E 2868789 B 6273 P 1158-1161 RICHARD T. MAUGHAN DAVIS COUNTY, UTAH RECORDER 5/22/2015 2:59:00 PM FEE \$16.00 Pgs: 4 DEP eCASH REC'D FOR ADVANCED TITLE INS

UPON RECORDING RETURN TO:

Aspen Park LLC 855 East Rocky Mouth Lane Draper, UT 84020

Name and Address of the

New Owner:

Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes:

Aspen Park LLC 855 East Rocky Mouth Lane Draper, Utah 84020

Aspen Park LLC 855 East Rocky Mouth Lane Draper, Utah 84020 Tax Parcel: 12-065-0165

SPECIAL WARRANTY DEED

LSTAR 200 WEST HOLDING COMPANY, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, unto ASPEN PARK LLC, a Utah limited liability company, ("Grantee") (i) all that real property situated in the County of Davis, State of Utah, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, (ii) together with all improvements and related amenities located in and on such real property, (iii) easements, if any, benefiting such real property, and (iv) all rights and appurtenances, if any, pertaining to such real property, including any right, title and interest of Grantor in and to adjacent streets, alleys or rights-of-way (collectively, the "Property").

This Deed is made and accepted expressly subject to the matters set forth in <u>Exhibit B</u> attached hereto and made a part hereof for all purposes (collectively, the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances, together with all and singular the rights and appurtenances belonging in any way to the Property, unto the said Grantee, its successors and assigns forever, and Grantor binds itself and its successors and assigns to warrant and forever defend all and singular the Property, subject to the Permitted Encumbrances, to Grantee, its successors and assigns against every person lawfully claiming or to claim all or any part of the Property, by, through, or under Grantor, but not otherwise.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has executed this Deed to be effective as of the 11th day of April, 2014.

GRANTOR:

LSTAR 200 WEST HOLDING COMPANY, LLC, a Delaware limited liability company

By:

Hudson Americas LLC, a Delaware limited liability company,

its sole manager

Name: Monica Knake Title: Assistant Vice President

STATE OF TEXAS

§

COUNTY OF DALLAS

Before me the undersigned, a Notary Public in and for said County and State, on this day personally appeared Monica Knake, the Assistant Vice President of Hudson Americas LLC, the sole manager of LSTAR 200 WEST HOLDING COMPANY, LLC, a Delaware limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and thereupon she acknowledged that she was authorized to execute the within instrument on behalf of said limited liability company, and that she executed said instrument as the voluntary act of the said limited liability company, and for the purposes and consideration expressed therein and in the capacity stated therein.

Given under my hand and seal of office this _______, A.D., 2015.

(Seal)

TANYA DAHLEN My Commission Expires August 2, 2017

My Commission Expires: 8-2-2017

EXHIBIT A

Legal Description

The Property is located in the City of Clearfield, County of Davis, State of Utah and is described as follows:

A part of the Southeast Quarter of Section 11, Township 4 North, Range 2 West, Salt Lake Meridian. Beginning at a point which is North 89°58' West 1120.03 feet along the Section line and North 0°02' East 33.00 feet and North 31°58'30" West 52.78 feet from the Southeast Corner of said Section 11 and running thence North 31°58'30" West 388.06 feet; thence North 58°01'30" East 339.00 feet; thence South 31°58'30" East 315.84 feet; thence South 58°01'30" West 306.00 feet; thence South 31°58'30" East 92.85 feet; thence North 89°58' West 38.92 feet to the point of beginning.

Subject to roadway access the following described parcel:

A part of the Southeast Quarter of Section 11, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point which is North 89°58' West 1120.03 feet along the section line and North 0°02' East 33.00 feet from the Southeast Corner of said Section 11, and running thence North 31°58'30" West 267.128 feet; thence North 58°01'30" East 33.00 feet; thence South 31°58'30" East 287.758 feet to the North line of 1700 South Street; thence North 89°58' West 38.92 feet along said North line to the point of beginning.

Parcel No. 12-065-0165

EXHIBIT B

Permitted Encumbrances

- 1. Taxes, assessments and charges for the year 2014 and subsequent years.
- 2. Any matters that would be shown by an accurate survey or visual inspection of the Property.
- 3. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- 4. Any charge upon the land by reason of its inclusion in North Davis Sewer Improvement District and Clearfield City.
- 5. Restrictions, Reservations and an easement for a communications system and incidental purposes, as created in favor of Mountain States Telephone and Telegraph Company by Quit Claim Deed recorded May 28, 1963 as Entry No. 252223 in Book 268 at Page 363 of Official Records of Davis County, Utah.
- 6. Restrictions, Reservations and an easement for access and incidental purposes, as created in favor of Edward Harbertson and Lloyd Jolley by Quit Claim Deed recorded May 31, 1963 as Entry No. 252339 in Book 268 at Page 504 of Official Records of Davis County, Utah.
- 7. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a Corporation of the State of Utah by Instrument recorded March 01, 1972 as Entry No. 361640 in Book 480 at Page 17 of Official Records of Davis County, Utah.
- 8. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a Corporation of the State of Utah by Instrument recorded March 01, 1976 as Entry No. 428803 in Book 593 at Page 262 of Official Records of Davis County, Utah.
- 9. An easement over, across or through the land for gas transmission and incidental purposes, as granted to Mountain Fuel Supply Company, a Corporation of the State of Utah by Instrument recorded March 01, 1976 as Entry No. 428804 in Book 593 at Page 263 of Official Records of Davis County, Utah.
- 10. An easement over, across or through the land for communication and incidental purposes, as granted to The Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded June 17, 1980 as Entry No. 566832 in Book 827 at Page 709 of Official Records of Davis County, Utah.
- 11. Notice of Adoption of a Redevelopment Plan For the Southwest Freeport Neighborhood Development Project Area, Project Area No. 10 recorded September 09, 1993 as Entry No. 1060782 in Book 1661 at Page 217 of Official Records of Davis County, Utah.
- 12. A Roadway Access as disclosed by many documents for record including a certain Warranty Deed recorded April 15, 2002 as Entry No. 1745483 in Book 3025 at Page 772 of Official Records of Davis County, Utah.
- 13. An easement over, across or through the land for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof and incidental purposes, as granted to The Utah Department of Transportation by Instrument recorded March 24, 2003 as Entry No. 1845176 in Book 3253 at Page 98 of Official Records of Davis County, Utah.