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When Received Return To:  
DANIEL GILMAN, LANDS FORESTER  
110 So STATE  
S.L.C., UTAH 84138

**4177150** WARRANTY DEED

TPL-UTAH, GRANTOR, hereby CONVEYS and WARRANTS to the UNITED STATES OF AMERICA, and its assigns, GRANTEE, for and in consideration of the exchange therefor of National Forest land as authorized by the Act of March 20, 1922 (42 Stat. 465) as amended and the Act of October 21, 1976 (90 Stat. 2743), land situate in Salt Lake County, State of Utah, as more particularly described in Exhibit A attached hereto and made a part hereof.

RESERVING to the Grantor, all minerals, subject to the "Conditions, Rules and Regulations to Govern Exercise of Mineral Rights Reserved in Conveyances to the United States," a copy of which is attached hereto and made a part hereof.

SUBJECT to easements for established or existing roads, highways, railroads and utilities; and other uses disclosed by instruments recorded in the office of the Salt Lake County Recorder.

The acquiring agency is the Department of Agriculture, Forest Service.

WITNESS the hand and seal of the Grantor this 6<sup>th</sup> day of December, 1985.

TPL-UTAH  
By [Signature]  
Title Permit

Checked as to presence of grantor and subject

SECURITY TITLE CO.  
FHK No. E 232401

2/10

SECURITY TITLE  
DEPT. OF AGRICULTURE  
FOREST SERVICE  
SALT LAKE COUNTY  
UTAH

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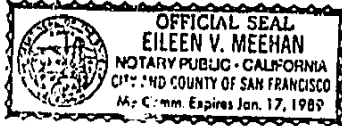
RECORDED  
SALT LAKE CO  
UTAH

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ACKNOWLEDGEMENT

STATE OF CALIFORNIA     )  
                                      : ss.  
COUNTY OF SAN FRANCISCO)

On the 10<sup>th</sup> day of December, 1985, personally appeared before me Eileen V. Meehan signer of the above instrument, who being by me duly sworn did say that Martin J. Rosan is the President of TPL-UTAH, and said instrument was signed in behalf of said Corporation by authority duly delegated them by Resolution of the Board of Directors thereof.



Eileen V. Meehan  
NOTARY PUBLIC  
Residing in Berkeley CA  
My Commission Expires: 1/17/89

*[Vertical stamp or signature]*  
NOTARY PUBLIC - CALIFORNIA  
JULY 1985 TO JULY 1989

NO. 5718 REV. 1364

EXHIBIT A

Parcel No. 1:

Wasatch No. 10, Placer Mining Claims Survey No. 6226.

Excepting therefrom that portion which lies within the bounds of Little Cottonwood Creek.

Said parcel contains 80 acres, more or less.

Parcel No. 2:

Wasatch No. 8, Placer Mining Claims Survey No. 6226, less and excepting that portion which lies within the bounds of Little Cottonwood Creek.

Said parcel contains 80.60 acres, more or less.

Parcel No. 3:

The North 100 rods of the Southeast quarter of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian, in the County of Salt Lake, State of Utah.

Also, Beginning at the Southwest Corner of Wasatch No. 3, Placer Mining Claim Survey No. 6342, in Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian, and running thence North 200 feet; thence East 850.21 feet; thence South 200 feet; thence West 850.21 feet to the point of Beginning.

Excepting therefrom the following parcels:

3(a) Beginning at a point which is South 66°08' West, 1,411.9 feet, more or less, from the East quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; said point also being South 81°29'09" East, 4,037.56 feet from the West quarter corner of said Section 7 (Basis of bearing is North 89°14'29" East from the center of Section 12 to the East quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian); and running thence West 190.52 feet; thence South 56.59 feet; thence South 65°31' East, 95.00 feet; thence South 82°19' East, 105.00 feet; thence North 110.00 feet to the point of Beginning.

3(b) Beginning at a point which is South 80°24'36" East, 4,876.95 feet from the West quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian (Basis of bearing is North 89°14'29" East from the center of Section 12 to the East quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian); and running thence south 82°40'00" West, 105.77 feet; thence North 7°20'00" West, 12.40 feet; thence South 82°40'00" West, 71.87 feet; thence North 82°55'00" West, 36.62 feet; thence South 7°29'00" East, 63.19 feet; thence South 74°15'00" East, 66.00 feet; thence North 86°10'00" East, 78.00 feet; thence North 78°09'00" East, 74.90 feet; thence North 7°29'00" West, 66.41 feet to the point of Beginning.

Checked up to pliso, eurence,  
exactness/ass/sections of  
survey, and found correct.

3(c) Beginning at the Northwest Corner of Lot 29, Wasatch Resort, an unrecorded subdivision, said point being South  $75^{\circ}42'30''$  East, 3,543.0 feet from the East quarter corner of Section 12, Township 3 South, Range 2 East, Salt Lake Base & Meridian, and running thence North  $22^{\circ}30'$  West, 31.25 feet; thence North  $80^{\circ}30'$  East, 225.0 feet; thence South  $65^{\circ}27'$  East, 215.0 feet; thence East 82.0 feet; thence South  $77^{\circ}48'$  East, 241.0 feet; thence North  $31^{\circ}$  East, 34.0 feet to the Southerly line of Little Cottonwood Creek; thence South  $84^{\circ}00'$  East, 50.0 feet to the Northwest corner of Lot 1, Wasatch Resort; thence Easterly along the Southerly line of said creek and the Northerly line of Lots 1 to 5, 329.5 feet, more or less, to the Northeast Corner of Lot 5, said Wasatch Resort; thence South  $3^{\circ}37'$  West, 68.20 feet to the Northwest corner of Lot 7, said Wasatch Resort; thence South  $74^{\circ}$  East, 176.0 feet to the Southwest corner of Lot 10, said Wasatch Resort; thence North 30.0 feet; thence North  $64^{\circ}50'$  East, 143.1 feet; thence North  $83^{\circ}50'$  East, 150.90 feet to the Northeast corner of Lot 42-B, said Wasatch Resort; thence North  $74^{\circ}$  East, 62.5 feet; thence South 113.2 feet; thence South  $54^{\circ}$  West, 70.30 feet to the Southeast corner of said Lot 42-B; thence East 120.0 feet; thence South 20.0 feet to the Northeast corner of Lot 72, said Wasatch Resort; thence West 60.00 feet to the Northwest corner of Lot 72, said Wasatch Resort; thence South 133.5 feet to the Southwest corner of Lot 72, said Wasatch Resort; thence West 307.6 feet to the Southwest corner of Lot 41, said Wasatch Resort; thence South 119.9 feet; thence West 308.1 feet; thence North 17.80 feet to the Southeast corner of Lot 38, said Wasatch Resort; thence West 314.0 feet to the Southwest corner of Lot 34, said Wasatch Resort; thence North 128.0 feet to the Northwest corner of Lot 34, said Wasatch Resort; thence North  $74^{\circ}30'$  West, 68.5 feet to the Northeast corner of Lot 32, said Wasatch Resort; thence North  $51^{\circ}00'$  West, 84.9 feet to the Northwest corner of Lot 32, said Wasatch Resort; thence South 99.7 feet to the Southeast corner of Lot 31, said Wasatch Resort; thence West 66.0 feet; thence North 50.0 feet to the Southeast corner of Lot 30, said Wasatch Resort; thence West 317.3 feet to the Southwest corner of Lot 27, said Wasatch Resort; thence North 103.0 feet to Southeast corner of Lot 28, said Wasatch Resort; thence West 119.2 feet; thence North 166.25 feet; thence South  $76^{\circ}08'$  West, 50.26 feet to the point of Beginning.

3(d) A 3 rod road which connects Little Cottonwood Road to Wasatch Resort in the Southeast quarter of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian, said road being more particularly described as follows:

Beginning at a point which is South  $76^{\circ}40'$  West, 1,884.2 feet from the East quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; said point also being South  $13^{\circ}12'$  West, 60 feet from the P. T. of curve at centerline of Little Cottonwood Road; thence South  $51^{\circ}52'$  East, 131.5 feet to a point of tangency with a 453.58-foot radius curve to the left; thence along said curve 59.74 feet; thence South  $59^{\circ}25'$  East, 232.0 feet to point of tangency with a 237.29-foot radius curve to the left; thence along said curve 61.95 feet; thence South  $74^{\circ}23'$  East, 221.4 feet to a point of tangency with a 124.75-foot radius curve to the right; thence along said curve 174.38 feet; thence South  $5^{\circ}45'$  West, 126.9 feet; thence North  $84^{\circ}15'$  West, 49.5 feet; thence North  $5^{\circ}45'$  East, 126.9 feet to a point of tangency with a 75.25-foot radius curve to the left; thence along said curve 105.19 feet; thence North  $74^{\circ}23'$  West, 221.4 feet to point of tangency with a 286.79-foot radius curve to the right; thence along said curve 74.87 feet; thence North  $59^{\circ}25'$  West, 232.0 feet to a point of tangency with a 503.08-foot radius curve to the right; thence along said curve 66.26 feet; thence North  $51^{\circ}52'$  West, 207.4 feet to a point on a South Right-of-Way line of Little Cottonwood Road;

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thence following said Right-of-Way line in an easterly direction along a 400-foot radius curve to the right 91 feet, more or less, to the point of Beginning.

3(e) Beginning at a point which is South 596.73 feet from the East quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; said point also being South  $83^{\circ}16'25''$  East, 5,320.86 feet from the West quarter corner of said Section 7; and running thence North 111.53 feet; thence West 264.00 feet; thence South 36.80 feet; thence West 385.00 feet; thence South 162.50 feet; thence East 402.28 feet; thence North  $70^{\circ}25'00''$  East, 261.87 feet to the point of Beginning.

3(f) Commencing 5.6 feet East and 30 feet South from Stake Number 20, Wasatch Resort Plat, and running thence Southeasterly 170 feet to Iron Rail set on and in ground on South Side of D. & R. G. Right-of-Way; thence West along North side of Creekbed 166 feet; thence North 83 feet to the place of Beginning. Said Stake Number 20 is South 759.4 feet and East 4,217.8 feet from the quarter section corner on the East boundary of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian as determined by J. R. Winwood, a registered professional engineer and Land Surveyor of Salt Lake City, Utah.

3(g) Commencing on the South boundary of the State Highway at a point 480.99 feet South and 800.44 feet West from the East quarter Corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; thence South 205.81 feet; thence North  $89^{\circ}07'$  East, 147.91 feet; thence North 162.53 feet; thence East 44.0 feet; thence North 46.4 feet to the South boundary of the State Highway; thence following the South boundary of the State Highway North  $79^{\circ}20'$  West, 67.51 feet; thence South  $81^{\circ}53'$  West, 126.82 feet, more or less, to the place of Beginning.

3(h) Beginning on the south boundary of State Highway at a point 530.81 feet South and 1,098.37 feet West from the East quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; thence South 162.40 feet; thence West 80.0 feet; thence North 136.82 feet to the South boundary of State Highway; thence Easterly along State Highway on a curve to the left with a radius of 550 feet a distance of 80.1 feet, more or less, to the point of Beginning.

3(i) Beginning on the South boundary of State Highway at a point 480.99 feet South and 800.44 feet West from the East quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; thence South 205.81 feet; thence South  $88^{\circ}46'$  West, 298.0 feet; thence North 162.4 feet to the South Boundary of State Highway; thence following State Highway Easterly on a curve to the left with a radius of 550 feet a distance of 46.4 feet; thence North  $79^{\circ}51'$  East, 213.5 feet; thence North  $81^{\circ}53'$  East, 42.2 feet, more or less, to the point of Beginning.

3(j) Beginning at a point on the West line of the Whitmore "hydroelectric Site" property, said point being South  $41^{\circ}05'$  West, 1,050.0 feet, more or less, from the East quarter corner of said Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; said point of beginning also being South  $7^{\circ}29'$  East, 46.7 feet from the Northwest corner of the Whitmore Tract; and running thence North  $82^{\circ}55'$  West, 174.05 feet; thence South  $7^{\circ}05'$  West, 80.61 feet, more or less, to a point on the South side of Little Cottonwood Creek; thence South  $82^{\circ}55'$  East along the South side of Little Cottonwood Creek 195.0 feet; thence North  $7^{\circ}29'$  West along the West line of Whitmore Tract 83.29 feet to the point of Beginning.

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3(k) That portion of Little Cottonwood Canyon Highway and Little Cottonwood Creek as the same may be found to intersect the above described property and as the same was conveyed to Salt Lake County.

3(l) Beginning East 850.21 feet from the Southwest corner of Wasatch No. 3, Placer Survey No. 6324, said point of beginning also being East 3,490.21 feet from the West quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian, and running thence South 102.76 feet; thence South 62°07' East, 820.20 feet to the center line of Little Cottonwood Highway; thence along said center line to a point which is due South of corner No. 1 of Wasatch No. 5, Placer Mining Claims Survey No. 6379, and running thence West 492.96 feet; thence North 330.0 feet to the South line of Wasatch No. 5, Placer Survey No. 6379; thence West 2,522.0 feet to the Southwest corner of said Wasatch No. 5 Placer; thence North 12.0 feet to the Southeast corner of said Wasatch No. 3; Placer; thence West 1,689.79 feet to the point of Beginning.

3(m) Beginning at a point which is South 75°42'30" East, (South 75°20'02" East) 3,543.0 feet from the East quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian (Basis of bearing is North 89°14'29" East from the center of Section 12 to the East quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian); and running thence North 76°08' East, (North 76°30'28" East) 50.26 feet; thence South (South 0°22'28" West) 166.25 feet; thence East (South 89°37'32" East) 119.20 feet; thence South (South 0°22'28" West) 613.37 feet to the a point which is South 100 rods and South 89°42'46" East, 957.46 feet from the Northwest corner of the Southeast  $\frac{1}{4}$  of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; and running thence North 89°42'46" West, 957.46 feet; thence North 1,056.64 feet to a point on the Southerly right-of-way line of Little Cottonwood Canyon Highway (State Road 210), said point also being on a 450.97-foot radius curve to the left (radius point bears North 8°18'56" East); thence along said curve 207.65 feet; thence North 71°56'00" East, 462.70 feet to a point on a 400.00-foot radius curve to the right (radius point bears South 18°04'00" East); thence along said curve 99.68 feet thence leaving said Southerly right-of-way line and running South 51°52'00" East, 75.00 feet; thence South 2°48'54" West, 394.93 feet; thence South 22°30' East, (South 22°07'32" East) 31.25 feet to the point of beginning.

Said parcel contains 44.50 acres, more or less.

Parcel No. 4:

Beginning at the West quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base & Meridian; and running thence North 1,320 feet; thence East 2,640 feet; thence South 2,640 feet; thence West 2,140 feet; thence North 435.6 feet; thence West 500 feet; thence North 424.4 feet; thence East 75 feet; thence North 180 feet; thence West 75 feet; thence North 280 feet to the point of Beginning.

Excepting therefrom the following parcels:

4(a) That portion of the Little Cottonwood Canyon Highway as the same may be found to intersect the above described property and as the same was conveyed to Salt Lake County.

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4(b) That portion lying South of the Little Cottonwood Canyon Road.

Said parcel contains 111.60 acres, more or less.

Parcel 5 - Secret No. 1 Lode Mining Claim

Commencing 1,008.62 feet South and 1.15 feet East from corner No. 1, Secret No. 1, Lode Mining Claim, Section 9, R. 3 S., R. 3 E., Salt Lake Base and Meridian, thence South  $37^{\circ}26'$  West, 99.8 feet; thence North  $52^{\circ}34'$  West, 614 feet; thence North  $37^{\circ}26'$  East, 212.2 feet; thence South  $87^{\circ}45'$  East, 209 feet; thence South  $3^{\circ}44'$  West, 152.68 feet; thence South  $77^{\circ}29'$  East, 153.76 feet; thence South  $7^{\circ}37'$  West, 185.19 feet; thence South  $48^{\circ}23'$  East, 128 feet to the point of Beginning.

Said parcel contains 2.99 acres, more or less.

Containing a total of 319.69 acres, more or less.

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

CONDITIONS, RULES AND REGULATIONS TO GOVERN EXERCISE OF MINERAL RIGHTS  
RESERVED IN CONVEYANCES TO THE UNITED STATES

Code of Federal Regulations - Title 36 - Chapter II - Section 251.15

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, in conveyances of lands to the United States under authorized programs of the Forest Service, where owners reserve the right to enter upon the conveyed lands and to prospect for, mine and remove minerals, oil, gas, or other inorganic substances, said reservations shall be subject to the following conditions, rules and regulations which shall be expressed in and made a part of the deed of conveyance to the United States and such reservations shall be exercised thereunder and in obedience thereto:

(1) Whoever undertakes to exercise the reserved rights shall give prior written notice to the Forest Service and shall submit satisfactory evidence of authority to exercise such right. Only so much of the surface of the lands shall be occupied, used, or disturbed as is necessary in bona fide prospecting for, drilling, mining (including the milling or concentration of ores), and removal of the reserved minerals, oil, gas, or other inorganic substances.

(2) (i) None of the lands in which minerals are reserved shall be so used, occupied, or disturbed as to preclude their full use for authorized programs of the Forest Service until the record owner of the reserved rights, or the successors, assigns, or leasees thereof, shall have applied for and received a permit authorizing such use, occupancy, or disturbance of those specifically described parts of the lands as may reasonably be necessary to exercise of the reserved rights.

(ii) Said permit shall be issued upon agreement as to conditions necessary to protect the interest of the United States including such conditions deemed necessary to provide for the safety of the public and other users of the land, and upon initial payment of the annual fee, which shall be at the rate of \$2 per acre or fraction of acre included in the permit.

(iii) The permit shall also provide that the record owner of the reserved right or the successors, assigns, or leasees thereof, will repair or replace any improvements damaged or destroyed by the mining operations and restore the land to a condition safe and reasonably serviceable for authorized programs of the Forest Service, and shall provide for a bond in sufficient amount as determined necessary by the Forest Service to guarantee such repair, replacement or restoration.

(iv) Failure to comply with the terms and conditions of the aforesaid permit shall be cause for termination of all rights to use, occupy, or disturb the surface of the lands covered thereby, but in event of such termination a new permit shall be issued upon application when the causes for termination of the preceding permit have been satisfactorily remedied and the United States reimbursed for any resultant damage to it.

(5) All structures, other improvements, and materials shall be removed from the lands within one year after date of termination of the aforesaid permit. Should the holder of the permit fail to do so within the specified time, the Forest Service may remove, destroy or otherwise dispose of said structures, other improvements, and materials at the permittee's expense, or in lieu thereof, may upon written notice to the permittee, assume title thereto in the name of the United States.

(4) Timber and/or young growth cut or destroyed in connection with exercise of the reserved right shall be paid for at rates determined by the Forest

Service to be fair and equitable for comparable timber and or young growth in the locality. All slash resulting from cutting or destruction of timber or young growth shall be disposed of as required by the Forest Service.

(5) In the prospecting for, mining, and removal of reserved minerals, oil, gas, or other inorganic substances all reasonable provisions shall be made for the disposal of tailings, dumpage, and other deleterious materials or substances in such manner as to prevent obstruction, pollution, or deterioration of water resources.

(6) Nothing herein contained shall be construed to exempt operators or the mining operations from any requirements of applicable State laws nor from compliance with or conformity to any requirements of any law which later may be enacted and which otherwise would be applicable.

(7) While any activities and or operations incident to the exercise of the reserved rights are in progress, the operators, contractors, subcontractors, and any employees thereof shall use due diligence in the prevention and suppression of fires, and shall comply with all rules and regulations applicable to the land.

(b) The conditions, rules and regulations set forth in subparagraphs (1) through (7) of paragraph (a) of this section shall not apply to reservations contained in conveyances of lands to the United States under the Act of March 3, 1925, as amended (43 Stat. 1133, 64 Stat. 62; 16 U.S.C. 555).

(c) In cases where a State, or an agency, or a political subdivision thereof, reserves minerals, oil, gas, or other inorganic substances, in the conveyance of land to the United States under authorized programs of the Forest Service and there are provisions in the laws of such State or in conditions, rules and regulations promulgated by such State, agency or political subdivision thereof, which the Chief, Forest Service, determines are adequate to protect the interest of the United States in the event of the exercise of such reservation, the Chief, Forest Service, is hereby authorized, in his discretion, to subject the exercise of the reservation to such statutory provisions or such conditions, rules and regulations in lieu of the conditions, rules and regulations set forth in subparagraphs (1) through (7) of paragraph (a) of this section. In that event, such statutory provisions or such conditions, rules and regulations shall be expressed in and made a part of the deed of conveyance to the United States and the reservation shall be exercised thereunder and in obedience thereto.

All regulations heretofore issued by the Secretary of Agriculture to govern the exercise of mineral rights reserved in conveyances of lands to the United States under authorized programs of the Forest Service shall continue to be effective in the cases to which they are applicable, but are hereby superseded as to mineral rights hereafter reserved in conveyances under such programs.

(30 Stat. 35, as amended, 16 U.S.C. 551. Interpret or apply 38 Stat. 961, as amended, 16 U.S.C. 513-519. 42 Stat. 465, as amended, 16 U.S.C. 485, 486, and 50 Stat. 825, as amended, 7 U.S.C. 1011)

Signed at Washington, D.C., on April 30, 1963.

(8) ORVILLE L. FREEMAN,  
Secretary.

- P.O.D. COPY -  
OO: RUCORDER

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