewer District, a body politic of the State of Utah, its successors and assigns for a perpetual right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities over and through said property and incidental purposes, by instrument dated August 5, 2014 and recorded August 7, 2014, as Entry No. 11893859, in Book 10251, at Page 2766.

NOTE: Exhibit Map appears to be in error.

25. Protective Covenants, Conditions and Restrictions, but deleting any covenant condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions, or restrictions violate Title 42, USC 3604. Recorded November 18, 2011 as Entry No. 11282239 in Book 9967 at Page 8558.
26. Development Agreement as disclosed by that certain Assignment of Development Agreement recorded December 17, 2009 as Entry No. 10861464 in Book 9789 at Page 5662.

First Amendment to Development Agreement and Confirmation of Satisfaction of Conditions Precedent, dated February 15, 2011 and recorded April 22, 2011 as Entry No. 11171122 in Book 9919 at Page 8749.

27. Intentionally deleted by Title Company.
28. Agreement to Convey Property by and between Utah Transit Authority and Draper Holdings, LLC, a Utah limited liability company, dated October 3, 2012 and recorded October 4, 2012 as Entry No. 11485648 in Book 10063 at Page 3547.
29. Ordinance No. 1036 of the Draper City Renaming Galena Park Boulevard to Vista Station Boulevard from 12300 South to Approximately 13400 South, dated December 18, 2012 and recorded February 7, 2013 as Entry No. 11573191 in Book 10106 at Page 651.
30. Intentionally deleted by Title Company.
31. Intentionally deleted by Title Company.
32. Rights of tenants in possession, as tenants only, under unrecorded leases.
33. Intentionally deleted by Title Company.
34. Intentionally deleted by Title Company.
35. Subject to the following matters disclosed on that certain survey prepared by Psomas, having been certified under the date of January 23, 2015, as Job No. 8TBC010200, by Brian D. Arnold, a Registered Land Surveyor holding License No. 187007:
  - Overhead electric lines
  - Two sewer manholes are found to lie outside of easement area, said easement is disclosed as Exception No. 17 herein
  - Drainage area
  - Detention pond service road
36. Reimbursement Memorandum by and between Draper Holdings, LLC and BG Vista Station, L.C., a Utah limited liability company, dated January 30, 2015 and recorded January 30, 2015 as Entry No. 11985471 in Book 10292 at Page 8279.

