

After recording, return to:
Salt Lake City Department of Airports
Planning and Environment
P.O. Box 145550
Salt Lake City, Utah 84114-5550

13585631
3/3/2021 3:59:00 PM \$40.00
Book - 11129 Pg - 7761-7770
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 10 P.

AVIGATION EASEMENT

Avigation Easement affecting county tax parcel number (s): 08-34-353-032-0000, 08-34-353-038-0000.

NORTH TEMPLE LIHTC, LLC
(Recorded Owner)

and conveys to SALT LAKE CITY CORPORATION, ("Grantee"), for good and valuable consideration given by the Grantee to the Grantor, the receipt and sufficiency of which is hereby acknowledged, a perpetual and assignable easement in the airspace above and over the parcel of land described in Exhibit "A" (the "Real Property"), for the free and unrestricted passage of aircraft of any and all kinds in, through, across and about the airspace over the Real Property, and all other aeronautical activities therein. The airspace shall mean that space above the Real Property that is above the height limit established for the Salt Lake City International Airport by the Salt Lake City Code, which for the Real Property is that space above the flat plain 4,377.4' feet mean sea level, as determined by U.S.G.S. datum coterminous with the boundaries of the Real Property (the "Airspace").

This easement is granted under the condition that the civil aircraft yearly average noise level does not exceed 75 LDN for Zone B and 65 LDN for Zone C as

those zones are described in Figure 3-1 of the Salt Lake City International Airport Land Use Policy Plan dated August, 1982, as amended from time to time, which may be obtained from the Salt Lake City Department of Airports (the "Plan"), or the equivalent to 65 LDN or 75 LDN, as appropriate, if a designation other than LDN is adopted by the U.S. Federal Government and is recognized as the generally accepted environmental noise descriptor. Zone A, as described in the Plan, shall not be restricted to any maximum yearly average noise level. This easement shall not be in effect during any period the maximum yearly average noise level is exceeded by civil aircraft in Zone B or Zone C. However, on all other portions of the Real Property where it cannot be proven that the maximum noise levels have been exceeded, this easement shall remain in full force and effect.

Grantor further agrees that this easement and the rights hereby granted to the Grantee are for the purpose of insuring that the Airspace remains free and clear for the flight of aircraft landing at or taking off from or otherwise using the Salt Lake City International Airport described in Exhibit "B" (the "Airport"). This easement and the rights appertaining thereto are for the benefit of Grantee, its successors, assigns, guests, and invitees, including any and all persons, firms or corporations operating aircraft to or from the Airport. In perpetuity, this easement and the burden thereof, together with all things that may be alleged to be incidental to or to result from the use and enjoyment of this easement, constitute permanent burdens and servient tenements on the Real Property, and run with the land and are binding upon and

enforceable against all successors in right, title or interest to the Real Property and are unlimited as to frequency.

Grantor and its heirs, successors and assigns shall not hereafter erect or permit the erection or growth of any object within the Airspace. This easement grants the right of flight for the passage of aircraft in the Airspace, together with the right to cause or create, or permit or allow to be caused or created in the Airspace, and within, above and adjacent to the Real Property, such annoyances as may be inherent in, or may arise or occur from or during the operation of aircraft subject to the noise limitations described above.

Grantor further agrees that all structures to be constructed on the Real Property will provide and maintain applicable sound attenuation measures to insulate occupants from noise and to mitigate any adverse impact from aircraft noise.

WITNESS the hand of Grantor this 3rd day of March,
2021.

GRANTOR(S)

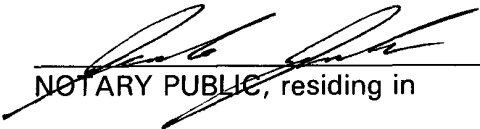
ENTITY:

Company Name:
Signed by: Michael D. Bitt
Print Name: Michael D. Bitt
Title: Manager

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the 3 day of March, 2024, personally appeared before me
Michael D. Batt, who being duly sworn, did say that (s)he is a
Manager of North Temple LIHTC, LLC, a limited liability
company existing under the laws of the State of Utah; and that said instrument was
signed with proper authority by him/her on behalf of said limited liability company
and said Michael D. Batt acknowledged to me that said limited liability
company executed the same.



NOTARY PUBLIC, residing in

My Commission Expires:

07/31/2024



EXHIBIT "A"

The following description is the Grantor's Real Property situated in Salt Lake County, commonly referred to as _____
(Name of subdivision, if applicable)
Subdivision.

DESCRIPTION: (Tax Parcel #08-34-353-032-0000, 08-34-353-038-0000)

EXHIBIT A
Legal Description

BEGINNING NORTH 89°12'01" EAST 504.03 FEET, MORE OR LESS, AND NORTH 700.45 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°58'38" EAST 175 FEET; SOUTH 210 FEET; WEST 175 FEET; NORTH 210 FEET TO THE BEGINNING.

LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED TO UTAH TRANSIT AUTHORITY BY THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 4, 2010 AS ENTRY NO. 10892412 IN BOOK 9801 AT PAGE 9352 OF OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, IN SALT LAKE COUNTY, INCIDENT TO THE CONSTRUCTION OF THE "AIRPORT LIGHT RAIL TRANSIT PROJECT"; A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT AND THE SOUTHERLY RIGHT OF WAY LINE OF NORTH TEMPLE STREET, WHICH POINT IS 34.69 FEET SOUTH 00°04'57" WEST AND 504.03 FEET NORTH 89°12'01" EAST AND 700.61 FEET NORTH (RECORD 700.45 FEET NORTH) FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°58'38" EAST 160.97 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT AND SAID SOUTHERLY RIGHT OF WAY LINE; THENCE SOUTH 87°09'19" WEST 161.17 FEET TO THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 7.93 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

PARCEL 1:

Beginning at a point North 89°58'38" East 501.33 feet and South 00°04'57" West (South in some instruments of record) 66.60 feet and South 00°11'08" West (South in some instruments of record) 210.00 feet and South 89°58'38" West 0.20 feet and South 00°03'01" West (South 00°14'09" West in some instruments of record) along an existing fence line 121.51 feet from a Salt Lake City Survey monument, said Salt Lake City monument being North 739.33 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said section corner being an unmarked County Survey monument located at the South right-of-way line of the Salt Lake Garfield and Western Railroad, said survey monument also being South 89°58'38" West 2577.29 feet from a Salt Lake City survey monument located at the intersection of North Temple Street and Redwood Road, and said point of beginning also being on the South line of property conveyed to STEVSIM, INC. in that certain Special Warranty Deed recorded December 19, 1997 as Entry No. 6819548 in Book 7835 at Page 2538 of the official records of the Salt Lake County Recorder and running South 00°03'01" West along an existing fence line 158.58 feet; thence South 89°58'38" West 156.17 feet; thence North 00°11'08" West 115.96 feet; thence North 19°39'22" West 14.99 feet; thence North 00°11'08" West 28.50 feet, more or less, to the South line of the said STEVSIM, INC. property; thence North 89°58'38" East along said South line 161.82 feet, more or less, to the point of beginning.

PARCEL 1A:

The non-exclusive easements, appurtenant to Parcel 1 above, for vehicular and pedestrian access, ingress, and egress, as set forth and defined in that certain Easement and Maintenance Agreement recorded December 19, 1997 as Entry No. 6819547 in Book 7835 at Page 2526 in the official records of the Salt Lake County Recorder.

LESS AND EXCEPTING THEREFROM the portions conveyed to the Utah Transit Authority, a public transit district organized and existing pursuant to Utah Law, in that certain Warranty Deed recorded May 17, 2010 as Entry No. 10953630 in Book 9826 at Page 1210 of the official records of the Salt Lake County Recorder, and in that certain Warranty Deed recorded May 17, 2010 as Entry No. 10953632 in Book 9826 at Page 1214 of the official records of the Salt Lake County Recorder.

PARCEL 1B:

The non-exclusive easement, appurtenant to Parcel 1 above, for ingress and egress, as set forth and defined in that certain Declaration and Grant of Easements recorded April 21, 2000 as Entry No. 7622377 in Book 8356 at Page 6011 in the official records of the Salt Lake County Recorder.

(Please attach to this Exhibit A the Tax Assessor's legal description (County printout) showing ownership, or other evidence of ownership as approved by City.)

EXHIBIT "B"
Salt Lake City International Airport
Boundary Description

Beginning at a point 806.03 feet N. 0°02'38" E. of the South 1/4 corner of Section 33, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point being on the northerly right-of-way line of North Temple Street, and running thence S. 89°58'38" W. 340.71 feet along said right-of-way line; thence S. 0°02'38" W. 805.75 feet to the south line of Section 33; thence N. 89°58'33" E. 340.71 feet along said section line to the south 1/4 corner of Section 33 (said 1/4 corner is also the north 1/4 corner of Section 4, T.1 S., R.1 W.); thence S. 0°11'26" E. 2,290.43 feet to the northerly right-of-way of the Western Pacific Railroad main-line siding; thence S. 77°49'01" W. 581.95 feet; thence S. 0°12'04" E. 238 feet, more or less, to the 1/4 section line; thence S. 89°57'09" W. 185 feet, more or less; thence N. 0°12'04" W. 197 feet, more or less, to the northerly right-of-way line of the Western Pacific Railroad main-line siding; thence S. 77°49'01" W. 1,932.50 feet to the west line of said Section 4 (said line is also the east line of Section 5, T.1 S., R.1 W.); thence S. 77°49'01" W. 230.26 feet to a point on a 3,852.83 foot radius curve to the left, said point also being on the northerly right-of-way line of the relocated Salt Lake Garfield & Western Railroad; thence South 77°33' West 397.14 feet along said curve to a point 116 feet perpendicularly distant northwesterly to the Western Pacific Railroad main-line track; thence southwesterly and parallel to said railroad track 3,459 feet, more or less; thence S. 78°00'55" W. 1,343 feet, more or less, to the west line of said Section 5, (said line is also the east line of Section 6, T.1 S., R.1 W.); thence S. 78°00'55" W. 238 feet, more or less, to the westerly highway right-of-way and nonaccess line of U.D.O.T. project No. 1-80-3(5)116; thence N. 1°25'59" W. 622 feet, more or less, along said right-of-way line to a point on a 1,527.89 foot radius curve to the left (note: Tangent to said curve at its point of beginning bears N. 1°50'34" W.); thence northwesterly 769.68 feet along said curve to the North line of the NE 1/4 SE 1/4 of said Section 6; thence northwesterly 971.37 feet along the arc of a 1,672.95 foot radius curve to the left (note: Tangent to said curve at its point of beginning bears N. 34°24'21" W.); thence N. 63°47'38" W. 1,084.09 feet; thence N. 55°55'36" W. 436.08 feet; thence west 83.57 feet to a point on a 2,894.79 foot radius curve to the left (note: Tangent to said curve at its point of beginning bears N. 51°35'12" W.); thence northwesterly 246.45 feet along said curve; thence N. 57°07'49" W. 100.52 feet; thence N. 57°27'53" W. 328.82 feet; thence N. 57°47'59" W. 200.79 feet to a point on a 5,759.58 foot radius curve to the left (note: Tangent to said curve at its point of beginning N. 58°28'02" W.);

thence northwesterly 640 feet, more or less, along said curve; thence North 545 feet more or less, to the north section line of said Section 6; thence North 850.50 feet; thence East 46.47 feet; thence N. 4°58'32" W. 4,445.67 feet to the north line of Section 31, T.1 N., R.1 W.; thence West 1,009.82 feet along said line to the northwest corner of said Section 31; thence North 15,840 feet to the northwest corner of Section 18, T.1 N., R.1 W.; thence East 10,560 feet to the northeast corner of Section 17, T.1 N., R.1 W.; thence South 5,280 feet to the northwest corner of Section 21, T.1 N., R.1 W.; thence East 2,640.0 feet; thence South 660.0 feet; thence East 1,320.0 feet; thence South 14,374.25 feet to the northerly right-of-way line of North Temple Street; thence S. 89°58'38" W. 1,254 feet, more or less, along said right-of-way line to the point of beginning;

And beginning at a point 660 feet West and 792 feet North of the South 1/4 corner of Section 16, T.1 N., R.1 W., Salt Lake Base and Meridian; running thence North 198 feet; thence East 660 feet; thence North 33 feet; thence East 165 feet; thence South 264 feet; thence West 165 feet; thence North 33 feet; thence West 660 feet to the point of beginning;

And beginning at a point 660 feet West and 990 feet North of the South 1/4 corner of Section 16, T.1 N., R.1 W., Salt Lake Base and Meridian; running thence North 519.75 feet; thence East 660 feet; thence South 189.75 feet; thence East 165 feet; thence South 297 feet; thence West 165 feet; thence South 33 feet; thence West 660 feet to the point of beginning;

And beginning at the South Quarter Corner of Section 16; Township 1 North, Range 1 West, Salt Lake Base and Meridian; running thence West 660 feet along the South line of said section; thence North 792 feet; thence East 660 feet; thence South 792 feet to the point of beginning;

And beginning at a point 660 feet West and 792 feet North of the South Quarter Corner Section 16, Township 1 North, Range 1 West, Salt Lake Base and Meridian; running thence North 198 feet; thence East 660 feet; thence North 33 feet; thence East 165 feet; thence South 264 feet; thence West 165 feet; thence North 33 feet; thence West 660 feet to the point of beginning;

And beginning in the South line of the Northeast quarter of Section 6 at a point 470.36 feet West from the East quarter corner of said Section 6; thence West 1205.35 feet along said South line; thence North 25°05'47" West 265.54 feet; and

thence N. 25°25'49" West 100.52 feet; thence Northwesterly 1287.85 feet along the arc of a 2894.79 foot radius curve to the left to the North line of the Southwest quarter Northeast quarter of said Section 6 (Note: Tangent to said curve at its point of beginning bears North 26°05'48" West); thence East 83.57 feet along said North line to the Southwesterly right-of-way and no-accessline of the freeway known as Project No. 80-3; thence South 55°55'36" East 436.08 feet; thence South 63°47'38" East 1084.09 feet to a point on a 1672.95 foot radius curve to the right; thence Southeasterly 971.37 feet along the arc of said curve to the point of beginning. (Note: Tangent to said curve at its point of beginning bears South 67°40'25" East);

And beginning in the south line of the Northeast quarter of said Section 6 at a point approximately 1741.94 feet West from the East quarter corner of said Section 6; thence West 903.79 feet, more or less, to the West line of the Northeast quarter of said Section 6; thence North 1254.38 feet along said West line to a point on a 2834.79 foot radius curve to the right; thence Southeasterly 1220.69 feet along the arc of said curve (Note: Tangent to said curve at its point of beginning bears South 50°46'08" East); thence South 25°25'43" East 99.48 feet; thence South 25°05'47" East 237.49 feet to the point of beginning;

And beginning at the Northwest corner of the Southeast quarter of Section 16, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point being the center of Section 16; thence East 165 feet; thence South 1320 feet; thence West 165 feet; thence North 1320 feet to the point of beginning.

Contains 6,822.59 acres, more or less (excluding the highway R.O.W.).

OWNERSHIP CERTIFICATE

Without limitation, the undersigned hereby represent to Salt Lake City Corporation that they constitute all of the owners of the Real Property bearing Salt Lake County Tax Parcel Number 08-34-353-032-0000, 08-34-353-038-0000 as of the date set forth below, and they further represent and agree as follows:

They have full capacity to execute this Avigation Easement and make a binding conveyance thereof, and they know of no other acts in addition to the execution of this Avigation Easement necessary to make a valid and binding conveyance of the same.

They will not transfer any interest in the Real Property before the recording of this Avigation Easement by Salt Lake City Corporation without providing prior written notice to the City.

There is no other person or entity having any rights or interests with respect to the Real Property whose consent or conveyance may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

After the recording of this Avigation Easement, they will obtain the consent or conveyance of any party with rights or interests created before that time which may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

Date: 3/3/21
34-353-038-0000

Record Owners of Salt Lake County Tax
Parcel Number(s) 08-34-353-032-0000, 08-

ENTITY:

Company: North Temple LIHTC, LLC
Signed by: Michael D. Batt
Print Name: Michael D. Batt
Title: Manager