

When Recorded, Return To:



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

E# 2401211 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
31-MAR-09 8:56 AM FEE \$19.00 DEP SC
REC FOR: LINCOLN TITLE INSURANCE AGENCY
ELECTRONICALLY RECORDED

017140

Tax Parcel Nos. 03-043-0003
03-043-0004

(Space above for Recorder's use only)

SPECIAL WARRANTY DEED

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, AMCAN PROPERTIES, LLC, a Utah limited liability company ("Grantor"), whose address is 4723 Harrison Blvd., Suite 200, Ogden, Utah 84403, hereby conveys and warrants, against all claiming by, through, or under Grantor, to DAVINCI ACADEMY OF SCIENCE AND THE ARTS, a Utah non-profit corporation ("Grantee"), whose address is 2033 Grant Avenue, Ogden, Utah 84401, the following described property situated in Weber 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.

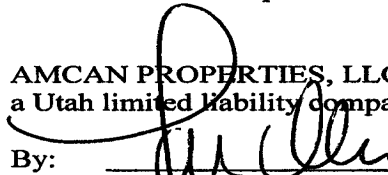
SUBJECT ONLY TO those certain exceptions and encumbrances specifically listed on Exhibit B annexed hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 19th day of March, 2009.

Grantor:

AMCAN PROPERTIES, LLC,
a Utah limited liability company

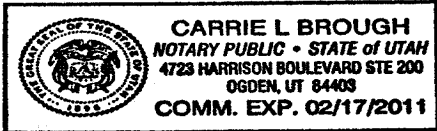
By:


Jon Peddie, Manager

[notary acknowledgement on following page.]

STATE OF UTAH)
) ss.
COUNTY OF WEBER)

On this 19th day of March, 2009, personally appeared before me Jon Peddie, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he is the Manager of AMCAN PROPERTIES, LLC, a Utah limited liability company, and acknowledged to me that said company executed the same.



Carrie L Brough
Notary Public

EXHIBIT A

to Special Warranty Deed

(Legal Description of the Property)

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

UNITS 5 and 6, AMCAN CONDOMINIUMS PHASE 2, A UTAH CONDOMINIUM PROJECT AS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED MAY 16, 2008 AS ENTRY NO. 2342094, IN BOOK 68 AT PAGE 29 AND 30 OF PLATS, (AS SAID RECORD OF SURVEY MAP MAY HAVE BEEN AMENDED AND/OR SUPPLEMENTED) AND AS FURTHER DEFINED AND DESCRIBED IN THE DECLARATION OF CONDOMINIUM OF AMCAN CONDOMINIUMS PHASE 2 PROJECT, RECORDED MARCH 30, 2007 AS ENTRY NO. 2252602, (AS SAID DECLARATION MAY HAVE BEEN AMENDED AND/OR SUPPLEMENTED) IN THE OFFICE OF THE RECORDER OF WEBER COUNTY, UTAH, TOGETHER WITH THE APPURTENANT INTEREST IN AND TO THE COMMON AREAS, LIMITED COMMON AREAS, AND FACILITIES MORE PARTICULARLY DESCRIBED IN SAID RECORD OF SURVEY MAP, DECLARATION AND ANY AMENDMENTS AND/OR SUPPLEMENTS THERETO.

03-043-0003 ✓
03-043-0004 ✓ *td*

EXHIBIT B

to Special Warranty Deed

(Exceptions and Encumbrances)

1. General taxes for the year 2009 are accruing as a lien but not yet due and payable. General taxes for the year 2008 were exempt under prior Serial No. 03-042-0003. Current Serial No. 03-043-0003 and 03-043-0004.
2. Said property is located within the Mosquito Abatement District, Weber Basin Water General District, Weber Basin Water Ogden District, Central Weber Sewer District and the Weber Area Dispatch 911 and Emergency Services District, and is subject to the charges and assessments levied thereunder. At the time this Special Warranty Deed is recorded, all charges are paid current and no charges or assessments are currently a lien against the land.
3. Assessment levied under Ordinance No. 94-3 of the Ogden City, Utah Central Downtown Improvement District No.1, recorded February 2, 1994, as Entry No. 1272592, in Book 1701, at Page 1316, records of Weber County, Utah. At the time this Special Warranty Deed is recorded all charges are currently paid and no charges or assessments are currently a lien against the land.
4. Assessment levied under Ordinance No. 2000-27 of the Ogden City, Utah Central Business Improvement District No. 1, recorded June 7, 2000, as Entry No. 1709915, in Book 2076, at Page 217, records of Weber County, Utah. At the time this Special Warranty Deed is recorded all charges are currently paid and no charges or assessments are currently a lien against the land.
5. Assessment levied under Ordinance No. 2003-83 of the Ogden City, Utah Central Business Improvement District No. 1, recorded February 2, 1994, as Entry No. 2019270, records of Weber County, Utah. At the time this Special Warranty Deed is recorded all charges are currently paid and no charges or assessments are currently a lien against the land.
6. Subject to easements, building setback lines, restriction, dedications or offer for dedications if any, conditions of approval if any, and notes if any, all as set forth on the recorded plat.
7. Subject to a Declaration of Access Easement, recorded on August 10, 2004 as Entry No. 2049340, records of Weber County, Utah, as shown on the dedication plat. (Affects common area)
8. Right of Way Easement by and between Amcan Properties LLC, "Grantor", and PacifiCorp, an Oregon Corporation, its successors and assigns, "Grantee", recorded October 18, 2007 as Entry No. 2299162, records of Weber County, Utah.

9. Condominium Declaration for Amcan Condominium recorded March 30, 2007 as Entry No. 2252602, records of Weber County, Utah.

Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).

First Amendment of Condominium Declaration for Amcan Condominium, recorded November 19, 2007 as Entry No. 2305565, records of Weber County, Utah.

Second Amendment to Condominium Declaration for Amcan Condominium, recorded May 16, 2008 as Entry No. 2342095, records of Weber County, Utah.

At the time this Special Warranty Deed is recorded all charges are currently paid and no charges or assessments are currently a lien against the land.

10. Development Agreement by and between Ogden City Redevelopment Agency and AMCAN Properties, LLC, a Utah limited liability company, recorded September 25, 2007 as Entry No. 2294156, records of Weber County, Utah.

First Amendment to Development Agreement recorded September 25, 2007 as Entry No. 2294157, records of Weber County, Utah.

First Amendment to Development Agreement recorded November 14, 2007 as Entry No. 2304527, records of Weber County, Utah.

11. The following matters contained in ALTA/ACSM Land Title Survey titled DaVinci, Academy 227 20th Street, Ogden Utah, prepared by Patrick M. Harris (Certificate No. 286882) at Ensign, Project No. L1814 dated March 12, 2009:

- a) Building is 1.6' South of Property Corner. (Affects Unit 5)
- b) Building is 1.6' North of Property Corner. (Affects Unit 5)
- c) Building is 1.6' North and 1.9' West of Property Corner. (Affects Unit 5)
- d) Building Overhang over the Common Area adjoining Unit 5 on the North (No easement for said overhang exists).



W2401212

When Recorded, Return To:

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

E# 2401212 PG 1 OF 4
ERNEST D ROWLEY, WEBER COUNTY RECORDER
31-MAR-09 856 AM FEE \$16.00 DEP SC
REC FOR: LINCOLN TITLE INSURANCE AGENCY
ELECTRONICALLY RECORDED

Tax Parcel Nos. 03-040-0004

017140

(Space above for Recorder's use only)

SPECIAL WARRANTY DEED

FOR THE SUM OF TEN DOLLARS and other good and valuable consideration received, OGDEN COMMUNITY FOUNDATION, a Utah non-profit corporation ("Grantor"), whose address is 4723 Harrison Blvd., Suite 200, Ogden, Utah 84403, hereby conveys and warrants, against all claiming by, through, or under Grantor, to DAVINCI ACADEMY OF SCIENCE AND THE ARTS, a Utah non-profit corporation ("Grantee"), whose address is 2033 Grant Avenue, Ogden, Utah 84401, the following described property situated in Weber 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 30th day of March, 2009.

Grantor:

OGDEN COMMUNITY FOUNDATION,
a Utah non-profit corporation

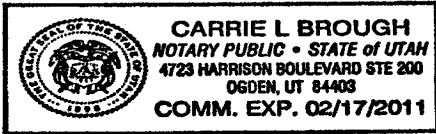
By:


Name (print): Mark L. Johnson
Its: Board chair

[notary acknowledgement on following page.]

STATE OF UTAH)
COUNTY OF Weber) ss.

On this 30th day of March, 2009, personally appeared before me Mark L. Johnson, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he she is the Board Chair of OGDEN COMMUNITY FOUNDATION, a Utah non-profit corporation, and acknowledged to me that said corporation executed the same.



Carrie L Brough
Notary Public

EXHIBIT A

to Special Warranty Deed

(Legal Description of the Property)

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

LOT 4, AMERICAN CAN SUBDIVISION, OGDEN CITY, WEBER COUNTY,
UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF.

03-040-0004 *pd*

EXHIBIT B
to Special Warranty Deed

(Exceptions and Encumbrances)

1. General taxes for the year 2009 are accruing as a lien but not yet due and payable. 2008 taxes were paid. Serial No. 03-040-0004.

2. Said property is located within the Mosquito Abatement District, Weber Basin Water General District, Weber Basin Water Ogden District, Central Weber Sewer District and the Weber Area Dispatch 911 and Emergency Services District, and is subject to the charges and assessments levied thereunder. At the time this Special Warranty Deed is recorded, all charges are currently paid and no charges or assessments are currently a lien against the land.

3. An Ordinance Adopting the Redevelopment Plan for the American Can Redevelopment Project Area as the Official Redevelopment Plan for The Project, dated December 7, 1999 and recorded December 21, 1999 as Entry No. 1680527 in Book 2049 at Page 2825 of Official Records. At the time this Special Warranty Deed is recorded, all charges are currently paid and no charges or assessments are currently a lien against the land.

Notice of Adoption of Amended Project Area Plan Entitled "Amended American Can Redevelopment Project Area Plan" Dated March 17, 2003 and Adopted April 29, 2003 recorded May 20, 2003 as Entry No. 1940374 in Book 2371 at Page 322 of Official Records. At the time this Special Warranty Deed is recorded, all charges are currently paid and no charges or assessments are currently a lien against the land.

4. An Ordinance of Ogden City, Utah, Providing for New Assessments within the Ogden City, Utah Central Business Improvement District No. 1 and Providing that this Ordinance shall become effective January 11, 2004, recorded January 9, 2004 as Entry No. 2004067 and re-recorded March 23, 2004 as Entry No. 2019270 of Official Records. At the time this Special Warranty Deed is recorded, all charges are currently paid and no charges or assessments are currently a lien against the land.

5. Subject to easements, building setback lines, restriction, dedications or offer for dedications if any, conditions of approval if any, and notes if any, all as set forth on the recorded plat.

6. Declaration of Access Easement recorded August 10, 2004 as Entry No. 2049340 of Official Records.

7. The following matters contained in ALTA/ACSM Land Title Survey titled DaVinci Academy, 227 20th Street, Ogden Utah, prepared by Patrick M. Harris (Certificate No. 286882) at Ensign, Project No. L1814 dated March 12, 2009:

- a) Building corner is 0.2' South of property line.
- b) Building corner is 0.3' South of property line.



W2857863

E# 2857863 PG 1 OF 2
Leann H. Kilts, WEBER COUNTY RECORDER
17-May-17 1136 AM FEE \$12.00 DEP DA
REC FOR: FOUNDERS TITLE COMPANY - LAYTON
ELECTRONICALLY RECORDED

Founders Title Company of Davis 17-022420

MAIL TAX NOTICE TO:
DAVINCI ACADEMY OF SCIENCE AND THE ARTS, a Utah
non-profit corporation
2033 Grant Avenue
OGDEN, UT 84401

SPECIAL WARRANTY DEED

OGDEN SCHOOL DEVELOPMENT II, LLC Grantor,

of Ogden, County of Weber County, State of Utah, hereby

CONVEY and WARRANT only as against all claiming by, through or under it to

DAVINCI ACADEMY OF SCIENCE AND THE ARTS, a Utah non-profit corporation Grantee

of OGDEN, County of Weber County, State of Utah

for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described

tract of land in Weber County, State of Utah:

BEGINNING AT THE NORTHWEST CORNER OF BLOCK 38, PLAT A, OGDEN CITY SURVEY,
WEBER COUNTY, UTAH, SAID POINT BEING SOUTH 0D58' WEST 49.50 FEET AND SOUTH 89D02'
EAST 49.50 FEET FROM THE OGDEN CITY SURVEY MONUMENT AT THE INTERSECTION OF THE
CENTERLINES OF 22ND STREET AND LINCOLN AVENUE, AND RUNNING THENCE SOUTH 89D02'
EAST ALONG THE NORTH LINE OF SAID BLOCK 38, A DISTANCE OF 250.17 FEET; THENCE SOUTH
0D58' WEST 136.00 FEET; THENCE NORTH 89D02' WEST 250.17 FEET TO THE WEST LINE OF
SAID BLOCK 38; THENCE NORTH 0D58' EAST ALONG SAID WEST LINE 136.00 FEET TO THE POINT
OF BEGINNING.

01-032-0059

SUBJECT TO easements, covenants, restrictions, rights of way and reservations appearing of record and
taxes for the year 2017 and thereafter.

WITNESS, the hand(s) of said Grantor(s), this May 16, 2017

OGDEN SCHOOL DEVELOPMENT II, LLC

BY: Rosanne Wright
Name: Rosanne Wright
Its: Manager

STATE OF Florida
COUNTY OF Miami-Dade

On the 16 day of May, 2017, before me, the undersigned Notary Public, personally appeared Rosanne Wright of OGDEN SCHOOL DEVELOPMENT II, LLC, known to me to be the member(s) or designated agents of the limited liability company that executed the above and acknowledged to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and an oath stated that they are authorized to execute said instrument freely and voluntarily for the purposes and use herein mentioned on behalf of the limited liability company.

Annette M. Raola

Notary Public
Residing at: 6457 S. Sunset Dr., Miami, FL 33143
My Commission Expires: 3/8/19

(SEAL)

