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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CMC ROCK LLC
70 E WADSWORTH PARK DR
DRAPER UT 84020
BY: ZJM, DEPUTY - WI 3 P.
Tax Parcel I.D. Nos.
33-21-200-001
33-22-100-001

When recorded, return to:
CMC Rock, LLC
71 East Wadsworth Park Drive
Draper, UT 84020
(801) 676-5350

MEMORANDUM OF EASEMENT AGREEMENT

THIS MEMORANDUM OF EASEMENT AGREEMENT (this "**Memorandum**"), dated effective as of August 17, 2009, is by and between Shirley C. Butterfield, as Trustee, hereinafter referred to as "Grantor," and CMC ROCK, LLC, a Utah limited liability company, hereinafter referred to as "Grantee."

Recitals

A. Grantor and Grantee are parties to an Easement Agreement, dated August 17, 2009, (the "**Agreement**"), and access agreements dated February 10, 2009, and March 12, 2009, pursuant to which Grantor granted to Grantee an exclusive easement on, over, and across the real property described on the attached Exhibit "A" (the "**Property**"), for the purpose of transporting materials and accessing adjacent properties.

B. Grantor and Grantee are entering into this Memorandum to provide record notice of Grantee's rights with respect to such Agreement.

Memorandum

In exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Grant of Easement.** Grantor hereby confirms that he has granted, and hereby grants, to Grantee, an exclusive easement on, over, and across Property for the purpose of transporting materials and accessing adjacent as defined in the Agreement. Such easement shall be subject to all of the terms and conditions of the Agreement.

2. **Inconsistencies Between Documents.** To the extent of any inconsistency between this Memorandum and the Agreement, the Agreement shall govern.

IN WITNESS WHEREOF, the parties have executed this Memorandum on the date set forth below, to be effective for all purposes as of the date first set forth in the heading hereof.

Acknowledgments on the Following Page

By: Shirley C. Butterfield
Shirley C. Butterfield

Its: Trustee

CMC ROCK, LLC

By: Todd Cusick
Todd Cusick, CEO

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 4th day of September, 2009, by Shirley C. Butterfield, as Trustee.



Brad A. Adams
NOTARY PUBLIC

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 4th day of September, 2009, by Todd Cusick the Chief Executive Officer of CMC Rock, LLC, a Utah limited liability company.



Brad A. Adams
NOTARY PUBLIC

Exhibit A
Entrance Easement and Haul Road Easement Description

The following described real property located in Salt Lake County, State of Utah:
Sections 21 and 22, Township 4 South, Range 1 West:

Northernmost 70 feet of:

Parcel 33-22-100-001 described as N 1/2 OF NW 1/4 OF NW 1/4 & S 1/2 OF SW 1/4
OF NW 1/4 Section 22, and,

Parcel 33-21-200-001 described as Lot 1, Section 21