

**When Recorded Mail To:**

Kennecott Utah Copper LLC  
4700 W. Daybreak Parkway, Suite 3S  
South Jordan, Utah 84095  
Attn: Land Management

Kennecott Utah Copper LLC  
4700 W. Daybreak Parkway, Suite 3S  
South Jordan, Utah 84095  
Attn: Legal Department

Magna Water District  
8600 West 2711 South  
Magna, Utah 84044  
Attn: Terry Pollock, General Manager

12049117  
05/12/2015 04:36 PM \$17.00  
Book - 10323 Pg - 5866-5868  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
MAGNA WATER DISTRICT  
8600 WEST 2711 SOUTH  
MAGNA UT 84044  
BY: TJP, DEPUTY - MI 3 P.

Tax Parcel No.: 20-05-300-004-4002

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**SCRIVENER'S AFFIDAVIT**

An Easement Agreement between Kennecott Utah Copper LLC (Grantor) and Magna Water District (Grantee) was recorded in the Salt Lake County Recorder's Office on April 21, 2015, Entry Number 12034235, Book 10316, Page 5189-5204. This document is intended to correct and clarify inadvertent legal description formatting issues, informational call errors, and incorrect property tie bearings and distances.

The changes reflected on this document, affect "Exhibit A to Easement Agreement", "Exhibit B to Easement Agreement" and "Exhibit C to Easement Agreement" of said record Easement Agreement.

Modifications to the said record descriptions do not change or alter the intended or desired location or overall boundaries, acreages or alignments of the parcels, as described in the aforementioned record document. However, the revised descriptions do specifically accomplish the following four (4) tasks: Clear up any ambiguity issues within the record legal description and correct formatting and typographical errors (Exhibit A, B and C); Add a "Less and Excepting" property call and correct improper word use (Exhibit A); Correct and create a new tie to the Point of Beginning (Exhibit B); Clarify the intent and width of a waterline utility easement (Exhibit C).

(Reference Attached Exhibit Descriptions)

## **EXHIBIT A TO EASEMENT AGREEMENT**

### **Legal Description of Grantor Property**

A parcel of land located in the West 1/2 of Section 5, Township 2 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, State of Utah, more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 5, being a found Salt Lake County brass cap monument; Thence running North 89°18'07" West 650.09 feet along the North line of said Section 5, to a point of projection of a private road (8460 West) and the North line of said Section 5 and the Point of Beginning; Thence South 03°44'21" East 92.86 feet to a found aluminum cap stamped "Alliance LS7600"; Thence along the centerline of said private road the following five (5) courses: 1) South 03°44'21" East 685.00 feet, 2) South 01°56'21" East 823.94 feet to a found rebar marking the centerline of said private road, 3) South 01°56'21" East 297.41 feet to a found rebar, 4) South 01°56'21" East 734.54 feet to a found concrete monument, 5) South 02°12'21" East 2603.14 feet to a point on the South line of said Section 5, said point being a found aluminum cap stamped "Alliance LS7600"; Thence North 88°55'52" West 2313.46 feet along the South line of Section 5 to the Southwest Corner of Section 5, being a found rivet in the top of a stone monument; Thence North 00°51'48" East 65.91 feet along the West line of said Section 5 to the Southeast corner of Section 6, being a found rivet in the top of a stone monument set in a dirt mound; Thence North 00°56'25" East 2574.28 feet along the West line of said Section 5 to the West 1/4 Corner, being a found Salt Lake County brass cap monument; Thence North 00°56'18" East 2574.14 feet along the West line of said Section 5 to the Northwest Corner, being a found Salt Lake County brass cap monument; Thence South 89°18'07" East 2014.11 feet along the North line of said Section 5 to the Point of Beginning.

Contains: 260.25 ac +/-

Less and Excepting the right of way and property belonging to the Bingham and Garfield Railroad and APN 20053000030000, Entry Number 6040688 and APN 20051000010000, Entry Number 9938989, as recorded in the Salt Lake County Recorder's Office.

## **EXHIBIT B TO EASEMENT AGREEMENT**

### **Legal Description of Grantee Property**

A parcel of land located in the East half of the Southwest Quarter of Section 5, Township 2 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, State of Utah, more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 5, being a found Salt Lake County brass cap monument; Thence running South 00°03'46" West 3799.86 feet along the Quarter Section Line; Thence West 520.05 feet to a point on the West line of a private road (8460 West) and the Point of Beginning; Thence South 02°12'21" East 656.31 feet along the West side of said road; Thence North 89°55'04" West 243.62 feet; Thence North 30°39'13" East 140.02 feet; Thence North 11°48'55" East 137.48 feet; Thence North 15°35'59" West 87.11 feet; Thence North 25°19'27" East 91.72 feet; Thence North 15°53'41" East 221.72 feet; Thence North 45°05'21" East 29.01 feet; Thence South 89°46'45" East 21.75 feet to the West line of said road and the Point of Beginning.

Contains: 85,469 sq. ft. / 1.96 ac +/-

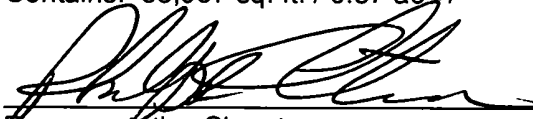
**EXHIBIT C TO EASEMENT AGREEMENT**

**Legal Description of Utility Easement Parcel**

A 10.0 foot wide Permanent and Perpetual Waterline Utility Easement, 5.0 feet on each side of the described centerline, created for the purpose of installing and maintaining a waterline utility. Said easement occupying a portion of an entire tract of land, situated in the West half of Section 5, Township 2 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, State of Utah, centerline more particularly described as follow:

Commencing at the South 1/4 Corner of said Section 5, being a found rebar, Thence running North 88°55'52" West 540.31 feet along the South line of said Section 5; Thence North 01°04'05" East 1338.76 feet to a Point on the west line of a private road (8460 West) and the Point of Beginning; Thence North 45°50'24" East 23.53 feet; Thence North 02°12'21" West 1244.44 feet; Thence North 01°56'21" West 1855.69 feet; Thence North 03°44'21" West 350.26 feet; Thence North 03°18'03" West 318.70 feet; Thence North 87°20'03" East 13.07 feet, more or less, to the Point of Termination, said Point of Termination being a point on the centerline of said private road and a point on the west line of the parcel owned by Magna Water Company, entry number 7874797, as recorded in the Salt Lake County Recorder's Office, said Point of Termination also being South 81°05'37" West 650.78 feet from the North 1/4 Corner of said Section 5, being a found Salt Lake County Brass Cap Monument.

Contains: 38,057 sq. ft. / 0.87 ac +/-

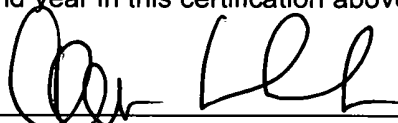
  
\_\_\_\_\_  
Representative Signature

PHILLIP R. CHRISTENSEN, PLS  
\_\_\_\_\_  
Representative Name and Title

State of Utah                    )  
  ) ss  
County of Salt Lake         )

On this 11<sup>th</sup> day of May, in the year 2015, the above representative personally appeared before me, a Notary Public for the State of Utah, who being duly sworn and authorized to prepare and sign this document for and in behalf of Epic Engineering and their client(s), that said affidavit was signed and executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certification above written.

  
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Notary Public for the State of Utah

Residing In: West Jordan, UT

My Commission Expires: 11/01/2015

