

**MEMORANDUM OF ASSIGNMENT OF LEASE**

5304281

THIS MEMORANDUM OF ASSIGNMENT OF LEASE, dated as of the 4<sup>th</sup> day of June, 2010, is made and entered into by and between Binggeli Rock, Inc., a Utah corporation ("Assignor") and Staker & Parson Companies, a Utah corporation ("Assignee").

**WITNESSETH**

In consideration of the representations and warranties, mutual covenants, indemnifications and other consideration contained and recited in that certain Assignment of Lease, Acceptance and Indemnification dated June 4, 2010 (the "Assignment") by and between Assignor and Assignee, the provisions of which are incorporated into and made a part of this Memorandum, Assignor has assigned to Assignee all of Assignor's rights, title and interests in, to and under that certain Lease of real property located in Salt Lake County, State of Utah, dated November 13, 2007 and originally entered into by and between A.J. Dean & Sons, as owner, and Binggeli Rock Products, Inc., as lessee, as subsequently amended and assigned, and subject to certain existing subleases (the "Lease"). The real property subject to said Lease is more particularly described on Exhibit A attached hereto and made a part hereof (the "Premises").

1. **TERM.** The term of the Lease of the Premises that is assigned pursuant to the Assignment extends through November 18, 2019, which date may be extended pursuant to the terms of the Lease.

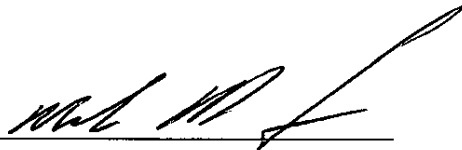
This Memorandum of Assignment of Lease hereby incorporates by reference all the terms, conditions, covenants and agreements both of Assignor and Assignee set forth in the Assignment.

In the event of a conflict between this Memorandum of Assignment of Lease and the Assignment itself, the terms and conditions, covenants and agreements of the Assignment shall prevail.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed this Memorandum of Assignment of Lease as of the date first set forth above.

**ASSIGNOR:**

**Binggeli Rock, Inc.**

By: 

Name: Melvin McQuarrie

Title: President

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6/11/2010 2:28:00 PM \$23.00  
Book - 9832 Pg - 5814-5819  
Gary W. Ott  
Recorder, Salt Lake County, UT  
FIRST AMERICAN TITLE  
BY: eCASH, DEPUTY - EF 6 P.

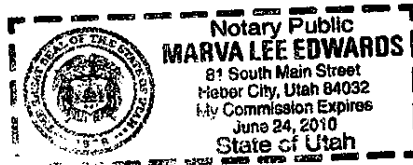
STATE OF UTAH            }  
  : ss.  
COUNTY OF WASATCH    }

On this 7<sup>th</sup> day of June, 2010, before me, a Notary Public duly commissioned, qualified and acting within and for said County and State, appeared in person the within named,

Melvin McQuarrie, President  
of Binggeli Rock, Inc., a Utah corporation, to me known to be the person whose name appears in the foregoing conveyance and stated that he had executed the same for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereto set my hand and seal this 7<sup>th</sup> day of June, 2010.

Marva Lee Edwards  
NOTARY PUBLIC



**ASSIGNEE:**

**Staker & Parson Companies**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF UTAH            }  
  :  
COUNTY OF WASATCH    }

On this \_\_\_\_ day of June, 2010, before me, a Notary Public duly commissioned, qualified and acting within and for said County and State, appeared in person the within named,

\_\_\_\_\_  
of Staker & Parson Companies, a Utah corporation, to me known to be the person whose name appears in the foregoing conveyance and stated that he had executed the same for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereto set my hand and seal this \_\_\_\_ day of June, 2010.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF UTAH            }  
                                      : ss.  
COUNTY OF WASATCH    }

On this \_\_\_\_ day of June, 2010, before me, a Notary Public duly commissioned, qualified and acting within and for said County and State, appeared in person the within named,

\_\_\_\_\_  
of Binggeli Rock, Inc., a Utah corporation, to me known to be the person whose name appears in the foregoing conveyance and stated that he had executed the same for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereto set my hand and seal this \_\_\_\_ day of June, 2010.

\_\_\_\_\_  
NOTARY PUBLIC

**ASSIGNEE:**

**Staker & Parson Companies**

By: Jared D Hyde  
Name: Jared D Hyde  
Title: CFO

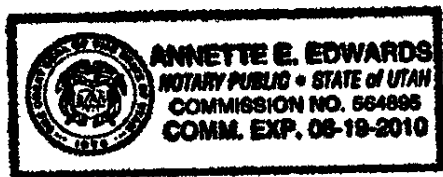
STATE OF UTAH            }  
                                      :  
COUNTY OF WASATCH    }

On this 7<sup>th</sup> day of June, 2010, before me, a Notary Public duly commissioned, qualified and acting within and for said County and State, appeared in person the within named,

Jared D. Hyde  
\_\_\_\_\_  
of Staker & Parson Companies, a Utah corporation, to me known to be the person whose name appears in the foregoing conveyance and stated that he had executed the same for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereto set my hand and seal this 7<sup>th</sup> day of June, 2010.

Annette E. Edwards  
NOTARY PUBLIC



**EXHIBIT A**  
**TO**  
**Memorandum of Assignment of Lease**  
**between**  
**Binggeli Rock, Inc.**  
**and**  
**Staker & Parson Companies**

**DESCRIPTION OF PREMISES**

**EXHIBIT "A "**

Escrow No. **380-5304281 (nh)**

A.P.N.: **22-23-426-001-0000**

**PARCEL 1:**

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG SECTION LINE SOUTH 0°45'07" WEST 900.00 FEET; THENCE NORTH 89°32'44" WEST 1,082.24 FEET TO A POINT ON A CURVE TO THE RIGHT (COUNTY ROAD) WHOSE RADIUS IS 716.8 FEET; THENCE AROUND SAID CURVE TO THE RIGHT A DISTANCE OF 91.39 FEET TO A POINT ON A CURVE TO THE RIGHT (COMPOUND CURVE) WHOSE RADIUS IS 1,518.0 FEET; THENCE AROUND ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 394.8 FEET TO A POINT OF TANGENT; THENCE NORTH 6°45' WEST ALONG TANGENT 49.5 FEET TO A POINT ON A CURVE TO THE RIGHT WHOSE RADIUS IS 955.4 FEET; THENCE NORTHERLY AROUND ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 387.44 FEET TO A POINT ON THE QUARTER SECTION LINE OF SAID SECTION 23; THENCE ALONG SAID SECTION LINE SOUTH 89°32'57" EAST 1,202.78 FEET TO THE POINT OF BEGINNING.

**ALSO KNOWN AS:**

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 23, T2S, R1E, SLB&M; THENCE S 00°45'07" W 900 FEET ALONG THE EAST SECTION LINE OF SAID SECTION; THENCE N 89°32'44" W 964.90 FEET TO THE EAST RIGHT OF WAY LINE OF WASATCH BOULEVARD; THENCE NORTH ALONG SAID RIGHT OF WAY TO THE MIDDLE SECTION LINE OF SAID SECTION; THENCE S 89°18'18" E 869.47 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPTING A PARCEL CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 26, 1989, AS ENTRY NO. 4763144 IN BOOK 6120 AT PAGE 2603 OF OFFICIAL RECORDS AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR AN EXPRESSWAY AND FOR THE RELOCATION OF WASATCH BOULEVARD INCIDENT TO THE CONSTRUCTION OF SAID EXPRESSWAY KNOWN AS PROJECT NO. 068, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING IN THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AT A POINT 50.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CONTROL LINE OF SAID RELOCATION OF WASATCH BOULEVARD, WHICH POINT IS 869.47 FEET NORTH 89°32'57" WEST (WHICH EQUALS HIGHWAY BEARING NORTH 89°19'15" WEST) FROM THE EAST QUARTER CORNER OF SAID SECTION 23; AND RUNNING THENCE SOUTH 0°18'34" WEST (HIGHWAY BEARING) 49.85 FEET TO A POINT OF TANGENCY WITH A 166.00-FOOT RADIUS CURVE TO THE RIGHT AT A POINT 50.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE AT ENGINEER STATION 13+42.15; THENCE SOUTHWESTERLY 271.17 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 47°06'29" WEST HIGHWAY BEARING FOR A DISTANCE OF 242.01 FEET) TO A POINT 50.00 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE AT ENGINEER STATION 11+52.66; THENCE SOUTH 40°52'59" WEST (HIGHWAY BEARING) 137.43 FEET TO A POINT 70.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CENTER LINE OF SAID EXPRESSWAY AT ENGINEER STATION 60+59.78; THENCE SOUTHERLY 130.15 FEET ALONG THE ARC OF A 905.00-FOOT RADIUS CURVE TO THE LEFT (NOTE: CHORD TO SAID CURVE BEARS SOUTH 0°12'48" EAST HIGHWAY BEARING FOR A DISTANCE OF 130.04 FEET) TO A POINT 70.00 FEET RADially DISTANT EASTERLY FROM SAID CENTER LINE AT ENGINEER STATION 62+00.00; THENCE SOUTH 1°09'41" EAST (HIGHWAY BEARING) 93.83 FEET TO A POINT 60.00 FEET RADially DISTANT EASTERLY FROM SAID CENTER LINE AT ENGINEER STATION 63+00.00; THENCE SOUTHERLY 305.11 FEET ALONG THE ARC OF A 915.00-FOOT RADIUS CURVE TO THE LEFT (NOTE: CHORD TO SAID CURVE BEARS SOUTH 19°45'45" EAST HIGHWAY BEARING FOR A DISTANCE OF 303.70 FEET) TO A POINT 60.00 FEET RADially DISTANT NORTHEASTERLY FROM SAID CENTER LINE AT ENGINEER STATION 66+25.12; THENCE SOUTH 38°09'16" EAST (HIGHWAY BEARING) 89.77 FEET TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 89°32'44" WEST (EQUALS HIGHWAY NORTH 89°19'02" WEST) 166.02 FEET, MORE OR LESS, ALONG SAID SOUTHERLY BOUNDARY LINE TO A POINT 70.00 FEET RADially DISTANT SOUTHWESTERLY FROM SAID CENTER LINE; THENCE NORTHERLY 611.63 FEET ALONG THE ARC OF A 1045.00-FOOT RADIUS CURVE TO THE RIGHT (NOTE: CHORD TO SAID CURVE BEARS NORTH 12°51'38" WEST HIGHWAY BEARING FOR A DISTANCE OF 602.94 FEET) TO A POINT 70.00 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID CENTER LINE AT ENGINEER STATION 60+59.78; THENCE NORTH 3°54'24" EAST (HIGHWAY BEARING) 314.24 FEET TO SAID NORTH LINE; THENCE SOUTH 89°32'57" EAST (EQUALS HIGHWAY SOUTH 89°19'15" EAST) 385.82 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

## PARCEL 2:

A TRACT OF LAND SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 627.088 FEET NORTH 89°32'57" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER FROM THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 89°32'57" WEST 242.383 FEET ALONG SAID SOUTH LINE TO A POINT 50.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CENTER LINE OF THE RELOCATED WASATCH BOULEVARD; THENCE NORTH 0°01'04" EAST 42.55 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE GUN CLUB ROAD; THENCE EASTERLY 221.87 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE ARC OF A 2718.452-FOOT RADIUS CURVE TO THE RIGHT (NOTE: CHORD TO SAID CURVE BEARS SOUTH 79°52'11" EAST FOR A DISTANCE OF 221.81 FEET) ALONG SAID SOUTHERLY RIGHT OF WAY LINE; THENCE SOUTH 77°30' EAST 24.588 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.