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GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 CMC ROCK LLC
 71 E WADSWORTH PARK DR
 DRAFTER UT 84020
 BY: ZJM, DEPUTY - WI 6 P.

EXHIBIT D

(To Sand and Gravel Lease Agreement)

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

Tax Parcel I.D. Nos. SEE ATTACHED

MEMORANDUM OF SAND AND GRAVEL LEASE AGREEMENT

THIS MEMORANDUM OF SAND AND GRAVEL LEASE AGREEMENT (this "Memorandum"), dated effective as of JAN. 29, 2010, is by and between Bank of Utah, as Trustee of the Irrevocable Jack W. Kunkler Trust A, Share B, hereinafter referred to as "Lessor," and CMC ROCK, LLC, a Utah limited liability company, hereinafter referred to as "Lessee."

Recitals

A. Lessor and Lessee are parties to a Sand and Gravel Lease Agreement, dated JAN. 29, 2010, (the "Lease Agreement"), pursuant to which Lessor granted to Lessee a lease from the effective date of January 1, 2009 to December 31, 2014 with the right to request additional extensions for up to 6 years under the Lease Agreement, of the real property described on the attached Exhibit "A" (the "Property"), for the purpose of excavating, developing, mining, producing, processing, recycling, storing and selling, sand, gravel, rock and other materials as defined in the Lease Agreement.

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

Memorandum

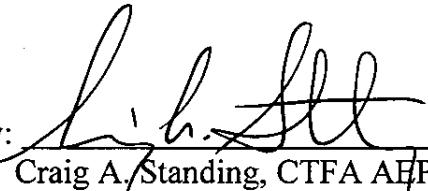
In exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Grant of Lease. Lessor hereby confirms that it has granted, and hereby grants, to Lessee, an exclusive lease of the Property for the purpose of excavating, developing, mining, producing, processing, recycling, storing and selling, sand, gravel, rock and other materials as defined in the Lease Agreement. Such lease shall be subject to all of the terms and conditions of the Lease Agreement.

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

THE IRREVOCABLE JACK W. KUNKLER
TRUST A, SHARE B,
BY BANK OF UTAH,
TRUSTEE

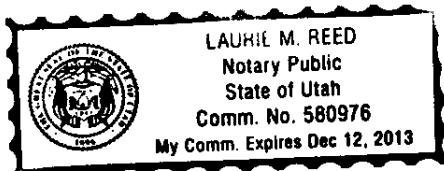
By: 
Craig A. Standing, CTFA AEP
Its: Vice President and Trust Officer

CMC ROCK, LLC

By: 
Todd Cusick, CEO

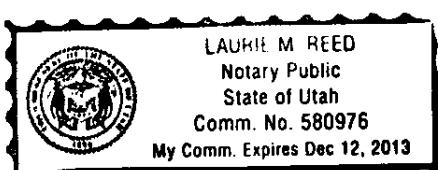
(Acknowledgments on following page)

The foregoing instrument was acknowledged before me this 29 day of JANUARY, 2010, by Craig A. Standing, Vice President and Trust Officer, as Trustee of the Irrevocable Jack W. Kunkler Trust A. Share B.



Dawn M. Reed
NOTARY PUBLIC

The foregoing instrument was acknowledged before me this 29 day of
JANUARY, 2010, by Todd Cusick the Chief Executive Officer of CMC Rock,
LLC, a Utah limited liability company.



Alvin M. Reed
NOTARY PUBLIC

EXHIBIT A

(To Sand and Gravel Lease Agreement)

Property Description

The following described real property located in Salt Lake County, State of Utah:

A PARCEL OF LAND LOCATED IN SECTIONS 16, 20 AND 17, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20 AND 21 AND RUNNING THENCE SOUTH $88^{\circ} 02'32''$ WEST, ALONG THE SECTION LINE, A DISTANCE OF 2620.36 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 17 AND 20; THENCE SOUTH $89^{\circ} 28' 20''$ WEST, ALONG THE SECTION LINE, A DISTANCE OF 140.22 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THE CENTER OF WHICH BEARS SOUTH $19^{\circ} 21' 20''$ EAST, THROUGH A CENTRAL ANGLE OF $09^{\circ} 35' 15''$, A DISTANCE OF 33.47 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE LEFT, THE CENTER OF WHICH BEARS NORTH $9^{\circ} 44' 51''$ WEST, THROUGH A CENTRAL ANGLE OF $44^{\circ} 07' 09''$, A DISTANCE OF 385.01 FEET; THENCE NORTH $36^{\circ} 07' 53''$ EAST, A DISTANCE OF 286.80 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, THE CENTER OF WHICH BEARS NORTH $36^{\circ} 07' 53''$ EAST, THROUGH A CENTRAL ANGLE OF $31^{\circ} 30' 18''$, A DISTANCE OF 164.96 FEET; THENCE SOUTH $85^{\circ} 22' 21''$ EAST, A DISTANCE OF 409.26 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF $37^{\circ} 47' 00''$, A DISTANCE OF 329.72 FEET; THENCE SOUTH $47^{\circ} 46' 30''$ EAST, A DISTANCE OF 92.37 FEET; THENCE NORTH $61^{\circ} 43' 40''$ EAST, A DISTANCE OF 1907.23 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, THE CENTER OF WHICH BEARS NORTH $57^{\circ} 21' 58''$ EAST, THROUGH A CENTRAL ANGLE OF $52^{\circ} 25' 22''$, A DISTANCE OF 365.98 FEET, TO THE NORTH-SOUTH 10 ACRE LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH $0^{\circ} 35' 35''$ WEST, ALONG SAID NORTH-SOUTH 10 ACRE LINE, A DISTANCE OF 796.68 FEET, TO THE NORTH LINE OF GOVERNMENT LOT 4; THENCE SOUTH $89^{\circ} 08' 29''$ EAST, ALONG SAID NORTH LINE, A DISTANCE OF 329.98 FEET, TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH $00^{\circ} 36' 08''$ WEST, ALONG THE NORTH-SOUTH LINE COMMON TO GOVERNMENT LOTS 3 AND

4, A DISTANCE OF 435.09 FEET; THENCE NORTH $89^{\circ} 23' 44''$ WEST, A DISTANCE OF 991.41 FEET, TO THE SECTION LINE; THENCE NORTH $00^{\circ} 36' 16''$ EAST, ALONG SAID SECTION LINE, A DISTANCE OF 439.48 FEET, TO THE POINT OF BEGINNING. CONSISTING OF 45 ACRES, MORE OR LESS.

BEING PART OF

Parcel Identification No. 33-16-300-009
Parcel Identification No. 33-16-300-010
Parcel Identification No. 33-17-300-002
Parcel Identification No. 33-17-400-003
Parcel Identification No. 33-17-400-004
Parcel Identification No. 33-21-100-016

A PARCEL OF LAND LOCATED IN SECTIONS 20 AND 21, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21 AND RUNNING THENCE SOUTH $0^{\circ} 36' 59''$ EAST, ALONG THE LINE COMMON TO GOVERNMENT LOTS 2 AND 3 OF SAID SECTION 21, A DISTANCE OF 1344.12 FEET, TO THE SOUTHERLY CORNER THEREOF; THENCE NORTH $89^{\circ} 33' 30''$ WEST, ALONG THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 1334.92 FEET, TO THE SOUTHERLY CORNER COMMON TO GOVERNMENT LOTS 3 AND 4 OF SAID SECTION 21 AND THE POINT OF BEGINNING FOR THIS DESCRIPTION AND RUNNING THENCE NORTH $89^{\circ} 33' 30''$ WEST, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 541.12 FEET; THENCE NORTH $0^{\circ} 06' 53''$ EAST, A DISTANCE OF 339.36 FEET; THENCE NORTH $89^{\circ} 27' 18''$ WEST, A DISTANCE OF 792.00 FEET, TO THE SECTION LINE; THENCE SOUTH $0^{\circ} 25' 12''$ WEST, ALONG THE SECTION LINE, A DISTANCE OF 340.78 FEET, TO THE EAST-WEST 40 ACRE LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH $89^{\circ} 13' 13''$ WEST, ALONG SAID 40 ACRE LINE, A DISTANCE OF 2593.54 FEET, MORE OR LESS TO THE NORTH SIXTEENTH CORNER OF SAID SECTION 20; THENCE NORTH $0^{\circ} 40' 49''$ WEST, ALONG THE NORTH-SOUTH CENTER QUARTER LINE, A DISTANCE OF 1308.95 FEET, TO THE NORTH QUARTER CORNER OF SAID SECTION 20; THENCE NORTH $88^{\circ} 02' 32''$ EAST, ALONG THE SECTION LINE, A DISTANCE OF 2620.36 FEET, TO THE SECTION CORNER COMMON TO SECTIONS 16,21,20 AND 17; THENCE SOUTH $0^{\circ} 36' 16''$ WEST, ALONG THE SECTION LINE, A DISTANCE OF 439.48 FEET; THENCE SOUTH $89^{\circ} 23' 44''$ EAST, A DISTANCE OF 991.41 FEET; THENCE NORTH $00^{\circ} 36' 08''$ EAST, A DISTANCE OF 435.09 FEET, TO THE SECTION LINE; THENCE SOUTH $89^{\circ} 08'$

29" EAST , ALONG SAID SECTION LINE, A DISTANCE OF 331.42 FEET, TO THE NORTHERLY CORNER COMMON TO GOVERNMENT LOTS 3 AND 4; THENCE SOUTH 0° 05' 40" EAST, A DISTANCE OF 1353.56 FEET, TO THE POINT OF BEGINNING. CONSISTING OF 105 ACRES, MORE OR LESS.

BEING PART OF

Parcel Identification No. 33-20-200-004
Parcel Identification No. 33-20-200-005
Parcel Identification No. 33-21-100-009
Parcel Identification No. 33-21-100-012
Parcel Identification No. 33-21-100-017