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10/12/2012 08:43 AM $0.00
Book - 10065 Pg - 5397-5416
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
MIDVALE CITY
655 W CENTER STREET
MIDVALE UT 84047
BY: SAM, DEPUTY - WI 20 P.

AMENDMENT TO THE OPEN SPACE EXHIBITS IN THE DEVELOPMENT AGREEMENT FOR THE JUNCTION AT MIDVALE PROJECT MIDVALE CITY, UTAH

THIS AMENDMENT TO THE OPEN SPACE EXHIBITS IN THE DEVELOPMENT AGREEMENT ("Amendment") is entered into as of the 23rd day of March, 2012, between ARBOR GARDNER BINGHAM JUNCTION HOLDINGS, LC, a Utah limited liability company ("Developer"), and Midvale City Corporation, a Utah municipal corporation ("Midvale" or "City").

RECITALS

A. The City entered into a certain Development Agreement for the Junction at Midvale area within the Riverwalk Master Planned Development Midvale City, Utah dated November 13, 2007 (the "Development Agreement") with Developer in connection with the development of certain real property commonly referred to as The Junction at Midvale Project, which is a portion of the Bingham Junction Project located in Midvale City, Utah (the "Junction Property"). The Development Agreement was agreed upon and signed by all parties, and recorded with the Salt Lake County Recorder in Book 9999, Pages 8618-8665.

B. The Developer has refined the development and road layout of the Junction Property, and as such, finds it necessary to amend the location of some of the required open space parcels; and

C. The City and the Developer believe that it is in the parties' best interests to amend the Development Agreement in the manner set forth in this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer and the City do hereby amend the Development Agreement as follows:

1. The property covered by this Amendment is more fully described in Exhibit A, attached hereto.

2. Exhibit C shall be replaced with Exhibit C Amended, attached hereto.

3. The Open Space Parcels A-I legal descriptions shall be replaced with Revised Open Space Parcels A-P, attached hereto.

4. Exhibit D shall be replaced with Exhibit D Amended, attached hereto.

6. All other conditions and terms in the original Development Agreement for The Junction at Midvale Project shall remain the same.

(Signatures on Next Page.)

IN WITNESS WHEREOF, this Amendment to the Open Space Exhibits in the Development Agreement for The Junction at Midvale Project has been executed by Midvale City Corporation, acting by and through the Midvale City Council, and by a duly authorized representative of Arbor Gardner Bingham Junction Holdings, LC (Developer), as of the above stated date.

CITY:

MIDVALE CITY STATE OF UTAH INCORPORATED JULY 1, 1909 CORPORATE SEAL

MIDVALE CITY CORPORATION

By: JoAnn B Seghini
JoAnn B Seghini, Mayor

ATTEST:

Rori L. Andreason, MMC
City Recorder

DEVELOPER:

ARBOR GARDNER BINGHAM JUNCTION HOLDINGS, LC, a Utah limited liability company

KC GARDNER COMPANY, LC, a Utah limited liability company

By:
Name:
Its:

Subscribed and sworn to me this 23rd day of March, 2012

Raquel Cortez Cervantes
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 08/26/2014
Commission # 600332

(Notary)

Residing in Salt Lake County, Utah
My commission expires: 08/26/2014

EXHIBIT A

(legal description of The Junction at Midvale)

Bingham Junction Legal Description
(Per Bush & Gudgell, Inc. A.L.T.A. Survey)
(Compiled on July 31, 2007)

LEGAL DESCRIPTION

PARCEL 1

BEGINNING on the West right of way line of 700 West Street at a point which is North 0°17'31" East along the Section line 174.467 feet and North 89°42'29" West 53.00 feet from the East quarter corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 86°33'00" West along the Northerly right of way line of the Union Pacific Railroad (formerly Denver & Rio Grande Western Railroad) 311.026 feet to a point of a 2889.79 foot radius tangent curve to the left; thence Southwesterly along the arc of said curve, and said Northerly right of way line 136.18 feet; and through a central angle of 2°42'00"; thence South 83°51'00" West along said Northerly right of way line 188.153 feet; thence North 6°09'00" West along said Northerly right of way line 25.000 feet; thence South 83°51'00" West along said Northerly right of way line 1193.047 feet; to a point of a 1482.400 foot radius tangent curve to the left; thence Southwesterly along the arc of said curve, and said Northerly right of way line through a central angle of 47°16'49", 1223.27 feet to a point which is said to be on the East bank of the Jordan River; thence South 83°00'00" West along said East bank 40.061 feet; thence North 25°19'00" West along said East bank 38.600 feet; thence North 16°07'00" East along said East bank 62.200 feet; thence North 30°53'00" East along said East bank 101.900 feet; thence North 27°10'00" East along said East bank 175.600 feet; thence North 18°42'00" East along said East bank 35.600 feet; thence North 23°22'00" East along said East bank 96.200 feet; thence North 5°23'00" East along said East bank 96.600 feet; thence North 6°25'00" East along said East bank 234.300 feet; thence North 13°20'00" West along said East bank 131.180 feet; thence North 2°00'00" West along said East bank 14.870 feet; thence departing from the said East bank of the Jordan River, and running thence North 25°00'00" East 132.00 feet; thence North 44°00'00" East 99.000 feet; thence North 37°00'00" West 132.00 feet; thence North 29°00'00" West 131.070 feet to a point which is said to be on the East bank of the Jordan River; thence North 5°54'00" West along said East bank 151.080 feet; thence North 2°42'00" West along said East bank 215.900 feet; thence North 4°40'00" West along said East bank 258.300 feet; thence North 2°28'00" West along said East bank 267.000 feet; thence North 4°31'00" West along said East bank 129.500 feet; thence North 4°23'00" West along said East bank 3.63 feet; thence North 5°36'01" West along said East bank 211.677 feet; thence North 0°01'31" West along said East bank 40.00 feet; thence North 4°03'48" West along said East bank 362.429 feet to the Southerly right of way line of said 7200 South Street (Jordan River Boulevard) ; thence departing said East bank of the Jordan River, and running thence North 89°20'39" East along said Southerly right of way line 275.460 feet to a point of a 1369.900 foot radius tangent curve to the right; thence Southeasterly along the arc of said curve and said Southerly right of way line, through a central angle of 27°43'14", 662.775 feet; thence South 16°21'22" East along said Southerly right of way line 34.700 feet; thence South 60°18'00" East along said Southerly right of way line 76.00 feet; thence North 75°45'23" East along said Southerly right of way line 34.700 feet to a point on a 1369.900 foot radius curve to the right, the center of said curve being South 32°20'07" West; thence Southeasterly along the arc of said curve to the right, and said Southerly right of way line 369.940 feet; thence South 42°11'31" East 215.550 feet to a point of a 1335.740 foot radius tangent curve to the left; thence Southeasterly along the arc of said curve and said Southerly right of way line through a central angle of 12°03'18", 281.038 feet; thence South 10°51'59" East along said Southerly right of way line 36.020 feet; thence South 56°56'59" East along said Southerly right of way line 75.99 feet; thence North 76°58'02" East along said Southerly right of way line 36.010 feet to a point on a 1335.740 foot radius curve to the left, the center of said curve being North 30°20'51" East; thence Southeasterly along the arc of said curve and said Southerly right of way line through a central angle of 30°11'59", 704.050 feet; thence South 89°51'08" East along said Southerly right of way line 383.770 feet; thence South 44°46'48" East along said Southerly right of way line 35.310 feet to the West right of way line of 700 West Street; thence South 0°17'31" West along said West right of way line 1158.073 feet to the point of BEGINNING. Contains 115.28 acres.

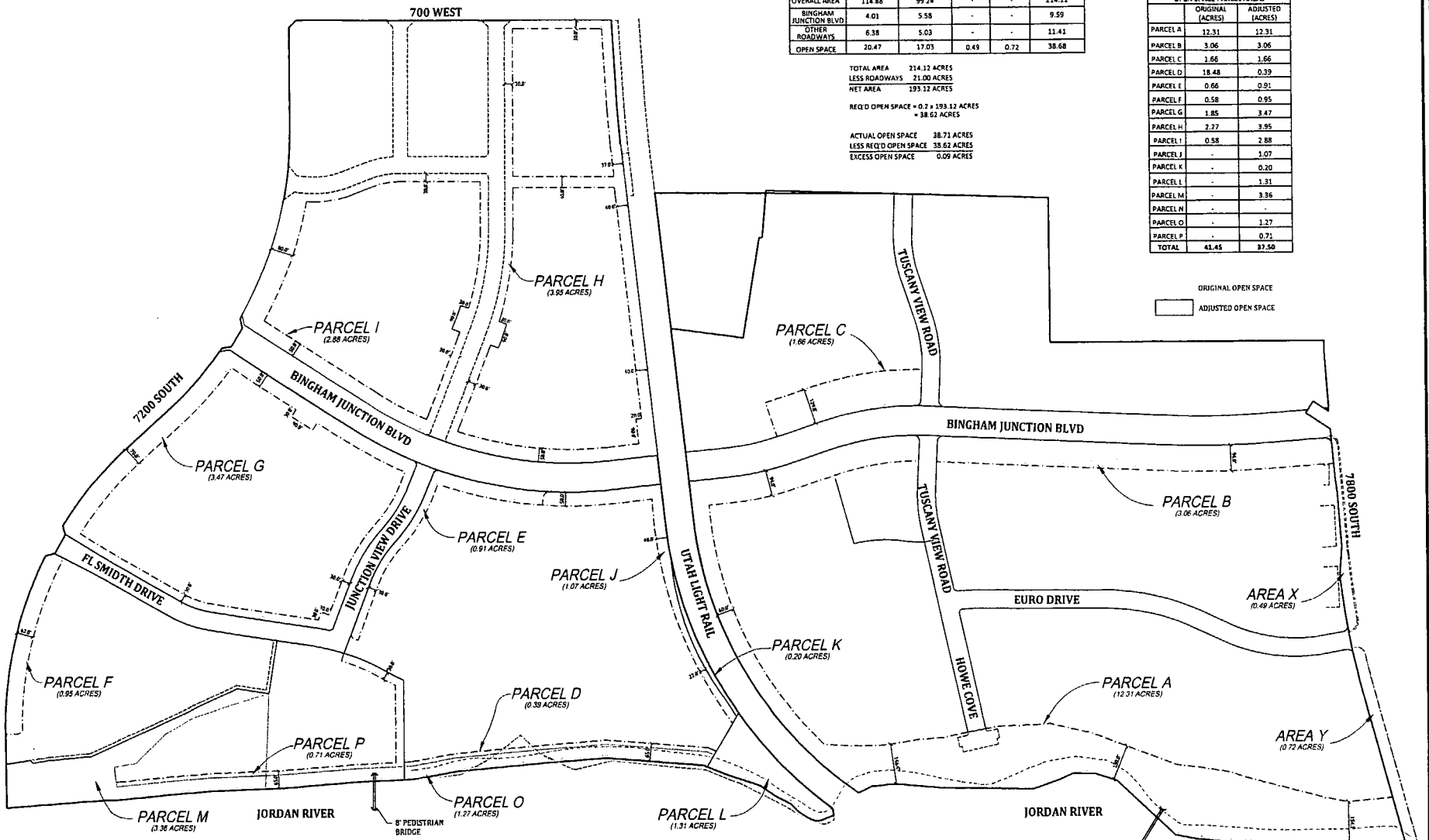
EXCEPTING FROM SAID PARCEL 1 any portion lying below the mean high water mark of the Jordan River

PARCEL 2

BEGINNING South 0°08'36" West along the Section line 345.595 feet and West 670.489 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 1°43'31" West 1016.338 feet; thence South 89°52'31" West 526.000 feet; thence South 0°07'29" East 983.650 feet to the North right of way line of Utah Highway 48 (7800 South); thence North 89°34'30" West along said North right of way line 45.630 feet; thence South.85°46'23" West along said North right of way line 208.990 feet; thence North 33°13'37" East 67.555 feet; thence North 56°46'23" West 50.000 feet; thence South 33°13'37" West 105.857 feet to the North right of way line of Utah Highway 48 (7800 South); thence South 85°46'23" West along said North right of way line 28.720 feet; thence South 84°41'58" West along said North right of way line 149.070 feet; thence South 81°39'53" West along said North right of way line 50.150 feet; thence South 85°21'15" West along said North right of way line 199.020 feet; thence North 85°48'46" West along said North right of way line 103.290 feet to a point on a 2936.900 foot radius curve to the left, the center of said curve to the left being South 6°28'04" East; thence along the arc of said curve, and said North right of way line through a central angle of 8°43'56", 447.601 feet; thence South 74°48'00" West along said North right of way line 559.220 feet to a point which is said to be on the East bank of the Jordan River; thence North 2°17'00" East along said East bank 175.330 feet; thence North 0°51'00" West along said East bank 218.400 feet; thence North 1°40'00" East along said East bank 75.100 feet; thence North 3°47'00" East along said East bank 150.600 feet; thence North 5°44'00" East along said East bank 142.600 feet; thence North 11°16'00" East along said East bank 74.100 feet; thence North 43°20'00"East along said East bank 285.400 feet; thence North 18°52'00" East along said East bank 78.800 feet; thence North 1°48'00" East along said East bank 77.700 feet; thence North 25°02'00" West along said East bank 52.200 feet; thence North 20°02'00" West along said East bank 99.000 feet; thence North 0°50'00" East along said East bank 338.800 feet; thence North 5°12'00" East along said East bank 160.100 feet; thence North 5°34'00" West along said East bank 88.000 feet; thence North 27°04'23" West along said East bank 52.017 feet to the South right of way line of the Union Pacific Railroad (formerly Denver & Rio Grande Western Railroad) and a point on a 1382.400 foot radius curve to the right, the center of said curve being South 55°09'56" East; thence departing from said East bank of the Jordan River Northeasterly along the arc of said curve to the right, and said South right of way line through a central angle of 49°00'56", 1182.620 feet; thence North 83°51'00" East along said South right of way line 696.511 feet; thence South 7°50'31" West 257.241 feet; thence South 80°29'54" East 369.390 feet; thence South 11°11'23" East 11.600 feet; thence South 84°51'35" East 168.820 feet to the point of BEGINNING. Contains 99.89 acres.

EXCEPTING FROM SAID PARCEL 2 any portion lying below the mean high water mark of the Jordan River

EXHIBIT C AMENDED



	NORTH AREA (ACRES)	SOUTH AREA (ACRES)	AREA X (ACRES)	AREA Y (ACRES)	TOTAL AREA (ACRES)
OVERALL AREA	114.88	99.24	-	-	214.12
BINGHAM JUNCTION BLVD	4.01	5.58	-	-	9.59
OTHER ROADWAYS	6.38	5.03	-	-	11.41
OPEN SPACE	20.47	17.03	0.49	0.72	38.68

TOTAL AREA 214.12 ACRES
LESS ROADWAYS 21.00 ACRES
NET AREA 193.12 ACRES

REQ'D OPEN SPACE = 0.2 x 193.12 ACRES
= 38.62 ACRES

ACTUAL OPEN SPACE 38.71 ACRES
LESS REQ'D OPEN SPACE 38.62 ACRES
EXCESS OPEN SPACE 0.09 ACRES

OPEN SPACE PARCEL AREAS		
	ORIGINAL (ACRES)	ADJUSTED (ACRES)
PARCEL A	12.31	12.31
PARCEL B	3.06	3.06
PARCEL C	1.66	1.66
PARCEL D	18.48	0.39
PARCEL E	0.66	0.91
PARCEL F	0.58	0.95
PARCEL G	1.85	3.47
PARCEL H	2.27	3.95
PARCEL I	0.58	2.88
PARCEL J	-	1.07
PARCEL K	-	0.20
PARCEL L	-	1.31
PARCEL M	-	3.36
PARCEL N	-	-
PARCEL O	-	1.27
PARCEL P	-	0.71
TOTAL	41.45	37.50

ORIGINAL OPEN SPACE

ADJUSTED OPEN SPACE

HORIZONTAL GRAPHIC SCALE

DATE: February 21, 2012

ENSIGN
SALT LAKE CITY
90 E. Fort Union Blvd
Suite 100
Midvale UT 84047
Phone: 801.255.0529
Fax: 801.255.4449
LAYTON
Phone: 801.547.1100
PLEASANT GROVE
Phone: 801.796.8145
TOOELE
Phone:435.843.3590
WWW.ENSIGNUTAH.COM
ARBOR GARDNER BINGHAM JUNCTION HOLDINGS, LLC
PHONE:
FAX:

BINGHAM JUNCTION OPEN SPACE EXHIBIT

MIDVALE CITY, UTAH

OPEN SPACE EXHIBIT

C 1.0

BK 10065 PG 5404

Parcel A
All of Parcel 'A' as shown on the Junction at Midvale – West Residential Plat recorded November 21, 2007 as Entry No. 10282399, in Book 2007P, at Page 453 of Official Records

Parcel B
All of Parcel 'B' as shown on the Junction at Midvale – West Residential Plat recorded November 21, 2007 as Entry No. 10282399, in Book 2007P, at Page 453 of Official Records

Parcel C
All of Parcel 'C' as shown on the Junction at Midvale – Northeast Residential Plat recorded November 21, 2007 as Entry No. 10282398, in Book 2007P, at Page 452 of Official Records.

Parcel D
Beginning at a point being South 152.51 feet and West 2,695.15 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 60°11'12" West 15.12 feet;
thence North 22°44'22" East 29.07 feet;
thence North 04°40'24" East 355.36 feet;
thence North 04°23'12" West 234.08 feet;
thence North 05°21'06" West 323.49 feet;
thence North 10°11'50" West 154.32 feet;
thence North 02°42'00" West 26.63 feet;
thence East 15.02 feet;
thence South 02°42'00" East 24.94 feet;
thence South 10°11'50" East 153.98 feet;
thence South 05°21'06" East 324.25 feet;
thence South 04°23'12" East 235.39 feet;
thence South 04°40'24" West 358.94 feet;
thence South 22°44'22" West 33.31 feet to the point of beginning.

Contains 16,908 Square Feet or 0.388 Acres

Parcel E
Beginning at a point on the Westerly Right-of-Way Line of Bingham Junction Boulevard, said point being North 00°17'30" East 436.40 feet along the Section Line and West 1,757.86 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Northwesterly 38.28 feet along the arc of a 25.00 foot radius curve to the left (center bears North 86°56'57" West and the chord bears North 40°48'33" West 34.64 feet with a central angle of 87°43'13");
thence North 84°40'09" West 25.80 feet;
thence Northeasterly 387.51 feet along the arc of a 1,483.00 foot radius curve to the right (center bears South 85°56'35" East and the chord bears North 11°32'34" East 386.41 feet with a central angle of 14°58'18");
thence North 68°31'47" West 41.36 feet;

thence Northwesterly 220.61 feet along the arc of a 609.71 foot radius curve to the right (center bears North 21°28'13" East and the chord bears North 58°09'51" West 219.41 feet with a central angle of 20°43'52");

thence Northwesterly 173.11 feet along the arc of a 447.19 foot radius curve to the left (center bears South 42°12'05" West and the chord bears North 58°53'18" West 172.03 feet with a central angle of 22°10'46");

thence North 69°58'41" West 200.97 feet;

thence Northeasterly 14.80 feet along the arc of a 820.32 foot radius curve to the left (center bears North 69°43'28" West and the chord bears North 19°45'32" East 14.80 feet with a central angle of 01°02'00");

thence Northeasterly 23.77 feet along the arc of a 15.00 foot radius curve to the right (center bears South 70°45'28" East and the chord bears North 64°37'56" East 21.36 feet with a central angle of 90°46'47") to the Southerly Right-of-Way Line of Junction View Drive;

thence South 69°58'41" East 186.04 feet along the Southerly Right-of-Way Line of said Junction View Drive;

thence Southeasterly 184.72 feet along the arc of a 477.19 foot radius curve to the right (center bears South 20°01'19" West and the chord bears South 58°53'18" East 183.57 feet with a central angle of 22°10'46") along the Southerly Right-of-Way Line of said Junction View Drive;

thence Southeasterly 209.75 feet along the arc of a 579.71 foot radius curve to the left (center bears North 42°12'05" East and the chord bears South 58°09'51" East 208.61 feet with a central angle of 20°43'52") along the Southerly Right-of-Way Line of said Junction View Drive;

thence South 68°31'47" East 75.82 feet along the Southerly Right-of-Way Line of said Junction View Drive;

thence Southeasterly 23.06 feet along the arc of a 15.00 foot radius curve to the right (center bears South 21°28'13" West and the chord bears South 24°28'59" East 20.86 feet with a central angle of 88°05'36") along the Southerly Right-of-Way Line of said Junction View Drive to the Westerly Right-of-Way Line of Bingham Junction Boulevard;

thence Southwesterly 412.95 feet along the arc of a 1,433.00 foot radius curve to the left (center bears South 70°26'17" East and the chord bears South 11°18'23" West 411.53 feet with a central angle of 16°30'40") along the Westerly Right-of-Way Line of said Bingham Junction Boulevard to the point of beginning.

Contains 39,641 Square Feet or 0.910 Acres

Parcel F

All of Parcel 'A' as shown on the Junction at Bingham Plat recorded November 3, 2009 as Entry No. 10830846, in Book 2009P, at Page 158 of Official Records.

Parcel G

Beginning at a the intersection of 7200 South Street and Bingham Junction Boulevard, said point being North 00°17'30" East 1,619.55 feet along the Section Line and West 1,252.37 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 10°49'35" East 37.16 feet along the Westerly Right-of-Way Line of said Bingham Junction Boulevard;

thence South 33°11'04" West 389.84 feet along the Westerly Right-of-Way Line of said Bingham Junction Boulevard;

thence South 33°11'04" West 134.20 feet along the Westerly Right-of-Way Line of said Bingham Junction Boulevard;

thence Southwesterly 245.68 feet along the arc of a 1,433.45 foot radius curve to the left (center bears South 56°48'56" East and the chord bears South 28°16'28" West 245.38 feet with a central angle of 09°49'12") along the Westerly Right-of-Way Line of said Bingham Junction Boulevard to the Northerly Right-of-Way Line of Junction View Drive;

thence Southwesterly 23.07 feet along the arc of a 15.00 foot radius curve to the right (center bears North 66°38'08" West and the chord bears South 67°25'00" West 20.86 feet with a central angle of 88°06'15") along the Northerly Right-of-Way Line of said Junction View Drive;

thence North 68°31'47" West 75.81 feet along the Northerly Right-of-Way Line of said Junction View Drive;

thence Northwesterly 185.87 feet along the arc of a 513.71 foot radius curve to the right (center bears North 21°28'13" East and the chord bears North 58°09'51" West 184.86 feet with a central angle of 20°43'52") along the Northerly Right-of-Way Line of said Junction View Drive;

thence Northwesterly 210.27 feet along the arc of a 543.19 foot radius curve to the left (center bears South 42°12'05" West and the chord bears North 58°53'18" West 208.96 feet with a central angle of 22°10'46") along the Northerly Right-of-Way Line of said Junction View Drive;

thence North 69°58'41" West 186.76 feet along the Northerly Right-of-Way Line of said Junction View Drive;

thence Northwesterly 21.66 feet along the arc of a 15.00 foot radius curve to the right (center bears North 20°01'19" East and the chord bears North 28°36'22" West 19.83 feet with a central angle of 82°44'39") along the Northerly Right-of-Way Line of said Junction View Drive to the Easterly Right-of-Way Line of FL Smidth Drive;

thence Northeasterly 58.39 feet along the arc of a 833.00 foot radius curve to the left (center bears North 77°14'02" West and the chord bears North 10°45'28" East 58.38 feet with a central angle of 04°00'59") along the Easterly Right-of-Way Line of said FL Smidth Drive;

thence North 08°44'58" East 362.64 feet along the Easterly Right-of-Way Line of said FL Smidth Drive;

thence Northeasterly 134.20 feet along the arc of a 367.00 foot radius curve to the right (center bears South 81°15'02" East and the chord bears North 19°13'29" East 133.45 feet with a central angle of 20°57'02") along the Easterly Right-of-Way Line of said FL Smidth Drive;

thence North 29°42'00" East 266.26 feet along the Easterly Right-of-Way Line of said FL Smidth Drive;

thence North 31°36'33" East 209.91 feet along the Easterly Right-of-Way Line of said FL Smidth Drive;

thence North 75°45'23" East 31.93 feet along the Easterly Right-of-Way Line of said FL Smidth Drive to the Southerly Right-of-Way Line of 7200 South Street;

thence Southeasterly 369.94 feet along the arc of a 1,373.28 foot radius curve to the right (center bears South 32°21'37" West and the chord bears South 49°55'21" East 368.82 feet with a central angle of 15°26'05") along the Southerly Right-of-Way Line of said 7200 South Street;

thence South 42°11'31" East 215.55 feet along the Southerly Right-of-Way Line of said 7200 South Street;

thence Southeasterly 265.84 feet along the arc of a 1,333.82 foot radius curve to the left (center bears North 47°48'29" East and the chord bears South 47°54'06" East 265.40 feet with a central angle of 11°25'10") along the Southerly Right-of-Way Line of said 7200 South Street;

thence South 52°35'23" West 72.78 feet;

thence Northwesterly 259.49 feet along the arc of a 1,405.74 foot radius curve to the right (center bears North 37°13'54" East and the chord bears North 47°28'49" West 259.12 feet with a central angle of 10°34'35");

thence North 42°11'31" West 215.55 feet;

thence Northwesterly 342.39 feet along the arc of a 1,299.90 foot radius curve to the left (center bears South 47°48'29" West and the chord bears North 49°44'16" West 341.40 feet with a central angle of 15°05'30");
thence South 31°36'33" West 162.15 feet;
thence South 29°42'00" West 265.78 feet;
thence Southwesterly 121.34 feet along the arc of a 337.00 foot radius curve to the left (center bears South 60°18'00" East and the chord bears South 19°23'06" West 120.69 feet with a central angle of 20°37'48");
thence South 08°44'58" West 381.43 feet;
thence South 69°58'41" East 30.29 feet;
thence South 20°01'19" West 30.00 feet;
thence South 69°58'41" East 148.02 feet;
thence Southeasterly 221.88 feet along the arc of a 573.19 foot radius curve to the right (center bears South 20°01'19" West and the chord bears South 58°53'18" East 220.50 feet with a central angle of 22°10'46");
thence Southeasterly 175.02 feet along the arc of a 483.71 foot radius curve to the left (center bears North 42°12'05" East and the chord bears South 58°09'51" East 174.07 feet with a central angle of 20°43'52");
thence South 68°31'47" East 41.35 feet;
thence Northeasterly 240.36 feet along the arc of a 1,483.00 foot radius curve to the right (center bears South 66°06'06" East and the chord bears North 28°32'29" East 240.09 feet with a central angle of 09°17'10");
thence North 33°11'04" East 117.51 feet;
thence North 56°48'56" West 30.00 feet;
thence North 33°11'04" East 90.00 feet;
thence South 56°48'56" East 30.00 feet;
thence North 33°11'04" East 274.66 feet;
thence North 52°35'23" East 72.78 feet to the point of beginning.

Contains 151,173 square feet or 3.470 acres

Parcel H

Beginning at a point on the Westerly Right-of-Way Line of 700 West Street, said point being North 00°17'30" East 565.77 feet along the Section Line and West 53.00 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 00°17'30" West 365.99 feet along the Westerly Right-of-Way Line of said 700 West Street;
thence South 86°33'00" West 312.68 feet;
thence South 85°12'00" West 137.34 feet;
thence South 83°51'00" West 188.15 feet;
thence South 83°50'59" West 943.02 feet to the Easterly Right-of-Way Line of Bingham Junction Boulevard;
thence North 06°11'37" West 169.67 feet along the Easterly Right-of-Way Line of said Bingham Junction Boulevard;
thence Northeasterly 594.85 feet along the arc of a 1,327.00 foot radius curve to the right (center bears North 83°48'23" East and the chord bears North 06°38'54" East 589.88 feet with a central angle of 25°41'01") along the Easterly Right-of-Way Line of said Bingham Junction Boulevard;
thence Northeasterly 24.11 feet along the arc of a 15.00 foot radius curve to the right (center bears South 70°30'36" East and the chord bears North 65°31'50" East 21.59 feet with a central angle of 92°04'51");
thence South 68°25'45" East 399.99 feet;
thence Southeasterly 382.53 feet along the arc of a 1,030.00 foot radius curve to the left (center bears North 21°34'15" East and the chord bears South 79°04'08" East 380.34 feet with a central angle of 21°16'45");
thence South 89°42'30" East 737.57 feet;
thence South 44°42'30" East 32.52 feet;
thence South 77°09'11" West 30.81 feet;
thence North 89°42'30" West 730.57 feet;
thence Northwesterly 336.37 feet along the arc of a 1,060.00 foot radius curve to the right (center bears North 00°17'30" East and the chord bears North 80°37'03" West 334.96 feet with a central angle of 18°10'55");
thence South 21°40'45" West 30.05 feet;
thence Northwesterly 57.24 feet along the arc of a 1,090.00 foot radius curve to the right (center bears North 18°33'42" East and the chord bears North 69°56'01" West 57.24 feet with a central angle of 03°00'32");
thence North 68°25'45" West 32.79 feet;
thence North 21°40'45" East 30.00 feet;
thence North 68°25'45" West 331.59 feet;
thence Southwesterly 556.18 feet along the arc of a 1,277.00 foot radius curve to the left (center bears South 71°14'20" East and the chord bears South 06°17'01" West 551.80 feet with a central angle of 24°57'17");
thence South 06°11'37" East 109.68 feet;
thence North 83°50'59" East 90.00 feet;
thence South 06°11'37" East 20.00 feet;
thence North 83°50'59" East 803.08 feet;
thence North 83°51'00" East 36.16 feet;
thence North 00°17'30" East 368.89 feet;

thence South 89°42'30" East 40.00 feet;
thence South 00°17'30" West 367.39 feet;
thence North 83°51'00" East 112.08 feet;
thence Northeasterly 139.10 feet along the arc of a 2,951.79 foot radius curve to the right (center bears South 06°09'00" East and the chord bears North 85°12'00" East 139.09 feet with a central angle of 02°42'00");
thence North 86°33'00" East 285.03 feet;
thence North 00°17'30" East 323.87 feet;
thence North 77°09'11" East 30.81 feet to the point of beginning.

Contains 172,045 Square Feet or 3.949 Acres

Parcel I

Beginning at a the intersection of 7200 South Street and Bingham Junction Boulevard, said point being North 00°17'30" East 1,533.64 feet along the Section Line and West 1,119.83 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Southeasterly 448.10 feet along the arc of a 1,335.74 foot radius curve to the left (center bears North 29°38'28" East and the chord bears South 69°58'10" East 446.00 feet with a central angle of 19°13'15") along the Southerly Right-of-Way Line of said 7200 South Street;
thence South 35°53'18" East 45.79 feet;
thence South 07°48'12" West 25.29 feet;
thence Southeasterly 169.21 feet along the arc of a 330.00 foot radius curve to the left (center bears South 82°11'48" East and the chord bears South 06°53'09" East 167.36 feet with a central angle of 29°22'42");
thence South 21°34'30" East 79.54 feet;
thence Southeasterly 103.04 feet along the arc of a 270.00 foot radius curve to the right (center bears South 68°25'30" West and the chord bears South 10°38'30" East 102.42 feet with a central angle of 21°52'00");
thence South 00°17'30" West 311.35 feet;
thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°42'30" West and the chord bears South 45°17'30" West 21.21 feet with a central angle of 90°00'00");
thence North 89°42'30" West 192.24 feet;
thence Northwesterly 360.25 feet along the arc of a 970.00 foot radius curve to the right (center bears North 00°17'30" East and the chord bears North 79°04'07" West 358.18 feet with a central angle of 21°16'45");
thence North 68°25'45" West 400.17 feet;
thence Northwesterly 24.05 feet along the arc of a 15.00 foot radius curve to the right (center bears North 21°34'15" East and the chord bears North 22°30'11" West 21.55 feet with a central angle of 91°51'07") to the Easterly Right-of-Way Line of Bingham Junction Boulevard;
thence Northeasterly 226.08 feet along the arc of a 1,327.00 foot radius curve to the right (center bears South 66°34'43" East and the chord bears North 28°18'08" East 225.81 feet with a central angle of 09°45'41") along the Easterly Right-of-Way Line of said Bingham Junction Boulevard;
thence North 33°11'04" East 524.32 feet along the Easterly Right-of-Way Line of said Bingham Junction Boulevard;

thence North 76°58'02" East 37.23 feet along the Easterly Right-of-Way Line of said Bingham Junction Boulevard;

thence South 16°01'42" West 82.18 feet;

thence South 33°11'04" West 472.68 feet;

thence Southwesterly 201.42 feet along the arc of a 1,277.00 foot radius curve to the left (center bears South 56°48'56" East and the chord bears South 28°39'57" West 201.21 feet with a central angle of 09°02'14");

thence South 68°25'45" East 333.94 feet;

thence North 21°34'15" East 30.00 feet;

thence South 68°25'45" East 30.63 feet;

thence Southeasterly 59.77 feet along the arc of a 910.00 foot radius curve to the left (center bears North 21°34'15" East and the chord bears South 70°18'39" East 59.76 feet with a central angle of 03°45'49");

thence South 17°29'30" West 30.00 feet;

thence Southeasterly 287.20 feet along the arc of a 940.00 foot radius curve to the left (center bears North 17°47'50" East and the chord bears South 80°57'20" East 286.08 feet with a central angle of 17°30'20");

thence South 89°42'30" East 177.24 feet;

thence North 00°17'30" East 296.35 feet;

thence Northwesterly 91.60 feet along the arc of a 240.00 foot radius curve to the left (center bears North 89°42'30" West and the chord bears North 10°38'30" West 91.04 feet with a central angle of 21°52'00");

thence North 21°34'30" West 79.54 feet;

thence Northwesterly 162.80 feet along the arc of a 360.00 foot radius curve to the right (center bears North 68°25'30" East and the chord bears North 08°37'12" West 161.41 feet with a central angle of 25°54'36");

thence Northwesterly 461.54 feet along the arc of a 1,415.74 foot radius curve to the right (center bears North 10°10'46" East and the chord bears North 70°28'52" West 459.50 feet with a central angle of 18°40'44");

thence North 16°01'42" East 82.18 feet to the point of beginning.

Contains 125,702 Square Feet or 2.886 Acres

Parcel J

Beginning at a point on the Westerly Right-of-Way Line of Bingham Junction Boulevard, said point being North 00°17'30" East 436.40 feet along the Section Line and West 1,757.86 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Southeasterly 231.21 feet along the arc of a 1,433.00 foot radius curve to the left (center bears South 86°56'57" East and the chord bears South 01°34'17" East 230.96 feet with a central angle of 09°14'40") along the Westerly Right-of-Way Line of said Bingham Junction Boulevard;

thence South 06°11'37" East 169.59 feet along the Westerly Right-of-Way Line of said Bingham Junction Boulevard;

thence South 83°50'59" West 144.01 feet;

thence Southwesterly 104.80 feet along the arc of a 1,482.40 foot radius curve to the left (center bears South 06°09'00" East and the chord bears South 81°49'29" West 104.78 feet with a central angle of 04°03'02");

thence South 82°43'42" West 85.64 feet;
thence Southwesterly 446.04 feet along the arc of a 1,032.45 foot radius curve to the left (center bears South 08°37'16" East and the chord bears South 69°00'09" West 442.58 feet with a central angle of 24°45'11");
thence South 56°37'33" West 112.01 feet;
thence North 60°11'12" West 29.38 feet;
thence Northeasterly 868.53 feet along the arc of a 1,522.40 foot radius curve to the right (center bears South 35°17'57" East and the chord bears North 71°02'40" East 856.80 feet with a central angle of 32°41'14");
thence North 06°11'37" West 132.39 feet;
thence Northwesterly 265.32 feet along the arc of a 1,483.00 foot radius curve to the right (center bears North 83°48'23" East and the chord bears North 01°04'06" West 264.97 feet with a central angle of 10°15'02");
thence South 84°40'09" East 25.80 feet;
thence Southeasterly 38.28 feet along the arc of a 25.00 foot radius curve to the right (center bears South 05°19'51" West and the chord bears South 40°48'33" East 34.64 feet with a central angle of 87°43'13") to the point of beginning.

Contains 46,555 Square Feet or 1.069 Acres

Parcel K
All of Parcel 'K' as shown on the Junction at Bingham Phase 2 Plat recorded June 25, 2010 as Entry No. 10977683, in Book 2010P, at Page 109 of Official Records.

Parcel L
All of Parcel 'L' as shown on the Junction at Bingham Phase 2 Plat recorded June 25, 2010 as Entry No. 10977683, in Book 2010P, at Page 109 of Official Records.

Parcel M
Beginning at a point on the Southerly Right-of-Way Line of 7200 South Street, said point being North 00°17'30" East 2,405.64 feet along the Section Line and West 2,743.74 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 08°31'25" East 89.18 feet;
thence South 44°32'13" West 14.14 feet;
thence South 08°32'11" East 62.09 feet;
thence South 05°01'43" East 148.71 feet;
thence South 24°35'48" East 587.05 feet;
thence South 08°44'46" West 117.93 feet;
thence North 17°22'41" West 291.56 feet;
thence North 30°04'47" West 116.91 feet;
thence North 44°47'02" West 151.94 feet;
thence North 08°54'05" West 79.01 feet;
thence South 83°48'36" West 72.18 feet;
thence South 05°36'01" East 209.56 feet;
thence South 04°31'00" East 134.94 feet;

thence South 02°28'00" East 266.80 feet;
thence South 04°40'00" East 258.34 feet;
thence South 02°42'00" East 168.11 feet;
thence West 50.06 feet;
thence North 02°42'00" West 164.89 feet;
thence North 04°40'00" West 258.44 feet;
thence North 02°28'00" West 266.86 feet;
thence North 04°31'00" West 133.58 feet;
thence North 05°36'01" West 211.23 feet;
thence North 00°01'31" West 40.00 feet;
thence North 04°03'48" West 362.43 feet to the Southerly Right-of-Way Line of said 7200 South Street;
thence North 89°20'39" East 160.41 feet along the Southerly Right-of-Way Line of said 7200 South Street to the point of beginning.

Contains 146,390 Square Feet or 3.361 Acres

Parcel O
All of Parcel 'O' as shown on the Junction at Bingham Phase 2 Plat recorded June 25, 2010 as Entry No. 10977683, in Book 2010P, at Page 109 of Official Records.

Parcel P
Beginning at a point being North 00°17'30" East 1,181.08 feet along the Section Line and West 2,340.19 feet from the East Quarter Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Southwesterly 159.12 feet along the arc of a 760.32 foot radius curve to the right (center bears North 71°57'56" West and the chord bears South 24°01'48" West 158.83 feet with a central angle of 11°59'28");
thence Southwesterly 74.56 feet along the arc of a 866.33 foot radius curve to the left (center bears South 59°54'21" East and the chord bears South 27°37'43" West 74.54 feet with a central angle of 04°55'53");
thence West 311.30 feet;
thence North 02°42'00" West 168.11 feet;
thence North 04°40'00" West 258.34 feet;
thence North 02°28'00" West 266.80 feet;
thence North 04°31'00" West 134.94 feet;
thence North 05°36'01" West 209.56 feet;
thence North 83°48'36" East 15.12 feet;
thence South 00°01'31" East 1.19 feet;
thence South 05°36'01" East 208.68 feet;
thence South 04°31'00" East 135.35 feet;
thence South 02°28'00" East 266.78 feet;
thence South 04°40'00" East 258.31 feet;
thence South 02°42'00" East 139.04 feet;
thence East 278.87 feet;

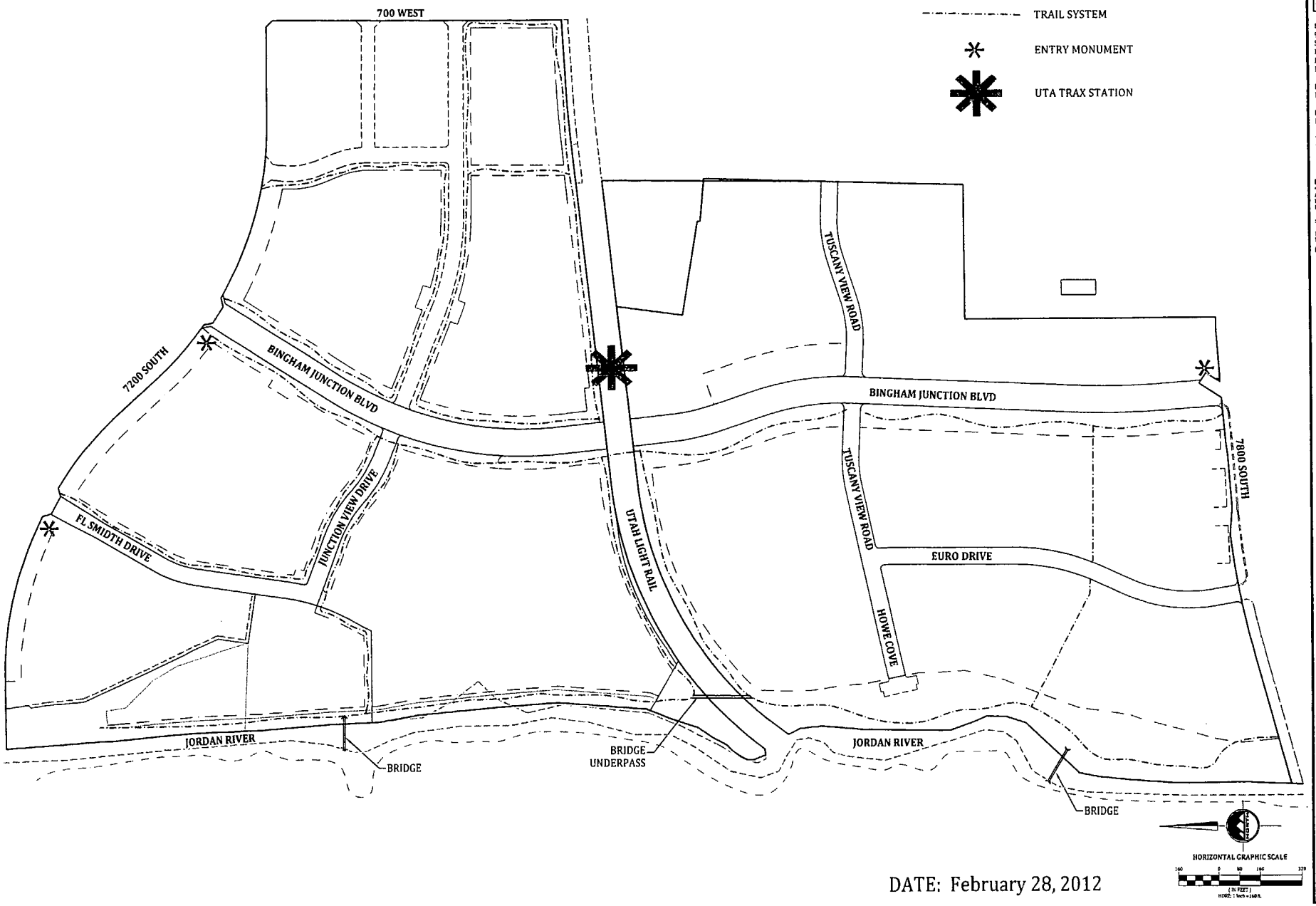
thence Northeasterly 58.01 feet along the arc of a 896.33 foot radius curve to the right (center bears South 63°36'47" East and the chord bears North 28°14'28" East 58.00 feet with a central angle of 03°42'29");

thence Northeasterly 153.84 feet along the arc of a 719.51 foot radius curve to the left (center bears North 59°54'18" West and the chord bears North 23°58'11" East 153.55 feet with a central angle of 12°15'02");

thence South 69°58'41" East 30.07 feet to the point of beginning.

Contains 30,887 Square Feet or 0.709 Acres

EXHIBIT D AMENDED



DATE: February 28, 2012

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ARBOR GARDNER
BINGHAM JUNCTION
HOLDINGS, LLC

PHONE:
FAX:

BINGHAM JUNCTION OPEN SPACE EXHIBIT

MIDVALE CITY, UTAH

TRAIL SYSTEM EXHIBIT

2/28/12

C 1.0

BK 10065 PG 5416