

**After Recording, Return To:**

Staker & Parson Companies  
 1150 South Depot Drive, Suite 250  
 Ogden, UT 84404

11105840  
 12/28/2010 04:12 PM \$42.00  
 Book - 9893 Pg - 105-110  
**GARY W. OTT**  
 RECORDER, SALT LAKE COUNTY, UTAH  
 NATIONAL TITLE AGENCY LLC  
 5295 S COMMERCE DR #250  
 MURRAY UT 84107  
 BY: ZJM, DEPUTY - WI 6 P.

TAX PARCEL I.D. NOS.: 33-17-200-017-0000; 33-17-200-022-0000;  
 33-16-300-036-0000; 33-16-300-017-0000;  
 33-16-300-037-0000; 33-16-300-030-0000;  
 33-16-300-031-0000; 33-17-100-002-0000;  
 33-14-400-007-0000; 33-17-300-001-0000;  
 33-17-300-003-0000; 33-17-400-011-0000;  
 33-17-400-012-0000; 33-17-400-006-0000;  
 33-17-400-014-0000; 33-17-100-017-0000;  
 33-17-100-019-0000; 33-17-100-024-0000;  
 33-16-300-032-0000; 33-16-300-023-0000;  
 33-16-300-038-0000; 33-16-300-019-0000;  
 and 33-16-300-039-0000

**ASSIGNMENT OF LEASE**

This Assignment of Lease ("Assignment") is made, effective December 10, 2010, by and between CMC Rock, LLC, a Utah limited liability company ("Assignor"), and Staker & Parson Companies, a Utah corporation, whose address is 1150 South Depot Drive, Suite 250, Ogden, UT 84404 ("Assignee").

In consideration of the mutual covenants and purchase price set forth in the Asset Purchase Agreement between Assignor and related parties and Assignee, dated December 10, 2010, Assignor assigned and transferred and hereby assigns and transfers to Assignee all of the Assignor's right, title and interest in and to that certain Amended Sand and Gravel Lease Agreement dated effective October 24, 2008, by and between Rocko, LLC and Wasatch South Hills Development Co., LLC, as Lessor, and Assignor, as Lessee, as executed and amended, covering land in Salt Lake County, State of Utah, described on the attached Exhibit "A" ("Lease").

Assignee accepts assignment of the Lease as of the effective date stated above and assumes and agrees to perform all the terms and conditions, covenants and agreements of the Lease as the lessee thereto. This Assignment shall be binding on the Assignee's successors and assigns.

Nothing contained herein shall in any way supersede the provisions, including the warranties, covenants and agreements of, or any of the rights, remedies or obligations of, any party set forth in the Asset Purchase Agreement.

This Assignment may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same instrument.

In witness whereof, each party of this Assignment has caused it to be executed on the date indicated below.

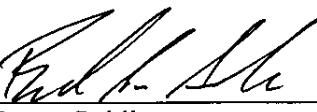
**ASSIGNOR:**

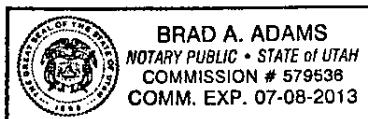
CMC ROCK, LLC,  
a Utah limited liability company

By:   
Todd D. Cusick  
President

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2010, by Todd D. Cusick, President of CMC Rock, LLC, a Utah limited liability company.

  
Notary Public



[OTHER SIGNATURE AND ACKNOWLEDGMENT TO FOLLOW ON NEXT PAGE]

#276798 v1 sic

**ASSIGNEE:**

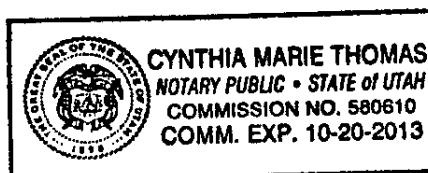
Staker & Parson Companies

By: Scott W. Parson  
Scott W. Parson  
President

STATE OF UTAH : ss.  
COUNTY OF weber

The foregoing instrument was acknowledged before me this 16 day of December, 2010, by Scott W. Parson, President of Staker & Parson Companies.

Cynthia Marie Thomas  
Notary Public



#276798 v1 slc

## EXHIBIT "A"

### Legal Description of Property Covered by Lease

Real property located in Salt Lake County, State of Utah, described as follows:

#### Parcel 1

Commencing at the Quarter corner common with Sections 7 and 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 00°27'50" West, along the Section line common with Sections 7 and 8, to the Northwest corner of Government Lot 2, Section 8, a distance 1343.35 feet; thence North 89°38'44" East, along the North line of said Government Lot, a distance of 1316.08 feet, to the point of beginning for this description; thence North 89°35'44" East, to a point lying on the North-South Quarter Section line, a distance of 1316.06 feet; thence North 89°38'00" East, along the North line of Government Lot 4, Section 8, to the Northeast corner of said Government Lot, further herein after referred to as Point A, a distance of 1316.89 feet; thence South 00°36'41" West, along the East line of said Government Lot, to a point lying on the section line common with Sections 8 and 17, a distance of 1329.78 feet; thence South 00°36'05" West, along the East line of Government Lot 1, Section 17, and along the line common with Government Lots 6 and 7, Section 17, to a point lying on the East-West Quarter Section Line of Section 17 further herein after referred to as Point B, said point also being the corner common with Government Lots 6 and 7 of Section 17, a distance of 2658.66 feet; thence South 88°45'17" West, along said line, a distance of 656.17 feet; thence North 00°33'48" East, a distance of 1995.11 feet; thence North 89°07'38" East, a distance of 328.66 feet; thence North 00°34'54" East to a point lying on the line common with Sections 8 and 17, a distance 669.53 feet; thence South 89°25'56" West along said Section line to the Quarter Corner common with Section 8 and 17, a distance of 986.69 feet; thence South 89°26'58" West, continuing along the line common with Section 8 and 17 to a point further herein after referred to as Point C, said point also being the corner common with Government Lots 2 and 3, Section 8, a distance of 1315.12 feet; thence North 00°30'28" East along the line common with Government Lots 2 and 3 of Section 8, a distance of 1338.86 feet, to the point of beginning.

#### Parcel 2

Beginning at Point B herein above described and running thence North 00°36'05" East along the line common with Government Lots 6 and 7, Section 17, a distance of 60.03 feet; thence North 88°45'17" East, to the line common with Section 16 and 17, a distance of 1312.41 feet; thence South 00°40'51" West along said line to the Quarter corner common with Sections 16 and 17, a distance of 60.03 feet; thence South 00°38'37" West along the line common with Sections 16 and 17, a distance of 700.00 feet; thence North 89°25'24" West, a distance of 600.00 feet; thence South 00°38'36" West, a distance of 450.00 feet; thence South 89°21'24" East, a distance of 300.00 feet; thence North 00°38'36" East, a distance of 150.00 feet; thence South 89°21'24" East, to a point lying on the line common with Sections 16 and 17, a distance of 300.00 feet; thence North 00°38'37" East along said line, a distance of 9.55 feet; thence South 89°21'23" East, to the Easterly right of way of 3200 West, a distance of 50.00 feet; thence North 00°38'37" East along said right of way, a distance of 817.05 feet; thence South 56°17'21" East, a distance of 1107.49 feet; thence South 00°38'37" West, to a point lying on East-West sixteenth line of the Southwest Quarter of Section 16, a distance of 532.17 feet; thence North 89°23'34" West, along

said line, a distance of 316.87 feet; thence South  $00^{\circ}38'13''$  West, a distance of 517.34 feet; thence along the arc of a curve to the right, having a radius of 400.00 feet, the center of which bears North  $04^{\circ}51'32''$  East, through a central angle of  $52^{\circ}30'26''$ , a distance of 366.57 feet; thence South  $61^{\circ}43'40''$  West, a distance of 1907.23 feet; thence North  $47^{\circ}46'30''$  West, a distance of 92.37 feet; thence, along the arc of a curve to the left, having a radius of 500 feet, through a central angle of  $37^{\circ}47'00''$ , a distance of 329.72 feet; thence North  $85^{\circ}22'21''$  West, a distance of 409.27 feet; thence along the arc of a curve to the right, having a radius of 300 feet, through a central angle of  $31^{\circ}30'10''$ , a distance of 164.95 feet; thence South  $36^{\circ}07'53''$  West, a distance of 286.80 feet; thence along the arc of a curve to the right, having a radius of 500 feet, through a central angle of  $44^{\circ}06'27''$ , a distance of 384.91 feet; thence along the arc of curve to the left, having a radius of 200 feet, through a central angle of  $09^{\circ}37'01''$ , to a point lying on the line common with Sections 17 and 20, a distance of 33.57 feet; thence South  $89^{\circ}28'20''$  West, along the line common with Sections 17 and 20 to the Section corner common with Sections 17, 18, 19 and 20, a distance of 2476.92 feet; thence North  $01^{\circ}40'37''$  East along the line common with Sections 17 and 18, a distance of 2403.75 feet; thence North  $88^{\circ}45'17''$  East, to a point lying on the North-South Quarter Section Line of Section 17, a distance of 2589.51 feet; thence South  $00^{\circ}31'23''$  West along said North-South Line to the South Sixteenth corner of Section 17, a distance of 1107.22 feet; thence North  $89^{\circ}06'29''$  East along the East-West Sixteenth Line of the Southeast Quarter of Section 17 to the Southeast Sixteenth Corner of Section 17, a distance of 1310.69 feet; thence North  $00^{\circ}35'03''$  East, along the North-South Line of the Southeast Quarter of Section 17, a distance of 1335.46 feet to the point of beginning.

#### Parcel 3

Beginning at point C herein above described and running thence South  $00^{\circ}29'33''$  East, a distance of 1750.08 feet; thence South  $89^{\circ}07'35''$  West, a distance of 974.46 feet; thence South  $00^{\circ}52'25''$  East, a distance of 662.00 feet; thence South  $89^{\circ}07'35''$  West, to a point lying on the line common with Sections 17 and 18, a distance of 329.00 feet; thence North  $00^{\circ}52'25''$  West, along said line to the corner common with Sections 8 and 17, a distance of 2419.45 feet; thence North  $89^{\circ}26'58''$  East, along the line common with Sections 8 and 17, a distance of 1315.12 feet to the point beginning.

#### Parcel 4

Commencing at corner common to Sections 15, 16, 21, and 22, Township 4 South, Range 1 West, Salt Lake Base and Meridian, and running thence North  $89^{\circ}41'28''$  West, along the line common with Sections 16 and 21, a distance of 1470.20 feet to the point of beginning for this description; thence North  $89^{\circ}41'28''$  West along said line to the Quarter corner common with Sections 16 and 21, a distance 1216.82; thence North  $89^{\circ}08'29''$  West, continuing along said line, a distance of 1653.50 feet; thence North  $00^{\circ}38'01''$  East, a distance of 1324.66 feet; thence South  $89^{\circ}23'34''$  East, a distance of 330.62 feet; thence South  $00^{\circ}37'49''$  West to the Southwest Sixteenth Quarter of Section 16, a distance of 9.16 feet; thence South  $89^{\circ}23'34''$  East, along the East-West Sixteenth line of the Southwest Quarter of Section 16, a distance of 330.62 feet; thence South  $00^{\circ}37'37''$  West, a distance of 659.20 feet; thence South  $89^{\circ}16'01''$  East to a point lying on the North-South Quarter line of Section 16, a distance of 991.98 feet; thence North  $00^{\circ}37'02''$  East, along the North-South Line, a distance of 168.48 feet; thence along the arc of a curve to the left, having a radius of 11314.71, the center of which bears North  $27^{\circ}35'17''$  East,

through a central angle of 06°42'58", a distance of 1326.27; thence South 00°10'16" West, a distance of 292.38 feet to the point of beginning.

Less and excepting therefrom the following described parcel known as the right of way for the Welby Jacob Canal:

Commencing at Point A herein above described and running thence South 00°6'41" West along the East line of Government Lot 4, Section 8, to a point on the Northeasterly right of way of Welby Jacob Canal, a distance of 260.80 feet; to the point of beginning for this description; thence South 00°36'41" West along said Government Line, to a point on the Southwesterly right of way of the Welby Jacob Canal, a distance of 106.65 feet; thence North 27°02'30" West, along said Southwesterly right of way to a point lying on the North line of Government Lot 4, a distance of 411.16 feet; thence North 89°38'00" East, along said line to a point lying on the Northeasterly right of way of the Welby Jacob Canal, a distance of 55.40 feet; thence South 27°02'30" East, along said Northeasterly right of way to point of beginning.

Less and excepting Parcels 1, 2, 3 and 4 above any portion of the following:

Southwest Quarter of the Southeast Quarter of Section 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian.

Southeast Quarter of the Southwest Quarter of Section 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian

That portion of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 16, Township 4 South, Range 1 West, Salt Lake Base and Meridian lying North and East of the South boundary of the proposed Mountain View Highway corridor, and reflected on the map attached hereto.

That portion of the Northeast Quarter of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northwest Quarter of the Section 17, Township 4 South, Range 1 West, Salt Lake Base and Meridian lying North and East of the South boundary of the proposed Mountain View Highway corridor, as reflected on the map attached hereto.

Tax Parcel Identification Numbers: 33-17-200-017-0000, 33-17-200-022-0000, 33-16-300-036-0000, 33-16-300-036-0000, 33-16-300-017-0000, 33-16-300-037-0000, 33-16-300-030-0000, 33-16-300-031-0000, 33-17-100-002-0000, 33-14-400-007-0000, 33-17-300-001-0000, 33-17-300-003-0000, 33-17-400-011-0000, 33-17-400-012-0000, 33-17-400-006-0000, 33-17-400-014-0000, 33-17-100-017-0000, 33-17-100-019-0000, 33-17-100-024-0000, 33-16-300-032-0000, 33-16-300-023-0000, 33-16-300-038-0000, 33-16-300-019-0000, 33-16-300-039-0000.