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2/26/2014 12:15:00 PM \$21.00  
Book - 10213 Pg - 5859-5864  
Gary W. Ott  
Recorder, Salt Lake County, UT  
FIRST AMERICAN NCS  
BY: eCASH, DEPUTY - EF 6 P.

**When Recorded, Return To:**

Kirton McConkie  
Attn: Joseph Osmond  
2600 West Executive Parkway, Suite 400  
Lehi, Utah 84043

Tax Parcel No. 14-25-226-007-0000

(Space above for Recorder's use only)

**SPECIAL WARRANTY DEED**

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, MONTICELLO ACADEMY, INC., a Utah nonprofit corporation ("Grantor"), whose address is 2782 South Corporate Park Drive, West Valley City, UT 84120, hereby conveys and warrants, against all claiming by, through, or under Grantor, to 2782 SOUTH CORPORATE PARK DRIVE, LLC, a Utah limited liability company ("Grantee"), whose address for mailing purposes is 2782 South Corporate Park Drive, West Valley City, UT 84120, the following described property situated in Salt Lake County, Utah, to wit:

See Exhibit A annexed hereto and incorporated herein by this reference (the "Property");

TOGETHER WITH all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining to the Property, including, but not limited to, all: (i) buildings, structures, fixtures, signs, and other improvements and landscaping of every kind and nature presently situated on, in, under or about the Property; (ii) water and water rights of any and every kind, including, but not limited to, all: wells, well rights, ditches, ditch rights, and stock in water used on the Property or appurtenant thereto; and (iii) all mineral and subsurface rights of any and every kind.

SUBJECT ONLY TO those certain exceptions and encumbrances specifically listed on Exhibit B annexed hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 25<sup>th</sup> day of February, 2014.

Grantor:

**MONTICELLO ACADEMY, INC.,**  
a Utah nonprofit corporation

By:

Name:

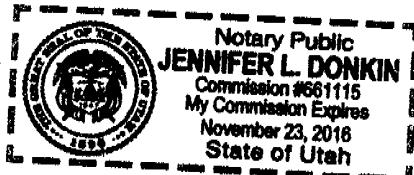
Its:

Joe L. Coleman  
Secretary

*[notary acknowledgement on following page.]*

STATE OF UTAH )  
) ss.  
COUNTY OF Salt Lake)

On this 25<sup>th</sup> day of February, 2014, personally appeared before me Joel Coleman, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the Managing Member of MONTICELLO ACADEMY, INC., a Utah nonprofit corporation, and acknowledged to me that said company executed the same.



Jennifer L. Donkin  
Notary Public

**EXHIBIT A**

to Special Warranty Deed

(Legal Description of the Property)

That certain real property located in Salt Lake County, Utah, specifically described as follows:

Lot 110A - Lake Park Corporate Centre, as shown on that certain Subdivision by Metes and Bounds approved by West Valley City and filed with the Salt Lake County Surveyor on April 18, 2006, as File No. S2006-04-0375, and being specifically described as:

A parcel of land located in the Northeast Quarter of Section 25, Township 1 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake City, Utah, described as follows:

Beginning at a point South  $00^{\circ}01'48''$  East 735.88 feet along the East line of Section 25, Township 1 South, Range 2 West, Salt Lake Base and Meridian and West 245.02 feet from the Northeast Corner of said Section 25; and thence South  $52^{\circ}55'36''$  West 325.38 feet to a point of tangency of a 467.00 foot radius curve to the right; thence Southwesterly 193.93 feet along said curve through a central angle of  $23^{\circ}47'35''$  and a long chord of South  $64^{\circ}49'23''$  West 192.54 feet; thence North  $41^{\circ}40'54''$  West 324.23 feet to the West line of property described in that certain Warranty Deed recorded November 8, 1994 as Entry No. 5961917 in Book 7051 at Page 1998 of the Salt Lake County Records; thence along said West line North 277.50 feet; thence North  $51^{\circ}17'14''$  East 263.98 feet to the Southwesterly right-of-way line of Corporate Park Drive as described in that certain Road and Easement Dedication Plat recorded December 18, 1998 as Entry No. 7195177 in Book 98-12P at Page 349 of said records and a point on the arc of a 940.00 foot radius non-tangent curve to the left, of which the radius point bears North  $47^{\circ}30'41''$  East; thence along said Southwesterly right of way line the following three courses: Southeasterly 198.06 feet along said curve through a central angle of  $12^{\circ}04'21''$  and a long chord of South  $48^{\circ}31'29''$  East 197.70 feet, South  $54^{\circ}33'40''$  East 196.76 feet to a point of tangency of a 810.00 foot radius curve to the right and Southeasterly 187.32 feet along said curve through a central angle of  $13^{\circ}15'02''$  and a long chord of South  $47^{\circ}56'09''$  East 186.91 feet to a point of compound curvature of a 25.00 foot radius curve to the right; thence Southerly 41.12 feet along said curve through a central angle of  $94^{\circ}14'14''$  and a long chord of South  $05^{\circ}48'29''$  West 36.64 feet to the point of beginning.

The following is shown for information purposes only: Tax Parcel No. 14-25-226-007-0000

**EXHIBIT B**

to Special Warranty Deed

(Exceptions and Encumbrances)

**Part One:**

1. Water rights, claims or title to water.

**Part Two:**

1. General Property taxes for the year 2014 are now a lien not yet due or payable. General property taxes for the year 2013 were exempt. Tax Parcel No. 14-25-226-007-0000.
2. The land is included within the boundaries of West Valley City and Granger-Hunter Improvement District, and is subject to charges and assessments made thereby. No charges or assessments are currently a lien against the land.
3. Reservations contained in that certain Special Warranty Deed recorded December 14, 1979 as Entry No. 3377924 in Book 5006 at Page 709 of Official Records.
4. An easement for a perpetual easement for a right of way to construct, operate, maintain, repair, test, renew, enhance, monitor, reconstruct, use and remove voice, data and other forms of telecommunication facilities and incidental purposes, the exact location of which was not disclosed, as created in favor of The Mountain States Telephone and Telegraph Company (Mountain Bell), a Colorado corporation by Right of Way Easement recorded January 14, 1986 as Entry No. 4188550 in Book 5727 at Page 537 of Official Records.
5. An easement for the construction of a diversion structure for irrigation water and incidental purposes, the exact location of which was not disclosed, as created in favor of the State of Utah, acting through the Board of Water Resources by Easement to Use Distribution System recorded February 9, 1987 as Entry No. 4398608 in Book 5875 at Page 1781 of Official Records.
6. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain Master Declaration of Easements, Covenants and Restrictions for Lake Park Corporate Centre, recorded February 6, 1994 as Entry No. 6274549 in Book 7325 at Page 615 of Official Records, and any amendments thereto, 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 covenant, condition or restriction violates 42 USC 3604(c).

1st Amendment and Supplement to Master Declaration of Easements, Covenants and

Restrictions for Lake Park Corporate Centre recorded October 12, 2001 as Entry No. 8028521 in Book 8510 at Page 7400 of Official Records.

Second Amendment to Master Declaration of Easements, Covenants, and Restrictions for Lake Park Corporate Centre recorded September 2, 2009 as Entry No. 10790211 in Book 9760 at Page 2605 of Official Records.

Consent and Subordination recorded September 2, 2009 as Entry No. 10790398 in Book 9760 at Page 3148 of Official Records.

Assignment of Declarant's Right recorded December 29, 2009 as Entry No. 10869309 in Book 9792 at Page 7961 of Official Records.

7. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded October 6, 2006 as Entry No. 9868362 in Book 9362 at Page 804 of Official Records, and any amendments thereto, 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 covenant, condition or restriction violates 42 USC 3604(c).

First Supplemental of Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded September 21, 2007 as Entry No. 10229748 in Book 9518 at Page 149 of Official Records.

Second Supplemental of Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded September 30, 2008 as Entry No. 10530895 in Book 9646 at Page 9423 of Official Records.

Third Supplemental of Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded September 2, 2009 as Entry No. 10790212 in Book 9760 at Page 2610 of Official Records.

Fourth Supplemental of Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded September 2, 2009 as Entry No. 10790237 in Book 9760 at Page 2752 of Official Records.

Assignment of Declarants Rights recorded December 29, 2009 as Entry No. 10869040 in Book 9792 at Page 7969 of Official Records.

First Amendment to Master Declaration of Easements, Covenants and Restrictions for Highbury Commons at Lake Park recorded June 27, 2011 as Entry No. 11204026 in Book 9933 at Page 947 of Official Records.

8. Declaration of Restrictive Covenant recorded June 22, 2012 as Entry No. 11416275 in

Book 10028 at Page 9316 of Official Records.

9. The following matters disclosed by an ALTA/ACSM survey made by Ensign on January 6, 2014, designated Job No. 5968:
  - a. Existing ditch running along the Southwesterly portion of subject property.
  - b. Fence is 0.4' West of property line in South corner of subject property.
10. Deed of Trust by and between 2782 South Corporate Park Drive, LLC, as Trustor, First American Title Insurance Company, as Trustee and Utah Charter School Finance Authority, a body politic and corporate duly organized and validly existing under the laws of the State of Utah, their successors and/or assigns, and U.S. BANK NATIONAL ASSOCIATION, and its successor and/or assigns as their interests may appear, as Beneficiary to secure an original indebtedness in the amount of \$10,670,000.00, plus interest, dated \_\_\_, 2014 and recorded \_\_\_, 2014 as Entry No. \_\_\_\_ in Book \_\_\_ at Page \_\_\_ of Official Records.