

SUMMIT COUNTY SHERIFF'S OFFICE SHERIFF JUSTING MARTINEZ

6300 JUSTIČE CENTER ROAD PARK CITY, UTAH 8 40098 (435) 615-3600

NOTICE OF REAL ESTATE LEVY

STATE OF UTAH

ss. Sheriff's Office

COUNTY OF SUMMIT

Notice is hereby given that under and by virtue of a WRIT OF EXECUTION, issued out of the Third District Court of the State of Utah, of which the appeared is a true copy, I have this day attached and evied upon all right, title, claim and interest of defendant(s), TALISKER BARTNERSHIP; TALISKER INVESTMENTS (CANADA) INC.; TALISKER INVESTMENTS (D.S.) INC.; TALISKER DEVELOPMENTS INC.; UNITED PARK CITY MINES COMPANY; TUHAYE LLC; TUHAYE ROLF, LLC; MOUNTAIN RESORTS DEVELOPMENT (PIOCHE), LLC; MOUNTAIN DEVELOPMENTS I, INC.; TOWER CLUB, LLC; and TUHAYE ELM: INC., of, in and to the following described Real Estate, standing on the records of Summit County, in the name of whose interest being sold, taken off execution and / or praccipe, and particularly described as follows:

- Summit County Tax Parcel: \$8-87
- b. Legal Description:

All of Section & Township 2 South, Range 4 East, Salt Lake Base and Meridian lying west of the Summit County-Wasaich County Line, which is more particularly described as follows: Beginning at the Northwest Corner of said Section 1, thence the following two (2) courses coincident with the north fire of said Section 2, 1) South 89°28'26" East 2605.21 to the North Quarter Corner thereof, 2) South (80°56°35" East 1874.61 feet to the point of intersection with the Summit-Wasatch county line; Thence the following four (4) courses coincident with said County Line, 1) South 03°34'52" East 596.40 feet; 2/ South 15°40'52" East 1085.46 feet; 3) South 30°05'08" West 491.21 feet; 4) South 07°47'44" East 581.66 feet to the point of intersection with Center Quarter Section Line; Thence North 89°47'09" West 2073 53 feet coincident with said Quarter Section line to the floriber 5 rebar and cap stamped "Alliance" which is monumentalizing the Center Quarter Corner thereof There's South 00°46'27" West 2669.63 feet coincident with the Center Quarter Section line to the North Quarter Corner of said Section 1; Thence the following two (2) courses coincident with south and west lines of said Section 1, 1) North 89°27'15" West 2652 15 feet to the Southwest Corner thereof; 2) North 00%3720 East 5304.46 feet to the point of beginning.

Less and Excepting therefrom the following more or less five () parcels of land;

- All of the Southeast Quarter of said Section All of Summit County Tax Parcel SC 97 All of Summit County Tax Parcel SS-87-B described in that certain Special Warranty Deed from United Park City Mines Company to Jordanelle Special Service District, recorded August 27, 2002 as Entry 00630270, in Book 1468, at page 1153 of the Summit County Records.
- Any portion thereof lying and situate within the boundaries of SR-248, Utah Department of Transportation Project Number NF-61, along with any portions lying and situate within the bounds of those particular parcels of land described in that certain Amended Complaint in Condemnation recorded September 04, 1996 as Entry 00461947, in Book 990, at pages 22-75 of the Summit County Records.
- All of Summit County Tax Parcel SS-86-91-UP-X, described in that certain Quit Claim Deed recorded February 22, 2006 as Entry 0769412, in Book \$\frac{172}{2}\$ at Page 483 of the Summit County Records.
- Any portion thereof lying and situate within the boundaries of Richardson Flat Road which is also known as State Road Commission Project (R)3-B and described in that certain Quit Claim Deed recorded March 08, 1930, as Entry 44348, in Book F, at page 182, of the Summit County Records

 n 40°40'26.8" N 111°27'28.2" W

c. Approximate location 40°40'26.8" N 111°27'28.2" W

TOGETHER WITH,

- Summit County Tax Parcel SS-88
- Legal Description:

All of the East Half of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian lying east of US Highway 40, Utah Department of Transportation Project Number



SUMMIT COUNTY SHERIFF'S OFFICE SHERIFF JUSTIN MARTINEZ

6300, YUSTICE CENTER ROAD PARK CITY, UTAH, 84098 (435) 615-3600

NF-19, which is also known as Summit County Tax Parcel SS-92-A-X, described in that certain Amended Complaint in Condemnation recorded September 04, 1996 as Entry 00461947, in Book 990, at Pages 22-75 of the Summit County Records, which is more particularly described as follows:

Beginning at the Northeast Corner of said Section 2, thence South 0093F20" West 5304.46 feet coincident with the east line of said Section 2, to the Southeast Corner of said Section 2; Thence South 8 99 26" West 1426.87 feet coincident with the south line of said section 2 to the point of intersection with the east right of way of U.S. Highway 40 (U.D.O.T Project Number NF-19 (13); Thence the following eleven (11) courses coincident with said easterly right of way, 1) North 07°00'58" West 2014.69 feet to axight of way monument; 2) North 07901 31" West 735.04 feet to a right of way monoment; 3) North 07000'41" West 599.61 feet; North 01°35'19" East 203.30 feet, 5) North 07°97'03" West 47.94 feet to a number five rebar and cap stamped "Alliance"; 6) North 07°93'54" West 150.63 feet to a number five rebar and cap stamped "Alliance"; 7) North 07/90 58" West 206.41 feet; 8) North 03°03'08" West 110.14 feet to a point of curvature; 9 Northerly 385.39 feet along the arc of a 2406.48 foot radius curve to the right (center bears North 86°56'52" East) through a central angle of 09°10'33" to a point of tangency; 10) North 05°49'23" East 203.62 feet; 11) North 25°42'29" East 761.81 feet to a point on the north line of said Section 2, Thence South 89°49'54" East 1582.28 feet coincident with said north line to the point of beginning.

Less and Excepting therefrom the following more or less five (±5) parcels of land;

- Any portion thereof lying and situate within the boundaries of SR-248, Utah Department of Transportation Project Number NF-61, along with any portions lying and situate within the bounds of those particular parcels of land described in that certain Amended Complaint in Condemnation recorded September 04, 1996 as Entry 00461947, in Book 990, at 1986 22-75 of the Summit County Records.

 All of Summit County Tax Parces \$2-86-91-UP-X, described in that certain Quits
- Claim Deed recorded February 22 2006 as Entry 0769412, in book 1772, at Page 483 of the Summit County Records.
- All of Summit County Tax Parcel SS-91-UP-X, described in that certain Quit Claim Deed recorded September 30, 2005 as Entry 752618, in Book 1738, at Page 696 of the Summit County Records.
- Southwest Quarter of the Southeast Quarter of Section 2 and East 334.00 feet of Southwest Quarter of the Southeast Quarter of Section 2 and East 334.00 feet of Range 4 East, Salt Lake Base and Meridian Being described as Parcel 1 in that certain Special Warranty Deed recorded December 17, 2014 as Entry 01009165, in Book 2271, at Page 520 of the Summit County Records.

 a. Summit County Tax Parcel: PP-28-A
 b. Cegal Description:

Approximate location 40°40'34.6" N 1 (1°26'52.3" W

TOGETHER WITH,

2021

All of the Northwest Quarter of the Northwest Quarter of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Approximate location 40°40'03.0" N 111°27'06.5" W

Justin Martinez __ Sheriff of Summit County

Deputy Sheriff

Civil-Case #:156500424 SCSO #: 21-C00556 Dated:11/18/2021

Subscribed and sworn to before me on-(1/8th √ day of November

ADRIANNE C. STEED NOTARY PUBLIC - STATE OF UTAH My Comm. Exp. (8)/15/2023 Commission # 704045

0157916 Page 2 of 36 Summit County Matthew L. Lalli (6105)
Troy J. Aramburu (10444)
Bret R. Evans (15131)
SNELL & WILMER L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Telephone: (801) 257-1900
Email: mlalli@swlaw.com
taramburu@swlaw.com

Attorneys for Plaintiffs/Judgment Creditors Wells Fargo Bank, N.A. and Midtown Acquisitions L.P.

brevans@swlaw.com

IN THE THIRD DISTRICT COURT IN AND FOR SUMMIT COUNTY, STATE OF CTAH

WELLS FARGO BANK, NATIONAL ASSOCIATION and MIDTOWN ACQUISITIONS L.P.,

Plaintiffs/Judgment Creditors,

TALISKER PARTNERSHIP; TALISKER INVESTMENTS (CANADA) INC.;
TALISKER INVESTMENTS (U.S.) INC.;
TALISKER DEVELOPMENTS INC.;
UNITED PARK CITY MINES COMPANY
TUHAYELLC; TUHAYE GOLF, LLC;
MOUNTAIN RESORTS DEVELOPMENT
(PIOCHE), LLC; MOUNTAIN
DEVELOPMENTS I, INC.; TOWER CLUB,
LLC; and TUHAYE ELM; INC.,

Defendants/Judgment Debtors.

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PRAECIPE FOR WRIT OF EXECUTION (Post-Judgment)

(REAL PROPERTY)
[Richardson Flat]

Consolidated Case No. 156500424

Judge Richard Mrazik

01+77916 Page 3 of 36 Summit County

TO THE SUMMIT COUNTY SHERIFF: And SHERIFF: A Rules of Civil Procedure to enter upon Judgment Debtor United Park City Mines Company's "Judgment Debtor") property and serve the attached Writ of Execution and levy upon the real property described herein by serving the same upon the Judgment Debtor by recording the Writ of Execution in Summit County, Utah, and thereafter selling all of the Judgment Debtor's right, title, and interest by duly conducted sale held pursuant to the provisions of applicable law.

REQUESTED to conduct a sale by auction to the highest bidder (the Sale") for the real property located in Summit County, State of Utah (the "Property") described below:

| Property Description or Address | Name 2 | Name

(0)		_(0)	(0)	
1/1/27	Property Description or	Estimated Value	Name & Address of any other	
\smile	Address		than debtor claiming an	
		\sim 1	interest	\prec
	See Exhibit A	The value of the Property	Judgment Creditors are unaware	_(0)
		described in Exhibit A is	of anyoncelse that holds or may	601
		unknown, but believed to	hold any interest in the Property.	10
0,	(a)	be less than	The parties listed in Exhibit B	2 (2)
62,63	2,0	\$10,000,000.00.	are affiliates of Judgment	
(3/3/1)	(ELT)	(×)	Debtor, and Summit County	
		(0)	where the Property is located	
0/100	2012	2 Ulus	and these entities may claim an	
			interest.	
				Ž

stequired by Utah law under Rules 69A and 69B of the Utah Rules of Civil Procedure, you are further requested to do the following, as applicable, with the Property:

- Schedule the Sale for the soonest date following completion of the requirements below and any other requirements of the Utah Rules of Civil Procedure, Monday through Saturday, legal holidays excluded, between the hours of 9:00 a.m. and 8:00 p.m.
- Seize or otherwise levy upon the Property with the Summit County Recorder by filing the Writ of Execution and a description of the Property with the Summit County Recorder.

- person claims an interest in the Property, please serve the Writ of the Property on the other person who claims an interest in the Property.

 4. Serve notice of the Sale upon:

 United Park City Mines Company c/o CT Corporation System Provide a copy of the Writ of Execution and a description of the Property with an

1108 E South Union Ave Midvale, UT 84047

and

John R. Lund Adam E. Weinacker Parsons Behle & Latimer 201 South Main Street, Suite 1800 Salt Lake City, Utah 841 (1)

such other address provided by counsel for the above-captioned judgment Creditors/Plaintiffs.

- 5. Post written notice of the date, time and place of the Sale and a particular description of the Property to be sold for at least twenty-one (21) days prior to the date of the Sale at: (a) the Property, (b) the place of Sale, which will be the District Courthouse for the Third District Court, located at 6300 Justice Center Road, Park City, UT 84098, and (c) at least three other public places in Summit County, Utah.
- Publish notice of the date of the Sale at least once a week for three successive 6. weeks immediately preceding the Sale in a newspaper of general circulation in Summit County, Utah.
 - Abstain from purchasing the Property or holding an interest in the Property.

- Sell only so much of the Property as is necessary to satisfy the amount due, which is in excess of \$163,823,320.78.
 - Sell the Property to the highest bidder and sell the Property in one or more such parcels as are likely to bring the highest price.
 - 10. Plaintiffs Dudgment Creditors Wells Fargo Bank, National Association and/or Midtown Acquisitions L.P., or their assigns, may bid at the sale by way of credit bid up to the full amount of the judgment entered in favor of Judgment Creditors and against Judgment Debtor on April 15, 2015 in this Court in the amount of \$158,597,589.50, plus interest and fees and costs (the "Judgment"), which is attached hereto as Exhibit C.
 - Apply the Property in the following order up to the amount due or the value of the 11. Property, whichever is less: (a) pay the reasonable and necessary costs of seizing and selling the Property; and (b) deliver to the Plaintiffs the remaining proceeds of the Sale in excess of the Judgment amount, if any, as set forth herein (
 - Every bid is an irrevocable offer. If a person refuses to pay the amount bid, the person is liable for the difference between the amount bid and the outmate sale price. If a person refuses to pay the amount bid then (a) offer the Property to the next highest bidder, (b) renew bidding on the Property, and (c) reject any other bid of the person who refused to pay,
 - Upon payment of the amount bid, deliver to the purchaser of the Property a sheriff's deed identifying (a) a description of the Property; (b) the price paid (c) a statement that all right, title, and interest of the Judgment Debtor in the Property is conveyed to the purchaser; and (d) a statement that the Sale is not subject to redemption.
 - File and record the sheriff's deed in the office of the Summit County Recorder 14.
- Deliver the Property to the purchaser or its designee. 15. Unothical copy

Umorthalall Goldy L. Q. Attorneys for Judgment Creditors

Tent

Attorneys for Judgment Creditors DATED: November 9, 2021 conted Park City Mines Company
Co CT Corporation System, Registered Agent
1108 E South Union Ave
Midvale, UT 84047 Unothitellall copy Umoffiteloll Gold Umoffiteloll and Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111 Unothigh copy 01 77916 Page 7 of 36 Summit County Umostiticili Gopy Mwetingle of the

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(Property Legal Description)

Summit County Tax Parcel SS-87;

All of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian lying west of the Summit County - Wasatch County Line which is more particularly described as follows:

Beginning at the Northwest Corner of said Section 1, thence the following two (2) courses coincident with the north line of said Section 2, 1) South 89°28'26" East 2666.21 to the North Quarter Corner thereof; 2; South 89°56'55" East 1874.61 feet to the point of intersection with the Summit – Wasatch county line; Thence the following four (4) courses coincident with said County Line, 1) South 03°34'52" East 596.40 feet; 2) South 15°40'52" East 1085.46 feet; 3) South 30°05'08" West 491.21 feet; 4) South 07°47'44" East 581.66 feet to the point of intersection with the Center Quarter Section Line; Thence North 89°47'09" West 2073.53 feet coincident with said Quarter Section line to the number 5 rebar and cap stamped "Alliance" which is monumentalizing the Center Quarter Corner thereof; Thence South 00°46'27" West 2669.63 feet coincident with the Center Quarter Section line to the North Quarter Corner of said Section 1; Thence the following two (2) courses coincident with south and west lines of said Section 1, 1) North 89°27'15" West 2652.15 feet to the Southwest Corner thereof; 2) North 90°37'20" East 5304.46 feet to the point of beginning.

Less and Excepting therefrom the following more or less five (\$5) parcels of land;

- 1) All of the Southeast Quarter of said Section 1.
- 2) All of Summit County Tax Parcel SS-87-B, described in that certain Special Warranty Deed from United Park City Mines Company to Jordanelle Special Service District, recorded August 27, 2002 as Entry 00630270, in Book 1468, at Page 1153 of the Summit County Records.
- Any portion thereof lying and situate within the boundaries of SR-248, Utah Department of Transportation Project Number NF-61, along with any portions lying and situate within the bounds of those particular parcels of land described in that certain Amended Complaint in Condemnation recorded September 04, 1996 as Entry 00461947, in Book 990, at Pages 22-75 of the Summit County Records.
- 4) All of Summit County Tax Parcel SS-86-91-UPX, described in that certain Quit Claim Deed recorded February 22, 2006 as Entry 0769412, in Book 1772, at Page 483 of the Summit County Records.
- Any portion thereof lying and situate within the boundaries of Richardson Flat Road which is also known as State Road Commission Project FAP-93-B and described in that certain Quit Claim Deed recorded March 08, 1930, as Entry 44348, in Book F, at Page 182 of the Summit County Records

TOGETHER, WITH,

Summit County Tax Parcel SS-88:

Meridian lying east of US Highway 40, Utah Department of Transportation Project Number NF-19, which is also known as Summit County Tax Parcel SS-92-A-X, described in that certain Amended Complaint in Condemnation recorded September 94 1996 as Entry 00461947, in Book 990, at Pages 22-75 of the Summit County Records, which is more particularly described as follows: Beginning at the Northeast Corner of said Section 2, thence South 00°37'20" West 53.04.46 feet coincident with the east line of said Section 2 to the Southeast Corner of said Section 2; Thence South 89°49'26" West 1426.87 feet coincident with the south line of said Section 2 to the point of intersection with the east right of way of U.S. Highway 40 (U.D.O.T Project Number NF-19 (13); Thence the following eleven (11) courses coincident with said easterly right of way, 1) North 07°00,58° West 2014.69 feet to a right of way monument. 2) North 07°01'31" West 735.04 feet to a right of way monument; 3) North 07°00'41" West 599.61 feet; 4) North 01°35'19" East 203.30 feet; 5) North 07.17.93" West 47.94 feet to a number live rebar and cap stamped "Allianee": 6) North 07903'54" West 150.63 feet to a number five rebar and cap stamped "Alliance"; 7) North 07°00'58" West 206.41 feet; 8) North 03°03'08" West 110.14 feet to a point of curvature; 9) Northerly 385.39 feet along the arc of a 2406.48 foot radius curve to the right (center bears North 86°56'52' East) through a central angle of 09010'33" to a point of tangency; 10) North 05°49′23° East 203.62 feet; 11) North 25°42′29" East 761.81 feet to a point on the north line of said Section 2; Thence South 89%49'54" East 1582.28 feet coincident with said north line to the point of beginning.

All of the East Half of Section 2, Township 2 South, Range A East, Salt Lake Base and

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Less and Excepting therefrom the following more or less five (±5) parcels of land;

- 1) Any portion thereof lying and situate within the boundaries of SR-248, Utah Department of Transportation Project Number NF-61, along with any portions lying and situate within the bounds of those particular parcels of land described in that certain Amended Complaint in Condemnation recorded September 04, 1996 as Entry 00461947, in Book 990, at Pages 22-75 of the Summit County Records.
- 2) All of Summit County Tax Parcel SS-86-91-UP-X, described in that certain Quit Claim Deed recorded February 22, 2006 as Entry 0769412, in Book 1772, at Page 483 of the Summit County Records.
- 3) All of Summit County Tax Parcel SS-91-UP-X, described in that certain Quit Claim Deed recorded September 30, 2005 as Entry 752618, in Book 1738, at Page 696 of the Summit County Records.
- Any portion thereof lying and situate within the boundaries of Richardson Flat Road which is also known as State Road Commission Project FAP-93-B and described in that certain Quit Claim Deed recorded March 08, 1930, as Entry 44348, in Book F, at Page 182, of the Summit County Records.

5) The Southeast Quarter of the Southeast Quarter of Section 2 and East 334.00 feet of the Southwest Quarter of the Southeast Quarter of Section 2 Township 2 of the Southwest Quarter of the Southeast Quarter of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian. Being described as Parcel 1 in that certain Special Warranty Deed recorded December 1/2014 as Entry 01009165, in Book 2271, at Page 520 of the Summit County Records.
WITH, OGETHER WITH, Summit County Tax Parcel PP-28-A: All of the Northwest Quarter of the Northwest Quarter of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian. , fown: All of the Northwest Quarter of the Northwest Range 4 East, Salt Lake Base and Meridian. Unothitelal copy Unothicioli Gold 01177916 Page 10 of 36 Summit County

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TALISKER PARTNERSHIP

145 Adelaide St. West, Ste. 500

Toronto, Ontario M5^{PJ}

CANADA TUHAYE LLC c/o David J. Smith, Registered Agent 7700 Marsac Àve. PO Box 4349 Park City, Utah 84060 TUHAYE GOLF, LLC (CANADA) INC. c/o John Corbett, Registered Agent co David Smith, Registered Agent 77,000 Marsac Ave. 9875 N Tuhaye Park Drive Kamas, Utah 840360) PO Box 1450 Park City, UT 840600 Midwal MENTS

LUSY) LLC

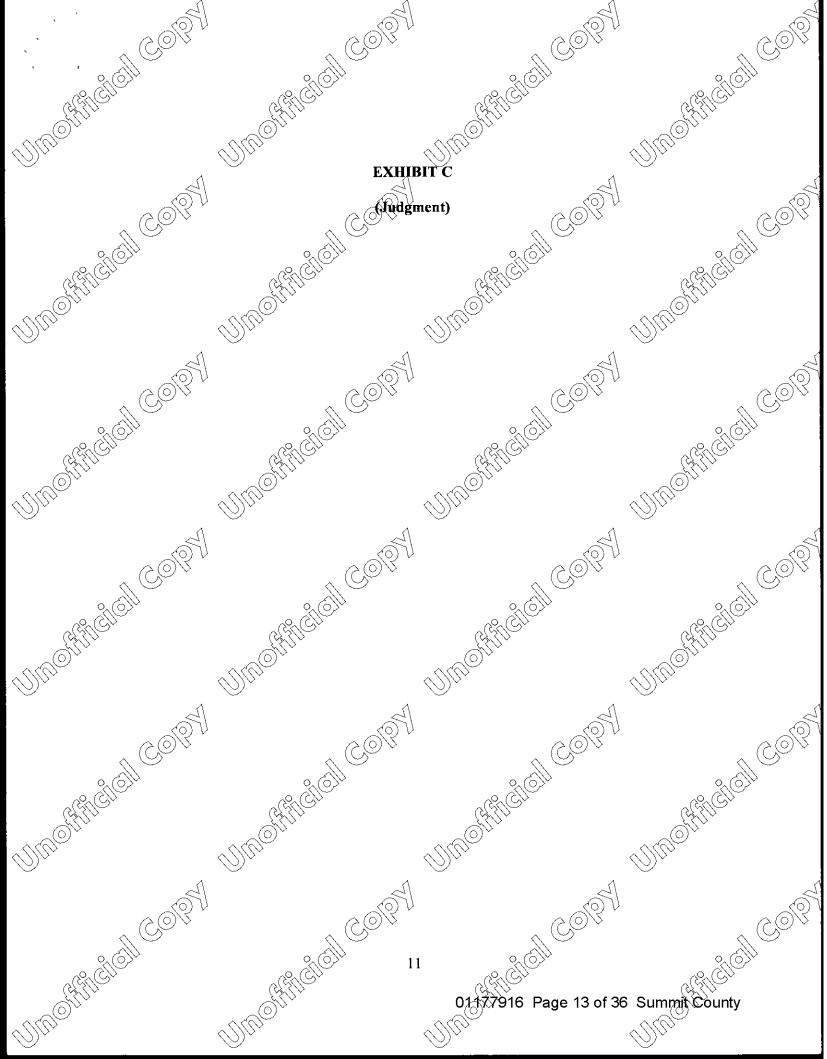
CO CT Corporation System

1108 E South Union Avenue Midwal TALISKER INVESTMENTS (CANADA) LNC. 145 Adelaide Street West, Suite 500 Toronto, Ontario M5H 4E5 Canada Midvale, Utah 84047 MOUNTAIN RESORTS MOUNTAIN DEVELOPMENTS I, DEVELOPMENT (PIOCHE), LLC INC. c/o Michael R. Salmond, Registered c/o David J. Smith, Registered Agent 7700 Marsac Ave Agent PO Box 1450 900 Main St., Ste. 6107 Park City, UT 84060 **PO** Box 1450 Park City, Utah 84060 Umortille Cold UNKTED PARK CITY MINES UNITED PARK CITY MINES **COMPANY** COMPANY CT Corporation Systems, Registered c/o CT Corporation Systems, Registered Agent Agent 1108 E South Union Ave? 1108 E South Union Ave. Midvale, Utah 84047 Midvale, Htah 84047

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01177916 Page 11 of 36 Summit County

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20	David J. Smith, Registered Agent 7700 Marsac Ave. PO Box 1450	TALISKER DEVELOPMENTS INC.	
	Park City, UT 84060 Park City Municipal Corporation Attn: Margaret Plane P.O. Box 1480 445 Marsac Avenue Park City, Utah 84060-1480	Adam E. Weinacker Parsons Behle & Latimer 201 South Main Street, Suite 1800	
	EYAHUT FLOG, LLC fka TUHAYE GOLF, LLC c/o Registered Agents, Inc. 881 Baxter Drive, Ste. 100 South Jordan, Gtah 84095 UNITED PARK CITY MINES COMPANY c/o The Corporation Trust Company.		
	Registered Agent Corporation Trust Center 1209 Orange Street Wilmington, DE 19801		
	10 Mine 10 3 Min	01177916 Page 12 of 36 Summit C	
MW (Hillen)		01177916 Page 12 of 36 Summit C	county



Umorthical copy The Order of Courtis stated below: Dated: April 1502015 /s/ Robert Faust District Court Judge 09:50:56 AM I CERTIFY THAT THE IS A TRUE COPY OF AN ORIGINAL BOOD WENT ON FILE IN THE HIND DYS(B)) Keven M. Rowe (USB #4905) George W. Pratt (USB #2642) SONES, WALDO, HOLBROOK & McDONOUGH, P.C. 170 South Main Street, Suite 1500 Salt Lake City, Utah 84101 Telephone: (801) 521,3200 gpratt@joneswaldo.com Attorneys for Plaintiffs ON THE THIRD JUDICIAL DISTRICT COURT OF SALT LAKE COUNTY STATE OF UTAH WELLS FARGO BANK, NATIONAL ASSOCIATION, and MID TOWN ACQUISITIONS (L)P); Machine Colon Plaintiffs, JUDGMENT TALISKER PARTERSHIP, a Province of Civil No. Ontario, Canada general partnership; TALISKER INVESTMENTS (CANADA) Inc., a Province of Ontario, Canada corporation; TALISKER INVESTMENTS (U.S.) INC., a Utah corporation, TAPISKER Umorral etall copy DEVELOPMENTS INC., a Utah corporation; UNITED PAIRK CITY MINES COMPANY, a < Delaware corporation; TUHAYE LLC, a Utaho limited Piability company; TUHAYE GOLF?) (LLC) a Utah limited liability company; MOUNTAIN RESORTS DEVELOPMENT (PIOCHE), LLC, a Delaware limited liability company; MOUNTAIN DEVELOPMENTS I. INC., a Delaware corporation, TOWER CLUB LLC, a Utah limited liability company; and TUHAYE ELM, INC., a Delaware corporation, April 15, 2015 09:50 AM 01 77916 Page 14 of 36 Summit County

Unothical Copy COST Based upon (1) the Contession of Judgment executed by Defendants, TALISKER PARTERSHIP, a Province of Ontario, Canada general partnership; TALISKER INVESTMENTS (CANADA) Inc., a Province of Ontario, Canada corporation; TALISKER INVESTMENTS (U.S.) INC., a Utah corporation; TALISKER DEVELOPMENTS INC., a Utah corporation; UNITED PARK CITY MINES COMPANY, a Delaware corporation; TUHAYE LLC, a Utah limited liability company; TUHAYE GOLF, LLC, a Utah limited liability company; MOUNTAIN RESORTS DEVELOPMENT (PIOCHE), LLC, a Delaware limited liability company, MOUNTAIN DEVELOPMENTS ICHOC., a Delaware corporation; TOWER CLUB LLC, a Utah limited liability company; and TUHAYE ELM, INC., a Delaware corporation, and (2) the Declaration submitted to the Court on behalf of the Rightiffs, with respect to each of which Plaintiffs represent is in compliance with the parties' Forbearance Agreement,

IT IS HEREE ORDERED, ADJUDGED, AND DECREED: as follows:

Plaintiffs WELLS FARGO BANK, NATIONAL ASSOCIATION and MIDTOWN ACQUISITIONS L.P. shall recover from Defendants TALISKER PARTERSHIP, a Province of Ontario, Canada general partnership; TALISKER INVESTMENTS (CANADA) Inc., a Province of Ontario Canada corporation; TALISKER HIVESTMENTS (U.S.) INC., a Utah corporation; TADISKER DEVELOPMENTS INC., (a) Dtah corporation; UNITED PARK CITY MINES COMPANY, a Delaware corporation TUHAYE LLC, a Utah limited liability company, TUHAYE GOLF, LLC, a Utah timited liability company; MOUNTAIN RESORTS

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DEVELOPMENT (PIOCHE), LLC, a Delaware limited liability company; MOUNTAIN
DEVELOPMENTS I, INC., a Delaware corporation; TOWER CLUB LLC, a Utah limited liability company; and TUNAYE ELM, INC., a Delaware corporation, the sum of \$158,597,589.55

2.Interest shall accrue on up to \$125,874,177.76 of the Judgment (included) principal balance of the Loan as of December 20, 2013) at a rate equal to the sum of: (a) three and one-half percent (3.50%) plus (b) the DBO rate (as defined in the promissory notes giving rise to the indebtedness that is hereby reduced to judgment) for the period from December 20, 2013 until April 30, 2014 and then at a rate equal to the sum of: (x) eight and one-half percent (8) \$0%) plus (y) the LIBO rate (as defined in the promissory notes giving rise to the indebtedness that is never reduced to judgment) for the period after April 30, 2014; interest shall accrue on the Judgment, to the extent it exceeds \$125,874,77.76 (i.e. for all sums advanced by the Plaintiffs from and after November 25, 2013), at the rate of ten percent (10%) for the period from December 20, 2013 until April 30, 2014 and then at a rate equal to fifteen percent (45%) for the period after April 30, 2014. 3. This Judgment shall be augmented in the amount of reasonable costs and attorney's fees expended in collecting the Judgment, which may be established by declaration.

4. Plaintiffs acknowledge and agree that simultaneously with the full payment or other full satisfaction of the Judgment amount, the following shall be automatically, discharged, terminated, and released: (i) the Judgment, (ii) any judgment of

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April 15, 2015 09:50 AM

attlens against or security interests in any real, personal or

. property or any other property,

3 Unio Haddell Color I Umoffedal Copy Unioffedal Copy Unio Afficial Colors Unio Afficial Colors interests or rights of any kind or nature whatsoever, created by, arising under or evidenced by Loan Documents or Other Related Documents, as referenced in the Confession of Judgment. Plaintiffs shall then, whenever and as often as requested to do so by any defendant, cause to be duly executed, acknowledged, delivered, filed and/or recorded any and all such instruments and documents as may be necessary or proper to evidence said discharges, terminations, or releases.

None of Plaintiffs or any court appointed receiver shall self any of the collaboration of the Defendants or cause or permit any such collateral to be sold in satisfaction of the Judgment for a period below.

Judgment, and analytical self-any of the Defendants or cause or permit any such collateral to be sold in satisfaction of the Judgment for a period below. None of Plaintiffs or any court appointed receiver shall sell any of the collateral collateral to be sold in satisfaction of the Judgment for a period of 90 days after the entry of the Jefenda

Judgment entered this Judgment, and any of the Defendants and Talisker Finance shall be permitted to satisfy the ...s____day of_ THIRD-DISTRICT COURT JUDGE Judgment in full during such 90 day period.

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Clark K, Taylor with permission of Clark K. Taylor

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April 15, 2015 09:50 Ar

Muotificial colory Keven M. Rowe (USB #4905) George W. Pratt (USB #2642) ONES, WALDO, HOLBROOK & McDONOUGH, P.C. 170 South Main Street, Suite 1500 Salt Lake City, Utah 84101 Telephone: (801) 521-3200 krowejoneswaldo com gprattioneswaldo com Attorneys for Plaintiffs IN THE THIRD JUDICIAL DISTRICT COURT OF SALT, LAKE COUNTY STATE OF UTAH WELLS FARGO BANK NATIONAL ASSOCIATION, and MIDTOWN ACQUISITIONS L.P., Plaintiffs, JUDGMENT CREDITORS

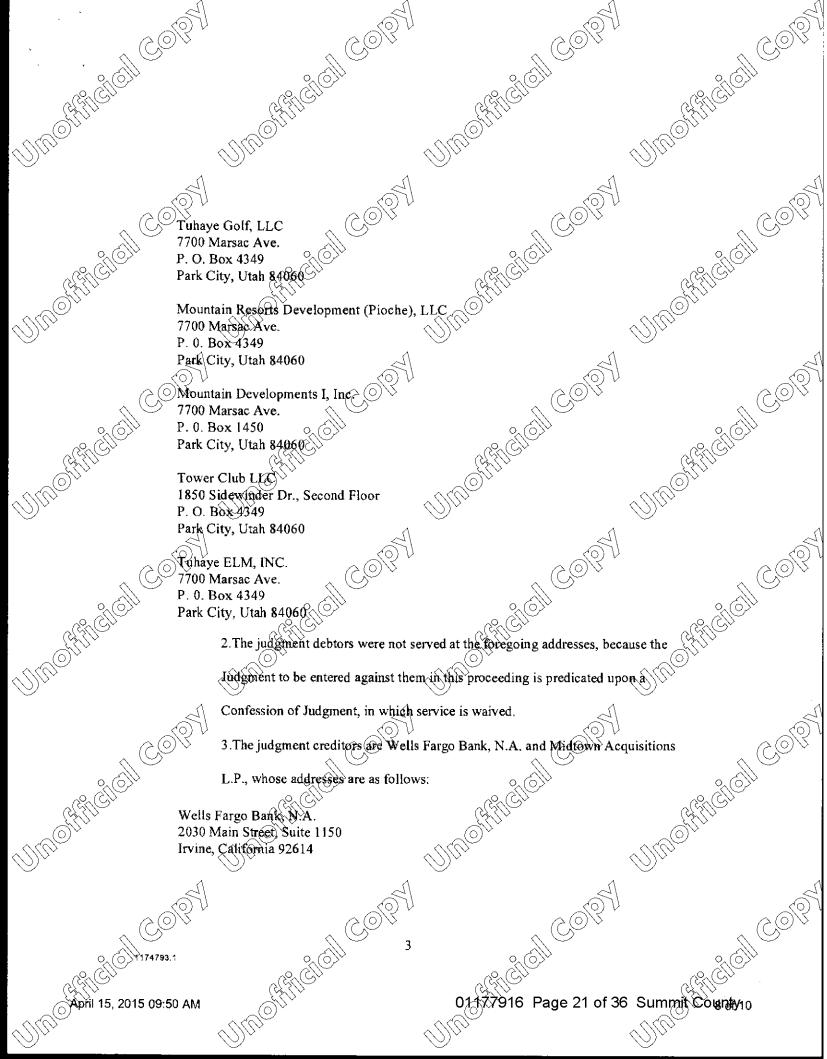
TALISKER PARTERSHIP, a Province of Ontario, Canada general partnership; TALISKER INVESTMENTS (CANADA) Inc., a Province of Ontario, Canada corporation; TALISKER INVESTMENTS (VS.) INC., a Utah corporation; TALISKER DEVELOPMENTS INC., a Utah corporation; UNITED PARK CITX() MINES COMPANY, a Delaware corporation TUHANELLC, a Utah limited liability> (0) company; TUHAYE GOLF, LLC, a Utab limited Chability company; MOUNTAIN RESORTS DEVELOPMENT (PIOCHE), MC, a Delaware limited liability company MOUNTAIN DEVELOPMENTS I, INC. à Delaware corporation; TOWER CLUB LLC, a Utah limited liability company, and TUHAYE ELM, INC., a Delaware corporation,

Defendants

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Unothing all colors Altherical Color Plaintiffs and judgment creditors, Wells Fargo Bank, National Association and Mic Acquisitions L.P., pursuant to Utah Code Ann. § 78B-5-201, hereby provides the following information: Plaintiffs and judgment creditors, Wells Fargo Bank, National Association and Midtown 1. The last known addresses of the judgment debtors are as follows: Umorthical Cole Talisker Partnership 145 Adelaide Street West, Suite 500 (Toronto, Ontario M5H 4E5 Canada Talisker Investments (Canada) Inc., 145 Adelaide Street West, Suite 500 Toronto, Ontario MSH 4E5 Canada , CO. S. J. Talisker Investments (U.S.) Inc. 7700 Marsac Ave. Park City, Utah 84060 Talisker Developments Inc. 7700 Marsac Ave K P. 0. Box 4349 Park City, Utah 84060 Uno Afficial Gold 31011 GO 1941 United Park City Mines Company 7700 Marsac Ave. P.O. Box 1450 Park City, Utah 84060 Tuhaye LLC 7700 Marsac Ave. P. O. Box 4349 Park City, Utah 84060 01177916 Page 20 of 36 Summit Country April 15, 2015 09:50 AM



Oldottiligion Goldon 300 Midtown Acquisitions, L.P. 65 East 55th Street, 20th Floor New York, New York 10022 4. The amount of the Judgment to be entered against the defendants, as of March 31 therein.

5.N 2015, is \$158,597,589.55. Interest accrues on the Judgment at the rates set with JONES, WALDO, HOUBROOK & McDONOUGH, P.C.

By: /s/George W Pratt

George W. Pratt

Keven M. Rowe

Jessica P. 5. No stay of enforcement of the Judgment has been ordered by the Court. DATED this 14th clay of April, 2015. Muotetigicil Golod Uno Hillella Lole Jessica P. Wilde Andrown Statistical Colors Attorneys for Plaintiff Wells Rargo Bank, National Association and Midtown Acquisitions L.P. Unothical Color 111 COPY 01 77916 Page 22 of 36 Summit County April 15, 2015 09:50 AM

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(Notice of Execution and Exemptions) Umo Afficial Colom Una Afficilia Colori Old 7916 Page 24 of ?

NOTICE OF EXECUTION AND EXEMPTIONS NOTICE: YOUR PROPERTY MAY BE TAKEN TO PAY A CREDITOR. PLEASE READ THIS CAREFULLY.

- A judgment for money has been entered against you, and the creditor has taken steps to garnish, attach, levy, or otherwise execute upon your money or property to pay the judgment. If you think the creditor has improperly seized some of your money or property, you may object to the execution by taking the steps described below. You may not use these steps to object to the judgment. If you think the judgment itself is improper, you must file a timely motion under Utah Rule of Civil Procedure 60(b) to set the judgment aside.
- (2) If you are the judgment debtor in this case, your rights may be affected Read this notice and take steps to protect your rights.
- If you are not the judgment debtor in this case, you may have an interest in the judgment debtor's property and your rights may be affected. Read this notice and take steps to protect your rights.
- (4) The court has ordered a sheriff or constable to seize your property. This means that it may be sold to pay the debt.
- (5) Some property and money can't be taken and are "exempt" from execution.

This is a partial list of exempt property and money. Some of these exemptions might not apply to judgments for alimony or child support.

- (A) Declaration of Homestead. (The Declaration must be filed with the county recorder before the auction of the property. <u>Utah Code Section</u> (388-5-504.)
- (B) A burial plot for you and your family.
- (C) Health aids.
- (D) Benefits because of disability, illness or unemployment.
- (E) Medical care benefits.
- (F) Veteran's benefits.
- (G) Money or property for child support, alimony or separate maintenance.
- (H) Social security benefits.
- (1) Supplemental security income benefits (SSI).
- (J) Workers' compensation benefits.
- (K) Certain retirement benefits.
- (L) Public assistance
- (M) Certain furnishings, appliances, carpets, animals, books, musical instruments, works of art and feirlooms.
- (N) Proxisions for 12 months.
- (O) Wearing apparel, not including jewelry or furs.
- (P) \Beds and bedding.
- (Qb) Certain works of art.
- (R) Compensatory damages from bodily injury or wrongful death

- Ultinophilical corporations of the corporation of t The proceeds of certain life insurance contracts and trusts. **(S)**
 - (T) Certain books, implements and tooks of a trade.
 - A personal motor vehicle up to a specified amount.
 - (XV) A motor vehicle used in trace or business.
 - (W) Part or your wages
 - (X) Property of a person who did not have a judgment entered against him or her, such as the co-owner of the property being held.

Some property is exempt regardless of its value. Other property is exempt to the extent that it is worth less than an amount specified in the law. In that case, the property will be sold with the exempt amount going to the debtor and the balance to the creditor.

See the Utah Exemptions Act (Utah Code Title 78B, Chapter 5, Part 5) for more information about exemptions. There is no exemption solely because you are having trouble paying your debts.

If you think your property should not be taken because:

- (A) statements in the Application for Writ of Execution are wrong;
- (B) the Writ of Execution was not issued correctly or
- (C) some of your property should not have been taken because it is exempt

do the following immediately. You have a deadline of 14 calendar days from the date that the Writ of Execution and this notice was delivered to you.

- Complete the attached Reply and Request for Hearing form
- Sign your name in the space provided and write the address at which the court (B) clerk should notify you of the hearing.
- (C) Attach any documents that help you prove your claim.
- (D) Mail or deliver the form to: the court, and

if they h. In office of the second Ithe judgment creditor or, if they have one, their attorney or licensed paralegal bractitioner.

nd ar Ultro Affile II color V Keep a copy for your records. The name and address of the court are on the first page of they? the Writ of Execution. The address for the judgment creditor or, if they have one, their

copy for your records. The name and the writ of Execution. The address for the junction afterney or licensed paralegal practitioner is:

Matthew L. Lalli
Troy J. Aramburu
Bret R. Evans
SNEI

Email: mlalli@swlaw.com taramburu@swlaw.com brevans@swlaw_com

- The court will schedule a hearing and notify you. You should the with the Reply and Request for Hearing form any documents that help you prove your claim, or bring them. to the hearing.
- If you do not take these steps, the property may be used to pay the judgment creditor even though it is exempt.
- (9)If your property is seized for sale, you may tell the officer who is conducting the sale the order in which to auction the property. For example, sell a boat first and a car second.
- You may talk to an attorney and have the attorney represent you at the hearing. See the court's Finding Legal Help page for information about free and low cost ways to get the help of an attorney: www.otxourts.gov/howto/legalassist/\(\rac{1}{2}\)
- (11)The judgment debtor may not use the steps in paragraph 6 to challenge why the judgment was entered. If you are the judgment debtor and you think the judgment should not have been entered against you, possible options include:
 - (A) an appeal. See the court's Appeals page for more information about the process and forms: www.utcourts.gov/howto/appeals/.
 - (B) a Motion to Set Aside Judgment (Utah Rule of Civil Procedure 60(b)). See the court's Motion to Set Aside Judgment page for more information about the process and forms: www.utcourts.gov/howto/judgment/set_aside/sock

Simply filing an appeal or Motion to Set Aside the Judgment does not stop the collection of the judgment.

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