

14118879 B: 11426 P: 4793 Total Pages: 6  
06/16/2023 04:30 PM By: avice Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

RECORDING REQUESTED BY:  
Cottonwood Title Insurance Agency, Inc.  
Attn: Frank Ivory  
1996 East 6400 South, Suite 120  
Salt Lake City, Utah 84121

WHEN RECORDED, MAIL TAX NOTICE TO:  
SES 276, LLC  
P.O. Box 71405  
Salt Lake City, Utah 84171

#144494-BHD; 22-09-229-020  
22-09-229-023

**SPECIAL WARRANTY DEED**

HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company (“Grantor”), of 2733 East Parleys Way, Suite 300, Salt Lake City, Utah 84109, hereby conveys and warrants against all who claim by, through, or under Grantor, but not otherwise, to SES 276, LLC, a Utah limited liability company (“Grantee”), of P.O. Box 71405, Salt Lake City, Utah 84171, for the sum of ten dollars, the following described tract of land in Salt Lake County, Utah, to wit:

See Exhibit “A” attached hereto and incorporated herein

subject to (i) real estate taxes for the calendar year in which the conveyance occurred and subsequent years that are not yet due and payable, (ii) all matters that are disclosed or that would have been disclosed by an improvement survey plat of the conveyed property or could have been ascertained by an inspection of the conveyed property, and (iii) all matters recorded in the real estate records of the county clerk and recorder for the county in which the conveyed property is located, including, but not limited to, those matters set forth on Exhibit “B” attached hereto and incorporated herein.

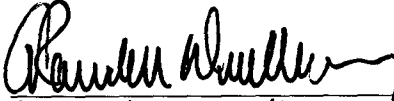
Dated effective as of the 16 day of June 2023.

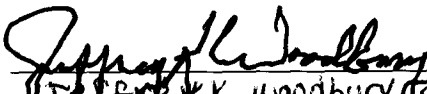
*[Signature and acknowledgments to follow on the next pages]*

Grantor: HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company

By: WCL GP L.L.C., a Delaware limited liability company, Its Manager

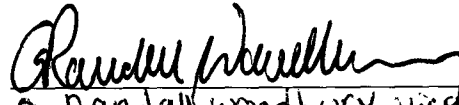
By: WOODBURY CORPORATION, a Utah corporation, Its Manager

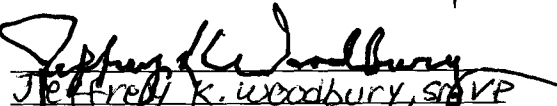
By:   
O. Randall Woodbury, vice chairman

By:   
Jeffrey K. Woodbury, Sr. VP

By: KMW DEVELOPMENT L.L.C., a Utah limited liability company, Its Manager

By: WOODBURY CORPORATION, a Utah corporation, Its Manager

By:   
O. Randall Woodbury, vice chairman

By:   
Jeffrey K. Woodbury, Sr. VP

By: MILLROCK CAPITAL, II, LLC, a Utah limited liability company,  
Its Manager

By:   
Steve Peterson, Manager

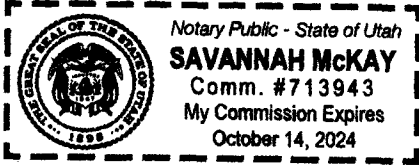
*[Acknowledgments to follow on the next pages]*



ACKNOWLEDGMENTS

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

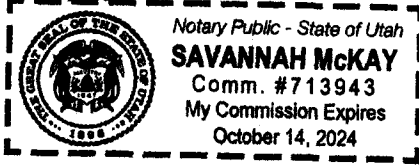
On the 16 day of June 2023, before me personally appeared O. Randall woodbury to me personally known, who being by me duly sworn did say that he is the VICE Chairman of WOODBURY CORPORATION, known to be the Manager of WCL GP L.L.C., known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.



Savannah McKay  
Notary Public

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

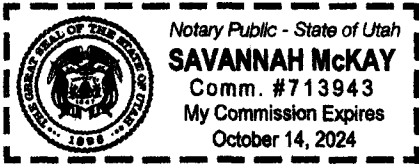
On the 16 day of June 2023, before me personally appeared Jeffrey K. woodbury to me personally known, who being by me duly sworn did say that he is the SR. VP of WOODBURY CORPORATION, known to be the Manager of WCL GP L.L.C., known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.



Savannah McKay  
Notary Public

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On the 16 day of June 2023, before me personally appeared O. Randall woodbury to me personally known, who being by me duly sworn did say that he is the VICE Chairman of WOODBURY CORPORATION, known to be a Manager of KMW DEVELOPMENT L.L.C., known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.

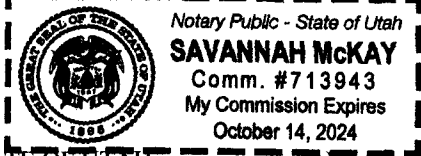


Savannah McKay  
Notary Public

W AK

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

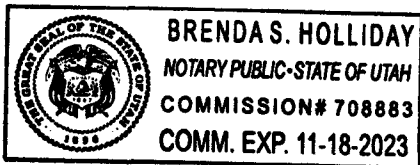
On the 16 day of JUNE 2023, before me personally appeared Jeffrey K. Woodbury to me personally known, who being by me duly sworn did say that he is the Sr. VP of WOODBURY CORPORATION, known to be a Manager of KMW DEVELOPMENT L.L.C., known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.



Savannah McKay  
Notary Public

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

On the 16 day of JUNE 2023, before me personally appeared STEVE PETERSON, to me personally known, who being by me duly sworn did say that he is the Manager of MILLROCK CAPITAL II, LLC, known to be a Manager of KMW DEVELOPMENT L.L.C., known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.



B  
Notary Public

W

**EXHIBIT "A" TO THE SPECIAL WARRANTY DEED**

Legal Description

RESIDENTIAL CONDOMINIUM UNIT #516 AND PARKING GARAGE UNIT #3, AS SET FORTH ON THE OFFICIAL PLAT OF ROYAL HOLLADAY HILLS BLOCK D CONDOMINIUM, RECORDED ON NOVEMBER 23, 2022, IN THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER'S OFFICE, AS ENTRY NO. 14045663 IN BOOK 2022P, BEGINNING AT PAGE 299 (AS SAID PLAT MAY HAVE BEEN AMENDED AND/OR SUPPLEMENTED) AND AS FURTHER DEFINED AND DESCRIBED IN THAT CERTAIN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS FOR COMMERCIAL AND RENTAL PROJECT, DATED NOVEMBER 23, 2022 AND RECORDED ON NOVEMBER 23, 2022, AS ENTRY NO. 14045665 IN BOOK 11387, BEGINNING AT PAGE 2728 IN THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER'S OFFICE ("MASTER DECLARATION") (AS SAID MASTER DECLARATION MAY HAVE BEEN AMENDED AND/OR SUPPLEMENTED) AND AS MAY BE FURTHER DEFINED AND DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RESIDENTIAL CONDOMINIUMS, DATED NOVEMBER 23, 2022 AND RECORDED ON NOVEMBER 23, 2022, AS ENTRY NO. 14045664 IN BOOK 11387, BEGINNING AT PAGE 2621 IN THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER'S OFFICE ("RESIDENTIAL DECLARATION") (AS SAID RESIDENTIAL DECLARATION MAY HAVE BEEN AMENDED AND/OR SUPPLEMENTED).

TOGETHER WITH: (A) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH ARE APPURTENANT TO SAID RESIDENTIAL CONDOMINIUM UNIT, IN ACCORDANCE WITH THE AFOREMENTIONED MASTER DECLARATION, RESIDENTIAL DECLARATION, AND PLAT AND THE UTAH CONDOMINIUM OWNERSHIP ACT, AS APPLICABLE; AND (B) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY THE RESIDENTIAL SHARED FACILITIES AND THE COMMON AREAS AND FACILITIES INCLUDED IN THE ROYAL HOLLADAY HILLS BLOCK D CONDOMINIUM PROJECT, IN ACCORDANCE WITH THE AFOREMENTIONED MASTER DECLARATION, RESIDENTIAL DECLARATION, AND PLAT AND THE UTAH CONDOMINIUM OWNERSHIP ACT, AS APPLICABLE.

*W*  
*W*

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

Matters of Record

9. Taxes for the year 2023 are accruing as a lien not yet due and payable under Parcel Nos. 22-09-229-020 (Unit 516) and 22-09-229-023 (Garage Unit 3). Taxes for the year 2022 have been paid with other land.
10. The herein described Land is located within the boundaries of Holladay City, South Salt Lake Valley Mosquito Abatement District, Mt. Olympus Improvement District, Central Utah Water Conservancy District, Cottonwood Mall Urban Renewal Project, Cottonwood Mall Community Development Area, and is subject to any and all charges and assessments levied thereunder.
11. Acknowledgement and Disclosure regarding development of property located within a Natural Hazards Special Study Area for surface fault rupture and high liquefaction potential recorded January 24, 1997 as Entry No. 6556273, in Book 7584, at Page 7.
12. Agreement for Development of Land between Cottonwood Mall, LLC, a Delaware limited liability company, City of Holladay, a Utah community development and renewal agency and City of Holladay, a Utah municipal corporation, recorded June 16, 2009 as Entry No. 10730729 in Book 9736 at Page 572.  
  
Memorandum of Amendment to the Second Amended and Restated Agreement for Development of Land recorded December 30, 2020 as Entry No. 13517119 in Book 11090 at Page 9548.
13. Notice of Private Sewer Agreement recorded October 7, 2020 as Entry No. 13419652 in Book 11034 at Page 4152.
14. Declaration of Restrictions recorded June 17, 2021 as Entry No. 13694026 in Book 11192 at Page 5835.  
  
Subordination Agreement - Declaration of Restrictions in favor of Washington Federal Bank, National Association, and its successors, participants and assigns, recorded July 21, 2021 as Entry No. 13723588 in Book 11210 at Page 158.
15. Declaration of Easements, Covenants, and Restrictions Regarding Common Areas for Royal Holladay Hills Subdivision by and between KMW Development L.L.C., a Utah limited liability company, Holladay Hills Block D L.L.C., a Utah limited liability company, Peterbuilt HH, L.L.C., a Utah limited liability company and JM Cheney Holladay Holdings, LLC, a Utah limited liability company, dated December 1, 2021 and recorded December 3, 2021 as Entry No. 13839649 in Book 11278 at Page 4.
16. Easements, notes and restrictions as shown on the recorded plat.
17. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Holladay Hills Block D Declaration of Covenants, Conditions, and Restrictions for Residential Condominiums recorded November 23, 2022 as Entry No. 14045664 in Book 11387 at Page 2621, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
18. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Holladay Hills Block D Declaration of Easements, Covenants, Conditions, and Restrictions for Commercial and Rental Project recorded November 23, 2022 as Entry No. 14045665 in Book 11387 at Page 2728, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

