

When Recorded Return To:

Dennis M. Astill, Esq.
9537 South 700 East
Sandy, Utah 84070

With Copy To:

Executive Secretary--DSHW
Utah Solid and Hazardous Waste Control Board
P.O. Box 144880
Salt Lake City, Utah 84114-4880

ENT 119130:2009 pg 1 of 2
RODNEY D. CAMPBELL
UTAH COUNTY RECORDER
2009 Nov 17 11:02 am FEE 14.00 BY SS
RECORDED FOR ANDERSON GENEVA DEVELOPMENT

ACKNOWLEDGMENT

ANDERSON GENEVA DEVELOPMENT, INC., a Utah corporation, ANDERSON GENEVA, LLC, a Utah limited liability company, and ICE CASTLE RETIREMENT FUND, L.L.C., a Utah limited liability company (collectively, "ADGP") conveyed to VINEYARD PROPERTIES OF UTAH, LLC ("Buyer") title to Lots 16 and 18 within the East Lake at Geneva Industrial Business Park, Phase 1 (the "Property") under those certain Special Warranty Deeds recorded on July 3, 2008, with the Utah County Recorder's Office as Entry Nos. 76616:2008 and 76617:2008, respectively, of Official Records.

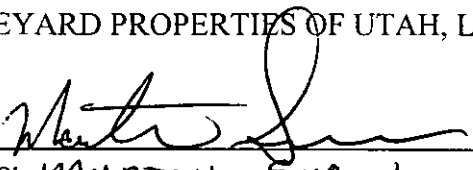
Buyer took title to the Property subject to a Preliminary Pipe Mill Restrictive Covenant (the "Preliminary Covenant"), recorded in the Utah County Recorder's Office on December 18, 2007, as Entry No. 173989:2007 of Official Records. The Preliminary Covenant provides that when ADGI enters into an environmental covenant with the Executive Secretary--DSHW of the Utah Solid and Hazardous Waste Control Board ("Executive Secretary") that Buyer shall allow for and consent to the recording of the environmental covenant against the Property to replace the Preliminary Covenant.

That certain Pipe Mill Environmental Covenant was executed by the Executive Secretary and recorded against the Property on November 18, 2008, with the Utah County Recorder's Office as Entry No. 123137:2008 of Official Records ("Environmental Covenant").

Buyer hereby agrees, consents and acknowledges that (i) the Environmental Covenant replaces and supersedes the Preliminary Covenant, touches, concerns and runs with the Property, and is binding upon the Property, Buyer and Buyer's successors and assigns; (ii) the effective date of the Environmental Covenant is as of December 18, 2007; and (iii) the Environmental Covenant and any instrument relating to any amendment or termination of the Environmental Covenant may be recorded with the Utah County Recorder against the Property.

ACKNOWLEDGED

VINEYARD PROPERTIES OF UTAH, LLC

By: 
Name: MARTIN SNOW
Title: Assistant Manager
Date: 12-3-08

STATE OF UTAH)
) ss:
COUNTY OF UTAH)

Before me, a notary public, in and for said county and state, personally appeared Martin Snow, a duly authorized representative of VINEYARD PROPERTIES OF UTAH, LLC, who acknowledged to me that he did execute the foregoing instrument on behalf of _____.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 3 day of December, 2008.

Susan Blackhurst
Notary Public

