



COTTONWOODTITLE

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REAL PROPERTY TITLE REPORT

NOTICE

At your request, Cottonwood Title Insurance Agency, Inc. ("Cottonwood") has conducted a search of public records and provides the following Report based on that search. **Please note that this Report is NOT: (i) title insurance; (ii) a commitment for title insurance; (iii) an abstract of title; or (iv) a guarantee of the status of title or of any information reflected in this Report.** No representation is made or liability assumed as to the effect, completeness, validity, priority or the accuracy of any disclosure herein or the various documents reported herein. The Report is provided as an accommodation to you for informational purposes only, and any liability of Cottonwood in connection with this Report is strictly limited to the compensation Cottonwood receives from you for issuing the Report.

If you desire title insurance or a guarantee respecting any information reflected in this Report, please notify Cottonwood so that Cottonwood may assist you in obtaining such coverage through one of our title insurance underwriters.

REPORT

File Number: 164769-TOF

1. Effective Date: November 16, 2022 at 7:30AM
2. The estate or interest in the land described or referred to in this Report is Fee Simple and title thereto is at the effective date hereof vested in:
[CW Land Co., LLC, a Utah limited liability company](#)
3. The land referred to in this Report is situated in the County of Weber, State of Utah, and is described as follows:

See Exhibit A attached hereto

NOTE: Parcel Identification Number: 21-172-0003 (for reference purposes only)

RECORD MATTERS

The search of public records conducted by Cottonwood for this Report did not include a search of the State Construction Registry or any other non-public record sources. Cottonwood makes no representations, and disclaims any liability, concerning the existence or absence of any filings or other information on the State Construction Registry.

The following items of record may affect title to the land:

1. Taxes for the year 2022 have been paid in the amount of \$2,125.18 under previous Parcel No. 21-005-0054. (covers this and other land)

NOTE: Taxes for the year 2023 will be assessed under Parcel No. 21-172-0003.

2. The herein described Land is located within the boundaries of Weber County, Weber Basin Water Conservancy District, Weber County Mosquito Abatement District, Weber Fire District, Ogden Valley Park Service Area, Weber Area Dispatch 911 and Emergency Services District, Weber Fire District Bond, and is subject to any and all charges and assessments levied thereunder.
3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
4. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
5. Easements, notes and restrictions as shown on the recorded plat for Sky Ranch, recorded June 14, 2022 as Entry No. [3241023](#) in Book 93 at Page 27.
6. Any easements and/or rights-of-way for the water distribution system and appurtenances of the Mountain Canal Irrigation Association and/or parties claiming by, through or under it, as the same may be found to intersect the Land, as disclosed by various instruments of record, including that certain Easement To Use Distribution System recorded May 17, 1996 as Entry No. [1406855](#) in Book 1806 at Page 2974.
7. Resolution No. 27-2012 Confirming the Tax to be Levied for Municipal Services Provided to the Unincorporated Area of Weber County, dated December 11, 2012 and recorded December 13, 2012 as Entry No. [2610456](#).
8. Affidavit Establishing the Ogden Valley Transmitter/Recreation Special Service District, dated March 9, 2015 and recorded March 9, 2015 as Entry No. [2725109](#).
9. Petition to Weber Basin Water Conservancy District for the Allotment of Water, recorded November 15, 2021 as Entry No. [3196813](#).
10. Petition to Weber Basin Water Conservancy District for the Allotment of Water, recorded October 26, 2022 as Entry No. [3260954](#).
11. Utility Easement Agreement by and among CW Land Co., LLC, a Utah limited liability company and Scott R. Brusseau and Lisa Brusseau, husband and wife, dated August 2, 2021 and recorded August 2, 2021 as Entry No. [3172600](#).
12. Easement and Governance Agreement by and between CW Land Co., LLC, a Utah limited liability company and Scott R. Brusseau and Lisa Brusseau, husband and wife, dated August 2, 2021 and

**RECORD MATTERS
(CONTINUED)**

recorded August 2, 2021 as Entry No. [3172601](#).

13. Building on a Private Right of Way/Access Easement Equitable Servitude and Covenant (to Run With the Land) between CW Land Co., LLC, a Utah limited liability company and Scott R. Brusseau and WF Lisa J. Brusseau, dated April 25, 2022 and recorded June 14, 2022 as Entry No. [3241024](#).
14. Improvements Guarantee Agreement between CW Land Co, a limited liability company and Weber County, a political subdivision of the State of Utah, dated June 6, 2022 and recorded June 22, 2022 as Entry No. [3242296](#).
15. A Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby: Trustor: CW Land Co., LLC, a Utah limited liability company; Trustee: Utah First Federal Credit Union; Beneficiary: Utah First Federal Credit Union; Amount: \$1,586,260.00; Dated: September 17, 2021; Recorded: September 20, 2021 as Entry No. [3184909](#). (covers this and other land)
16. The effect of the 1969 Farmland Assessment Act, wherein there is a five (5) year roll-back provision with regard to assessment and taxation, by reason of that certain Application for Assessment and Taxation of Agricultural Land, recorded September 9, 2022 as Entry No. [3254267](#).

NOTE: The following names have been checked for judgments:

CW Land Co., LLC, a Utah limited liability company

No unsatisfied judgments appear of record in the last eight years except as shown herein.

**EXHIBIT A
LEGAL DESCRIPTION**

PROPOSED SKY RANCH 1ST AMENDMENT - LOTS 4 & 5, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 6 AND THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 2 EAST. SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING SOUTH 3375 FEET AND EAST 1289.03 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 6 (SAID WEST QUARTER CORNER BEING S00°16'36"W 2654.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 6); THENCE N89°28'19"E 258.25 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 199.99 FEET, AN ARC LENGTH OF 353.89 FEET, A DELTA ANGLE OF 101°23'13", A CHORD BEARING OF N38°46'42"E, AND A CHORD LENGTH OF 309.49 FEET; THENCE N11°54'54"W 36.30 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 199.99 FEET, AN ARC LENGTH OF 218.41 FEET, A DELTA ANGLE OF 62°34'21", A CHORD BEARING OF N19°22'17"E, AND A CHORD LENGTH OF 207.72 FEET; THENCE N50°39'27"E 254.91 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 299.99 FEET, AN ARC LENGTH OF 151.25 FEET, A DELTA ANGLE OF 28°53'17", A CHORD BEARING OF N36°12'49"E, AND A CHORD LENGTH OF 149.65 FEET; THENCE N84°13'20"E 613.93 FEET; THENCE S03°33'20"E 63.11 FEET; THENCE S02°23'08"E 1124.17 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STOKER LANE; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING SEVEN (7) COURSES: (1) A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 680.00 FEET, AN ARC LENGTH OF 114.90 FEET, A DELTA ANGLE OF 09°40'54", A CHORD BEARING OF S37°00'46"W, AND A CHORD LENGTH OF 114.77 FEET; (2) S41°51'13"W 461.45 FEET; (3) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 32.76 FEET, A DELTA ANGLE OF 34°07'40", A CHORD BEARING OF S58°55'06"W, AND A CHORD LENGTH OF 32.28 FEET; (4) S75°58'56"W 209.20 FEET; (5) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 2193.54 FEET, AN ARC LENGTH OF 152.81 FEET, A DELTA ANGLE OF 03°59'29", A CHORD BEARING OF S73°51'55"W, AND A CHORD LENGTH OF 152.78 FEET; (6) S72°32'50"W 309.10 FEET; (7) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 114.50 FEET, AN ARC LENGTH OF 40.50 FEET, A DELTA ANGLE OF 20°15'50", A CHORD BEARING OF S62°25'00"W, AND A CHORD LENGTH OF 40.28 FEET; THENCE N01°58'03"E 142.60 FEET; THENCE N71°21'28"E 121.64 FEET; THENCE N08°57'13"W 457.35 FEET; THENCE N00°43'17"W 308.85 FEET; THENCE S89°42'06"W 419.94 FEET; THENCE N00°31'41"W 83.60 FEET TO THE POINT OF BEGINNING.