

14290746 B: 11519 P: 5289 Total Pages: 5
09/20/2024 01:17 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

Recording requested by, and after
recording return to:
228W Apartments, LLC,
3021 Citrus Circle, Suite 130
Walnut Creek, CA 94598

SPECIAL WARRANTY DEED

Escrow No. 178432-CAB
A.P.N.: 08-36-202-029

H. BOYD AND ASSOCIATES, L.C., a Utah limited liability company, who acquired title as H. Boyd and Associates LLC, Grantor, of 677 Cortez Street, Salt Lake City, Utah 84103 hereby CONVEYS AND WARRANTS to 228W APARTMENTS, LLC, a Delaware limited liability company, Grantee, of 3021 Citrus Circle, Suite 130, Walnut Creek, California 94598 for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Salt Lake County, State of Utah:

See Exhibit A attached hereto.

Together with all right, title and interest that Grantor may have in and to (i) all improvements and fixtures located in, on or thereunder, (ii) the tenements, hereditaments and appurtenances thereto belonging, and (iii) the rents, issues and profits thereof.

Such transfer is warranted only as to encumbrances arising by, through, or under Grantor. No warranty at all applies to any easements, hereditaments, and appurtenances including any mineral rights, development rights, or air and water rights.

Subject only to the permitted exceptions set forth on Schedule I attached hereto.

Witness, the hand of said Grantor, this 20 of September, 2024.

Signature Page Follows

Special Warranty Deed

SELLER

H. Boyd and Associates, L.C., a Utah limited liability company

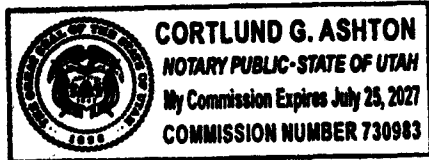
BY: Harvey F. Boyd
Harvey F. Boyd
Member

BY: Sherryl J. Boyd
Sherryl J. Boyd
Member

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 20 day of September, in the year 2024, before me personally appeared Harvey F. Boyd, the Member of H. BOYD AND ASSOCIATES L.C., a Utah limited liability company, known to me to be the person who executed the within instrument in behalf of said company and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

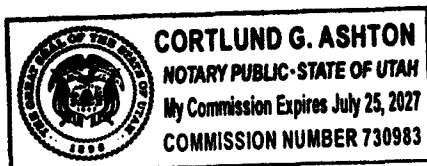


Cortlund G. Ashton
Notary Public
Print Name: CORTLUND G ASHTON
My Commission Expires: 7/25/27

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 20 day of September, in the year 2024, before me personally appeared Sherryl J. Boyd, the Member of H. BOYD AND ASSOCIATES L.C., a Utah limited liability company, known to me to be the person who executed the within instrument in behalf of said company and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Cortlund G. Ashton
Notary Public
Print Name: CORTLUND G ASHTON
My Commission Expires: 7/25/27

EXHIBIT A

Legal Description

Real property in Salt Lake County, State of Utah, described as follows:

PARCEL 1:

Commencing 160.50 feet West from the Southeast corner of Lot 1, Block 139, Plat 'A'; Salt Lake Survey, thence West 121.50 feet; thence North 165 feet; thence East 117 feet, more or less to a point 10 rods West of the South East Corner of Lot 8, Block 139, Plat "A", Salt Lake City Survey; thence North 66 feet; thence East 66 feet; thence South 66 Feet; thence West 61.50 feet more or less to a point due North of the point of beginning, thence South 10 rods to a point of beginning.

LESS AND EXCEPTING: Beginning at a point 48 feet East of the Southwest corner of Lot 1, Block 139, Plat 'A', Salt Lake City Survey and running thence East 2.0 feet; thence North 165 feet; thence West 2.0 feet; thence South 165 feet to the point of beginning.

PARCEL 1A:

A non exclusive right of way that begins at a point which lies on the South line of Lot 1, Block 139, said point being South 89°57'12" West 222.55 feet and North 00°02'48" West 63.62 feet from a found Salt Lake City Street Monument brass cap at 600 North Street and 200 West Street, being further described as West 160.5 feet from the Southeast corner of said Lot 1, and running thence North 00°02'41" East 165.16 feet, (North 165 feet by deed) to the North line of Lot 1; thence along said North lot line North 89°52'07" East 11.99 feet, (East 12 feet by deed); thence South 00°02'41" West 165.16 feet to the South line of Lot 1, (South 165 feet by deed); thence South 89°52'06" West 11.99 feet, (West 12 feet by deed) to the point of beginning.

SCHEDULE I

Permitted Exceptions

1. Deleted.
2. Deleted.
3. Deleted.
4. Deleted.
5. Deleted.
6. Deleted.
7. Deleted.
8. Deleted.
9. Taxes for the year 2024 are accruing as a lien not yet due and payable under Parcel No. 08-36-202-029. Taxes for the year 2023 have been paid in the amount of \$12,041.44 under Parcel No. 08-36-202-029.
10. The herein described Land is located within the boundaries of Salt Lake City School District, Central Utah Water Conservancy District, Salt Lake City Mosquito Abatement District, Salt Lake Metropolitan Water District, West Capitol Hill Redevelopment Project Area, Salt Lake City, and is subject to any and all charges and assessments levied thereunder.
11. Notice of Location within a Historic District wherein said Land is located within the Salt Lake City Capitol Hill Historic District, dated August 8, 1995 and recorded August 8, 1995 as Entry No. 6137512 in Book 7202 at Page 1282.
12. Notice of Adoption of Redevelopment Plan Entitled "West Capitol Hill Redevelopment Plan" recorded July 22, 1996 as Entry No. 6410924 in Book 7448 at Page 960.
13. Salt Lake City Ordinance No. 92 of 1999 (Enacting the Capitol Hill Community Master Plan) recorded November 29, 1999 as Entry No. 7522327 in Book 8326 at Page 75.
14. 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 or listed herein.

15. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.

16. Deleted.

17. Terms and Conditions as contained in that certain Notice of Minor Subdivision Approval recorded April 24, 1995 as Entry No. 6066268 in Book 7138 at Page 791.

18. Deleted.

19. Deleted.

20. Rights of tenants, as tenants only, under unrecorded residential leases or rental agreements, without any rights of first refusal or options to purchase all or any portion of the Land.

21. The following matters disclosed on that certain survey prepared by Ensign Engineering and Land Surveying, Inc., dated September 16, 2024, as Project No. 13387, by Spencer J. Lewis, a Professional Land Surveyor holding License No. 13009636:

- a. Existing utilities, including but not limited to overhead utility lines, utility pole and guy, gas meters, water and irrigation valves, located on and across the Land without recorded easements.
- b. Existing fences not located on boundary lines.
- c. Areas of encroachment along the Easterly and Westerly boundary lines.
- d. Encroachment of a portion of existing covered parking structure onto Parcel 1A.

22. Deleted.