

WHEN RECORDED RETURN TO:

Mark R. Gaylord
Ballard Spahr LLP
201 South Main, Suite 800
Salt Lake City, UT 84111

Ent 403725 Bk 1111 Pg 1-3
Date: 20-AUG-2014 11:56:08AM
Fee: \$22.00 Check Filed By: JP
ELIZABETH PALMIER, Recorder
WASATCH COUNTY CORPORATION
For: BALLARD SPAHR

SEND TAX NOTICES TO:

Jordanelle Special Service District
P.O. Box 519
6135 East Lake Creek Road
Heber UT 84032
Attn: Dan Matthews

**SPECIAL WARRANTY DEED
(JSSD Collateral—Class 2 of Confirmed Plan)**

CUMMINGS LAND & LIVESTOCK, LLC, a Utah limited liability company (“Grantor”), of 2966 East SR32, Heber City, Utah 84032, pursuant to the authority granted to the Grantor as the Reorganized Debtor in the Chapter 11 bankruptcy case of In re: Cummings Land & Livestock, LLC, Bankruptcy Case No. 11-35804 filed in the United States Bankruptcy Court for the District of Utah (the “Bankruptcy Court”), under the terms of the Debtor’s Modified Plan of Reorganization dated March 17, 2014, as modified (the “Plan”) which was confirmed by the Bankruptcy Court pursuant to the Findings of Fact, Conclusions of Law and Order Confirming Debtor’s Modified Plan of Reorganization dated March April 2, 2014, as modified (the “Confirmation Order”) entered by the Bankruptcy Court on April 2, 2014, hereby conveys and warrants against all who claim by, through, or under the Grantor to JORDANELLE SPECIAL SERVICE DISTRICT of P.O. Box 519 6135 East Lake Creek Road Heber City UT 84032 (“Grantee”), in consideration of the Credit Bid Amount of FIVE MILLION THREE HUNDRED THIRTY-NINE THOUSAND NINE HUNDRED NINETY-SEVEN AND 51/100 DOLLARS (\$5,339,997.51) made by Grantee for the Assessed Property (defined below) at the Auction under the Plan for the tracts of real property situated in Wasatch County, Utah, and described on Exhibit “A” attached to and incorporated in this deed by reference (the “Assessed Property”).

The Assessed Property is being sold pursuant to the provisions of the Plan and the Confirmation Order, Section 4.2(b) of such Plan providing in relevant part as follows: “The holder of the Class 2 Claim [JSSD] shall receive the Assessed Property if it is the successful bidder, including through use of its credit bid rights, or the proceeds garnered from the Auction up to the Credit Bid Amount of the Class 2 Claim, in full satisfaction of: (i) the Class 2 Claim, and (ii) any and all claims for unpaid water reservation fees.”

Grantor hereby reserves all of its other rights under the terms of the Plan and the Confirmation Order.

DATED this 13 day of August, 2014.

Grantor:

CUMMINGS LAND & LIVESTOCK, LLC, a Utah limited liability company

By: Douglas R. Cummings
Manager

STATE OF UTAH)
: ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 13 day of ^{August} July, 2014, by Douglas Cummings, who is a Manager of CUMMINGS LAND & LIVESTOCK, LLC, a Utah limited liability company.

Teri L. Calicchio
Notary Public
Residing at Summit County, Utah

My Commission Expires:

Sept 19, 2015

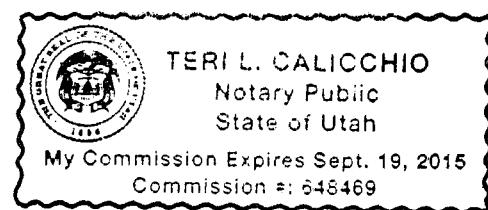


Exhibit "A" To Special Warranty Deed

The following described real property is located in Wasatch County, Utah:

Parcel 1:

That portion of the following described property lying South of the Southerly boundary of State Highway 32:

The Southwest Quarter, the South half of the Northwest Quarter and Lots 2, 3, and 4 all located within Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian.

Excepting therefrom the following described property;

The Westerly 190 feet of the Southwest Quarter, and the Westerly 190 feet of the South Half of the Northwest Quarter, and the West 240 feet of Lot 4, all of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian, lying South of the Highway.

The following is shown for informational purposes only: Tax Ser. No. OWC-0458-0-003-035.

Parcel 2:

The East half of the South half of the South West quarter of the Southwest quarter of Section 34, Township 2 South, Range 5 East, Salt Lake Base and Meridian

Less and Excepting therefrom:

A rectangle located along the west edge of said property running the entire length of said property in a North South direction with such width in an East West direction so that said rectangle contains 2 acres.

The following is shown for informational purposes only: Tax Serial No. OWC-O176-2.

Also Less and Excepting any portion of the following described property that may lie within the above 2 parcels:

A parcel of land located in the Southwest Quarter of Section 34, Township 2 South, Range 5 East, Salt Lake Base and Meridian, and the Northwest Quarter of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian, Wasatch County, Utah, described as follows:

Beginning at a point on the south line of the Northwest Quarter of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian and the west line of property described in that certain Warranty Deed recorded February 09,2005 as Entry No. 279713 in Book 0735 at page 593 of the Wasatch County Records, said point being East 190.49 feet from the West Quarter Corner of said Section 3, and thence along said west line North 2,119.60 feet to the southerly right-of-way line of State Road 32; thence along said southerly right-of-way line the following 5 courses: North 31°55'45" East 94.73 feet, North 43°56'57" East 364.59 feet, North 64°08'26" East 548.33 feet, North 83°40'01" East 292.62 feet and South 82°42'33" East 42.46 feet to the east line of property described in that certain Warranty Deed recorded February 09,2005 as Entry No. 279711 in Book 6735 at page 588 of said records; thence along said east line South 88.54 feet to the north line of said Section 3; thence along said north line East 749.63 feet to said southerly right-of-way line of State Road 32; thence along said southerly right-of-way line South 86°12'15" East 571.62 feet to the east line of said Northwest Quarter of Section 3; thence South 2,602.16 feet to the Center Quarter corner of said Section 3; thence West 2,449.51 feet to the point of beginning.