

3459557  
BK 7954 PG 1554

E 3459557 B 7954 P 1554-1559  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
2/25/2022 3:09:00 PM  
FEE \$40.00 Pgs: 6  
DEP eCASH REC'D FOR FIRST AMERICAN TITLE-NCS

AFTER RECORDING RETURN TO,  
AND SEND TAX INFORMATION, TO:

NPN 3, L.C.  
Attn: Randy Abood  
1700 South 4650 West  
Salt Lake City, Utah 84104

For Information Purposes Only.  
Affecting Tax Parcel No. 12-025-0030

---

Space Above for Recorder's Use Only

**SPECIAL WARRANTY DEED**

In consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, NINIGRET CONSTRUCTION COMPANY NORTH L.C., a Utah limited liability company ("**Grantor**"), hereby conveys and warrants against only those claiming by, through or under it (and no others), to NPN 3, L.C., a Utah limited liability company, whose address is 1700 South 4650 West, Salt Lake City, Utah 84104, as to a 76.74% undivided interest, and to NIN – SYR, L.C., a Utah limited liability company, whose address is 1700 South 4650 West, Salt Lake City, Utah 84104, as to a 23.26% undivided interest, as tenants in common (collectively, "**Grantee**"), all right, title and interest in and to the real property located in Davis County, Utah, and described as follows:

See Exhibit A attached hereto and incorporated herein by this reference;

TOGETHER with all easements, rights and hereditaments appurtenant thereto and all improvements located thereon.

SUBJECT TO: (1) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction; (2) any state of facts that an accurate and complete ALTA/ACSM survey (with all Table A items) and physical inspection of the property might disclose; (3) any real property taxes and assessments not yet due and payable; (4) any and all recorded reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, encumbrances; and (5) all matters enforceable at law or equity.

*[Signature and Acknowledgment Follow]*

Grantor has executed this Special Warranty Deed as of 2-24, 2022.

**GRANTOR:**

NINIGRET CONSTRUCTION COMPANY NORTH L.C.,  
a Utah limited liability company

By its Sole Manager:

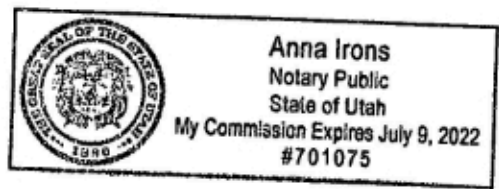
THE NINIGRET GROUP, L.C.,  
a Utah limited liability company

By: Randolph G. Abood  
Randolph G. Abood, Manager

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE        )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of February 2022,  
by Randolph G. Abood, in the capacity indicated.

Anna Irons  
NOTARY PUBLIC  
Residing at: Salt Lake  
My Commission Expires: 7.9.2022



**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

---

**PROPERTY**

Real property in the City of Syracuse, County of Davis, State of Utah, described as follows:

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 AS 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.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY AS THE SAME CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED TO THE BOARD OF EDUCATION OF DAVIS COUNTY SCHOOL DISTRICT, A PUBLIC BODY CORPORATE, RECORDED MARCH 9, 1993, AS ENTRY NO. 10216678, IN BOOK 1588 AT PAGE 130 OF OFFICIAL RECORDS:

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.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY AS THE SAME IS CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED TO DAVIS COUNTY, A BODY POLITIC OF THE STATE OF UTAH, RECORDED NOVEMBER 12, 1993, AS ENTRY NO. 1074839, IN BOOK 1687 AT PAGE 80 OF OFFICIAL RECORDS:

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 QUARTER SECTION LINE FROM THE WEST QUARTER 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 QUARTER 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.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY AS THE SAME IS CONVEYED IN THAT CERTAIN QUITCLAIM DEED TO THE UTAH DEPARTMENT OF TRANSPORTATION, RECORDED JANUARY 11, 2010 AS ENTRY NO. 2504725, IN BOOK 4938 AT PAGE 866 OF OFFICIAL RECORDS, BEING A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE NORTH HALF OF THE SOUTH HALF OF SECTION 3, IN TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. 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 SOUTH 89°57'08" EAST (SOUTH 89°56'57" EAST OF RECORD) ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION AND 75.00 FEET SOUTH 0°02'52" WEST FROM THE WEST QUARTER CORNER OF SAID SECTION 3 (DEED READS SECTION 2); AND RUNNING THENCE ALONG SAID NORTHERLY BOUNDARY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 89°57'08" EAST (SOUTH 89°56'57" EAST OF RECORD) 1949.51 FEET; (2) NORTH 0°09'17" EAST (NORTH 0°00'15" WEST OF RECORD) 75.00 FEET TO SAID EAST-WEST QUARTER SECTION LINE; (3) SOUTH 89°57'08" EAST (SOUTH 89°56'57" EAST OF RECORD) 1095.49 FEET ALONG SAID QUARTER SECTION LINE TO A BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 13°32'31" EAST (SOUTH 13°39'00" EAST 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 SOUTH 89°22'26" WEST FOR A DISTANCE OF 169.40 FEET); (2) SOUTH 89°59'02" WEST 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 SOUTH 45°04'09" WEST FOR A DISTANCE OF 53.66 FEET) TO SAID EASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108; THENCE NORTH 0°09'17" EAST 136.17 FEET ALONG SAID EASTERLY HIGHWAY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION DESCRIBED AS PARCEL 2 IN THAT CERTAIN QUITCLAIM DEED TO THE UTAH DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 18, 2015, AS ENTRY NO. 2893695, IN BOOK 6354 AT PAGE 87 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHWEST QUARTER SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN U.S. SURVEY, SYRACUSE CITY, DAVIS COUNTY, UTAH.

BEGINNING AT A POINT ON THE WESTERLY LINE OF 1550 WEST STREET, WHICH IS 243.29 FEET SOUTH 89°59'31" WEST ALONG THE NORTH LINE OF LOT 2, NINIGRET NORTH II SUBDIVISION TO POINT OF CURVATURE AT THE NORTHWEST CORNER OF SAID SUBDIVISION, THENCE EASTERLY ALONG THE ARC OF A 25.00 - FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 39.34 FEET (DELTA ANGLE EQUALS 0°09'36", LONG CHORD BEARS SOUTH 44°55'42" EAST 35.40 FEET); THENCE SOUTH 0°09'06" WEST 6.62 FEET; THENCE NORTH 38°15'42" WEST 40.35 FEET TO A POINT ON THE WESTERLY LINE OF 1550 WEST STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF NINIGRET NORTH II - SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT

THEREOF, RECORDED MARCH 20, 2015, AS ENTRY NO. 2855159 IN BOOK 6228 AT PAGE 1, MAP FILING NO. 5500-1.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 1 - AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED APRIL 17, 2015, AS ENTRY NO. 2860753 IN BOOK 6248 AT PAGE 13, MAP FILING NO. 5508.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED JULY 05, 2016, AS ENTRY NO. 2949608 IN BOOK 6551 AT PAGE 62, MAP FILING NO. 5658.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED MARCH 03, 2017, AS ENTRY NO. 3005789 IN BOOK 6715 AT PAGE 69, MAP FILING NO. 5741.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 5, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED MARCH 06, 2017, AS ENTRY NO. 3006160 IN BOOK 6716 AT PAGE 173, MAP FILING NO. 5745.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 05, 2017, AS ENTRY NO. 3049866 IN BOOK 6864 AT PAGE 1034, MAP FILING NO. 5826.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 6, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AUGUST 24, 2018, AS ENTRY NO. 3113024 IN BOOK 7085 AT PAGE 121, MAP FILING NO. 5956.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF MONTEREY ESTATES PHASE 7, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 08, 2018, AS ENTRY NO. 3121423 IN BOOK 7115 AT PAGE 147, MAP FILING NO. 5977.

ALSO LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE BOUNDS OF NINIGRET NORTH III, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED FEBRUARY 12, 2019, AS ENTRY NO. 3142943 IN BOOK 7198 AT PAGE 314, MAP FILING NO. 6041-1.

Being further described by survey as follows:

A parcel of land located in the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:

BEGINNING at a the Southwest Corner of Ninigret North III, said corner being South 89°56'57" East 1,844.62 feet along the north line of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian and South 00°08'15" West 496.97 feet from the West Quarter Corner of said Section 3, and thence along the south line of said subdivision the following two courses: 1) South 89°56'39"

East 462.26 feet to a point of tangency of a 25.00 foot radius to the right and 2) Southeasterly 39.31 along the arc of said curve through a central angle of  $90^{\circ}05'45''$  and a long chord of South  $44^{\circ}53'46''$  East 35.38 feet to the west line of 1550 West Street; thence along said line the following seven courses: 1) South  $00^{\circ}08'58''$  West 338.27 feet; to a point on the arc of a 392.00 foot non-tangent curve to the right, 2) Southerly 187.29 along the arc of said curve through a central angle of  $27^{\circ}22'27''$  and a long chord of South  $15^{\circ}28'44''$  West 185.51 feet, 3) South  $29^{\circ}09'58''$  West 257.92 feet; to a point of tangency of a 433.00 foot radius to the left, 4) Southwesterly 65.06 along the arc of said curve through a central angle of  $08^{\circ}36'31''$  and a long chord of South  $24^{\circ}51'43''$  West 65.00 feet, 5) South  $69^{\circ}26'33''$  East 3.00 feet to a point on the arc of a 430.00 foot non-tangent curve to the left, 6) Southerly 153.90 along the arc of said curve through a central angle of  $20^{\circ}30'23''$  and a long chord of South  $10^{\circ}18'16''$  West 153.08 feet and 7) South  $00^{\circ}03'04''$  West 11.18 feet; thence North  $89^{\circ}56'56''$  West 93.97 feet; thence North  $89^{\circ}56'56''$  West 167.64 feet; thence North  $00^{\circ}08'15''$  East 989.37 feet to the POINT OF BEGINNING.