

Warranty Deed

Grantor: **White September LLC as to parcels 1 and 3**
Joseph A. Ballstaedt and Kristi Ballstaedt as to parcel 2

hereby **CONVEY AND WARRANT** to:

Grantee: MIDWAY HERITAGE DEVELOPMENT, LLC, a Utah limited liability company
of: 143 W farm Springs Lane, Midway, UT 84049

FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land within Wasatch County, State of UTAH to wit:

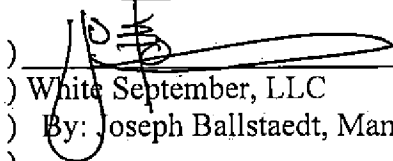
See Attached Legal Description

Together with all appurtenances thereunto belonging.

This deed is hereby made expressly subject to all existing and recorded restrictions, exceptions, reservations, easements, rights-of-way, conditions, and covenants of whatever nature, if any, and is expressly subject to all regulations, and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to and enforceable against the premises described herein.

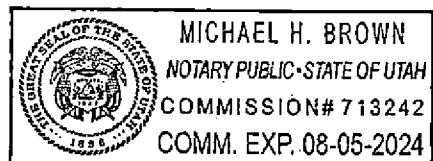
The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.


WITNESS THE HAND OF SAID GRANTOR THIS 23 DAY OF SEPTEMBER, 2020.

) 
) White September, LLC
) By: Joseph Ballstaedt, Managing Member
)
) By:

STATE OF UTAH)
) §.
County of Wasatch)

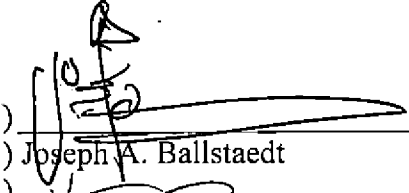
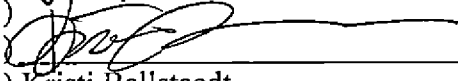
On this 23 day of September, 2020 personally appeared before me Joseph Ballstaedt whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn (or affirmed), did say that he is the Managing Member of White September, LLC, the Corporation that executed the foregoing instrument and that said document was signed by them in behalf of said corporation by authority of its bylaws (or of a Resolution of its Board of Directors), and he acknowledged to me that said corporation executed the same.





Notary Public

WITNESS THE HAND OF SAID GRANTOR THIS 23 DAY OF SEPTEMBER, 2020.

) 
) Joseph A. Ballstaedt
) 
) Kristi Ballstaedt

State of Utah)
County of Wasatch) ss

On the 23 day of September 2020, personally appeared before me, Joseph A, Ballstaedt and Kristi Ballstaedt, the signers of the within instrument, who duly acknowledged to me that they executed the same.





 NOTARY PUBLIC

LEGAL DESCRIPTION

Parcel No. 1:

Beginning at a point East 507.19 feet more or less and South 5.07 feet more or less from the Northwest Corner of the Southeast Quarter of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian, said point is also located on an existing fence line; and running thence South 89°50'25" East 35.69 feet along a fence line; thence South 81°19'11" East 181.96 feet along a fence line; thence South 88°42'56" East 102.62 feet along a fence line; thence South 88°04'39" East 171.70 feet along a fence line; thence South 00°49'26" West 365.06 feet along a fence line; thence South 01°20'23" West 239.93 feet; thence South 00°52'29" West 289.40 feet along a fence line; thence North 88°10'00" West 264.54 feet along the northerly right-of-way fence line of Highway 113 to an existing iron rod (LS 145796); thence North 01°26'28" West 180.54 feet to an existing iron rod (LS 145796); thence North 87°23'16" West 190.68 feet to an existing iron rod (LS 145796); thence North 87°23'16" West 1.21 feet to a point on an existing fence line which is the fence line described in that certain Boundary Agreement dated August 5, 1996 between the Ballstaedts and the Dodge Family Trust and recorded as Entry No. 191101 in Book 337 at Pages 633-637 in the Wasatch County Recorder's Office; and running thence along the existing fence line and Boundary Line Agreement the following 5 courses; 1) North 01°57'47" West 22.33 feet; thence 2) North 01°08'17" West 182.26 feet; thence 3) North 01°15'59" West 180.98 feet; thence 4) North 01°28'37" West 160.62 feet; thence 5) North 01°12'27" West 160.87 feet to the point of beginning.

Tax ID No.: OMI-0534

Parcel No. 2:

Beginning East 1006.50 feet and South 596.30 feet from the center of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 88°10' East 165 feet; thence South 300 feet; thence West 165 feet; thence North 300 feet to the point of beginning.

Subject to a right of access across the East 30 feet of said property.

Tax ID No.: OMI-0528

Parcel No. 3:

Beginning 15.25 chains East and 368.3 feet South of the Northwest Corner of the Southeast Quarter of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 228 feet; thence South 88°10' East 165 feet; thence North 228 feet; thence North 88°10' West 165 feet to the point of beginning.

Together with & subject to a right of access across the East 30 feet of the following described property:

Beginning East 1006.50 feet and South 596.30 feet from the center of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 88°10' East 165 feet; thence South 300 feet; thence West 165 feet; thence North 300 feet to the point of beginning.

Tax ID No.: OMI-0528-1

WATER RIGHTS ADDENDUM TO WATER DEEDS

Grantor: White September, LLC, Joseph A. Ballsteadt, and Kristi Ballsteadt

Grantee: Midway Heritage Development, LLC

Water Right No(s):

In connection with the foregoing water rights conveyance, Grantor hereby assigns to Grantee all water rights listed which are not yet capable by law of being conveyed by deed (e.g., pending or unapproved water rights) and all applications pertaining to the water rights listed (e.g., all change applications, extension applications, non-use applications, etc.). Grantor also makes the following declarations and disclosures:

SECTION 1 - TYPE OF DEED Check one box only - Must match language in the deed

- The foregoing deed is a warranty deed. (Grantor is making all standard warranties.)
The foregoing deed is a special warranty deed. (Grantor is only warranting that Grantor has not previously conveyed title to others, i.e., a warranty of title as to all claiming by or through Grantor.)
The foregoing deed is a quit claim deed. (Grantor is making no warranties.)
The language in the foregoing deed is controlling as to the type of deed and associated warranties, if any. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if any box above is checked)

SECTION 2 - APPURTENANT WATER RIGHTS Check one box only

- All of Grantor's water rights approved for use on the following described parcel(s) are being conveyed.
In addition to any specifically identified rights, all other water rights owned by Grantor and approved for use on the following described parcel(s) are being conveyed.
No water rights other than those specifically identified by water right number are being conveyed.

SECTION 3 - WATER RIGHTS CONVEYED IN WHOLE OR IN PART Check all applicable boxes

- 100% of the following water rights described in the deed are being conveyed. Water Right Nos.
Only the portion indicated of the following water rights described in the deed are being conveyed.
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:
The language in the foregoing deed is controlling as to quantity, if any.

SECTION 4 - OTHER DISCLOSURES Check all applicable boxes

- Grantor is endorsing and delivering to Grantee stock certificates for 10 Shares shares of stock in the following water company: Midway Irrigation
Other water related disclosures:

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:

Grantee's Acknowledgment of Receipt:

Grantee's Mailing Address: 143 W Farm Springs Lane, Midway, UT 84049

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

WATER RIGHTS ADDENDUM TO WATER DEEDS

Grantor: White September, LLC, Joseph A. Ballsteadt, and Kristl Ballsteadt

Grantee: Luster Development, INC

Water Right No(s): _____

In connection with the foregoing water rights conveyance, Grantor hereby assigns to Grantee all water rights listed which are not yet capable by law of being conveyed by deed (e.g., pending or unapproved water rights) and all applications pertaining to the water rights listed (e.g., all change applications, extension applications, non-use applications, etc.). Grantor also makes the following declarations and disclosures:

SECTION 1 - TYPE OF DEED Check one box only - Must match language in the deed

- The foregoing deed is a warranty deed. (Grantor is making all standard warranties.)
- The foregoing deed is a special warranty deed. (Grantor is only warranting that Grantor has not previously conveyed title to others, i.e., a warranty of title as to all claiming by or through Grantor.)
- The foregoing deed is a quit claim deed. (Grantor is making no warranties.)
- The language in the foregoing deed is controlling as to the type of deed and associated warranties, if any. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if any box above is checked)

SECTION 2 - APPURTENANT WATER RIGHTS Check one box only

- All of Grantor's water rights approved for use on the following described parcel(s) are being conveyed.
- In addition to any specifically identified rights, all other water rights owned by Grantor and approved for use on the following described parcel(s) are being conveyed. _____
- No water rights other than those specifically identified by water right number are being conveyed.

SECTION 3 - WATER RIGHTS CONVEYED IN WHOLE OR IN PART Check all applicable boxes

- 100% of the following water rights described in the deed are being conveyed. Water Right Nos. _____
- Only the portion indicated of the following water rights described in the deed are being conveyed. _____ 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: _____
- _____ 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: _____
- _____ 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: _____
- The language in the foregoing deed is controlling as to quantity, if any.

SECTION 4 - OTHER DISCLOSURES Check all applicable boxes

- Grantor is endorsing and delivering to Grantee stock certificates for 10 Shares shares of stock in the following water company: Midway Irrigation
- Other water related disclosures: _____

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: _____

Grantee's Acknowledgment of Receipt: Don D. Justice

Grantee's Mailing Address: 143 W Farm Springs Lane, Midway, UT 84049

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

Mail Recorded Deed and Tax Notice To:
Midway Heritage Development, LLC, a Utah limited liability company
143 W Farm Srpings Ln
Midway, UT 84049



File No.: 132801-CAP

SPECIAL WARRANTY DEED

Midway Village Development, LLC, a Utah limited liability company,

GRANTOR(S) of Midway, State of Utah, hereby Conveys and Warrants against all who claim by, through, or under the grantor to

Midway Heritage Development, LLC, a Utah limited liability company

GRANTEE(S) of Midway, State of Utah

for the sum of Ten and no/100 (\$10.00) DOLLARS and other good and valuable consideration, the following described tract of land in **Wasatch County**, State of Utah:

SEE EXHIBIT A ATTACHED HERETO

TAX ID NO.: 00-0021-2788, 00-0021-2599, 00-0006-4720, 00-0014-1502, (for reference purposes only)

SUBJECT TO: Property taxes for the year 2020 and thereafter; covenants, conditions, restrictions, reservations and easements of record; and all applicable zoning laws and ordinances.

Dated as of this 13th day of January, 2021.

Midway Village Development, LLC, a Utah
limited liability company

BY:


Daniel J. Luster
Manager

STATE OF UTAH

COUNTY OF SALT LAKE

On the 13th day of January, 2021, personally appeared before me Daniel J. Luster, who acknowledged himself to be the Manager of Midway Village Development, LLC, a Utah limited liability company, and that he, as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained.



Notary Public



EXHIBIT A
Legal Description

PARCEL 1:

A parcel of land located in the Northeast quarter of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian, Wasatch County, Utah, described as follows:

Beginning at the Southwest corner of that property described in Book 574 at Page 400 of the Wasatch County Recorder said point being North 89°47'29" West 1576.70 feet (West by record) along the section line and existing fence from the East quarter corner of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian and running thence along said section line and existing fence North 89°47'29" West 1035.10 feet to a fence corner; thence along an existing fence North 00°33'08" East 127.04 feet (North 132.5 feet by deed) to the Southeasterly line of Memorial Hill as described in Book 21 at Page 142 of said records; thence along said Southeasterly line North 73°52'00" East 460.00 feet; thence North 58°11'00" East 237.00 feet; thence North 43°06'00" East 351.00 feet; thence North 24°41'00" East 63.52 feet to the Northwest corner of that property described in Book 574 at Page 400 of said records and a fence corner; thence along the West line of said property and said fence South 10°05'55" East 708.55 feet to the point of beginning.

PARCEL 1A:

A perpetual easement and right of way on, over and across the land described as follows:

Beginning at a point located 2681.92 feet due North and 900.07 feet due East from the South quarter corner of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian and running thence South 89°45'28" East 136.12 feet; thence North 60.00 feet; thence North 89°45'28" West 146.81 feet; thence South 10°05'55" East 60.99 feet to the point of beginning.

PARCEL 1B:

A right of way easement described as follows:

Beginning at a point on the Northerly line of an existing public highway, said point being East 15.25 chains, South 896.3 feet, and East 165 feet, more or less, from the Northwest corner of the Southeast quarter of Section 35, in Township 3 South, Range 4 East of the Salt Lake Meridian and running thence North 896.3 feet, more or less, to the North line of the Southeast quarter; thence East 40 feet; thence South 896.3 feet, more or less, to the North line of said public highway; thence West 40 feet to the place of beginning.

PARCEL 2:

Beginning at a point 40 feet West from the Southeast corner of the Northwest quarter of Section 35, Township 3 South, Range 4 East of the Salt Lake Meridian and running thence West 317.72 feet; thence North 20 feet; thence East 327.72 feet; thence South 36° West 12 feet; thence South 13 feet to the place of beginning.

ALSO:

Beginning at a point 40 feet West from the Southeast corner of the Northwest quarter of Section 35, Township 3 South, Range 4 East of the Salt Lake Meridian and running thence East 40 feet; thence North 40 feet; thence West 20 feet; thence South 36° West 34 feet, more or less, to a point due North from the place of beginning; thence South 13 feet to the place of beginning.

PARCEL 3:

A parcel of land located in Wasatch County, Utah, described as follows:

Commencing at a point West 10.77 feet and North 2385.21 feet and North 89°20'21" East 131.56 feet from the 1995 monument for the South quarter corner of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian and running thence North 258.01 feet; thence North 89°48'48" East 355.01 feet; thence South 02°01'27" East 161.34 feet; thence South 02°17'37" East 93.96 feet; thence South 89°20'21" West 364.49 feet to the point of beginning.

PARCEL 4:

Beginning East 33 feet from the center of Section 35, Township 3 South, Range 4 East, Salt Lake Meridian; thence South 01° East 675.50 feet; thence South 88°10' East 135 feet; thence South 01° East 248.5 feet; thence South 88°10' East 369.90 feet; thence North 01° West 937.20 feet; thence West 504.90 feet to the beginning.

LESS AND EXCEPTING that portion of ground conveyed by that certain Boundary Line Agreement recorded December 5, 1996 as Entry No. 191101 in Book 337 at Page 633 of official records, more particularly described as follows:

Beginning at a point which is 33 feet East and North 89°48'03" East 34.50 feet; and South 89°30'02" East 263.84 feet; and South 89°03'31" East 175.88 feet from the assumed Northwest corner of the Southeast quarter of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian and running thence South 01°12'27" East 160.87 feet; thence South 01°28'37" East 160.62 feet; thence South 01°15'59" East 180.98 feet; thence South 01°08'17" East 182.26 feet; thence South 01°57'47" East 195.29 feet.

LESS AND EXCEPTING that portion conveyed by that certain Warranty Deed recorded January 18, 2005 as Entry No. 278987 in Book 732 at Page 190 of official records, more particularly described as follows:

Beginning at a found rebar and cap survey marker stamped RLS #3371 located at the Southeast corner of that certain parcel of property warranted to Ernest B. Hewlett and Colleen L. Hewlett on 31 August, 1995 and referenced as Entry No. 181778 in Book 306 at Page 94 of official records, said rebar and cap survey marker lying North 2385.21 feet and West 10.77 feet from the 1995 Wasatch County survey monument for the South one-quarter corner of Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian (from said South one-quarter corner the 1995 Wasatch County survey monument for the Southeast corner of said section bears North 89°54'33" East 2658.21 feet) and running thence South 86°34'19" West 334.51 feet along the Southerly boundary of said parcel; thence North 00°34'50" East 274.31 feet along the Westerly boundary of said parcel; thence North 89°24'45" East 325.45 feet along the Northerly boundary of said parcel; thence North 01°15'58" West 1.44 feet to a point on an existing fence line; thence North 89°48'48" East 472.29 feet along an existing fence line; thence South 02°01'27" East 161.34 feet along an existing fence line; thence South 02°17'37" East 93.96 feet along an existing fence line; thence South 89°20'21" West 476.05 feet to the point of beginning.