

**Andrea Allen**

**Utah County Recorder**

2021 Apr 15 01:37 PM FEE 40.00 BY IP

RECORDED FOR First American Title Insurance Company  
ELECTRONICALLY RECORDED

Recorded at Request of and  
When Recorded Mail to:  
Steve Peterson  
P.O. Box 71405  
Salt Lake City, Utah 84171  
E-mail: steve@millrock.net

Above Space for Recorder's Use  
Relates to Parcel No. 13-063-0026 and 13-063-0101  
FATCO: NCS-1045883-SLC1

### **SPECIAL WARRANTY DEED**

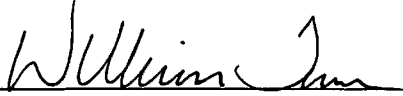
**DB JAZZ LLC**, a Delaware limited liability company, having an address at 1345 Avenue of the Americas, 46<sup>th</sup> Floor, New York, New York 10105 ("**Grantor**"), hereby CONVEYS AND WARRANTS against all claiming by, through, or under Grantor (but none other) to **PETERBUILT 6M, LLC**, a Utah limited liability company, as to an undivided 65.47% interest, **KAMAS FARMS, LLC**, a Wyoming limited liability company, as to an undivided 12.79% interest, **WALY INVESTMENTS CO, LTD**, a Utah limited partnership, as to an undivided 9.27% interest, and **RH MORINDA, LLC**, a Utah limited liability company, as to an undivided 12.47% interest, as tenants in common (collectively "**Grantee**"), for the sum of Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, the real property located in the City of American Fork, County of Utah, State of Utah, whose legal description is set forth on Exhibit "A" attached hereto and made a part hereof, together with the tenements, easements, rights of way and appurtenances belonging or in any way appertaining to the same, and the improvements thereon (collectively the "**Property**"), subject to (i) a lien securing payment of real estate taxes and assessments not delinquent for the tax year 2021 and subsequent; and (ii) the permitted exceptions identified on Exhibit "B" attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee and its successors and assigns and to specially warrant and defend all and singular the Property unto Grantee, its successors and assigns, against each and every person whomsoever claiming, or claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

*[Remainder of Page Intentionally Left Blank]*

This Special Warranty Deed was executed on April 13<sup>th</sup>, 2021, to be effective as of April 15<sup>th</sup>, 2021.

**DB JAZZ LLC,**  
a Delaware limited liability company

By:   
Name: William Turner  
Title: Authorized Signatory

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

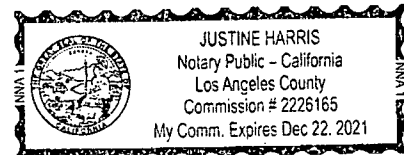
County of Los Angeles )

On APRIL 13, 2021 before me, Justine Harris, Notary Public  
(insert name and title of the officer)

personally appeared WILLIAM TURNER,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Justine Harris (Seal)

## EXHIBIT "A"

## LEGAL DESCRIPTION

## PARCEL 1:

COMMENCING AT A POINT LOCATED SOUTH 00°25'09" EAST ALONG THE SECTION LINE 78.94 FEET AND WEST 2148.10 FEET FROM THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°00'14" WEST 111.05 FEET; THENCE NORTH 89°23'22" EAST 47.36 FEET; THENCE NORTH 77°58'05" EAST 285.69 FEET; THENCE NORTH 76°13'17" EAST 68.01 FEET; THENCE NORTH 89°54'38" EAST 354.90 FEET; THENCE SOUTH 64°27'14" EAST 110.95 FEET; THENCE SOUTH 50°05'30" EAST 127.84 FEET; THENCE SOUTH 49°38'50" EAST 264.15 FEET; THENCE SOUTH 40°08'13" WEST 389.97 FEET; THENCE NORTH 49°51'47" WEST 164.57 FEET; THENCE ALONG AN ARC OF A 260.00 FOOT RADIUS CURVE TO THE LEFT 182.14 FEET (CHORD BEARS NORTH 69°55'54" WEST 178.43 FEET); THENCE WEST 706.12 FEET; THENCE ALONG AN ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 23.56 FEET (CHORD BEARS NORTH 45°00'00" WEST 21.21 FEET); THENCE NORTH 53.19 FEET; THENCE ALONG AN ARC OF A 233.00 FOOT RADIUS CURVE TO THE LEFT 93.53 FEET (CHORD BEARS NORTH 11°30'00" WEST 92.91 FEET); THENCE NORTH 23°00'00" WEST 81.28 FEET; THENCE ALONG AN ARC OF A 350.00 FOOT RADIUS CURVE TO THE RIGHT 140.50 FEET (CHORD BEARS NORTH 11°30'00" WEST 139.56 FEET); THENCE NORTH 79.06 FEET; THENCE ALONG AN ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 23.47 FEET (CHORD BEARS NORTH 44°49'37" EAST 21.15 FEET); THENCE NORTH 89°39'14" EAST 181.93 FEET TO THE POINT OF BEGINNING.

## PARCEL 2:

A TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:  
COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY HIGHWAY RIGHT OF WAY LINE OF INTERSTATE-15 AND THE NORTHEASTERLY CORNER OF THE GRANTEE'S PROPERTY AS RECORDED IN ENTRY NO. 157226:2002 ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER; SAID POINT IS 151.23 FEET SOUTH 00°25'09" EAST ALONG THE SECTION LINE AND 1,301.78 FEET SOUTH 89°34'51" WEST FROM THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 64°27'14" WEST (NORTH 67°32'00" WEST BY RECORD) 110.30 FEET; THENCE SOUTH 89°54'38" WEST (WEST BY RECORD) 354.90 FEET; THENCE SOUTH 76°13'17" WEST (SOUTH 77°17'00" WEST BY RECORD) 68.01 FEET; THENCE SOUTH 77°58'05" WEST, (SOUTH 77°17'00" WEST BY RECORD) 285.69 FEET; THENCE SOUTH 89°23'22" WEST (WEST BY RECORD) 47.36 FEET; THENCE NORTH 00°00'14" EAST (NORTH BY RECORD) 106.28 FEET TO THE BEGINNING OF A 1,550.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE SOUTHERLY TOE OF SLOPE OF SAM WHITE BRIDGE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: NEXT EASTERLY 166.29 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS NORTH 81°51'21" EAST FOR A DISTANCE OF 166.21 FEET) TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET; THENCE (2) EASTERLY 157.87 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS NORTH 84°26'08" EAST FOR A DISTANCE OF 157.62 FEET); THENCE (3) SOUTH 89°54'40" EAST 103.33 FEET TO THE BEGINNING OF A 800.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE (4) EASTERLY 107.40 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 86°03'54" EAST FOR A DISTANCE OF 107.32 FEET); THENCE (5) SOUTH 82°13'08" EAST 39.79 FEET TO THE BEGINNING OF A 800.00-FOOT RADIUS CURVE TO THE LEFT; THENCE (6) EASTERLY 95.43 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 85°38'11" EAST FOR A DISTANCE OF 95.38 FEET); THENCE (7) SOUTH 89°03'14" EAST 68.80 FEET; THENCE SOUTH 49°51'08" EAST 146.67 FEET TO THE POINT OF BEGINNING.

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Special Warranty Deed (Sale of Morinda)

**PARCEL 3:**

**THE EASEMENTS CONTAINED WITHIN THE AMENDED AND RESTATED MASTER DECLARATION F  
COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENT FOR NORTH POINTE  
BUSINESS PARK RECORDED APRIL 3, 2002 AS ENTRY NO. 37452:2002 OF OFFICIAL RECORDS.**

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. An easement over, across or through the land for drainage facility and incidental purposes, as granted to the State Road Commission of Utah by Instrument recorded August 3, 1959 as Entry No. 11949 in Book 819 at Page 415 of Official Records.
2. An easement over, across or through the land for irrigation ditch and incidental purposes, as granted to the State Road Commission of Utah by Instrument recorded September 26, 1960 as Entry No. 13486 in Book 854 at Page 284 of Official Records.
3. Amended and Restated Master Declaration of Covenants, Conditions and Restrictions and Grant of Easement for North Pointe Business Park, recorded April 3, 2002 as Entry No. 37452:2002. Assignment and Assumption of Declarant's Rights recorded June 19, 2014 as Entry No. 41820:2014 of Official Records.
4. An easement over, across or through the land for facilitate the construction of a freeway and incidental purposes, as granted to City of American Fork by Instrument recorded January 20, 2010 as Entry No. 5077:2010 of Official Records.
5. An unrecorded Lease executed by AF 737 East, LLC, a Utah limited liability company, as Lessor, and Morinda, Inc., a Utah corporation, as Lessee, as disclosed by Memorandum of Lease recorded May 01, 2015 as Entry No. 37315:2015 of Official Records.
6. A perpetual ingress and egress access easement as reserved by the Utah Department of Transportation as disclosed by that certain Quit Claim Deed recorded February 3, 2016 as Entry No. 9268:2016 of Official Records.
7. Maintenance Agreement and the terms, conditions and limitations contained therein by and between AF 737 East, LLC and American Fork City recorded February 25, 2016 as Entry No. 15394:2016 of Official Records.
8. Vehicular access is limited to openings permitted by the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2005.