



\*W3180252\*

**FIRST AMERICAN TITLE**

E# 3180252 PG 1 OF 15  
Leann H. Kiltz, WEBER COUNTY RECORDER  
31-Aug-21 0154 PM FEE \$40.00 DEP TN  
REC FOR: FIRST AMERICAN TITLE INSURANCE COI  
ELECTRONICALLY RECORDED

**When recorded return to:**

Evergreen-12<sup>th</sup> & Washington, L.L.C.  
2390 East Camelback Road, Suite 410  
Phoenix, Arizona 85016  
Attention: Laura Ortiz, President

**SPECIAL WARRANTY DEED**

**THIS DEED**, made this 31 day of August, 2021, among **THE VAN EDWARD BURGESS FAMILY REVOCABLE TRUST DATED 4/14/81, EDWARD M. MITCHELL and KAREN L. MITCHELL**, husband and wife, **GREAT WESTERN BANK**, as Personal Representative for the Estate of Alva Dodd, Jr., deceased, **KEVIN D. MCCARTHY, RALPH HAMILTON AND SONS COMPANY, LLC**, a Utah limited liability company, successor by merger to Ralph Hamilton and Sons, Inc., a Utah corporation, **ROSEMARY G. SEXTON TRUST DATED MAY 24, 2007, SHYAM ADVANI, SHYAM ADVANI**, as Personal Representative of the Estate of Elaine Jacobson Advani, aka Erma Elaine Jacobson Advani, who acquired title as Elaine Advani, **DAVID C. HARVEY and DIXIE R. HARVEY, THE DAVID C. HARVEY FAMILY REV. TRUST U/A/D SEPTEMBER 19, 1979, SURA, LLC**, a Utah limited liability company, whose street address is c/o Commerce Property Solutions 256 N. Orem Blvd Orem, UT 84042 (collectively, the “**Grantor**”), and **EVERGREEN-12<sup>TH</sup> & WASHINGTON, L.L.C.**, an Arizona limited liability company, whose street address is 2390 East Camelback Road, Suite 410, Phoenix, Arizona, 80516 (“**Grantee**”);

**WITNESSETH**, That Grantor for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its, successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Weber, State of Utah, described on **Exhibit A** attached hereto and incorporated herein by this reference;

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto the Grantee, its successors and assigns forever. Grantor, for itself, its successors and assigns, does covenant and agree that Grantor shall and will **WARRANT AND FOREVER DEFEND** the title to above-bargained premises and the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, except those matters expressly set forth on **Exhibit B** attached hereto and incorporated herein.

*[Remainder of Page Intentionally Left Blank]*

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.

**THE VAN EDWARD BURGESS FAMILY  
REVOCABLE TRUST DATED 4/14/81**

By: *JoAnn C. Burgess*  
Name: JoAnn C. Burgess  
Its: Trustee

STATE OF Utah )  
  ) ss  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 18 day of August, 2021, by JoAnn C. Burgess, as Trustee of The Van Edward Burgess Family Revocable Trust Dated 4/14/81.

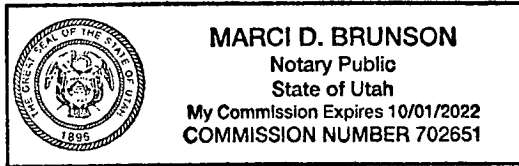


*Chris Turner*  
Notary Public  
My Commission expires: 9/27/2023

*Edward M. Mitchell*  
Edward M. Mitchell

STATE OF Utah )  
 COUNTY OF Sevier ) SS

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 2021,  
 by Edward M. Mitchell.



*Marci D. Brunson*  
 Notary Public

My Commission expires: 10-01-2022

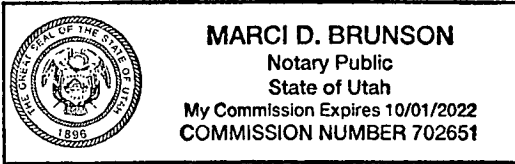
Karen L. Mitchell  
Karen L. Mitchell

STATE OF Utah )  
COUNTY OF Sevier ) ss

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 2021, by Karen L. Mitchell.

Marci D Brunson  
Notary Public

My Commission expires: 10-01-2022

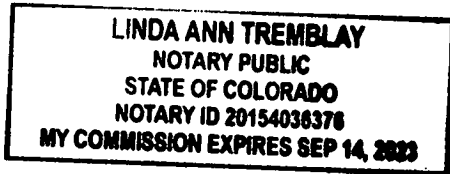


GREAT WESTERN BANK, as Personal Representative for the Estate of Alva Dodd, Jr., deceased

By: Cindy Kindstater  
Name: Cindy Kindstater  
Its: Wealth Advisor

STATE OF Colorado )  
  ) ss  
COUNTY OF Larimer )

The foregoing instrument was acknowledged before me this 18 day of August, 2021, by Cindy Kindstater, as <sup>Great Western Bank Personal Rep for Estate</sup> of Great Western Bank, as Personal Representative for the Estate of Alva Dodd, Jr., deceased. Wealth Advisor

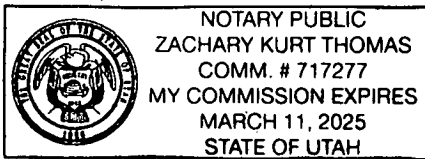


Linda Ann Tremblay  
Notary Public  
My Commission expires: 9-14-2023

Kevin D. McCarthy  
Kevin D. McCarthy

STATE OF Utah )  
COUNTY OF Salt Lake ) SS

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of August, 2021,  
by Kevin D. McCarthy.



Zachary Kurt Thomas  
Notary Public  
My Commission expires: 03/11/2025

**RALPH HAMILTON AND SONS COMPANY,  
LLC**, a Utah limited liability company, successor  
by merger to Ralph Hamilton and Sons, Inc., a Utah  
corporation

By: *Blayne W. Hamilton*  
Name: Blayne W. Hamilton  
Its: Manager

STATE OF Utah )  
  ) ) SS  
COUNTY OF Washington )

The foregoing instrument was acknowledged before me this 23 day of August, 2021,  
by Blayne W. Hamilton, as Manager of Ralph Hamilton and Sons Company, LLC, a Utah  
limited liability company, successor by merger to Ralph Hamilton and Sons, Inc., a Utah  
corporation.



*Klayton Kolb*  
Notary Public

My Commission expires: 1/29/22

**ROSEMARY G. SEXTON TRUST DATED  
MAY 24, 2007**

By: Rosemary G. Sexton  
 Name: Rosemary G. Sexton  
 Its: Trustee

STATE OF Hawaii )  
 COUNTY OF Honolulu ) ss

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of August, 2021, by Rosemary G. Sexton, as Trustee of the Rosemary G. Sexton Trust Dated May 24, 2007.



[Signature]  
 Notary Public David Peterson

My Commission expires: April 08, 2024




Doc. Date: undated / 8/17/2021 # Pages: 7  
 Name: David Peterson 1<sup>st</sup> Circuit  
 Doc. Description: Special Warranty Deed

[Signature] 8/17/2021  
 Notary Signature Date

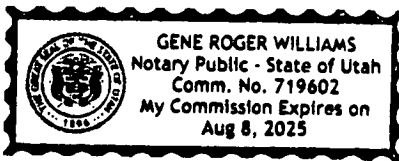
NOTARY CERTIFICATION



  
Shyam Advani

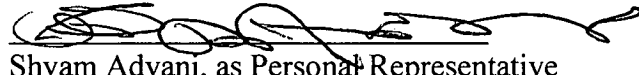
STATE OF Utah )  
 ) SS  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 23 day of August, 2021, by Shyam Advani.



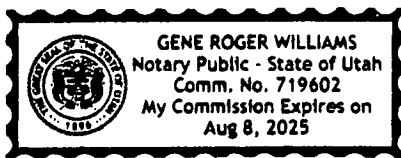
  
Notary Public

My Commission expires: 8.8.25

  
Shyam Advani, as Personal Representative of the Estate of Elaine Jacobson Advani, aka Erma Elaine Jacobson Advani, who acquired title as Elaine Advani

STATE OF Utah )  
 ) SS  
COUNTY OF Utah )

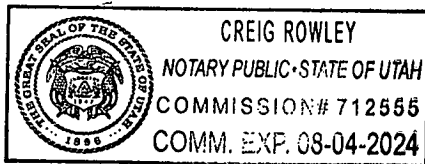
The foregoing instrument was acknowledged before me this 23 day of August, 2021, by Shyam Advani, as Personal Representative of the Estate of Elaine Jacobson Advani, aka Erma Elaine Jacobson Advani, who acquired title as Elaine Advani.



  
Notary Public

My Commission expires: 8.8.25

David C. Harvey  
David C. Harvey



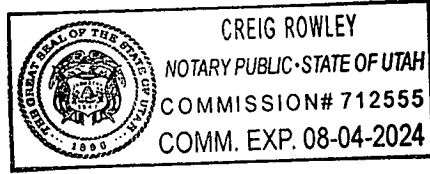
STATE OF Utah )  
  ) ss  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 18 day of August, 2021, by David C. Harvey.

Creig C Rowley  
Notary Public

My Commission expires: 8-4-2024

Dixie R Harvey  
Dixie R. Harvey



STATE OF Utah )  
  ) SS  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 18 day of August, 2021, by Dixie R. Harvey.

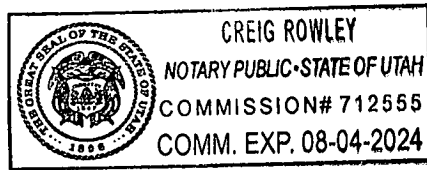
Creig Rowley  
Notary Public

My Commission expires: 8-4-2024

**THE DAVID C. HARVEY FAMILY REV.  
TRUST U/A/D SEPTEMBER 19, 1979**

By: David C. Harvey  
Name: David C. Harvey  
Its: Trustee

By: Dixie R. Harvey  
Name: Dixie R. Harvey  
Its: Trustee




STATE OF Utah )  
  ) ) SS  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 18 day of August, 2021, by David C. Harvey and Dixie R. Harvey, as Trustees of The David C. Harvey Family Rev. Trust u/a/d September 19, 1979.

Greig C Rowley  
Notary Public

My Commission expires: 8-4-2024

SURA, LLC, a Utah limited liability company

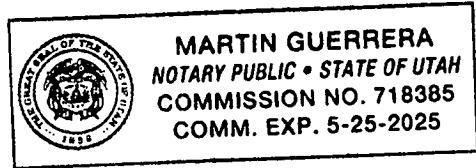
By:   
 Name: Gary L. Leavitt  
 Its: Manager

STATE OF UTAH )  
 )  
 COUNTY OF SALT LAKE ) SS

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of August, 2021,  
 by Gary L. Leavitt, as Manager of Sura, LLC, a Utah limited liability company.

  
 \_\_\_\_\_  
 Notary Public

My Commission expires: 5-25-2025



**EXHIBIT A**

**LEGAL DESCRIPTION**

The Land is described as follows: Real property in the County of Weber, State of UT, described as follows:

PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE NORTH LINE OF THE STATE ROAD WHICH IS SOUTH 88°59'53" EAST (SOUTH 89°20'47" EAST) 320.01 FEET ALONG SAID NORTH LINE FROM THE INTERSECTION OF SAID NORTH LINE FROM THE EAST LINE OF CHILDS AVENUE, SAID POINT IS ALSO NORTH 0°58' EAST 46.57 FEET AND SOUTH 88°59'53" EAST (SOUTH 89°20'47" EAST) 320.01 FEET FROM THE INTERSECTION OF THE ORIGINAL NORTH LINE OF 12TH STREET AND THE EAST LINE OF CHILDS AVENUE; THENCE SOUTH 88°59'53" EAST (SOUTH 89°20'47" EAST) 250.00 FEET ALONG SAID NORTH LINE TO A POINT 404.5 FEET WEST OF THE WEST LINE OF WASHINGTON BLVD.; THENCE NORTH 0°50'15" EAST 337.04 FEET.; THENCE NORTH 89°09'45" WEST 250.00 FEET; THENCE SOUTH 0°50'15" WEST 337.84 FEET TO THE POINT OF BEGINNING.

Said property is also known by the street address of 322 East 12<sup>th</sup> Street, Ogden, UT 84404  
Parcel Number: 12-110-0045

**EXHIBIT B**

**PERMITTED EXCEPTIONS**

1. Water rights, claims or title to water, whether or not shown by the public records.
2. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable. Tax Parcel No. 12-110-0045
3. Any charge upon the land by reason of its inclusion in Central Weber Sewer and Ogden City.
4. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Galloway on May 11, 2021, designated Project No. EDI065.10:

Approximately 6.4' deed gap along North boundary of the Land