

Ent 517033 Bk 1402 Pg 1370 - 1377  
MARCY M. MURRAY, Recorder  
WASATCH COUNTY CORPORATION  
2022 Mar 24 03:52PM Fee: \$40.00 TC  
For: Cottonwood Title Insurance Agency, In  
ELECTRONICALLY RECORDED

When recorded, return to:

and mail tax notices to:  
AJ Fireside Park City LLC  
2780 N Moose Wilson Road  
P.O. Box 1827  
Wilson, WY 83014

Parcel ID Number: See Exhibit A

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(Space above this line for Recorder's use)

### **SPECIAL WARRANTY DEED**

For the consideration of Ten Dollars, and other valuable consideration, the receipt and sufficiency of which are acknowledged, **BENLOCH RANCH LAND COMPANY, LLC**, a Utah limited liability company ("Grantor"), conveys to **AJ FIRESIDE PARK CITY LLC**, a Delaware limited liability company ("Grantee"), the following described real property situated in Wasatch County, Utah, together with all buildings, structures, improvements and fixtures on the real property and all rights and privileges appurtenant to the real property:

See the legal description set forth in Exhibit "A" attached and incorporated by this reference (the "Property").

SUBJECT TO those matters set forth in Exhibit "B" attached and incorporated by this reference (the "Permitted Exceptions").

Grantor binds itself and its successors to warrant and defend the title to the Property against all acts of Grantor and none other, subject only to the Permitted Exceptions.

Dated this 18<sup>th</sup> day of March, 2022.

*[Signature Page to Follow.]*

155660 STF

GRANTOR:

**BENLOCH RANCH LAND COMPANY, LLC,**  
a Utah limited liability company

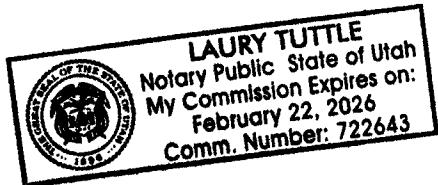
By: J. Mackay

Name: Jamie Mackay

Title: President

STATE OF Utah)  
COUNTY OF Salt Lake) ss.

The foregoing instrument was acknowledged and executed before me this 18<sup>th</sup> day of March 2022, by Jamie Mackay, President of **BENLOCH RANCH LAND COMPANY, LLC**, a Utah limited liability company, to be effective as of March 24, 2022.



Laury Tuttle  
Notary Public

My commission expires: 2-22-26

**Exhibit "A"**

**Legal Description**  
(attached to Special Warranty Deed)

PART OF THE NORTH HALF OF SECTIONS 1 AND 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING N89°31'27"E, 9787.99 FEET AND S00°28'33"E, 87.47 FEET FROM A FOUND BRASS CAP MONUMENT AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST (SAID SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST BEING S89°31'27"W, 16027.88 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING THE BASIS OF BEARINGS FOR THIS PROJECT), SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 330.00 FEET;

THENCE ALONG THE FOLLOWING TWENTY-FIVE (25) COURSES:

- 1) ALONG SAID CURVE AN ARC LENGTH OF 134.56 FEET, A DELTA ANGLE OF 23°21'43", A CHORD BEARING OF N86°47'19"E, AND A CHORD LENGTH OF 133.63 FEET;
- 2) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 440.00 FEET, AN ARC LENGTH OF 45.39 FEET, A DELTA ANGLE OF 05°54'40", A CHORD BEARING OF N78°03'48"E, AND A CHORD LENGTH OF 45.37 FEET;
- 3) THENCE S06°22'33"E, 20.00 FEET;
- 4) THENCE N83°37'27"E, 40.00 FEET;
- 5) THENCE N06°22'33"W, 20.00 FEET;
- 6) ALONG A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 440.00 FEET, AN ARC LENGTH OF 187.68 FEET, A DELTA ANGLE OF 24°26'22", A CHORD BEARING OF S81°33'03"E, AND A CHORD LENGTH OF 186.26 FEET;
- 7) THENCE S69°19'52"E, 432.73 FEET;
- 8) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 356.42 FEET, A DELTA ANGLE OF 75°38'03", A CHORD BEARING OF S31°30'51"E, AND A CHORD LENGTH OF 331.10 FEET;
- 9) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 290.07 FEET, A DELTA ANGLE OF 33°14'22", A CHORD BEARING OF S10°19'00"E, AND A CHORD LENGTH OF 286.02 FEET;
- 10) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 440.00 FEET, AN ARC LENGTH OF 448.73 FEET, A DELTA ANGLE OF 58°25'59", A CHORD BEARING OF S02°16'48"W, AND A CHORD LENGTH OF 429.54 FEET;
- 11) THENCE S31°29'48"W, 255.07 FEET;
- 12) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 473.28 FEET, A DELTA ANGLE OF 159°30'44", A CHORD BEARING OF S48°15'35"E, AND A CHORD LENGTH OF 334.58 FEET;
- 13) THENCE N51°59'03"E, 183.86 FEET;
- 14) THENCE S63°00'57"E, 7.45 FEET;

- 15) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 180.00 FEET, AN ARC LENGTH OF 172.65 FEET, A DELTA ANGLE OF  $54^{\circ}57'24''$ , A CHORD BEARING OF N $89^{\circ}30'21''$ E, AND A CHORD LENGTH OF 166.11 FEET;
- 16) THENCE N $62^{\circ}01'39''$ E, 66.71 FEET;
- 17) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 220.00 FEET, AN ARC LENGTH OF 184.93 FEET, A DELTA ANGLE OF  $48^{\circ}09'46''$ , A CHORD BEARING OF N $86^{\circ}06'32''$ E, AND A CHORD LENGTH OF 179.53 FEET;
- 18) THENCE S $69^{\circ}48'35''$ E, 137.49 FEET;
- 19) THENCE S $54^{\circ}21'57''$ W, 686.89 FEET;
- 20) THENCE N $89^{\circ}58'21''$ W, 1417.16 FEET;
- 21) THENCE N $14^{\circ}22'39''$ W, 184.85 FEET;
- 22) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 245.00 FEET, AN ARC LENGTH OF 214.39 FEET, A DELTA ANGLE OF  $50^{\circ}08'15''$ , A CHORD BEARING OF N $10^{\circ}41'26''$ E, AND A CHORD LENGTH OF 207.62 FEET;
- 23) THENCE N $35^{\circ}45'34''$ E, 258.56 FEET;
- 24) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 355.00 FEET, AN ARC LENGTH OF 412.54 FEET, A DELTA ANGLE OF  $66^{\circ}34'56''$ , A CHORD BEARING OF N $02^{\circ}28'03''$ E, AND A CHORD LENGTH OF 389.71 FEET;
- 25) THENCE NORTH, 901.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,070,815.15 SF OR 47.5394 ACRES MORE OR LESS.

Parcel ID Nos:

00-0020-9040, 00-0020-2698, 00-0021-5557,  
00-0021-5558, and 00-0021-5559  
(for reference purposes only)

## Exhibit "B"

Permitted Exceptions  
(attached to Special Warranty Deed)

1. All matters which would be disclosed by a current and accurate survey of the Property.
2. All matters of record.
3. Ad valorem real estate taxes and assessments not yet due and payable for the tax year ending 2021 and subsequent tax years.
4. Local, state and federal laws, ordinances or governmental regulations, including but not limited to, building and zoning laws, ordinances and regulations, now or hereafter in effect relating to the Property.
5. The herein described Land is located within the boundaries of Wasatch County, Wasatch County Fire Protection Special Service District, Wasatch County Park and Recreation Special Service District No. 2, Jordanelle Special Service District, Central Utah Water Conservancy District, and is subject to any and all charges and assessments levied thereunder.
6. Said Land is located within the boundaries of Jordanelle Area of the Wasatch County Fire Protection Special Service District and is subject to any and all charges and assessments thereof, as disclosed by that certain Resolution recorded October 14, 1999 as Entry No. 218614 in Book 440 at Page 374.
7. Resolution No. 2006-04 to Create the Jordanelle Special Service District Improvement District No. 2005-2 Described in the Notice of Intention Adopted by the Council on October 19, 2005, recorded February 17, 2006 as Entry No. 297016 in Book 830 at Page 532.
8. Notice of proposed assessment on behalf of the Jordanelle Special Service District for the purpose of financing the costs of acquisition and construction of certain water and sewer improvements and other related improvements by levying an assessment against land located in the Improvement District, recorded June 23, 2009 as Entry No. 349515 in Book 994 at Page 962.
9. Notice of Assessment Interest by Jordanelle Special Service District, recorded September 24, 2009 as Entry No. 352632 in Book 1000 at Page 1569.
10. Notice of Encumbrance and Assessment Area Designation, dated December 17, 2012 and Recorded December 18, 2012 as Entry No. 385110 in Book 1070 at Page 615.
11. The interest of the State of Utah in and to all oil, gas, coal and other minerals with any associated rights of ingress and egress to mine and prospect the same, as disclosed by various instruments of record, including but not limited to that certain Notice recorded January 27, 1964 as Entry No. 85559 in Book 47 at Page 573, and that certain Warranty Deed recorded February 22, 2000 as Entry No. 221956 in Book 453 at Page 141.

*Exhibit A*

12. Reservations as contained in that certain Quit Claim Deed recorded September 14, 1972 as Entry No. 97896 in Book 84 at Page 177.
13. Easements for access and incidental purposes, as disclosed by various instruments of record, including but not limited to those certain Quit Claim Deeds recorded December 27, 1994 as Entry No. 176953 in Book 291 at Page 4 and recorded May 1, 1997 as Entry No. 194076 in Book 347 at Page 532 and that certain Special Warranty Deed recorded June 24, 2019 as Entry No. 465058 in Book 1256 at Page 9.
14. An easement for access as disclosed by that certain Notice of Easement recorded February 22, 2000 as Entry No. 221959 in Book 453 at Page 160.
15. Non-Exclusive Easement Agreement, dated April 13, 2006 and recorded April 18, 2006 as Entry No. 300048 in Book 848 at Page 191.
16. Plat for Talisman Phase 1, recorded May 14, 2007 as Entry No. 320091 in Book 939 at Page 2292.
17. Easements, if any, for public utilities, pipelines or facilities installed in any portion of the vacated streets lying within the Land, as shown on the Final Plat of Talisman Major Roadways, recorded May 14, 2007 as Entry No. 320093 in Book 939 at Page 2352 (the vacation of said streets being disclosed by the official Road Dedication plat of Benloch Ranch Road, recorded December 22, 2020 as Entry No. 490915 in Book 1330 at Page 416), together with the right of ingress and egress to repair, maintain, replace and remove the same.
18. Talisman Development Agreement by and between Prime West Jordanelle, a Utah limited liability company and Wasatch County, a political subdivision of the State of Utah, dated May 10, 2007 and recorded May 14, 2007 as Entry No. 320095 in Book 940 at Page 5.
19. Entitlement Agreement for Aspens, Christensen and Cummings Developments recorded October 12, 2016 as Entry No. 429994 in Book 1172 at Page 688.

Assignment and Assumption Agreement recorded January 19, 2018 as Entry No. 447488 in Book 1212 at Page 1667.
20. Jordanelle Special Service District Culinary Water and Sanitary Sewer Development and Service Agreement recorded January 23, 2019 as Entry No. 460031 in Book 1242 at Page 1847.

Partial Assignment and Assumption and Amendment of Culinary and Sanitary Sewer Development and Service Agreement recorded July 6, 2020 as Entry No. 480406 in Book 1300 at Page 627.
21. Jordanelle Special Service District Limited Water Reservation Agreement recorded

January 19, 2018 as Entry No. 447489 in Book 1212 at Page 1690.

Amendment to Jordanelle Special Service District Limited Water Reservation Agreement, recorded July 2, 2020 as Entry No. 480393 in Book 1300 at Page 430.

Partial Assignment and Assumption of Water Reservation Agreement, entered into as of July 2, 2020, by and between AJ Fireside Park City LLC, a Delaware limited liability company, and Benloch Ranch Land Company, LLC, a Utah limited liability company, recorded July 6, 2020 as Entry No. 480405 in Book 1300 at Page 576.

22. Jordanelle Special Service District Limited Water Reservation Agreement recorded January 19, 2018 as Entry No. 447490 in Book 1212 at Page 1727.

Amendment to Jordanelle Special Service District Limited Water Reservation Agreement recorded July 2, 2020 as Entry No. 480394 in Book 1300 at Page 475.

23. Benloch Ranch Development Agreement by and between AJ Fireside Park City LLC, a Delaware limited liability company and Wasatch County, a political subdivision of the State of Utah recorded June 12, 2020 as Entry No. 479211 in Book 1296 at Page 1159.

First Amendment to Benloch Ranch Development Agreement recorded December 22, 2020 as Entry No. 490917 in Book 1330 at Page 437.

Second Amendment to Benloch Ranch Development Agreement recorded September 15, 2021 as Entry No. 507450 in Book 1375 at Page 1566.

24. Development Covenants, entered into July 2, 2020, by and between AJ Fireside Park City LLC, a Delaware limited liability company, and Benloch Ranch Land Company, LLC, a Utah limited liability company, recorded July 6, 2020 as Entry No. 480404 in Book 1300 at Page 568.

First Amendment to Development Covenants, recorded April 7, 2021 as Entry No. 497614 in Book 1348 at Page 617.

25. Entry Feature License and Maintenance Agreement recorded December 22, 2020 as Entry No. 490916 in Book 1330 at Page 418.

Amended Entry Feature License and Maintenance Agreement, recorded October 1, 2021 as Entry No. 508417 in Book 1378 at Page 1340.

26. Notice of Interest wherein Cummings Land and Livestock, LLC and AJ Fireside Park City, LLC have agreed to a reciprocal right-of-way easement on said Land, recorded March 9, 2021 as Entry No. 495484 in Book 1342 at Page 911.

27. Right-of-Way Agreement by and between AJ Fireside Park City LLC, a Delaware limited liability company and Cummings Land and Livestock, LLC, a Utah limited liability company, dated October 8, 2020 and recorded March 10, 2021 as Entry No.

*Exhibit A*

495572 in Book 1342 at Page 1464 and recorded March 16, 2021 as Entry No. 495949 in Book 1343 at Page 1260.

28. Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Benloch Ranch recorded June 16, 2021 as Entry No. 502142 in Book 1360 at Page 1043.
29. Access Easement, recorded June 25, 2021 as Entry No. 502776 in Book 1362 at Page 1025.
30. Infrastructure Reimbursement Agreement among AJ Fireside Park City LLC, a Delaware limited liability company and Cache Private Capital Diversified Fund, LLC, a Nevada limited liability company, recorded June 25, 2021 as Entry No. 502784 in Book 1362 at Page 1097.

Amended and Restated Infrastructure Reimbursement Agreement, recorded September 16, 2021 as Entry No. 507467 in Book 1375 at Page 1659.

31. Access Easement, recorded September 15, 2021 as Entry No. 507434 in Book 1375 at Page 1427.
32. Infrastructure Reimbursement Agreement by and between AJ Fireside Park City LLC, a Delaware limited liability company and Benloch CPC, LLC, a Utah limited liability company, recorded September 16, 2021 as Entry No. 507464 in Book 1375 at Page 1611.
33. Infrastructure Reimbursement Agreement between Benloch Ranch Land Company, LLC, a Utah limited liability company and R&D Benloch Ranch, LLC, a Utah limited liability company, dated December 16, 2021 and recorded December 17, 2021 as Entry No. 512322 in Book 1389 at Page 1675.
34. Any loss or claim arising due to an overlap of the Land with the private street known as Talisman Club Road as disclosed by the official plat of Talisman Phase 1, recorded May 14, 2007 as Entry No. 320091 in Book 939 at Page 2292.