

**When Recorded, Return To:**

Kirton & McConkie  
Attn: Joel Wright  
60 East South Temple Suite 1800  
Salt Lake City, Utah 84145-0120

ENT 80527:2011 PG 1 of 4  
**Jeffery Smith**  
**Utah County Recorder**  
2011 Nov 08 03:09 PM FEE 16.00 BY EO  
RECORDED FOR Select Title Insurance Agency  
ELECTRONICALLY RECORDED

Tax Parcel No. 37-256-0002

(Space above for Recorder's use only)

**SPECIAL WARRANTY DEED**

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, MAIN STREET CHARTER PROPERTIES, LLC, a Utah limited liability company ("Grantor"), whose address is 11038 Highland Boulevard, #100, Highland, Utah 84003, hereby conveys and warrants, against all claiming by, through, or under Grantor, to MOUNTAINVILLE ACADEMY, a Utah non-profit corporation ("Grantee"), whose address for mailing purposes is 195 South Main Street, Alpine, Utah 84004, the following described property situated in Utah County, Utah, to wit:

See Exhibit A annexed hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining to the Property, including, but not limited to, all: (i) buildings, structures, fixtures, signs, and other improvements and landscaping of every kind and nature presently situated on, in, under or about the Property; (ii) water and water rights of any and every kind, including, but not limited to, all: wells, well rights, ditches, ditch rights, and stock in water used on the Property or appurtenant thereto; and (iii) all mineral and subsurface rights of any and every kind.

SUBJECT ONLY TO those certain exceptions and encumbrances specifically listed on Exhibit B annexed hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 7th day of November, 2011.

Grantor:

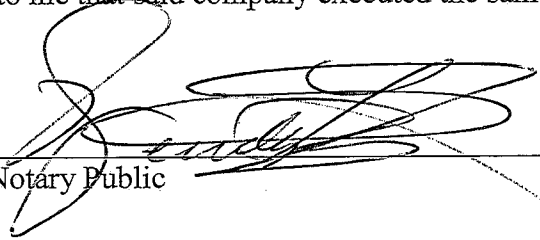
MAIN STREET CHARTER PROPERTIES, LLC,  
a Utah limited liability company

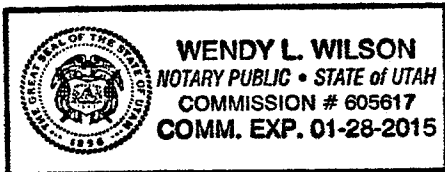
By: Wayne M. Patterson  
Name: Wayne M. Patterson  
Its: Manager

[Notary acknowledgement on following page]

STATE OF UTAH )  
COUNTY OF Utah ) ss.

On this 7<sup>th</sup> day of November, 2011, personally appeared before me Wayne M. Patterson, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the Manager of MAIN STREET CHARTER PROPERTIES, LLC, a Utah limited liability company, and acknowledged to me that said company executed the same.

  
Notary Public



**EXHIBIT A**  
to Special Warranty Deed

(Legal Description of the Property)

That certain real property located in Utah County, Utah, specifically described as follows:

LOT 2, PLAT "A", DRY CREEK SQUARE SECOND AMENDED  
SUBDIVISION, ALPINE, UTAH, ACCORDING TO THE OFFICIAL PLAT  
THEREOF ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

The following is shown for information purposes only: 37-256-0002.

**EXHIBIT B**  
to Special Warranty Deed

(Exceptions and Encumbrances)

1. General property taxes for the year 2011 and subsequent years.
2. The land is included within the boundaries of ALPINE CITY/THE TIMPANOGOS SPECIAL SERVICE DISTRICT/UTAH VALLEY DISPATCH SPECIAL SERVICE DISTRICT AND TAX DISTRICT NO. 40, and is subject to charges and assessments made thereby. As of the date of this Special Warranty Deed all charges and assessments are currently paid and none are currently a lien against the Property.
3. An EASEMENT over, across or through the land for irrigation and incidental purposes, as granted to the Utah Water and Power Board by Instrument recorded November 9, 1956, as Entry No. 15993, in Book 729, at Page 359, of Official Records.
4. PERMISSION to locate and construct within the land and outside the limits of the highway right of way all irrigation and/or waste water ditches made necessary by the construction of State Route 74, as set forth in Warranty Deed dated July 23, 1958, executed by Alton R. Carlisle and Beryl Carlisle, in favor of State Road Commission of Utah, recorded August 27, 1958, as Entry No. 11296, in Book 788, at Page 92, of Official Records.
5. An EASEMENT over, across or through the land for the placement of a storm drain pipe line and related facilities granted to Alpine City Corporation by instrument recorded August 30, 1996, as Entry No. 71256, in Book 4057, at Page 702, of Official Records.
6. Conditions contained in that certain Ordinance (No. 98-09) approving Dry Creek Square, a planned commercial development, recorded January 13, 2000, as Entry No. 3637:2000 of Official Records.
7. Flood Plane EASEMENT as shown on the original Plat of Dry Creek Square recorded January 3, 2000, as Entry No. 3638:2000, Map Filing 8392, of Official Records.
8. Public Utility EASEMENTS as shown on Dry Creek Square Second Amended subdivision plat, recorded November 3, 2006, as Entry No. 147933:2006, Map Filing No. 11960, Book 37, of Official Records.
9. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within that certain Declaration of Protective Covenants, Guidelines, Conditions and Restrictions for Dry Creek Square Commercial Office Association, recorded January 13, 2000, as Entry No. 3639:2000, of Official Records.
10. Access from Main Street (SR-74) is limited to those openings permitted by the State of Utah as regulated by the Department of Transportation.