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3/8/2021 3:15:00 PM \$40.00
Book - 11132 Pg - 2178-2180
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 3 P.

When Recorded Mail This Deed To:
168 Le Rosier Court
West Jordan, Utah 84088
Attention: Michael L. Jones

Mail Tax Notice to:

c/o KC Gardner Company, L.C.
201 South Main Street, Suite 2000
Salt Lake City, Utah 84111
Attention: President

141414-ETM

Tax Parcel Nos.: 21-26-276-010
21-26-276-011

(Above Space for Recorder's Use Only)

SPECIAL WARRANTY DEED

ARBOR GARDNER BINGHAM JUNCTION OFFICE 5, L.C., a Utah limited liability company, Grantor, does hereby CONVEY AND WARRANT against all who claim by, through or under Grantor unto M H JONES FAMILY II, LLC, a Delaware limited liability company, Grantee, whose current address is 1168 Le Rosier Court, West Jordan, Utah 84088, an undivided 11.18% interest in the following described real property in Salt Lake County, State of Utah, to-wit:

[See Exhibit "A" attached hereto and by this reference made a part hereof.]

Such conveyance is made subject to (a) all matters of record and all matters which may be disclosed by an accurate survey of the real property, and (b) Grantor's retention of all rights of "Office 5" under that certain Declaration and Establishment of Protective Covenants, Conditions and Restrictions and Grant of Easements with an effective date of April 20, 2016 and recorded on May 26, 2016 as Entry No. 12266951 in Book 10424 at Page 7958 (as amended, the "**Declaration**"), including, without limitation, the right to make all amendments to such Declaration, which rights shall continue to be exercised by Grantor, in Grantor's sole discretion. Upon the conveyance of the 11.18% undivided interest in the Property to Grantee pursuant to this Special Warranty Deed, Grantor shall own an 88.82% undivided interest, and Grantee shall own a 11.18% undivided interest, in the Property as tenants in common, which tenant in common relationship shall be subject to that certain Tenancy In Common Agreement between Grantor and Grantee dated as of the date hereof.

Grantor and Grantee, for themselves and for each of their successors and assigns, hereby waive any right of partition available at law or equity, including, specifically, but without limitation, the right of partition set forth in Utah Code Annotated Section 78B-6-1201 et seq.

EXHIBIT "A"

Legal Description

PARCEL 1:

Lots 1 and 2, VIEW 72 RETAIL SUBDIVISION 3RD AMENDED, according to the official plat as recorded in the office of the Salt Lake County Recorder, State of Utah on July 27, 2015 as Entry No. 12099886 in Book 2015P at Page 165.

PARCEL 2:

The leasehold estate created by the lease disclosed of record by that certain Memorandum of Lease executed by Arbor Gardner Bingham Junction Office 3, L.C., a Utah limited liability company (Subtenant) and Redevelopment Agency of Midvale City, a public agency (Sublandlord) dated April 20, 2016 and recorded April 26, 2016 as Entry No. 12266953 in Book 10424 at Page 8001, the modification and assignment of which is disclosed of record by that certain First Amendment to Memorandum of Sublease Lease by and between Arbor Gardner Bingham Junction Office 3, L.C., a Utah limited liability company (Existing Subtenant), Arbor Gardner Bingham Junction Office 5, L.C., a Utah limited liability company (New Subtenant), and Redevelopment Agency of Midvale City, a public agency (Sublandlord), dated JUNE 2, 2017 and recorded JUNE 2, 2017 as Entry No. ~~12540224~~ in Book ~~10564~~ at Page ~~202~~ the following described premises, to-wit:

Lot 2, VIEW 72 RETAIL SUBDIVISION 3RD AMENDED, according to the official plat as recorded in the office of the Salt Lake County Recorder, State of Utah on July 27, 2015 as Entry No. 12099886 in Book 2015P at Page 165.

PARCEL 3:

Reciprocal Access Easements as disclosed in that certain Declaration and Grant of Reciprocal Access Easements recorded September 22, 2014 as Entry No. 11916667 in Book 10261 at Page 6933.

ALSO: Reciprocal Easements as disclosed in the Declaration of Covenants, Restrictions and Easements dated October 2, 2012 and recorded October 4, 2012 as Entry No. 11485504 in Book 10063 at Page 2860, as amended October 18, 2012 as Entry No. 11494534 in Book 10067 at Page 5293, amended February 7, 2013 as Entry No. 11573196 in Book 10106 at Page 665, amended April 19, 2013 as Entry No. 11621668 in Book 10129 at Page 901, amended July 11, 2014 as Entry No. 11879615 in Book 10244 at Page 8362.

ALSO: The beneficial easement rights as disclosed in the Declaration for South Bingham Junction recorded November 20, 2007 as Entry No. 10281127 in Book 9539 at Page 7037.

ALSO: The beneficial easement rights as disclosed in the Declaration and Establishment of Protective Covenants, Conditions and Restrictions and Grant of Easements, recorded April 26, 2016 as Entry No. 12266951 in Book 10424 at Page 7958 of official records, as amended by that certain First Amendment to Declaration and Establishment of Protective Covenants, Conditions and Restrictions and Grant of Easements dated MAY 10, 2017 and recorded JUNE 2, 2017 as Entry No. ~~1254005~~ in Book ~~10564~~ at Page ~~1003~~