

This instrument prepared by:

Winthrop & Weinstine, P.A. (JJH)
225 S. Sixth Street, Suite 3500
Minneapolis, MN 55402

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10/20/2022 11:40 AM By: CSelman Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: GUARANTY COMMERCIAL TITLE INC
465 NICOLLET MALL STE 230MINNEAPOLIS, MN 55401

Tax statements to be sent to:

Roers Salt Lake City Apartments Borrower LLC
c/o Roers Companies
Two Carlson Parkway #400
Plymouth, MN 55447

Tax Parcel Nos. 15-13-130-001
15-13-130-002
15-13-130-003
15-13-130-004
15-13-130-005
15-13-130-006

PARCEL CONSOLIDATION DEED

This Parcel Consolidation Deed is made and entered into, as of October 20, 2022 (the "Effective Date"), by **Roers Salt Lake City Apartments Borrower LLC**, a Delaware limited liability company with an address of c/o Roers Companies, Two Carlson Parkway #400, Plymouth, Minnesota 55447 ("Owner"), for the sum of Ten Dollars and other good and valuable consideration.

RECITALS

A. Whereas, Owner is the owner in the fee simple of in the below-described parcels of real property (collectively, the "Existing Parcels");

i. Tax No. 15-13-130-001:

LOTS 18 THROUGH 23, INCLUSIVE, BLOCK 1, DESKY'S SECOND ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

TOGETHER WITH THE VACATED ALLEY ABUTTING SAID LOTS ON THE SOUTH.

ii. Tax No. 15-13-130-002:

LOTS 16 & 17, BLOCK 1, DESKY'S SECOND ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

TOGETHER WITH THE VACATED ALLEY ABUTTING SAID LOTS ON THE SOUTH.

iii. Tax No. 15-13-130-003:

LOTS 14 & 15, BLOCK 1, DESKY'S SECOND ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

TOGETHER WITH THE VACATED ALLEY ABUTTING SAID LOTS ON THE SOUTH.

iv. Tax No. 15-13-130-004:

LOTS 8 THROUGH 13, INCLUSIVE, BLOCK 1, DESKY'S SECOND ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

TOGETHER WITH THE VACATED ALLEY ABUTTING SAID LOTS ON THE SOUTH.

v. Tax No. 15-13-130-005:

LOTS 18 THROUGH 27, INCLUSIVE, BURR OAK ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

vi. Tax No. 15-13-130-006:

LOTS 12 THROUGH 17, INCLUSIVE, BURR OAK ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

B. Whereas, Owner desires to consolidate the common boundaries of the Existing Parcels into a single parcel boundary in accordance with Section 10-9a-523 of the Utah Code as follows (collectively, the "Consolidated Parcel"):

i. "Consolidated Parcel 1"

BEGINNING AT THE SOUTHWEST CORNER OF LOT 27 BURR OAK ADDITION, SAID POINT ALSO BEING LOCATED NORTH 36°17'10" EAST, 40.89 FEET FROM THE STREET MONUMENT FOUND AT THE INTERSECTION OF 1500 SOUTH & 400 WEST

THENCE (2) NORTH 0°01'18" WEST, 244.92 FEET ALONG THE WEST LINE OF LOT 27 BURR OAK ADDITION AND LOT 23 DESKY'S SECOND ADDITION TO THE NORTHWEST CORNER OF LOT 23 DESKY'S SECOND ADDITION, THENCE ALONG THE NORTH LINE OF LOTS 23-8 DESKY'S SECOND ADDITION SOUTH 89°55'46" EAST, 408.41 FEET TO THE NORTHEAST CORNER OF LOT 8 DESKY'S SECOND ADDITION, THENCE ALONG THE EAST LINE OF LOT 8 DESKY'S SECOND ADDITION SOUTH 0°00'12" WEST, 129.32 FEET TO THE SOUTHEAST CORNER OF LOT 8 DESKY'S SECOND ADDITION, THENCE NORTH 89°55'00" WEST, 2.49 FEET TO THE NORTHEAST CORNER OF LOT 12 BURR OAK ADDITION, THENCE ALONG THE EAST LINE OF LOT 12 BURR OAK ADDITION SOUTH 0°00'12" WEST, 115.78 FEET TO THE SOUTHEAST CORNER OF LOT 12 BURR OAK ADDITION THENCE ALONG THE SOUTH LINE OF LOTS 12-27 BURR OAK ADDITION NORTH 89°54'13" WEST, 405.81 FEET TO THE POINT OF BEGINNING.

WITH AN AREA OF 99,763.06 S.F.

C. Whereas, Owner hereby effectuates the adjustment of the common boundaries of the Existing Parcels, and, thereby, adjust the legal descriptions of the existing parcels into the Consolidated Parcel in accordance with Section 10-9a-523 of the Utah Code.

TERMS AND CONDITIONS

NOW, THEREFORE, IN FURTHERANCE OF THE FOREGOING:

1. Reconfiguration. Owner, by its execution hereof, acknowledges, confirms and agrees that, from and after the Effective Date:

(i) the legal descriptions of the Existing Parcels are, and shall be, the legal descriptions of the Consolidated Parcel;

(ii) the following boundary line is, and shall be, the actual, legal and correct common boundary of the subject parcel:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 27 BURR OAK ADDITION, SAID POINT ALSO BEING LOCATED NORTH 36°17'10" EAST, 40.89 FEET FROM THE STREET MONUMENT FOUND AT THE INTERSECTION OF 1500 SOUTH & 400 WEST

THENCE (2) NORTH 0°01'18" WEST, 244.92 FEET ALONG THE WEST LINE OF LOT 27 BURR OAK ADDITION AND LOT 23 DESKY'S SECOND ADDITION TO THE NORTHWEST CORNER OF LOT 23 DESKY'S SECOND ADDITION, THENCE ALONG THE NORTH LINE OF LOTS 23-8 DESKY'S SECOND ADDITION SOUTH 89°55'46" EAST, 408.41 FEET TO THE NORTHEAST CORNER OF LOT 8 DESKY'S SECOND ADDITION, THENCE ALONG THE EAST LINE OF LOT 8 DESKY'S SECOND ADDITION SOUTH 0°00'12" WEST, 129.32 FEET TO THE SOUTHEAST CORNER OF LOT 8 DESKY'S SECOND ADDITION, THENCE NORTH 89°55'00" WEST, 2.49 FEET TO THE NORTHEAST CORNER OF LOT 12 BURR OAK ADDITION, THENCE ALONG THE EAST LINE OF LOT 12 BURR OAK ADDITION SOUTH 0°00'12" WEST, 115.78 FEET TO THE SOUTHEAST CORNER OF LOT 12 BURR OAK ADDITION THENCE ALONG THE SOUTH LINE OF LOTS 12-27 BURR OAK ADDITION NORTH 89°54'13" WEST, 405.81 FEET TO THE POINT OF BEGINNING.

WITH AN AREA OF 99,763.06 S.F.

2. Conveyance. Further, consistent with the foregoing:

(i) Owner hereby conveys to itself the Consolidated Parcel.

(ii) Except as otherwise specified herein, nothing contained herein shall be construed as giving, granting, conveying, or relinquishing any existing easement rights, interests, or claims.

3. The terms and conditions of this parcel consolidation shall be and hereby are made binding on the successors and assigns of the parties hereto.

4. Approval. The intent of the foregoing conveyance is to effectuate the parcel consolidation approved by the Salt Lake City Planning Division on September 13, 2022.

5. Miscellaneous. This Parcel Consolidation and Deed is made for the purposes set forth herein and no more, is not intended to effect a subdivision of the Existing Parcels or the Adjusted Parcels, or any part thereof, within the meaning of Utah law, and is intended to be subject to and made in compliance with any and all applicable zoning ordinances, laws, rules and regulations. This Parcel Consolidation and Deed (a) shall constitute a covenant running with the land; (b) shall benefit and bind every person having any fee, leasehold or other interest in any portion of the Existing Parcels or the Consolidated Parcel; and (c) shall benefit and be binding upon any person whose title is acquired by voluntary conveyance, judicial foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise. This Agreement shall be construed, applied and enforced in accordance with the laws of the State of Utah and shall be recorded in the official real estate records of Salt Lake County, Utah (the "Official Records"). The Recitals are hereby incorporated herein and made a part hereof. This Parcel Consolidation and Deed may be amended or modified only by a written instrument executed by the parties and recorded in the Official Records.

[signature and acknowledgment]

