

**When Recorded, Mail To:**  
Sklar Kirsh, LLP  
1880 Century Park East, Suite 300  
Los Angeles, CA 90067  
Attn: Andrew Kirsh



\*W3327476\*

E# 3327476 PG 1 OF 7  
Leann H. Kilts, WEBER COUNTY RECORDER  
31-May-24 10:51 AM FEE \$40.00 DEP SD  
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY, I  
ELECTRONICALLY RECORDED

174415-NTF

Reserved for recording information:

**SPECIAL WARRANTY DEED**

(Parcel Identification Nos. 07-555-0001 & 07-555-0002)

FOR VALUE RECEIVED, **FALLS AT CANYON RIM ICG LLC**, a Washington limited liability company ("**Grantor**"), whose address is 901 Fifth Avenue, Suite 4100, Seattle, Washington 98164, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, hereby conveys and warrants against all claiming by, through or under it, but not otherwise, to **TA CANYON RIM FEE OWNER LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 10100 Santa Monica Boulevard, Suite 400, Los Angeles, CA 90067, all of Grantor's right, title and interest in the tract of land in the County of Weber, State of Utah, legally described on attached Exhibit A, together with all structures, improvements, rights of way, easements, tenements, and hereditaments on or appurtenances to the Real Property.

This conveyance is made and accepted subject to all matters set out in Exhibit B attached hereto and incorporated herein by reference (the "**Permitted Exceptions**").

[signature page follows]



**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL 1:**

LOT 1, GRANITE POINTE PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ON JANUARY 19, 2000 AS ENTRY NO. 1685049 IN BOOK 51 AT PAGE 35.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21 , 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING ANY PORTION THEREFROM WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ON JULY 16, 2002 AS ENTRY NO. 1861682 IN BOOK 56 AT PAGE 14.

ALSO LESS AND EXCEPTING THEREFROM THE VACATED 6000 SOUTH CUL-DE-SAC MORE PARTICULARLY DESCRIBED IN THAT CERTAIN QUITCLAIM DEED RECORDED AUGUST 31, 2023 AS ENTRY NO. 3296576 IN THE OFFICIAL RECORDS OF THE WEBER COUNTY RECORDER:

ALL OF 6000 SOUTH STREET AS SHOWN ON THE CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3, A SUBDIVISION IN SOUTH OGDEN CITY LYING WITHIN THE WEST HALF OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY IN WEBER COUNTY, UTAH:

BEGINNING AT A POINT ON THE EAST BOUNDARY OF SAID SUBDIVISION LOCATED 1014.08 FEET NORTH 88°38'36" WEST ALONG THE SECTION LINE FROM AN EXISTING BRASS CAP MONUMENT FOUND MARKING THE CENTER OF SAID SECTION 22; AND RUNNING THENCE SOUTH 0°52'37" WEST 30.00 FEET ALONG SAID EAST BOUNDARY LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER THEREOF AT A POINT ON THE SOUTH LINE OF SAID 6000 SOUTH STREET; THENCE NORTH 88°38'36" WEST 69.78 FEET ALONG THE SOUTH LINE OF 6000 SOUTH STREET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, NORTHERLY, NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 209.44 FEET (CENTRAL ANGLE EQUALS 240°00'00" AND LONG CHORD BEARS NORTH 31°21'24" EAST 86.60 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 31.41 FEET (31.42 FEET RECORD) (CENTRAL ANGLE EQUALS 59°59'30" (60°00'03" RECORD) AND LONG CHORD BEARS SOUTH 58°38'21" EAST 30.00 FEET) TO THE NORTH BOUNDARY OF SAID

SUBDIVISION; THENCE SOUTH 0°52'37" WEST 30.00 FEET ALONG SAID NORTH BOUNDARY LINE TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SOUTH OGDEN CITY, WEBER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF GRANITE POINTE PHASE 1, A PART OF CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 2 CERTIFIED BY GARY L. NEWMAN L.S. NO. 4478 ON OCTOBER 15, 1999; THENCE SOUTH 88 DEGREES 38' 36" EAST A DISTANCE OF 69.47 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT 50.0 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY A DISTANCE OF 82.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 94 DEGREES 32' 49" SUBTENDED BY A CHORD THAT BEARS SOUTH 82 DEGREES 46' 58" EAST A DISTANCE OF 73.46 FEET; THENCE SOUTH 1 DEGREES 12' 40" WEST A DISTANCE OF 111.95 FEET; THENCE SOUTH 44 DEGREES 45' 41" EAST A DISTANCE 101.61 FEET; THENCE SOUTH 45 DEGREES 14' 19" WEST A DISTANCE OF 103.27 FEET; THENCE SOUTH 44 DEGREES 46' 58" EAST A DISTANCE OF 107.09 FEET; THENCE SOUTH A DISTANCE OF 52.40 FEET; THENCE SOUTH 60 DEGREES 10' 39" WEST A DISTANCE OF 257.65 FEET; THENCE NORTH 29 DEGREES 49' 21" WEST A DISTANCE OF 361.44 FEET; THENCE NORTH 42 DEGREES 0' 0" EAST A DISTANCE OF 283.43 FEET THE REAL POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21, 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING ANY PORTION THEREFROM WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ON JULY 16, 2002 AS ENTRY NO. 1861682 IN BOOK 56 AT PAGE 14.

PARCEL 2:

A PARCEL OF LAND IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SOUTH OGDEN CITY, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF GRANITE POINTE PHASE 1 RECORDED JANUARY 19, 2000 AS ENTRY NO. 1685049 IN BOOK 51 AT PAGE 35, A PART OF CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 2 CERTIFIED BY GARY L. NEWMAN L.S. NO. 4478 ON OCTOBER 15, 1999; THENCE SOUTH 88 DEGREES 38' 36" EAST A DISTANCE OF 69.47 FEET TO A POINT OF INTERSECTION WITH A NON-

TANGENT 50.0 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY A DISTANCE OF 82.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 94 DEGREES 32' 49" SUBTENDED BY A CHORD THAT BEARS SOUTH 82 DEGREES 46' 58" EAST A DISTANCE OF 73.46 FEET; THENCE SOUTH 1 DEGREES 12' 40" WEST A DISTANCE OF 111.95 FEET; THENCE SOUTH 44 DEGREES 45' 41" EAST A DISTANCE 101.61 FEET; THENCE SOUTH 45 DEGREES 14'19" WEST A DISTANCE OF 103.27 FEET; THENCE SOUTH 44 DEGREES 46' 58" EAST A DISTANCE OF 107.09 FEET; THENCE SOUTH A DISTANCE OF 52.40 FEET; THENCE SOUTH 60 DEGREES 10' 39" WEST A DISTANCE OF 257.65 FEET; THENCE NORTH 29 DEGREES 49' 21" WEST A DISTANCE OF 361.44 FEET; THENCE NORTH 42 DEGREES 0' 0" EAST A DISTANCE OF 283.43 FEET THE REAL POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6000 SOUTH STREET ABUTTING ON THE NORTH AS DISCLOSED IN ORDINANCE NO. 02-16, RECORDED JUNE 21, 2002 AS ENTRY NO. 1856572 IN BOOK 2241 AT PAGE 320 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION WITHIN CROSSROADS LANDING COMMERCIAL SUBDIVISION NO. 3, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ON JULY 16, 2002 AS ENTRY NO. 1861682 IN BOOK 56 AT PAGE 14.

**EXHIBIT B TO SPECIAL WARRANTY DEED****PERMITTED EXCEPTIONS**

1. Real estate taxes and assessments, not yet due and payable.
2. The herein described Land is located within the boundaries of Weber County School District, Weber Area Dispatch 911 and Emergency Services District, Weber County Mosquito Abatement District, Central Weber Sewer Improvement District, Weber Basin Water Conservancy District, South Ogden City, and is subject to any and all charges and assessments levied thereunder.
3. 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.
4. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
5. Easements, notes and restrictions as shown on the recorded plat for Granite Pointe Phase 1, recorded January 19, 2000 as Entry No. 1685049 in Book 51 at Page 35.
6. Easement in favor of The Telluride Power Company, a Colorado corporation to erect and maintain two (2) lines of poles and electric transmission circuits and incidental purposes, by instrument recorded September 12, 1902, in Book 42, at Page 211.
7. Right of Way Easement in favor of the Mountain States Telephone and Telegraph Company, to construct, operate, maintain and remove communication equipment and other facilities and incidental purposes, from time to time, upon, over, under and across a portion of the subject Land, recorded January 30, 1950, as Entry No. 160945, in Book 329, at Page 493.
8. 20' Sewer Easement in favor of South Ogden City for certain sewer lines and related facilities and incidental purposes, by instrument dated November 28, 1995 and recorded February 2, 1996, as Entry No. 1385984, in Book 1790, at Page 595.
9. 20' Sewer Easement in favor of South Ogden City for certain sewer lines and related facilities and incidental purposes, by instrument dated January 23, 1996 and recorded February 2, 1996, as Entry No. 1385985, in Book 1790, at Page 598.
10. Easement in favor of Weber County, State of Utah for the construction, operation, and maintenance of a drainage pipe and incidental purposes, by instrument recorded April 2, 1997, as Entry No. 1463500, in Book 1855, at Page 623.

11. Ordinance No. 01-20 Approving the Vacation of 6000 South Street in Granite Point Phase #1 Subdivision and Authorizing the Creation of a Cul-De-Sac, recorded December 30, 2001 as Entry No. 1815804 in Book 2195 at Page 2228.

Ordinance No. 02-16 Amending Prior Ordinance 01-20; Approving the Vacation of 6000 South Street in Granite Point Phase #1 Subdivision; Authorizing the Creation of a Cul-De-Sac; and Correcting an Error in the Legal Description, recorded June 21, 2002 as Entry No. 1856572 in Book 2241 at Page 320.

Easements, if any, for public utilities, pipelines or facilities installed in any portion of the vacated street or alley, lying within the Land, together with the right of ingress and egress to repair, maintain, replace and remove the same.

12. Rights of residential tenants, as tenants only, under unrecorded leases, with no rights of first refusal or purchase options.
13. The following matters disclosed on that certain survey prepared by Blew & Associates, P.A, dated May 23, 2024, as Job No. 24-1598, by Jason M. Page, a Professional Land Surveyor holding License No. 11756602:
- a. Existing utilities, including but not limited to electrical cabinet(s), box(es), meter(s), and light pole(s); utility vault(s); telephone pedestal(s) and cabinet(s); gas meter(s); water valve(s) and manhole(s); sanitary sewer line(s) and manhole(s); and storm drain inlet(s) and manhole(s) located on and across the Land without recorded easements
  - b. Existing sidewalk encroachments along the Southeasterly portion of the Land
  - c. Encroachment of existing Building "F" onto Parcel 2 boundary line
  - d. Intentionally deleted by Title Company
  - e. Existing fences not located on boundary lines
  - f. Building "H" appears to cross the 20.0' drainage easement per Entry No. 1463500 by as much as 20.1 feet.
14. The apparent occupation and use by the adjacent property owner and others of three parking spaces, and related paving and curbing, in a Northwesterly portion of the subject Land, and the lack of vehicular access to the said parking spaces from the subject Land, as evidenced by the Survey and a visual inspection.