

14246588 B: 11494 P: 7890 Total Pages: 6
05/30/2024 03:50 PM By: tpham 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

WHEN RECORDED MAIL TO:

Valley View Apartments SPE, LLC
c/o Millburn & Company
15 W. South Temple, Suite 640
Salt Lake City, UT 84101

File No.: 177879-DMP

SPECIAL WARRANTY DEED

In Reference to Tax ID Number(s):

14-32-376-007 and 14-32-376-008

SPECIAL WARRANTY DEED

DHIC – LITTLE VALLEY, LLC, a Delaware limited liability company (“Grantor”), whose address is 12382 Gateway Park Place, Suite B-300, Draper, Utah 84202, for and in consideration of the sum of Ten Dollars (\$10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby conveys and warrants against all who claim by, through, or under Grantor, but not otherwise, as tenants in common, to **VALLEY VIEW APARTMENTS SPE, LLC**, a Delaware limited liability company (“VVA SPE”), an undivided 78.637% interest, **VV STOWLEY SPE, LLC**, a Delaware limited liability company (“VVS SPE”), an undivided 12.064% interest, **VV MMC SPE, LLC**, a Delaware limited liability company (“VVM SPE”), an undivided 5.017% interest, **VV AC SPE, LLC**, a Delaware limited liability company (“VV AC”), an undivided 2.711% interest, and **VV SGJ SPE, LLC**, a Delaware limited liability company (“VV SGJ”) an undivided 1.571% interest (VVA SPE, VVS SPE, VVM SPE, VV AC and VV SGJ are collectively referred to herein as “Grantee”), whose mailing address is 15 W. South Temple, Suite 640, Salt Lake City, Utah 84101, the real property described in Exhibit A attached hereto, together with the buildings and improvements thereon, and all appurtenances of said real property, including easements or rights-of-way relating thereto, and, without warranty, all right, title, and interest, if any, of Grantor in and to the land lying within any street or roadway adjoining said real property or any vacated or hereafter vacated street or alley adjoining said real property (collectively, the “Property”).

This conveyance is made and accepted subject to those matters set forth in Exhibit B attached hereto, but only to the extent that the same are validly existing and affect the Property and without reimposing the same (the “Permitted Exceptions”).

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee and its successors and assigns forever; and, subject to the Permitted Exceptions, Grantor does hereby bind itself and its successors and assigns to warrant and forever defend the Property unto Grantee and its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed to be effective as of May 30, 2024, by Grantor.

[THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY; SIGNATURE PAGE FOLLOWS]

GRANTOR:

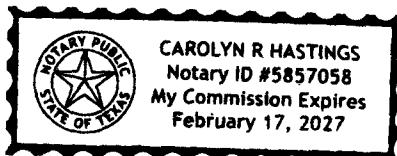
DHIC – LITTLE VALLEY, LLC,
a Delaware limited liability company

By: DHI Communities, Inc.,
a Delaware corporation,
its sole member

By: Bill W. Wheat
Printed Name: Bill W. Wheat
Title: Chief Financial Officer

STATE OF TEXAS §
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me this 24, day of May, 2024, by
Bill W. Wheat, in such person's capacity as the CEO
of DHI Communities, Inc., a Delaware corporation, the sole member of **DHIC – LITTLE VALLEY, LLC**,
a Delaware limited liability company, on behalf of said entities.



Carolyn Hastings
Notary Public, State of Texas

Exhibit A

Legal Description

Lot 1 and Parcel "A", ASCEND AT LITTLE VALLEY PLAT, according to the official plat thereof as recorded in the Salt Lake County Recorder's Office on October 25, 2021 as Entry No. 13806621 in Book 2021P at Page 267.

Parcel Nos. 14-32-376-007 and 14-32-376-008

Exhibit B

Permitted Exceptions

1. All matters shown on survey prepared on behalf of Focus Engineering & Surveying, LLC, dated January 22, 2024, last revised May 30, 2024 as Job No. 21-0468, by Justin Lundberg, a Professional Land Surveyor holding License No. 12554439.
2. Taxes for the year 2024 and subsequent years, a lien not yet due.
3. The herein described Property is located within the boundaries of Granite School District, Wasatch Front Waste and Recycle District, Greater Salt Lake Municipal Special Service District, Salt Lake Valley Law Enforcement Service Area, Unified Fire Services, Central Utah Water Conservancy District, Magna Water District, Jordan Valley Water Conservancy District, Magna Mosquito Abatement District, Magna Township, and is subject to any and all charges and assessments levied thereunder.
4. Certificate of Creation of the Community Reinvestment Agency of Magna, recorded January 29, 2019 as Entry No. 12925386 in Book 10748 at Page 7120.
5. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records.
6. Claim, right, title or interest to water or water rights whether or not shown by the public records.
7. Reservations and exceptions as contained in Patent from the United States of America, recorded July 2, 1892 in Book 4D at Page 237.
8. Rights-of-way and reservations set in Deed in favor of Magna Water Company, an improvement district, a body politic of Salt Lake County, Utah, by instrument dated February 21, 1962 and recorded March 12, 1962, as Entry No. 1832760, in Book 1898, at Page 633.
9. Rights-of-way and reservations set forth in Right of Way Deed granted to the State Road Commission of Utah, recorded March 11, 1964 as Entry No. 1985168 in Book 2165 at Page 36.
10. Permanent easement granted pursuant to Easement Agreement by and between Kennecott Utah Copper LLC, a Utah limited liability company, formerly known as Kennecott Utah Copper Corporation and Magna Water District, a political subdivision of the State of Utah, dated March 7, 2019 and recorded August 22, 2019 as Entry No. 13057353 in Book 10819 at Page 6277.

Affidavit Regarding Easement Agreement, dated August 31, 2021 and recorded August 31, 2021 as Entry No. 13760928 in Book 11232 at Page 348.

Release of Easement and Mutual Waiver, recorded December 6, 2023 as Entry No. 14182340 in Book 11460 at Page 1644.

11. Underground Right of Way Easement in favor of Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns to construct, reconstruct, operate, maintain and repair electric transmission and other equipment and incidental purposes, over, under and across a

portion of the subject Land. Said Easement recorded June 6, 2022, as Entry No. 13964825, in Book 11345, at Page 8312.

12. Easements, notes and restrictions as shown on the recorded plat for Ascend at Little Valley Plat recorded October 25, 2021 as Entry No. 13806621 in Book 2021P at Page 267.
13. Easements, notes and restrictions as shown on the recorded plat of Gateway to Little Valley Road Dedication Plat recorded January 15, 2021 as Entry No. 13535252 in Book 2021P at Page 20.
14. Reservations contained in that certain Indenture between American Smelting and Refining Company, a corporation of the State of New Jersey and Kennecott Copper Corporation, a corporation of the State of New York, dated January 2, 1959 and recorded January 5, 1959 as Entry No. 1629909 in Book 1574 at Page 546.
15. Notice wherein said Land is located within the 0.2 and greater overpressure area as defined in Section 15.14.010 of the Salt Lake County Code of Ordinances, 1986 and is subject to the construction standards and glass requirements set forth in Chapter 15.14 of the Salt Lake County Code of Ordinances, dated September 28, 1987 and recorded September 28, 1987 as Entry No. 4528677 in Book 5965 at Page 1175.
16. Reservations in Special Warranty Deed recorded November 22, 2019 as Entry No. 13131579 in Book 10864 at Page 244.
17. Master Development Agreement for Little Valley Gateway Project, by and between Magna Metro Township; D.R. Horton, Inc., a Delaware corporation; Kennecott Utah Copper, LLC, a Utah limited liability company and Board of Education of Granite School District, a body corporate and politic of the State of Utah, recorded September 4, 2019 as Entry No. 13066519 in Book 10825 at Page 3769.
18. Reservations contained in that certain Special Warranty Deed and Reservation of Surface Rights (Minerals) recorded December 16, 2019 as Entry No. 13148546 in Book 10873 at Page 3665.
Waiver of Surface Rights, recorded September 30, 2021 as Entry No. 13787506 in Book 11247 at Page 4908.
19. Declaration of Restrictive Covenants by D.R. Horton, Inc., a Delaware corporation, dated September 30, 2021 and recorded September 30, 2021 as Entry No. 13787504 in Book 11247 at Page 4899.
20. Affidavit recorded August 9, 2022 as Entry No. 13997729 in Book 11363 at Page 851.
21. Terms and conditions of Drainage Agreement between Utah Department of Transportation and D.R. Horton, LLC, dated September 19, 2019 and recorded February 29, 2024 as Entry No. 14210454 in Book 11474 at Page 9553.
22. Rights of residential tenants as of the date hereof, as tenants only, under unrecorded residential leases, with no option to purchase and no right of first refusal.
23. Affidavit wherein the address for said Property has been corrected from 8477 West Cordero Drive to 8413 West Cordero Drive recorded October 28, 2021 as Entry No. 13810225 in Book 11260 at Page 7222. (Affects Parcel A)