



\*W2769931\*

WHEN RECORDED, MAIL TO:  
Alston, Courtnage & Bassetti LLP  
1420 Fifth Avenue, Suite 3650  
Seattle, WA 98101-4011  
Attn: Thomas W. Read, Esq.

E# 2769931 PG 1 OF 7  
Leann H. Kilts, WEBER COUNTY RECORDER  
17-Dec-15 10:58 AM FEE \$22.00 DEP TN  
REC FOR: METRO NATIONAL TITLE  
ELECTRONICALLY RECORDED

MNT-48956

**SPECIAL WARRANTY DEED**  
(Parcel Identification No. 12-057-0003)

**Washington Park Associates, L.C.**, a Utah limited liability company ("Seller"), whose address is c/o Campbell-Hogue & Associates, Inc., 2223 112th Avenue Northeast, Suite 102, Bellevue, WA 98004, in consideration of Ten Dollars and other good and valuable consideration, the receipt of which is acknowledged, hereby conveys and warrants against all claiming by, through or under it, but not otherwise, to **Washington Park ICG LLC**, a Washington limited liability company, whose address is 3101 Western Avenue, Suite 500, Seattle, WA 98121, the following, described tract of land in the County of Weber, State of Utah:


SEE EXHIBIT A

Subject to the permitted exceptions described on attached Exhibit B.

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor this 14<sup>th</sup> day of December, 2015.

**WASHINGTON PARK ASSOCIATES, L.C.**,  
a Utah limited liability company

By: **CAMPBELL-HOGUE & ASSOCIATES, INC.**,  
a Washington corporation, its Managing Member

By:   
David Rae, Vice President

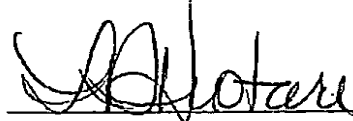
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STATE OF MINNESOTA)

: ss.

COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of December, 2015 by David G. Rae.

  
NOTARY PUBLIC  
Residing at: Shorewood, Minnesota

  
LORI A. HUOTARI  
Notary Public-Minnesota  
My Commission Expires Jan 31, 2019

**EXHIBIT A TO SPECIAL WARRANTY DEED**  
**LEGAL DESCRIPTION OF PROPERTY**

Parcel 1:

A part of the Northeast Quarter of Section 17, Township 6 North, Range 1 West of the Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point South 00°58'40" West 165.01 feet from the Northeast corner of said Northeast quarter; and running thence North 89°29'45" West 670.80 feet to the East right-of-way line of Washington Boulevard and a point located South 00°50'15" West 164.62 feet and South 89°09'45" East 66.00 feet from the monument marking the centerline intersection of Washington Boulevard and AVC Lane; thence South 0°50'15" West 87.00 feet along said right-of-way line to the Northwest corner of property of Oscar Soderberg, etal, Trustees; thence South 89°29'45" East 150.00 feet; thence South 00°50'15" West 55.53 feet; thence South 89°00'18" East 75.00 feet; thence South 00°50'15" West 345.36 feet; thence North 89°00'18" West 40.93 feet; thence South 02°07'04" East 237.22 feet (South 04°38'35" East 232.62 feet by Record) to the North line of an existing right-of-way; thence along said North line the following two courses, (1) North 79°16'00" East 11.00 feet, (2) North 67°00'00" East 505.56 feet to the East line of said Northeast quarter; thence North 0°58'40" East 521.40 feet along said East line to the point of beginning.

Parcel 1A:

Together with and including a Storm Drain easement as disclosed by that certain Right of Way Easement and Contract dated August 10, 1999, recorded September 24, 1999 as Entry No. 1664285 in book 2035 at page 1580, also by Amendment to Right of Way of Easement and Contract dated September 15, 2000, recorded October 2, 2000 as Entry No. 1729759 in Book 2094 at Page 1280 and that certain Right of Way Easement and Contract recorded December 1, 2015 as Entry No. 2767596 of Official Records to construct, reconstruct, operate and maintain a storm drain, being described as follows:

A part of the Northeast Quarter of Section 17, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point located South 00°58'40" West 686.40 feet and South 67°00'00" West 505.56 feet and South 79°16'00" West 11.00 feet from the Northeast corner of said Northeast Quarter, running North 02°07'04" West 11.50 feet; thence South 79°16'00" West 199.77 feet to the East right of way line of Washington Boulevard, said point being located South 00°50'15" West 917.04 feet along the centerline of Washington Boulevard and South 89°00'18" East 66.00 feet from the Ogden City Monument at the intersection of Washington Boulevard and Southwell Street, said point also located South 00°50'15" West 116.00 feet from a point described of record as being located West 663.3 feet and South 807.36 feet from

the Northeast corner of said Northeast Quarter; thence South 00°50'15" West 11.60 feet along said right of way line; thence North 79°16'00" East 200.37 feet to the point of beginning.

Tax I.D. No. 12-057-0003 *v spt*

*12-058-0007 A spt*

**EXHIBIT "B" TO SPECIAL WARRANTY DEED**

**PERMITTED EXCEPTIONS**

1. The land described herein is located within the boundaries of the Weber Basin Water Conservancy District, Weber Area Dispatch 911 and Emergency Services District and the Central Weber Sewer Improvement District, and is subject to any assessments levied thereby.

2. Right-of-Way and Easement, and the terms and conditions thereof:  
Grantor: Washington Park Associates, L.C.  
Grantee: Questar Gas Company, a Utah Corporation  
Purpose: to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities  
Recorded: February 26, 1999  
Entry No.: 1616221  
Book/Page: 1994 / 2723

3. The effects if any of that certain Right-of-Way Easement and Contract, and the terms and conditions thereof:  
Grantor: Ogden-Weber Applied Technology Center  
Grantee: Washington Park Associates, L.C., a Utah limited liability company  
Purpose: an easement to construct, reconstruct, operate and maintain a storm drain over, under, and/or across the grantors land.  
Recorded: September 24, 1999  
Entry No.: 1664285  
Book/Page: 2035 / 1580

Right-of-Way Easement and Contract:  
Recorded: April 14, 2000  
Entry No. 1700273  
Book/Page: 2067/873

Amendment to Right-of-Way of Easement and Contract:  
Effect: Substitution of Legal Description  
Recorded: October 2, 2000  
Entry No. 1729759  
Book/Page: 2094/1280

Right of Way Easement and Contract  
Grantor: J. Steven McGarry and Judy D. McGarry, trustees of The McGarry Family Trust, dated July 8, 2009  
Grantee: Washington Park Associates, L.C., a Utah limited liability company

Recorded: December 1, 2015  
Entry No. 2767596

4. Low-Income Housing Credit Commitment Agreement and Declaration of Restrictive Covenants, including the terms and conditions thereof:

Between: Washington Park Associates, L.C.  
And: Utah Housing Finance Agency  
Dated: December 23, 1999  
Recorded: January 7, 2000  
Entry No.: 1683265  
Book/Page: 2052 / 1265

Amendment to Low-Income Housing Credit Commitment Agreement and Declaration of Restrictive Covenants:

Effect: to correct the mix of low-income units  
Recorded: December 14, 2000  
Entry No.: 1742221  
Book/Page: 2106/230

5. Maintenance Agreement, including the terms and conditions thereof:

Between: Lynne Irrigation Company, a Utah corporation  
And: Washington Park Associates, L.C.  
Dated: September 19, 2000  
Recorded: September 28, 2000  
Entry No.: 1729282  
Book/Page: 2093 / 2668  
Providing: Operation of Water Canal

6. Maintenance Agreement, including the terms and conditions thereof:

Between: Western Irrigation Company, a Utah corporation  
And: Washington Park Associates, L.L.C.  
Dated: September 14, 2000  
Recorded: September 28, 2000  
Entry No.: 1729283  
Book/Page: 2093 / 2672  
Providing: operation of Water Canal

7. Subject to the rights of parties in possession of the subject property under unrecorded leases, rental or occupancy agreements and any claims thereunder.

8. Subject, but not limited, to the following items, as disclosed by a survey prepared by Hansen & Associates, Inc., having been certified under the date of November 10, 2015, by K. Greg Hansen, a Registered Land Surveyor holding License No. 167819, as Job No. 15-3-203,

including but not limited to the following:

- a. Piped Canal Western Irrigation Company pipeline along the Easterly line.
- b. Fence lines do not match deed lines.
- c. Various Detention Ponds and Storm Drain Lines located on the subject property that appear to benefit adjoining property.
- d. Power line across the Northwesterly portion of the subject property.