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11/23/2015 3:34:00 PM \$26.00  
Book - 10381 Pg - 7506-7513  
Gary W. Ott  
Recorder, Salt Lake County, UT  
FIRST AMERICAN TITLE  
BY: eCASH, DEPUTY - EF 8 P.

AFTER RECORDING RETURN TO:

Kennecott Utah Copper LLC  
Rio Tinto Regional Center at Daybreak  
4700 W. Daybreak Parkway  
South Jordan, UT 84009  
Attn: John Birkinshaw

APN: 26-14-126-001-0000

### DECLARATION OF RESERVATION OF EASEMENT

For value received, KENNECOTT UTAH COPPER LLC, a Utah limited liability company (formerly known as Kennecott Utah Copper Corporation, a Delaware corporation) (“Declarant”), hereby executes this Declaration of Reservation of Easement (this “Declaration”), and does hereby DECLARE, RESERVE, GRANT AND CONVEY unto itself and its successors and assigns (“Grantee”), the following described easement (the “Easement”) on, over, under and across the surface of that certain real property of Declarant located in Salt Lake County, State of Utah, being more particularly described in Exhibit A attached hereto and incorporated by herein reference (the “Property”):

#### POWER LINE EASEMENT

An easement and right of way for the operation, access, maintenance, repair, replacement, utilization, and removal of certain electric power transmission, distribution and communication lines, facilities, and all necessary or desirable, lines, accessories and appurtenances thereto, including, without limitation, supporting towers, poles, props, guys, structures, connections, and anchors located on the Property in the location depicted on Exhibit B attached hereto and by this reference made a part hereof. Grantor expressly reserves an easement area of twenty-five (25) feet in width on either side of said electric power transmission lines on the Property, as shown on Exhibit B (the “Easement Area”), solely for the purposes set forth herein. Said electric power transmission lines are also more particularly described in Exhibit C attached hereto and incorporated by herein reference.

The use of the Easement Area by Declarant, or any of Declarant’s agents, under this Declaration, shall be in a manner reasonably calculated to cause the least inconvenience to, and interference with, the ownership, use, and enjoyment of the Property by the owner or occupants thereof. Declarant agrees that said owner and its employees, agents, invitees, lessees, successors and assigns may use the Easement Area for any purpose that does not unreasonably interfere with Declarant’s, or any of Declarant’s agents’, use and enjoyment of the Easement pursuant hereto. Declarant agrees to promptly repair and restore at its cost and expense any improvements or facilities on the Property damaged or injured by the acts or omissions of Declarant or its agents in the maintenance, operation, or other utilization of the Easement.

The Easement shall benefit Declarant’s adjacent real property and burden the Property. This Declaration, and the Easement reserved and granted hereby, shall run with the land and bind

the Property, Grantee, and its successors and assigns. This Declaration may only be modified, amended, or terminated by a written instrument signed and acknowledged by Declarant and Grantee or their respective successors or assigns, and recorded in the official records of the Salt Lake County Recorder's Office. There shall be no merger of this Declaration or the Easement created hereby with the fee or any other estate or interest in the Property by reason of the fact that the same person or entity owns or holds, directly or indirectly, all such estates and interests or any combination thereof. This Declaration shall be governed by the laws of the State of Utah.

*[Signature on following page]*



**EXHIBIT "A "**

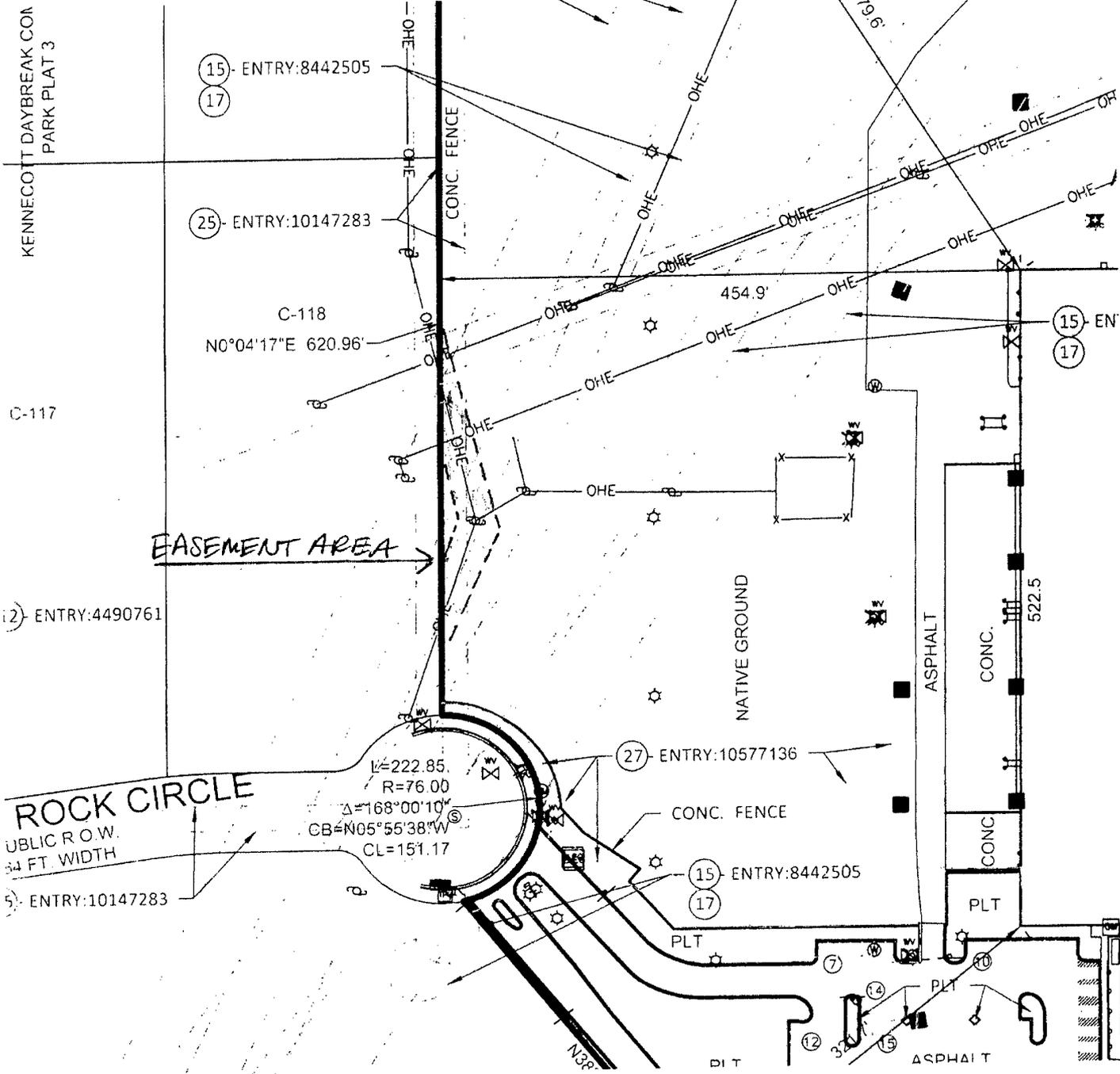
Escrow No. **051-5710201 (VL)**  
A.P.N.: **26-14-126-001-0000**

AMENDED LOT C101, KENNECOTT DAYBREAK COMMERCE PARK PLAT 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING SOUTH 89°55'04" EAST - 2651.295 FEET BETWEEN THE NORTH QUARTER CORNER AND THE NORTHEAST CORNER OF SAID SECTION 14) AND RUNNING SOUTH 89°55'04" EAST ALONG THE NORTH LINE OF SAID SECTION 14 FOR 159.07 FEET TO NORTHEAST CORNER OF LOT C-101 OF KENNECOTT DAYBREAK COMMERCE PARK PLAT 1, RECORDED IN BOOK 2008P AT PAGE 298 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE CONTINUING ALONG THE BOUNDARY OF SAID LOT C-101 WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 13,759.88 FEET WHOSE CENTER BEARS SOUTH 80°09'26" WEST WITH A CENTRAL ANGLE OF 00°16'24" (CHORD BEARING AND DISTANCE OF SOUTH 09°42'22" EAST - 65.65 FEET) FOR AN ARC DISTANCE OF 65.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE BOUNDARY OF SAID LOT C-101 FOR THE FOLLOWING TEN (10) COURSES: WITH A 13,759.88 FOOT RADIUS CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 80°25'50" WEST WITH A CENTRAL ANGLE OF 03°07'30" (CHORD BEARING AND DISTANCE OF SOUTH 08°00'25" EAST - 750.40 FEET) FOR AN ARC DISTANCE OF 750.49 FEET; THENCE SOUTH 00°00'41" WEST FOR 453.30 FEET; THENCE NORTH 89°36'39" WEST FOR 76.15 FEET; THENCE SOUTH 65°51'23" WEST FOR 400.85 FEET; THENCE SOUTH 71°27'17" WEST FOR 77.22 FEET; THENCE SOUTH 56°41'01" WEST FOR 195.67 FEET; THENCE NORTH 89°36'39" WEST FOR 159.23 FEET; THENCE NORTH 38°55'17" WEST FOR 423.92 FEET; THENCE WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 76.00 FEET WHOSE CENTER BEARS NORTH 11°55'37" WEST WITH A CENTRAL ANGLE OF 168°00'10" (CHORD BEARING AND DISTANCE OF NORTH 05°55'38" WEST - 151.17 FEET) FOR AN ARC DISTANCE OF 222.85 FEET; THENCE NORTH 00°04'17" EAST FOR 620.96 FEET; THENCE NORTH 56°54'49" EAST FOR 646.14 FEET; THENCE SOUTH 00°04'17" WEST FOR 210.00 FEET; THENCE SOUTH 89°55'43" EAST FOR 250.00 FEET; THENCE NORTH 00°03'15" EAST FOR 150.00 FEET; THENCE NORTH 66°28'54" EAST FOR 243.62 FEET TO THE POINT OF BEGINNING.

**EXHIBIT B**  
**DEPICTION OF EASEMENT AREA**

[See attached Drawing]



## EXHIBIT C

### DESCRIPTION OF ELECTRIC POWER LINE EASEMENT

#### RELOCATED KUC 44kV:

Beginning at a point on the East line of Bacchus Highway, said point lies West 65.46 feet along the section line and South 579.68 feet from the Northwest Corner of Section 15, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 88°51'29" East 34.67 feet; thence North 06°50'30" West 7.57 feet; thence North 83°09'23" East 10.0 feet; thence South 06°50'34" East 8.57 feet; thence North 88°51'29" East 19.89 feet; thence South 05°40'31" East 20.2 feet; thence North 88°27'05" East 9.01 feet; thence South 01°32'57" East 10.0 feet; thence South 88°27'09" West 8.29 feet; thence South 05°40'33" East 1012.13 feet; thence South 89°09'49" East 1163.98 feet; thence South 89°07'55" East 1024.11 feet; thence North 89°57'04" East 356.47 feet; thence North 88°57'33" East 362.4 feet; thence North 89°53'42" East 264.11 feet; thence South 89°17'35" East 324.33 feet; thence South 88°15'09" East 239.66 feet; thence North 03°58'20" East 6.36 feet; thence South 86°01'36" East 10.0 feet; thence South 03°58'21" West 5.97 feet; thence South 88°15'07" East 9.4 feet; thence South 01°05'21" West 9.51 feet; thence South 89°33'47" East 5.72 feet; thence South 00°26'03" West 10.0 feet; thence North 89°33'55" West 5.84 feet; thence South 01°05'20" West 138.15 feet; thence South 74°50'23" East 234.7 feet; thence South 74°23'05" East 784.51 feet; thence South 74°26'15" East 261.84 feet; thence South 74°14'05" East 261.51 feet; thence South 69°40'30" East 244.82 feet; thence South 69°31'44" East 233.5 feet; thence North 66°44'44" East 242.71 feet; thence North 66°23'35" East 286.65 feet; thence North 66°28'42" East 256.48 feet; thence North 42°03'53" East 266.15 feet; thence North 42°46'09" East 210.29 feet; thence North 42°17'57" East 162.79 feet; thence North 17°13'15" East 285.99 feet; thence North 06°53'51" East 209.31 feet; thence North 77°52'20" West 9.22 feet; thence North 12°07'36" East 10.0 feet; thence South 77°52'21" East 9.31 feet; thence North 19°25'15" East 150.53 feet; thence North 12°14'18" West 212.18 feet; thence South 83°18'09" West 5.92 feet; thence North 06°41'52" West 10.0 feet; thence North 83°18'12" East 5.98 feet; thence North 00°24'25" East 223.1 feet; thence South 57°49'47" West 11.31 feet; thence North 32°10'16" West 10.0 feet; thence North 57°49'46" East 17.7 feet; thence North 00°24'25" East 23.7 feet; thence North 57°41'26" East 22.77 feet; thence North 01°27'17" West 17.65 feet; thence North 88°32'42" East 10.0 feet; thence South 01°27'19" East 11.68 feet; thence North 57°41'27" East 521.61 feet; thence North 53°46'05" East 71.38 feet; thence North 57°03'51" East 255.59 feet; thence South 32°56'09" East 50.0 feet; thence South 57°03'51" West 254.15 feet; thence South 53°46'04" West 71.66 feet; thence South 57°41'27" West 530.43 feet; thence South 00°24'25" West 230.51 feet; thence South 12°14'18" East 226.18 feet; thence South 19°25'15" West 163.8 feet; thence South 06°53'51" West 208.62 feet; thence South 78°20'22" East 18.35 feet; thence South 11°39'35" West 10.0 feet; thence North 78°20'22" West 18.39 feet; thence South 17°13'15" West 293.03 feet; thence South 31°33'58" West 8.53 feet; thence South 42°17'57" West 169.12 feet; thence South 42°46'10" West 210.21 feet; thence South 42°03'52" West 276.65 feet; thence South 66°28'42" West 267.52 feet; thence South 66°23'36" West 286.56 feet; thence South 66°44'44" West 239.06 feet; thence South 67°16'47" East 6.99 feet; thence South 22°43'10" West 10.0 feet; thence North 67°16'50" West 16.65 feet; thence South 66°44'47" West 9.9 feet; thence North 69°31'44" West 9.77 feet; thence South 64°45'31" West 17.75 feet; thence North 25°14'30" West 10.0 feet; thence North 64°45'33" East 7.99 feet; thence North 69°31'44" West 229.68 feet;

thence North 69°40'30" West 242.85 feet; thence North 74°14'05" West 259.6 feet; thence North 74°26'15" West 262.11 feet; thence North 74°23'05" West 783.9 feet; thence North 74°50'23" West 245.34 feet; thence South 63°20'44" West 7.25 feet; thence North 26°39'23" West 2.95 feet; thence South 02°46'39" West 8.67 feet; thence North 87°13'14" West 10.0 feet; thence North 02°46'41" East 13.56 feet; thence North 74°50'22" West 9.93 feet; thence North 01°05'18" East 10.4 feet; thence North 74°02'24" West 14.84 feet; thence North 15°57'36" East 10.0 feet; thence South 74°02'27" East 9.26 feet; thence North 45°43'23" West 3.36 feet; thence North 44°16'29" East 7.71 feet; thence North 01°05'20" East 117.82 feet; thence North 88°15'09" West 209.21 feet; thence North 89°17'35" West 323.48 feet; thence South 89°53'42" West 263.35 feet; thence South 88°57'33" West 362.43 feet; thence South 89°57'04" West 357.31 feet; thence North 89°07'55" West 1024.06 feet; thence North 89°09'49" West 1178.8 feet; thence South 05°22'36" East 5.86 feet; thence South 84°37'31" West 10.0 feet; thence North 05°22'38" West 6.95 feet; thence North 89°09'48" West 20.18 feet; thence North 05°40'34" West 20.68 feet; thence North 89°29'06" West 7.56 feet; thence North 00°31'01" East 10.0 feet; thence South 89°28'59" East 6.47 feet; thence North 05°40'33" West 1010.04 feet; thence South 88°51'27" West 18.41 feet; thence North 01°08'32" West 50 feet to the point of beginning.