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8/13/2021 4:24:00 PM \$40.00  
Book - 11222 Pg - 4247-4253  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 7 P.

ADDRESS TAX STATEMENTS TO &  
AFTER RECORDING RETURN TO:

The Thackeray Company  
1165 E. Wilmington Ave, Suite 275  
Salt Lake City, UT 84106  
Attn: John R. Thackeray

139051-DTF

Tax Parcel Nos: 21-17-101-074, 21-17-101-047 and 21-17-101-102

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(Space above for recorder's use only)

### **SPECIAL WARRANTY DEED**

FPA WEST POINT, LLC, a Delaware limited liability company ("**Grantor**"), does hereby convey to, and warrant only as against all claiming by, through, or under Grantor, (i) BOYER WEST POINT, L.C., a Utah limited liability company, as to an undivided fifty percent (50%) tenant in common interest, (ii) JT FOOTHILL VILLAGE, L.C., a Utah limited liability company, as to an undivided thirty-five and seventy-six hundredths percent (35.76%) tenant in common interest, and JRT INVESTMENTS, LLC, a Utah limited liability company, as to an undivided fourteen and twenty-four hundredths percent (14.24%) tenant in common interest (collectively, "**Grantee**"), for the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of Grantor's right, title and interest in and to that certain parcels of land located in Salt Lake County, Utah, more particularly described as follows (the "**Land**"):

#### **See Exhibit A attached hereto and incorporated herein by reference**

TOGETHER with (a) all structures, fixtures and other improvements on or hereafter in, on, over or under the Land, including, without limitation, buildings, and any and all plumbing, air conditioning, heating, ventilating, mechanical, electrical and other utility systems, parking lots and facilities, landscaping, roadways, and sidewalks, and (b) all of Grantor's right, title and interest in and to any rights, privileges, easements, licenses, tenements, hereditaments, riparian or littoral rights, appendages and appurtenances pertaining to the Land.

SUBJECT TO (i) taxes and assessments not yet due and payable, (ii) any state of facts that an accurate and complete ALTA/ACSM Land Survey (with all Table A items) and/or physical inspection of the Land might disclose, (iii) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iv) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

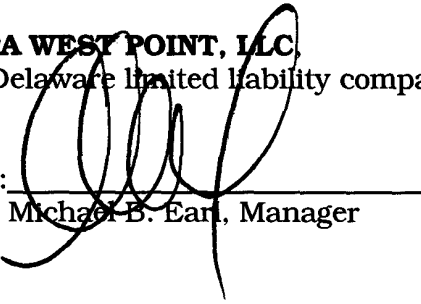
Grantor for itself and for its successors in interest does by these presents expressly limit the covenants of this Deed to those herein expressed, and excludes all other covenants arising or to arise by statute or otherwise, express or implied.

*[Signatures and Acknowledgments Follow]*

IN WITNESS WHEREOF, this Deed has been executed by Grantor to be effective as of August 13, 2021.

**GRANTOR:**

**FPA WEST POINT, LLC**  
a Delaware limited liability company

By:   
Michael B. Earl, Manager

**ACKNOWLEDGMENT**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE )

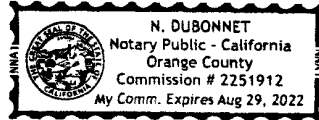
On August 10, 2021, before me, N. Dubonnet,  
(insert name and title of the officer)

Notary Public, personally appeared Michael B. Eael,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California  
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(Seal)

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

All that certain real property situated in the County of Salt Lake, State of Utah, described as follows:

**PARCEL 1:**

Beginning at a point North 89°56'30" East 823.90 feet; and South 00°03'30" East, 1090.25 feet; and South 89°54'30" East 876.41 feet from the Northwest corner of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence North 17°01'08" West, 714.28 feet; thence North 89°54'30" West, 232.85 feet; thence South 00°05'30" West, 142.00 feet; thence North 89°54'30" West, 117.00 feet; thence South 00°05'30" West, 235.50 feet; thence South 89°54'30" East 10 feet; thence South 00°05'30" West, 305.17 feet; thence South 89°54'30" East, 550.00 feet to the point of beginning.

**LESS AND EXCEPTING** the following:

A parcel of land in fee for an expressway known as Project No. 1005, being part of an entire tract of property situate in the Northeast quarter of the Northwest quarter of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point 52.67 feet North 89°54'30" West from the Southeasterly corner of said entire tract of property which point is 823.90 feet North 89°56'30" East, 1090.25 feet South 00°03'30" East, and 823.79 feet South 89°54'30" East from the Northwest corner of said Section 17; said point is also the Northeasterly corner of the Westwood No. 3 Subdivision; thence South 89°54'30" East 52.67 feet along the Southerly boundary line, to the Southeasterly corner of said entire tract; thence North 17°01'08" West 714.26 feet along the Easterly boundary line to the Northeasterly corner of said entire tract; thence North 89°54'30" West 16.89 feet along the Northerly boundary line of said entire tract; thence South 14°16'52" East 55.05 feet to a point 77.04 feet perpendicularly distant Westerly from the centerline of said project, opposite Engineer Station 281+82.50; thence South 18°05'44" East 662.34 feet along a line parallel to said centerline to said Southerly boundary line; thence North 89°54'30" West 46.05 feet along said Southerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

**PARCEL 2:**

Beginning South 320.1 feet and East 720.33 feet from the Northwest corner of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°03'30" East 200.33 feet; thence North 89°56'30" East 314 feet; thence South 00°03'30" East 13.25 feet; thence North 89°56'30" East 107.76 feet; thence South 00°05'30" West 16 feet; thence South 89°54'30" East 117 feet; thence North 00°05'30" East 136.31 feet; thence South 89°56'30" West 53.57 feet; thence North 00°03'30" West

202.83 feet; thence South 89°56'30" West 90 feet; thence South 00°03'30" East 103 feet; thence South 89°56'30" West 81.5 feet; thence South 00°03'30" East 6.25 feet; thence South 89°56'30" West 314 feet to the beginning.

PARCEL 3:

Beginning East 1292.95 feet and South 71.71 feet from the Northwest corner of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°03'30" East 138.58 feet; thence South 89°56'30" West 177.4 feet; thence South 00°03'30" East 103 feet; thence South 89°56'30" West 81.5 feet; thence South 00°03'30" East 6.25 feet; thence South 89°56'30" West 314 feet; thence South 00°03'30" East 200.33 feet; thence North 89°56'30" East 314 feet; thence South 00°03'30" East 13.25 feet; thence North 89°56'30" East 107.76 feet; thence South 00°05'30" West 251.5 feet; thence South 89°54'30" East 10 feet; thence South 00°05'30" West 305.17 feet; thence North 89°54'30" West 326.41 feet; thence North 00°03'30" West 531.25 feet; thence South 89°56'30" West 133.9 feet; thence North 00°03'30" West 276 feet; thence North 89°56'30" East 133.9 feet; thence North 00°03'30" West 228.68 feet; thence South 86°25'52" East 40.08 feet; thence South 00°03'30" East 136.14 feet; thence North 89°56'30" East 138.72 feet; thence North 19°08'16" East 102.02 feet; thence Northwesterly along a 40 foot radius curve to the left 29.63 feet; thence South 86°25'52" East 84.24 feet; thence North 89°56'30" East 173.75 feet to the beginning.

LESS AND EXCEPTING the following:

A parcel of land in fee for the widening of the existing highway State Route 173 known as Project No. S-0173(16)5, being part of an entire tract of property situate in the Northwest quarter of the Northwest quarter of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a Northwest corner of said entire tract in the Southerly right of way line of the existing highway State Route 173 which corner is 1,292.91 feet North 89°56'30" East along the Northerly section line of said Section 17 and 73.00 feet South 00°03'30" East (1,292.95 feet East and 71.71 feet South by record) and 173.96 feet (173.75 feet by record) South 89°56'30" West, and 295.65 feet North 86°25'15" West (North 86°25'52" West by record) from the Northwest corner of said Section 17, said corner is also approximately 48.14 feet perpendicularly distant Southerly from the control line of said project opposite Engineer station 573+31.93 and running thence South 86°25'15" East (South 86°25'52" East by record) 40.08 feet along said Southerly right of way line to a Northeast corner of said entire tract; thence South 00°03'30" East 7.33 feet along the Easterly boundary line of said entire tract to a line parallel with and 58.00 feet perpendicularly distant Southerly from said control line; thence South 89°57'32" West 40.00 feet along said parallel line to the Westerly boundary line of said entire tract; thence North 00°03'30" West 9.86 feet along said Westerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate all bearings in the above description 00°14'34" clockwise to obtain highway bearings.)

ALSO LESS AND EXCEPTING THEREFROM any portion conveyed to City of Taylorsville, a Utah municipality, as disclosed on that certain Special Warranty Deed recorded July 3, 2014 as Entry No. 11876408 in Book 10243 at Page 3786 of official records, being more particularly described as follows:

A parcel of land in fee, being part of an entire tract of land, situated in the Northwest quarter of the Northwest quarter of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point on the Grantors Westerly property line which is 823.90 feet North 89°56'30" East along the section line and 247.73 feet South 00°03'30" East from the the Northwest corner of said Section 17; and running thence North 89°45'26" East 173.25 feet; thence South 00°14'38" East 63.00 feet; thence South 89°45'26" West 198.91 feet to a point of curvature; thence Northwesterly along the arc of a 131.50 foot radius curve to the right 87.53 feet (central angle equals 38°08'16" and the long chord bears North 71°10'26" West 85.92 feet) to the Grantors Southerly property line; thence along said Grantors property line two (2) courses as follows: (1) North 89°56'30" East 106.76 feet; (2) North 00°03'30" West 35.27 feet to the point of beginning.

PARCEL 4:

A right of way appurtenant to Parcels 2 and 3, more particularly described as follows:

Beginning at a point South 00°05'29" East 559.00 feet and North 89°54'30" West 68.89 feet and South 00°05'30" West 245.32 feet from the Northwest corner of Section 17, Township 2 South, Range 1 West, Salt Lake Base and Meridian; running thence South 89°54'30" East 488.17 feet; thence North 79°10'20" East, 205.30 feet; thence South 89°54'30" East 203.25 feet; thence South 00°03'30" East 35.00 feet; thence North 89°54'30" West 200.00 feet; thence South 79°10'20" West 205.30 feet; thence North 89°54'30" West 491.52 feet to the East line of 4015 West Street; thence North 00°05'30" East 35.00 feet to the point of beginning.

PARCEL 5:

Nonexclusive easement rights appurtenant to Parcels 1, 2 and 3 as defined and set forth in that certain Declaration of Protective Covenants Grant of Easements recorded October 10, 1980 as Entry No. 3488623 in Book 5162 at Page 1481 and that certain First Amendment to Declaration of Covenants and Restrictions and Grant of Easements recorded October 27, 1992 as Entry No. 5359482 in Book 6542 at Page 2557 of official records.