

**AMENDED AND RESTATED STATE OF UTAH
EXCHANGE PATENT NO. 19737
(Pony Express Trail Park)**

WHEREAS, EAGLE MOUNTAIN CITY, a Utah municipal corporation, 1680 East Heritage Drive, Eagle Mountain, Utah 84043, (the "City") has agreed with the State of Utah, School and Institutional Trust Lands Administration (the "Trust Lands Administration"), to grant certain municipal impact fee credits in consideration of and exchange for the dedication of the state trust lands hereinafter described to the City;

AND WHEREAS, the said agreement by the City complies with all applicable statutory requirements for exchange, it having been determined by the Trust Lands Administration that such municipal impact fee credits equal or exceed the value of the subject state trust lands;

AND WHEREAS, the State of Utah, having issued State of Utah Patent No. 19737, dated January 18, 2005, with such Patent having an incorrect legal description shown on Exhibit A, Pony Express Trail B.

NOW THEREFORE, I, JON M. HUNTSMAN, JR., Governor, by virtue of the power and authority vested in me by the laws of the State of Utah, do issue this PATENT, in the name and by the authority of the State of Utah, hereby granting and confirming unto the said EAGLE MOUNTAIN CITY and to its successors and assigns forever, the following tracts or parcel of land (the "Subject Property"), situated in the County of Utah, State of Utah, to-wit:

Pony Express Trail Park

Township 5 South, Range 2 West, SLB&M;

Section 36: Containing 30.50 acres, more or less (Pony Express Trail A through F)

Township 6 South, Range 2 West, SLB&M;

Section 1: Containing 11.50 acres, more or less (Pony Express Trail G)

Township 6 South, Range 2 West, SLB&M;

Section 11: Containing 10.00 acres, more or less (Pony Express Trail H)

The Subject Property is more specifically described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD, the above described and granted premises unto the said EAGLE MOUNTAIN CITY, a Utah municipal corporation, and to its successors and assigns forever;

Excepting and reserving all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits; also,

Subject to any valid, existing easement or rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by authority of the United States as provided by Statute.

Subject to the express covenants of the City (the "Covenants") concerning the use and maintenance of the Subject Property, as set forth in Article XIV of that certain Master Development Agreement between the City and the Trust Lands Administration dated October 7th, 2003 (the "Master Development Agreement"), which shall run with the land and shall be enforceable by the Trust Lands Administration, its successors and assigns as follows:

Allowed Improvements and Uses:

1. Drought Resistant Landscaping with native and adapted plant material
2. Where the Trail Park traverses the Regional Park, traditional irrigated park landscaping.
3. Interpretive displays related to the history of the Trail.
4. Picnic pavilions and shade structures.
5. Trail amenities including water fountains, water troughs.
6. Trailhead vehicle and horse-trailer parking, not to exceed 100,000 square feet.
7. Amphitheater or other music/performance facility.
8. Municipally owned underground utilities that do not create hazards, noise or odor problems.
9. Existing utilities and easements.
10. Maintenance and storage facilities directly related to park facilities and landscaping.
11. Any other use consistent with investigations of the history of the Pony Express Trail and Overland Stage Route.


Prohibited Improvements and Uses:

1. Improvements not shown on the Pony Express Trail Park Master Plan.
2. Any combination of improvements which, taken as a whole, result in less than 95% of the Park remaining in natural open space.
3. Any combination of improvements which, taken as a whole, result in more than 5% of the Park, being hard surfaced. Hard surfaces shall include all parking area, access roads, sidewalks, paved trails, all pavement and concrete for any purpose, all rooftops, and any other impervious surface.
4. Overhead utilities of any kind, excepting the existing UP&L power line in its existing condition. Upgrade of the power line with steel poles is not allowed.
5. Additional private utilities or pipelines of any kind.
6. Public works facilities, including maintenance sheds, vehicle storage, equipment storage, sewer treatment, repair shops and any other related use.
7. Commercial advertising of any kind.

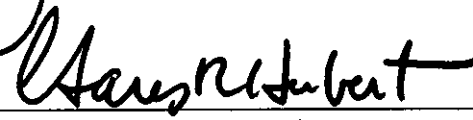
Subject to a reversionary interest held by the State of Utah as follows: In the event that the City, as to all or part of the Subject Property, conveys or attempts to convey such lands out of municipal ownership; or ceases to use such lands for public purposes in conformity with the Covenants; or converts such lands to private use; then title to and ownership and possession of the Subject Property shall automatically revert to the Trust Lands Administration or its successor agency.

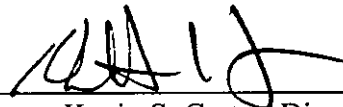
IN TESTIMONY WHEREOF, I affix my signature. Done this 31st day
of MAY, 2005.

By the Governor:


Jon M. Huntsman, Jr.

Attested:


Gary R. Herbert
Lieutenant Governor


Kevin S. Carter, Director
School and Institutional
Trust Lands Administration



APPROVED AS TO FORM
Mark L. Shurtleff
Attorney General

By 
Special Assistant Attorney General

Recorded Patent Book 42 Page 37
Master Development Agreement DEVL 703
Fund: School

Exhibit A
Pony Express Trail Park

Pony Express Trail A

Beginning at a point N89°53'26"W 714.20 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N89°53'26"W between the Northeast Corner and the North Quarter Corner of Section 36. Thence S10°52'27"W, 582.61 feet; thence N 79°07'33"W 200.00 feet; thence N10°52'27"E 372.50 feet; thence N54°25'54"W, 248.32 feet; thence N 00°06'34" E, 25.00 feet thence; S 89°53'26" E 437.99' to the point of beginning. Contains 3.10 acres

Pony Express Trail B

Beginning at a point N89°53'26"W 714.19 feet and S10°52'27"W 642.61 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N89°53'26"W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence S10°52'27"W, 315.69 feet to a point on a 910.00 foot radius curve to the right; Thence southerly 274.85 feet along the arc of said the curve, through a central angle of 17° 18' 19" (chord bears S 19°31'32"W 273.81 feet); thence S 28°10'46"W 1194.43 feet; thence N 61°49'14"W 200.00 feet; thence N28°10'46"E, 1194.43 feet to a point on a 710 foot radius curve to the left; thence northerly 214.44 feet along the curve through a central angle of 17°18'19"(chord bears N 19°31'37" E, 213.63 feet) thence N 10°52'27" E, 315.69 feet; thence S 79°07'33" E 200.00' to the point of beginning. Contains 8.06 acres

Pony Express Trail C1

Beginning at a point S00°19'03"W 2303.56 feet and N90°00'00"W 1566.11 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N89°53'26"W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence S 28°10'46"W, 468.79 feet; thence N 61°49'14"W 200.00 feet; thence N 28°10'46"E 468.79 feet; thence S 61°49'14"E 200.00 feet; to the point of beginning. Contains 2.15 acres

Pony Express Trail C2

Beginning at a point S00°19'03"W 2583.00 feet and N90°00'00"W 1612.16 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N89°53'26"W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence southerly 308.12 feet along the arc of a 216.85 foot radius curve to the right, through a central angle of 81°24'42", (chord bears S 16°49'14" E, 282.84 feet) thence N 61°49'14" W 200.00 feet; thence N 28°10'46" E 200.00 feet to the point of beginning. Contains 0.69 acres

Pony Express Trail D1.

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Beginning at a point S 00°19'18" W 2908.95 feet and N 89°40'42" W 1881.24 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N 89°53'26" W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence S 28°10'46" W, 517.73 feet to a point on a 607.23 foot radius curve to the left; thence along arc of said curve 50.70 feet through a central angle of 4°47'01" (chord bears S 25°41' 29" W 50.68 feet); thence N 65°45'50" W 200.00 feet to a point on a 798.19 foot radius curve to the right; thence along the arc of said curve 64.46 feet through a central angle of 4°37'38" (chord bears N 25°48'09" E 64.45 feet); thence N 28°10'46" E 517.73 feet; thence S 61°49'14" E 200.00 feet to the point of beginning. Contains 2.64 acres

Pony Express Trail D2

Beginning at a point S 00°19'18" W 2951.00 feet and N 89°40'42" W 1801.67 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N 89°53'26" W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence S 61°49'14" E 200.00 feet to a point on a non-tangent 221.37 foot radius curve to the right; thence along the arc of said curve 306.82 feet through a central angle of 79°24'37" (chord bears S 73°10'46" W 282.84 feet); thence N 28°10'46" E 200.00 feet to the point of beginning. Contains 0.69 acres

Pony Express Trail E

Beginning at a point S 00°19'18" W 3455.00 feet and S 90°00'00" W 2169.23 feet from the Northeast Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N 89°53'26" W between the Northeast Corner and the North Quarter Corner of said Section 36. Thence S 24°14'10" W, 899.51 feet to a point on a 455.00 foot radius curve to the right; thence along arc of said curve 22.03 feet through a central angle of 2°46'26" (chord bears S 25°37'23" W 22.03 feet); thence S 27°00'36" W 991.61 feet to a point on a 15.00 foot radius curve to the right; thence along the arc of said curve 17.16 feet through a central angle of 65°33'24" (chord bears S 59°47'18" W 16.24 feet) to a point of reverse curvature of a 130.00 foot radius curve to the left; thence along the arc of said curve 21.26 feet through a central angle of 9°22'07" (chord bears S 87°52'56" W 21.23 feet) to a point of reverse curvature on a 15.00 foot radius curve to the right; thence along the arc of said curve 17.21 feet through a central angle of 65°43'37" (chord bears N 63°56'19" W 16.28 feet); thence N 31°04' 31" W 180.77 feet to a point on a 655.00 foot radius curve to the right; thence 272.78 feet along the arc of said curve through a central angle of 23°51'42" (chord bears N 16° 59'23" W 270.82 feet); thence N 41°27'48" E 713.80 feet to a point on a 200.00 foot radius curve left; thence 60.13 feet along the arc of said curve through a central angle of 17°13'38" (chord bears N 32°50'59" E 59.91 feet); thence N 24°14'10" E 886.52 feet; thence S 65°45'50" E 200.00 feet to the point of beginning. Contains 10.69 acres

Pony Express Trail F

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Beginning at a point S 00°19'11" W 4860.16 feet and N 90°00'00" W 617.15 feet from the North Quarter Corner of Section 36 T5S., R2W., SLB&M. Basis of bearing being: N 89°53'26" W between the Northeast Corner and the North Quarter Corner of said Section 36. Said point of beginning being a point on a 745.00 foot radius curve to the left; thence 230.77 feet along the arc of said curve through a central angle of 17°44'53" (chord bears S20°11'08" E 229.85 feet) thence S 31°04'32" E 182.70 feet to a point on a 15.00 foot radius curve to the right; thence 17.12 feet along the arc of said curve through a central angle of 65°23'09" (chord bears S01°37'03" E 16.20 feet) to a point of reverse curvature on a 130.00 foot radius curve to the left; thence 16.95 feet along the arc of said curve through a central angle of 7°28'11" (chord bears S 30°34'32" W 16.94 feet) to a point of reverse curvature on a 15.00 foot radius curve to the right; thence 16.59 feet along the arc of said curve through a central angle 63°22'01" (chord bears S58°31'27" W 15.76 feet); thence N 89°47'32" W 512.82 feet; thence N 41°27'48" E 546.27 feet to the point of beginning. Contains 2.48 acres

Pony Express Trail G

Beginning at a point S 01°06'12" W 26.62 feet and S 88°53'48" E 2556.28 feet from the Northwest Corner of Section 1 T6S., R2W., SLB&M. Basis of bearing being: N01°06'12" E between the Northwest Corner and the West Quarter Corner of said Section 1. Thence S 89°47'32" E 265.98; thence S 41°27'01" W 2515.38 feet; thence N 89°28'08" W 209.80 feet; thence N 02°44'52" E 66.32 feet; thence N 41° 27'01" E 2425.69 feet to the point of beginning. Contains 11.50 acres

Pony Express Trail H

Beginning at a point S 00°20'56" E 2911.14 feet and S 89°39'04" W 158.94 feet from the North Quarter Corner of Section 11 T6S., R2W., SLB&M. Basis of bearing being: S 89°39'04" W between the Northeast Corner and the North Quarter Corner of said Section 11. Commencing S 36°42'15" W 1810.28 feet; thence N 00°05'38" W 476.33 feet; thence N 36°42'15" E 1243.06 feet; thence S 86°22'06" E 340.48 feet to the point of beginning. Contains 10.00 acres