

E 162231 B 396 P 132
Date: 26-Oct-2022 01:55PM
Fee: \$40.00 ACH
Filed By: JP
BRENDA NELSON, Recorder
MORGAN COUNTY
For: COTTONWOOD TITLE INSURANCE AGENCY
Recorded Electronically by Simplifile

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

Parcel Nos.: 00-0089-0924
163505-LCA

SPECIAL WARRANTY DEED

STAKER & PARSON COMPANIES, a Utah corporation, for itself and as successor by merger to 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 LAND CO., 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 forth 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 (v) all matters of record.

{Signature on following page}

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its representative thereto duly authorized this 25th day of October, 2022.

STAKER & PARSON COMPANIES,
a Utah corporation

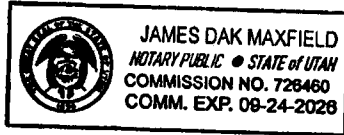
By: Jake Goodliffe
Name: Jake Goodliffe
Title: Vice Pres. Int'l

STATE OF UTAH)
 §
COUNTY OF Weber)

On this 25th day of October, 2022, before me, personally appeared Jake Goodliffe, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged before me that she/he executed the same on behalf of Staker & Parson Companies, a Utah corporation.

Witness my hand and official seal.

Jan DeHof
(Notary Public)



(Seal)

Exhibit "A"
(Legal Description)

PARCEL 1:

Proposed ROAM PHASE 2A SINGLE FAMILY, being more particularly described as follows:

A parcel of land, situated in the Northwest Quarter of Section 25 and the Southwest Quarter of Section 24, 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 on the North line of said Section 25, said point being South 89°43'35" East 899.46 feet along the section line from the Northwest Corner of said Section 25 and running thence; North 69°02'40" East 390.21 feet to the Westerly line of Rollins Ranch Phase 4B; thence along said Westerly line the following six (6) courses and distances: 1) South 05°13'53" East 192.37 feet; 2) South 41°45'22" East 110.48 feet; 3) North 72°46'57" East 66.68 feet; 4) South 05°21'11" East 122.44 feet; 5) Southerly 218.22 feet along the arc of a 442.00-foot radius tangent curve to the right (center bears South 84°38'49" West and the long chord bears South 08°47'26" West 216.01 feet with a central angle of 28°17'13"); 6) Southerly 301.81 feet along the arc of a 356.50-foot radius curve to the left (center bears South 67°03'58" East and the long chord bears South 01°19'11" East 292.87 feet with a central angle of 48°30'26") to the Northerly line of Roam Phase 1 Single Family Subdivision; thence along the Northerly and Westerly lines of said Roam Phase 1 Single Family the following nine (9) courses and distances: 1) South 89°53'43" West 158.97 feet; 2) North 00°06'33" West 15.00 feet; 3) South 89°53'25" West 582.73 feet; 4) South 13°17'54" West 9.68 feet; 5) North 76°42'06" West 168.38 feet; 6) North 13°17'54" East 71.36 feet; 7) Northerly 115.98 feet along the arc of a 331.61-foot radius tangent curve to the left (center bears North 76°42'06" West and the long chord bears North 03°16'42" East 115.39 feet with a central angle of 20°02'22"); 8) North 06°44'28" West 195.97 feet; 9) Northerly 190.08 feet along the arc of a 280.00-foot radius tangent curve to the right (center bears North 83°15'32" East and the long chord bears North 12°42'00" East 186.45 feet with a central angle of 38°53'44"); thence North 69°02'40" East 388.13 feet to the Point of Beginning.

Exhibit "B"
(Title Commitment 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. Taxes for the year 2022 are a lien now due and payable in the amount of \$23,453.85 but will not become delinquent until November 30, 2022 under Parcel No. 00-0089-0924; Serial No. 09-005-044-02-1-3-3. Taxes for the year 2021 have been paid under Parcel No. 00-0089-0924; Serial No. 09-005-044-02-1-3-3.
10. Taxes for the year 2022 are a lien now due and payable in the amount of \$11,239.75 but will not become delinquent until November 30, 2022 under Parcel No. 00-0089-0955; Serial No. 09-005-044-02-1-4-2. Taxes for the year 2021 have been paid under Parcel No. 00-0089-0955; Serial No. 09-005-044-02-1-4-2. (affects this and other land)
11. 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, Roam Public Infrastructure District #1 and is subject to any and all charges and assessments levied thereunder.
12. 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.
13. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
14. Reservations and easements as contained in those certain Patents, recorded December 3, 1892 in Book F at Page 274 and recorded May 10, 1897 in Book F at Page 576 and recorded January 19, 1959 in Book R at Page 234.
15. Morgan County Reinvestment and Renewal Agency Boundary Plat, recorded March 13, 2017 as Entry No. 141018 in Book 339 at Page 439.
16. 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.

17. Declaration of Payment in Lieu of Taxes recorded September 15, 2021 as Entry No. 158372 in Book 382 at Page 1078.
18. Certificate of Creation of the Roam Public Infrastructure Districts No. 1 and 2, recorded October 30, 2021 as Entry No. 158536 in Book 383 at Page 243.
19. Notice of Public Infrastructure District, dated July 19, 2021 and recorded September 30, 2021 as Entry No. 158537 in Book 383 at Page 261.
20. Easements, notes and restrictions as shown on the proposed plat for Roam Phase 2A Single Family.
Easements, notes and restrictions as shown on the proposed plat for Roam Phase 2 Townhomes.
21. Rights of access to Old Trappers Loop Road have been relinquished to the Utah Department of Transportation by Final Order of Condemnation recorded November 16, 1988 as Entry No. 56999 in Book M67 at Page 277.
22. Development Agreement by and between Morgan County and Staker & Parson Companies, a corporation organized under the laws of the State of Utah, dated October 20, 2020 and recorded November 10, 2020 as Entry No. 153927 in Book 369 at Page 1685.

Partial Assignment and Assumption Agreement in favor of CW Land Co., LLC, a Utah limited liability company, recorded January 18, 2022 as Entry No. 159755 in Book 387 at Page 1112.

Partial Assignment and Assumption Agreement in favor of CW Roam, LLC, a Utah limited liability company, recorded January 18, 2022 as Entry No. 159756 in Book 387 at Page 1122.

Partial Assignment and Assumption Agreement in favor of Richmond American Homes of Utah, Inc., a Utah corporation, recorded January 18, 2022 as Entry No. 159773 in Book 387 at Page 1291.
23. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Roam recorded January 18, 2022 as Entry No. 159757 in Book 387 at Page 1131, 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.

Partial Assignment of Declarant's Rights in favor of Richmond American Homes of Utah, Inc., a Colorado corporation, recorded January 18, 2022 as Entry No. 159764 in Book 387 at Page 1256.
24. Notice of Reinvestment Fee Covenant in favor of Roam Owners Association, Inc., recorded January 18, 2022 as Entry No. 159765 in Book 387 at Page 1262.
25. Notwithstanding those items described herein-above, the Land is also subject to any additional discrepancies, conflicts in the boundary lines, shortage in area, encroachments, or any other facts which an ALTA/NSPS Survey, (made in accordance with the current Minimum Standard Detail Requirements for Land Title Surveys jointly established and adopted by (ALTA) American Land Title Association and (NSPS) National Society of Professional Surveyors) may disclose.