

E 157460 B 379 P 1904  
Date: 30-Jun-2021 04:33PM  
Fee: \$40.00 ACH  
Filed By: CKR  
BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: COTTONWOOD TITLE INSURANCE AGENC  
Recorded Electronically by Simplifile

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:  
CW Roam, LLC  
Attn: Legal Department  
1222 W. Legacy Crossing Blvd., STE 6  
Centerville, UT 84014

Space above for County Recorder's use

Parcel Nos.: **00-0058-9646; Serial No. 03-005-044-02-1-NA** (for reference purposes only)

CT-145636-CAF

### SPECIAL WARRANTY DEED

STAKER & PARSON COMPANIES, a Utah corporation doing business as Jack B. Parson Companies, who acquired title incorrectly as Jack B. Parson Companies, a Utah corporation ("Grantor"), whose address is 2350 S. 1900 W., STE 100, Ogden, Utah 84401, hereby CONVEYS AND WARRANTS against those claims, and only those claims, of all persons who shall claim title to or assert claims affecting title to the Property or any part thereof, by, through, under, or based on the acts of Grantor, but none other, to CW ROAM, LLC, a Utah limited liability company ("Grantee"), whose address is 1222 W. Legacy Crossing Blvd., STE 6, Centerville, Utah 84014 for the sum of Ten and No/100 Dollars and other good and valuable consideration, the following described tract of land in Morgan County, State of Utah (the "Property"), to-wit:

**See Exhibit "A" attached hereto and incorporated herein.**

**SUBJECT TO** the matters set for on **Exhibit "B", attached hereto and incorporated herein.**

Subject to a restrictive covenant prohibiting the use of the Property for the (i) mining, excavation or extraction of sand, gravel, overburden, dolomite, limestone, sandstone, boulders, stones or rocks suitable for use in building, construction and road making (including concrete, asphalt, roadbeds, railroad ballast or other use), (ii) resale yard for aggregates, (iii) operation of an asphalt plant or asphalt-related business, (iv) operation of concrete block plant, (v) operation of concrete batch plant (including both ready-mix plants and central-mix plants) or related businesses. This restriction shall run with the land and be binding upon Grantee's successors and assigns and all subsequent owners of the Property until its natural expiration or earlier termination by Grantor; and

Subject to (i) any and all laws, statutes, ordinances, codes, rules, regulations, requirements or executive mandates, as the same may be amended subsequent to the date of this conveyance, affecting the Property, (ii) encroachments, if any, on any street or highway, (iii) such matters as would be disclosed by a current and accurate survey or inspection of the Property, (iv) real estate taxes, assessments and water and sewer charges for the current year, not yet due and payable, and (iv) all matters of record.

{Signature on following page}



**Exhibit "A"**  
(Legal Description)

PARCEL 1:

Townhome Area Phase 1 Description

A parcel of land, situate in the Southwest Quarter of Section 24, the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 322.34 feet along the section line and South 00°16'25" West 687.94 feet from the Northwest Corner of said Section 25, and running thence South 84°21'31" East 27.00 feet; thence South 05°38'29" West 45.93 feet; thence Southerly 25.36 feet along the arc of a 163.50-foot radius tangent curve to the right (center bears North 84°21'31" West and the long chord bears South 10°05'03" West 25.33 feet with a central angle of 08°53'08"); thence South 70°39'00" East 79.68 feet; thence Southerly 348.56 feet along the arc of a 1971.60-foot radius non-tangent curve to the right (center bears North 74°05'37" West and the long chord bears South 20°58'16" West 348.11 feet with a central angle of 10°07'46"); thence westerly 21.81 feet along the arc of a 15.00-foot radius curve to the right (center bears North 63°57'51" West and the long chord bears South 67°41'34" West 19.94 feet with a central angle of 83°18'51"); thence North 69°32'41" West 8.54 feet; thence South 21°31'37" West 38.00 feet; thence Northwesterly 81.76 feet along the arc of a 263.50-foot radius non-tangent curve to the right (center bears North 21°31'11" East and the long chord bears North 59°35'27" West 81.43 feet with a central angle of 17°46'42"); thence Northwesterly 82.34 feet along the arc of a 236.50-foot radius curve to the left (center bears South 39°17'54" West and the long chord bears North 60°40'33" West 81.93 feet with a central angle of 19°56'54"); thence North 70°39'00" West 307.65 feet; thence South 19°21'00" West 5.50 feet; thence Westerly 12.12 feet along the arc of a 101.50-foot radius non-tangent curve to the right (center bears North 17°38'35" East and the long chord bears North 68°56'11" West 12.11 feet with a central angle of 06°50'29"); thence North 25°40'14" East 0.46 feet; thence Northwesterly 24.32 feet along the arc of a 58.00-foot radius non-tangent curve to the right (center bears North 25°20'34" East and the long chord bears North 52°38'45" West 24.14 feet with a central angle of 24°01'22"); thence South 49°21'56" West 36.46 feet; thence North 78°30'51" West 122.53 feet to the Easterly right-of-way line of Trappers Loop Road (Highway 167); thence along said easterly line the following two (2) courses and distances: (1) North 11°33'46" East 206.96 feet; and (2) North 54°11'41" East 362.47 feet; thence South 35°48'37" East 127.43 feet; thence North 54°11'23" East 88.81 feet; thence South 35°48'37" East 27.00 feet; thence Southerly 59.92 feet along the arc of a 27.50-foot radius non-tangent curve to the left (center bears South 35°48'37" East and the long chord bears South 08°13'49" East 48.75 feet with a central angle of 124°50'24"); thence South 70°39'00" East 150.92 feet; thence Northeasterly 49.78 feet along the arc of a 27.50-foot radius tangent curve to the left (center bears North 19°21'00" East and

the long chord bears North 57°29'44" East 43.25 feet with a central angle of 103°42'30") to the point of beginning.

PARCEL 1A:

A non-exclusive easement for access appurtenant to Parcel 1 as set forth and disclosed in that certain Utilities and Access Easement Agreement recorded \_\_\_\_\_ as Entry No.

in Book 157460 at Page 279, over and across the following: JUNE 30, 2021  
1830  
 Road Area Description

A parcel of land, situate in the Southwest Quarter of Section 24, the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 886.30 feet along the section line and South 00°16'25" West 1238.89 feet from the Northwest Corner of said Section 25, and running thence North 89°43'47" East 60.00 feet; thence South 00°16'13" East 402.58 feet; thence Southeasterly 20.27 feet along the arc of a 15.00 feet-foot radius tangent curve to the left (center bears North 89°43'47" East and the long chord bears South 38°58'36" East 18.76 feet with a central angle of 77°24'45") to the Northerly right-of-way line of Old Highway Road; thence along said right-of-way line the following two (2) courses and distances: (1) Westerly 69.11 feet along the arc of a 872.11-foot radius non-tangent curve to the left (center bears South 04°14'46" East and the long chord bears South 83°29'03" West 69.09 feet with a central angle of 04°32'24"); and (2) South 82°40'32" West 16.33 feet; thence Northeasterly 21.72 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North 07°19'28" West and the long chord bears North 41°12'07" East 19.87 feet with a central angle of 82°56'50"); thence North 00°16'13" West 411.86 feet to the point of beginning.

**Exhibit "B"**  
(Permitted Exceptions)

1. (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Any defect, lien, encumbrance, adverse claim, or other matter, that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
8. Any service, installation, connection, maintenance, or construction charges for sewer, water, electricity, or garbage collection or disposal, or other utilities unless shown as an existing lien by the Public Records.
9. The lien of any and all property taxes assessed against the Land by the State Tax Commission of Utah.  
  
[Informational Note: According to the records of Morgan County, the Land described herein has been assigned Morgan County Tax Parcel No. 00-0058-9646 (Serial No. 03-005-044-02-1-NA). However, the Land comprising Morgan County Tax Parcel No. 00-0058-9646 (Serial No. 03-005-044-02-1-NA) appears to fall under the jurisdiction of the State Tax Commission of Utah for the assessment of property taxes. It is suggested that the Office of the Morgan County Treasurer and/or the State Tax Commission of Utah be contacted to ascertain any property tax amounts due and payable for said Land.]
10. The herein described Land is located within the boundaries of Morgan County, Weber Basin Water Conservancy District, Mountain Green Fire Protection District, Mountain Green Sewer Improvement District, and is subject to any and all charges and assessments levied thereunder.
11. 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. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

12. Reservations as set forth in Patents from the United States of America recorded May 10, 1897 in Book F at Page 576 and recorded January 19, 1959 in Book R at Page 234 and recorded December 3, 1892 in Book F at Page 274 and recorded May 10, 1897 of official records.
13. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
14. Intentionally deleted by Title Company.
15. Ordinance No. CO-19-04 Amending the Morgan County Official Zoning Map, from the A-20 Zone to the Town Center Zone, Otherwise Known as the Staker Parson Zone Change, recorded March 12, 2020 as Entry No. 150555 in Book 359 at Page 169.
16. Said Land is located within the bounds of the Morgan County Reinvestment & Renewal Agency boundary and is subject to any fees and/or assessments thereof, Boundary Plat recorded March 13, 2017 as Entry No. 141018 in Book 334 at Page 439.
17. Development Agreement by and between Morgan County and Staker & Parson Companies, a corporation, dated October 20, 2020 and recorded November 10, 2020 as Entry No. 153927 in Book 369 at Page 1685.
18. Access along Old Trappers Loop Road is limited to openings permitted by the Utah Department of Transportation, as disclosed in that certain Final Order of Condemnation recorded November 16, 1988 as Entry No. 56999 in Book M67 at Page 277.
19. Rights of tenant(s) in the Land, if any, and rights of all parties claiming by, through or under said tenant(s).
20. Subject to the following matters disclosed on that certain survey prepared by Ensign, having been certified under the date of December 2, 2020, as Job No. 9100A, by Trent R. Williams, a Professional Land Surveyor holding License No. 8034679 (unsigned Boundary/Topographic Survey):