

E 2682360 B 5592 P 893-898
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
8/24/2012 1:37:00 PM
FEE \$30.00 Pgs: 6
DEP eCASH REC'D FOR FIRST AMERICAN TITLE-N

WHEN RECORDED, MAIL TO:
Ninigret Construction Company North L.C.
1700 South 4650 West
Salt Lake City, Utah 84101
Attn: Gary McEntee

APN: 12-026-0019, 12-026-0016, 12-025-0011

SPECIAL WARRANTY DEED

NCS-527392

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, as Grantor, grants, conveys and warrants, but only against Grantor's own actions and no other actions (or inactions) of any other party whatsoever, to NINIGRET CONSTRUCTION COMPANY NORTH L.C., a Utah limited liability company, as Grantee, the real property located in Syracuse, Davis County, Utah described as follows (the "Property"):

See attached Exhibit A, incorporated by reference to this document.

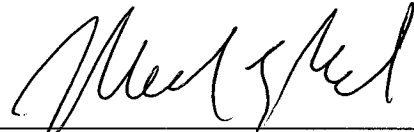
SUBJECT TO current taxes and assessments, zoning laws, rules and regulations, and to the reservations, easements, covenants, conditions, restrictions, encumbrances, and other rights or interests of record or enforceable at law or equity.

RESERVING specifically unto Grantor (to the extent not already reserved by any other third party): (i) all water and water rights of any and all kinds, including (without limitation) shares of stock in water companies, (ii) all minerals, coal, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy, on, in, or under the above-described Property, and (iii) all subsurface rights of any and all kinds to the extent not included in subsection (ii) above; provided, however, in all events Grantor does not reserve the right to use the Property or extract minerals or other substances from the Property above a depth of 500 feet, nor does Grantor reserve the right to use the surface of the Property in connection with the rights reserved herein.

[SIGNATURE TO FOLLOW]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this _____
day of August, 2012.

CORPORATION OF THE PRESIDING BISHOP
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation sole

By: 
Name: Mark B. Gibbons
Its: Authorized Agent

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 23rd day of August, 2012, personally appeared before me Mark B. Gibbons, personally known to me to be an Authorized Agent of CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, who acknowledged before me that he signed the foregoing instrument as an Authorized Agent for CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, and that said instrument is the free and voluntary act of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation and that said corporation executed the same.


NOTARY PUBLIC

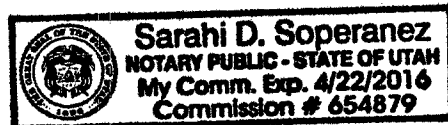


EXHIBIT A

(Legal Description of the Property)

That certain real property located in Davis County, Utah, specifically described as follows:

Parcel numbering for internal informational purposes—Parcel 3 intentionally omitted.

PARCEL 1:

A PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY; LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY;

BEGINNING AT THE CENTER OF SAID SECTION 3 AND RUNNING THENCE SOUTH 89° 56' 57" EAST 2621.42 FEET TO THE WEST LINE OF 1000 WEST STREET; THENCE SOUTH 0° 07' WEST 1925.89 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE O.S.L.R.R. RIGHT-OF-WAY; THENCE SOUTH 72° 03' WEST 2202.57 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE NORTH LINE OF 700 SOUTH STREET; THENCE NORTH 89° 56' 33" WEST 3150.77 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF 2000 WEST STREET; THENCE NORTH 0° 09' 35" EAST 2606.19 FEET ALONG SAID EAST LINE TO THE QUARTER SECTION LINE; THENCE SOUTH 89° 56' 57" EAST 2621.37 FEET ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING ON THE SOUTH BOUNDARY LINE OF THE GRANTORS' LAND AT A POINT 306.8 FEET NORTH AND 1265.6 FEET WEST, MORE OR LESS, FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE SOUTH 72° 03' WEST 314 FEET ALONG SAID SOUTH BOUNDARY LINE; THENCE NORTH 27° 09' WEST 260 FEET, MORE OR LESS, THENCE NORTH 13° 29' WEST 2260 FEET, MORE OR LESS, TO THE NORTH BOUNDARY LINE OF THE GRANTORS' LAND; THENCE EAST 318.9 FEET ALONG SAID NORTH BOUNDARY LINE; THENCE SOUTH 13° 29' EAST 2148 FEET, MORE OR LESS, THENCE SOUTH 27° 09' EAST 275 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. (UTAH POWER & LIGHT CO. PROPERTY, AS SET FORTH IN WARRANTY DEED RECORDED NOVEMBER 03, 1982 AS ENTRY NO. 626040 IN BOOK 919 AT PAGE 699)
Ck by JJB 22 August 2012

ALSO EXCEPTING:

THAT PORTION OF SAID LAND LYING WESTERLY OF THE EASTERLY LINE OF SAID UTAH POWER AND LIGHT CO. PROPERTY: *Ck by JJB 22 August 2012*

ALSO EXCEPTING:

THAT PORTION CONVEYED TO UTAH DEPARTMENT OF TRANSPORTATION DESCRIBED AS FOLLOWS.

A PARCEL OF LAND IN FEE BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE N1/2SE1/4 OF SECTION 3, IN T.4N., R2W., S.L.B.&M. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 3 AND A BOUNDARY LINE OF SAID ENTIRE TRACT, SAID POINT BEING 3401.90 FEET S.89°57'08"E. (S.89°56'57"E. OF RECORD) ALONG SAID EAST-WEST QUARTER SECTION LINE

FROM THE WEST QUARTER CORNER OF SAID SECTION 3: AND RUNNING THENCE S 89° 57' 08" E. (S 89° 56' 57" E OF RECORD) 1906.70 FEET ALONG SAID EAST-WEST QUARTER SECTION LINE TO THE WEST LINE OF SAID SECTION 3: THENCE S.0° 06' 29" W. (S.0° 07' 00" W. OF RECORD) 203.59 FEET ALONG SAID SECTION LINE; THENCE N.89° 57' 08" W 33.00 FEET TO THE SOUTHERLY HIGHWAY RIGHT OF WAY LINE OF THE PROPOSED SR-193 EXTENSION HIGHWAY: THENCE ALONG SAID SOUTHERLY HIGHWAY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: (1) NORTHWESTERLY 66.61 FEET ALONG THE ARC OF A 88.00-FOOT RADIUS CURVE TO THE LEFT (NOTE: CHORD TO SAID CURVE BEARS N 21° 34' 32" W FOR A DISTANCE OF 65.03 FEET) TO A POINT OF TANGENCY WITH A 8.00-FOOT RADIUS CURVE TO THE LEFT: (2) NORTHWESTERLY 6.50 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS N.66° 32' 34" W. FOR A DISTANCE OF 6.32 FEET); (3) N 89° 49' 36" W 1114.68 FEET TO A POINT OF TANGENCY WITH A 7842.50-FOOT RADIUS CURVE TO THE LEFT: (4) WESTERLY 299.71 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS S 89° 04' 43" W FOR A DISTANCE OF 299.69 FEET); (5) S.87° 59' 02" W. 391.72 FEET TO SAID BOUNDARY LINE; THENCE N.13° 32' 31" W. (N.13° 29' 00" W OF RECORD) 161.89 FEET ALONG SAID BOUNDARY LINE TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

ALSO EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO SYRACUSE CITY BY THAT CERTAIN QUIT CLAIM DEED RECORDED MARCH 9, 2012 AS ENTRY NO. 2648421 IN BOOK 5475 AT PAGE 1450 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR THE EXTENSION OF THE EXISTING HIGHWAY STATE ROUTE 193 KNOWN AS PROJECT NO. S-0193(6)0, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE NE1/4SE1/4 OF SECTION 3, IN T.4N., R.2W., S.L.B.&M AND RECORDED AS ENTRY 697722, BOOK 1027, PAGE 1102 IN THE OFFICE OF THE DAVIS COUNTY RECORDER. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING IN THE EAST LINE OF SAID SECTION, BEING THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT, AT A POINT IN THE 1000 WEST STREET CONTROL LINE OF SAID PROJECT AT ENGINEER STATION 23+80.41.

SAID POINT OF BEGINNING IS 203.59 FEET S.0°06'29"W. ALONG SAID EAST SECTION LINE FROM THE EAST QUARTER CORNER OF SAID SECTION 3; AND RUNNING THENCE AS FOLLOWS: S.0°06'29"W. (S.0°07'00"W. OF RECORD) 345.41 FEET ALONG SAID EAST SECTION LINE; THENCE N.89°53'31"W. 33.00 FEET; THENCE N.0°06'29"E. 25.00 FEET; THENCE N.89°53'31"W 17.00 FEET TO A POINT 50.00 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID 1000 WEST STREET CONTROL LINE AT ENGINEER STATION 20+60.00; THENCE N.0°06'29"E. 329.95 FEET; THENCE N.44°53'31"W. 75.53 FEET; THENCE S.89°49'36"E. 40.57 FEET; THENCE SOUTHEASTERLY 6.50 FEET ALONG THE ARC OF A 8.00-FOOT RADIUS CURVE TO THE RIGHT; (NOTE: CHORD TO SAID CURVE BEARS S.66°32'34"E. FOR A DISTANCE OF 6.32 FEET); THENCE SOUTHERLY 66.61 FEET ALONG THE ARC OF A 88.00-FOOT RADIUS CURVE TO THE RIGHT; (NOTE: CHORD TO SAID CURVE BEARS S.21°34'32"E. FOR A DISTANCE OF 65.03 FEET); THENCE S.89°57'08"E. 33.00 FEET TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

PARCEL 2:

A PART OF THE SOUTH ONE HALF OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY:

BEGINNING AT THE CENTER OF SAID SECTION 3, RUNNING THENCE SOUTH 89° 56' 57" EAST 441.57 FEET TO THE WEST LINE OF THE UTAH POWER AND LIGHT COMPANY PROPERTY; AS SET FORTH IN WARRANTY DEED RECORDED NOVEMBER 03, 1982 ENTRY NO. 626040 IN BOOK 919 AT PAGE 699; THENCE TWO COURSES ALONG SAID WEST LINE AS FOLLOWS, SOUTH 13° 29' EAST 2262.75 FEET AND SOUTH 27° 09' EAST 251.94 FEET; THENCE SOUTH 72° 03' WEST 590.74 FEET TO THE NORTH LINE OF 700 SOUTH STREET, THENCE NORTH 89° 56' 33" WEST 1337.63 FEET ALONG SAID NORTH LINE, THENCE NORTH 0° 08' 15" EAST 2606.40 FEET TO

THE QUARTER SECTION LINE, THENCE SOUTH 89° 56' 57" EAST 809.44 FEET ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY;

BEGINNING ON THE NORTH LINE OF A STREET AT A POINT SOUTH 89° 56' 33" EAST 33.0 FEET ALONG THE SECTION LINE AND NORTH 0° 09' 35" EAST 33.0 FEET PARALLEL TO THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, IN THE CITY OF SYRACUSE, AND RUNNING THENCE NORTH 0° 09' 35" EAST 1120.0 FEET ALONG THE EAST LINE OF A STREET; THENCE SOUTH 89° 56' 33" EAST 1980.0 FEET; THENCE SOUTH 0° 09' 35" WEST 1120.0 FEET TO THE NORTH LINE OF A STREET THENCE NORTH 89° 56' 33" WEST 1980.0 FEET ALONG SAID STREET TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 2000 WEST STREET, IN THE CITY OF SYRACUSE, WHICH POINT IS SOUTH 89° 56' 57" EAST, A DISTANCE OF 33.00 FEET ALONG THE 1/4 SECTION LINE FROM THE WEST 1/4 CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 89° 56' 57" EAST, A DISTANCE OF 1954.51 FEET ALONG THE SAID 1/4 SECTION LINE; THENCE SOUTH 00° 00' 15" EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 89° 56' 57" WEST, A DISTANCE OF 1954.70 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 2000 WEST STREET; THENCE NORTH 00° 09' 35" EAST, A DISTANCE OF 75.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE N1/2S1/2 SECTION 3, IN T.4N., R.2W., S.L.B.&M. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT AND THE EASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108 KNOWN AS PROJECT NO. S-0108(23)5, SAID POINT BEING 37.86 FEET S.89° 57' 08" E. (S.89° 56' 57"E. OF RECORD) ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION AND 75.00 FEET S.0° 02' 52" W. FROM THE WEST QUARTER CORNER OF SAID SECTION 3; AND RUNNING THENCE ALONG SAID NORTHERLY BOUNDARY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) S.89° 57' 08" E. (S.89° 56' 57"E. OF RECORD) 1949.51 FEET; (2) N.0° 09' 17" E. (N.0° 00' 15" W. OF RECORD) 75.00 FEET TO SAID EAST-WEST QUARTER SECTION LINE; (3) S.89° 57' 08" E. (S.89° 56' 57"E. OF RECORD) 1095.49 FEET ALONG SAID QUARTER SECTION LINE TO A BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE S.13° 32' 31"E. (S.13° 39' 00" E. OF RECORD) 172.86 FEET ALONG SAID BOUNDARY LINE TO THE SOUTHERLY HIGHWAY RIGHT OF WAY LINE OF THE PROPOSED SR-193 EXTENSION HIGHWAY; THENCE ALONG SAID SOUTHERLY HIGHWAY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) WESTERLY 169.40 FEET ALONG THE ARC OF A 7957.50-FOOT RADIUS CURVE TO THE RIGHT (NOTE: CHORD TO SAID CURVE BEARS S.89° 22' 26" W. FOR A DISTANCE OF 169.40 FEET); (2) S.89° 59' 02" W. 2878.67 FEET TO A POINT OF TANGENCY WITH A 38.00-FOOT RADIUS CURVE TO THE LEFT; (3) SOUTHWESTERLY 59.58 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS S.45° 04' 09" W. FOR A DISTANCE OF 53.66 FEET) TO SAID EASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108; THENCE N.0° 09' 17" E. 136.17 FEET ALONG SAID EASTERLY HIGHWAY RIGHT OF WAY LINE TO THE POINT OF BEGINNING. *Ck by JJB 22 August 2012*

PARCEL 4:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 3 AND THE NORTH HALF OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN IN CLEARFIELD CITY, DAVIS COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 3, WHICH IS 614.47 FEET NORTH 0°07'09" EAST ALONG THE EAST LINE OF SAID SECTION 3 FROM THE SOUTHEAST CORNER OF SAID SECTION 3; RUNNING THENCE SOUTH 72°13'11" WEST 2159.77 FEET AND SOUTH 72°12'15" WEST 1,324.65 FEET ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY; THENCE NORTH 0°09'27" EAST 104.07 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID UNION PACIFIC RAILROAD COMPANY; THENCE NORTH 72°12'15" EAST 1292.58 FEET AND NORTH 72°13'11" EAST 2191.76 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 3; THENCE SOUTH 0°07'00" WEST 104.03 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. EXCEPTING THAT PORTION LYING WITHIN 700 SOUTH AND 1000 WEST STREETS.

Ck by JJB 22 August 2012