

When Recorded, Mail to:
Kennecott Water Distribution LLC
4700 Daybreak Parkway
South Jordan, Utah 84009
Attention: George J. Stewart

12119618
08/25/2015 02:52 PM \$5764.00
Book - 10355 Pg - 7166-7221
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
HOLLAND & HART LLP CO
ATTN: CONTROLLER
555 17TH ST STE 3200
DENVER CO 80202
BY: LTP, DEPUTY - WI ~~58~~ . 25P

AFFIDAVIT TO CONFIRM INTENT AND DELIVERY OF TITLE

The undersigned, for and on behalf of Kennecott Utah Copper LLC, a Utah limited liability company, Kennecott Water Distribution LLC, a Delaware limited liability company, Daybreak Secondary Water Distribution Company, a Delaware corporation, Kennecott Land Company, a Delaware corporation, Daybreak Water Company, a Utah nonprofit corporation, Daybreak Development LLC, a Delaware limited liability company and successor in interest by conversion to Daybreak Development Company, a Delaware corporation, and Daybreak Water Holding LLC, a Delaware limited liability company and successor in interest by conversion to Daybreak Water Holding Company, a Delaware corporation (collectively the "**Kennecott Entities**"), hereby state and certify under oath as follows:

1. This Affidavit to Confirm Intent and Delivery of Title (this "**Affidavit**") is being recorded by all of the Kennecott Entities to confirm the intent of the Kennecott Entities with respect to the execution, acknowledgement, delivery, and acceptance of those certain documents described in this Affidavit and were executed, acknowledged, delivered and accepted by the parties thereto in a certain order, and to confirm the order in which such documents were to be recorded in the official records of the Salt Lake County Recorder.

2. On August 17, 2015, those of the Kennecott Entities that are a party to the following three documents executed, acknowledged, delivered, and accepted the transfer of property specified in the following three documents in the order listed below (collectively, the "**Initial Documents**"):

(a) That certain Quitclaim Deed from Kennecott Land Company to Daybreak Development Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113912, Book No. 10353, Page No. 2215, in the office of the Salt Lake County Recorder;

(b) That certain Quitclaim Deed for Fixtures and Bill of Sale for Personal Property and Equipment from Kennecott Land Company and Daybreak Development Company to Daybreak Water Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113913, Book No. 10353, Page No. 2218, in the office of the Salt Lake County Recorder; and

(c) That certain Notice of Termination and Release of Easement Agreement by and between Daybreak Development Company and Kennecott Utah Copper, LLC dated

August 17, 2015, and recorded August 17, 2015, as Entry No. 12113914, in Book No. 10353, Page 2229, in the office of the Salt Lake County Recorder.

3. Those of the Kennecott Entities that delivered and accepted the Initial Documents then delivered the Initial Documents to the Salt Lake County Recorder's Office for recording in the order specified in Section 2 hereof, with instructions that the Initial Documents were to be recorded prior to the recording of any and all of the Subsequent Documents, as defined herein. Without notice to the undersigned, the Salt Lake County Recorder rejected the Initial Document listed in Section 2(c) hereof until a clerical deletion was made to that Initial Document, and the rejection of that Initial Document resulted in the Salt Lake County Recorder recording some of the Subsequent Documents before recording the Initial Documents. For purposes of this Affidavit, the Initial Documents and the Subsequent Documents are sometimes collectively referred to herein as the "*Documents*."

4. Based on the foregoing information, this Affidavit confirms that: (a) all of the Kennecott Entities to the Documents intended for the delivery and acceptance of the Initial Documents to occur before the delivery and acceptance of the Subsequent Documents, such that title under the Initial Documents passed to the grantees thereunder prior to the delivery and acceptance of and passing of title under the Subsequent Documents; (b) all of the Kennecott Entities intended that delivery, acceptance, and the passing of title under the Documents to occur prior to the recording of any of the Documents; (c) all of the Kennecott Entities intended and submitted all of the Documents to the Salt Lake County Recorder to be recorded in the following specified order: (i) the Initial Documents were submitted for recording in the order set forth in Section 2 hereof; then (ii) the Subsequent Documents were submitted for recording thereafter. For purposes of this Affidavit, the "*Subsequent Documents*" mean the following twenty (20) documents, which certain of the Kennecott Entities delivered and accepted, as set forth in such documents:

(a) Partial Assignment and Assumption of Provo Reservoir Water Users Company Agreement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113817, Book No. 10353, Page No. 1624 in the office of the Salt Lake County Recorder.

(b) Partial Assignment and Assumption of South Jordan Canal Company Agreement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113818, Book No. 10353, Page No. 1632 in the office of the Salt Lake County Recorder.

(c) Assignment and Assumption of North Jordan Irrigation Company Agreement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113819, Book No. 10353, Page No. 1640 in the office of the Salt Lake County Recorder.

(d) Partial Assignment and Assumption of Utah and Salt Lake Canal Company Agreement by and between Kennecott Utah Copper LLC and Kennecott Water

Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113820, Book No. 10353, Page No. 1649 in the office of the Salt Lake County Recorder.

(e) Assignment and Assumption of Town of West Jordan Deed of Easement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113821, Book No. 10353, Page No. 1657 in the office of the Salt Lake County Recorder.

(f) Assignment and Assumption of Easements by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113822, Book No. 10353, Page No. 1662 in the office of the Salt Lake County Recorder.

(g) Quitclaim Deed for Fixtures and Bill of Sale for Personal Property and Equipment from Kennecott Land Company and Daybreak Development LLC to Daybreak Water Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113823, Book No. 10353, Page No. 1674 in the office of the Salt Lake County Recorder.

(h) Quitclaim Deed for Fixtures and Bill of Sale for Personal Property and Equipment from Kennecott Utah Copper LLC to Daybreak Water Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113824, Book No. 10353, Page No. 1684 in the office of the Salt Lake County Recorder.

(i) Water Right Deed from Daybreak Water Holding Company to Daybreak Water Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113825, Book No. 10353, Page No. 1690 in the office of the Salt Lake County Recorder.

(j) Quitclaim Deed for Fixtures and Bill of Sale for Personal Property and Equipment from Kennecott Utah Copper LLC to Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113826, Book No. 10353, Page No. 1692 in the office of the Salt Lake County Recorder.

(k) Exclusive Pump Station Easement Agreement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113915, Book No. 10353, Page No. 2239 in the office of the Salt Lake County Recorder.

(l) Exclusive Pump Station and Pipeline Easement Agreement by and between Daybreak Development Company and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113916, Book No. 10353, Page No. 2255 in the office of the Salt Lake County Recorder.

(m) Exclusive Pump Station, Pipeline, and Water Treatment Facility Easement Agreement by and between Daybreak Development Company and Daybreak Water Company dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113917, Book No. 10353, Page No. 2272 in the office of the Salt Lake County Recorder.

(n) Partial Assignment and Assumption of Right of Way Deed by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113918, Book No. 10353, Page No. 2290 in the office of the Salt Lake County Recorder.

(o) Partial Assignment and Assumption of Right of Way Deed by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113919, Book No. 10353, Page No. 2295 in the office of the Salt Lake County Recorder.

(p) Partial Assignment and Assumption of Right of Way Deed by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113920, Book No. 10353, Page No. 2300 in the office of the Salt Lake County Recorder.

(q) Partial Assignment and Assumption of Town of West Jordan Permit by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12113921, Book No. 10353, Page No. 2305 in the office of the Salt Lake County Recorder.

(r) Quitclaim Deed for Fixtures and Bill of Sale for Personal Property and Equipment by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12114001, Book No. 10353, Page No. 2701 in the office of the Salt Lake County Recorder.

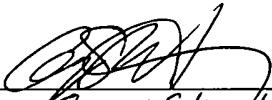
(s) Exclusive Pipeline and Pump Station Easement Agreement by and between Daybreak Development Company and Kennecott Utah Copper LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12114002, Book No. 10353, Page No. 2708 in the office of the Salt Lake County Recorder.

(t) Partial Assignment and Assumption of Utah Lake Distributing Company Agreement by and between Kennecott Utah Copper LLC and Kennecott Water Distribution LLC dated August 17, 2015, and recorded August 17, 2015, as Entry No. 12114003, Book No. 10353, Page No. 2721 in the office of the Salt Lake County Recorder.

SUBSCRIBED AND SWORN to before me this 21st day of August, 2015.

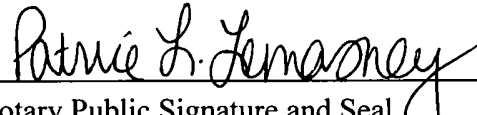
[Signatures on following pages]

KENNECOTT UTAH COPPER LLC,
a Utah limited liability company

By: 
Name: George J. Stewart
Title: Sr. Counsel

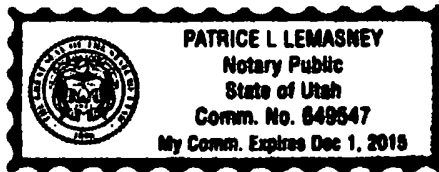
STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 24 day of August,
2015 by George J. Stewart, the Senior Counsel of Kennecott
Utah Copper LLC, a Utah limited liability company.

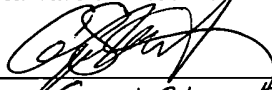

Notary Public Signature and Seal

My Commission Expires:

Dec 1, 2015

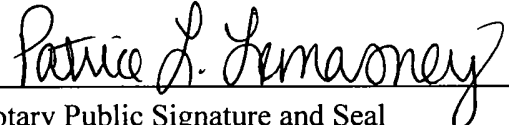


KENNECOTT WATER DISTRIBUTION LLC,
a Delaware limited liability company

By: 
Name: George J. Stewart
Title: Sr. Counsel

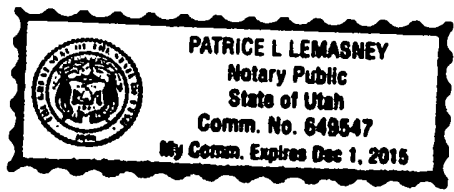
STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 24th day of August,
2015 by George J. Stewart, the Sr. Counsel of Kennecott
Water Distribution LLC, a Delaware limited liability company.

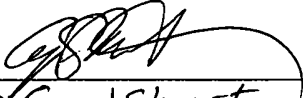

Notary Public Signature and Seal

My Commission Expires:

Dec 1, 2015

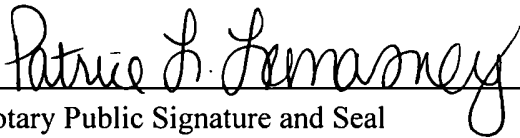


DAYBREAK SECONDARY WATER DISTRIBUTION COMPANY, a Delaware corporation

By: 
Name: George J. Stewart
Title: Sr. Counsel

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

The foregoing instrument was acknowledged before me this 24th day of August, 2015 by George J. Stewart, the Sr. Counsel of Daybreak Secondary Water Distribution Company, a Delaware corporation.


Notary Public Signature and Seal

My Commission Expires:

Dec 1, 2015

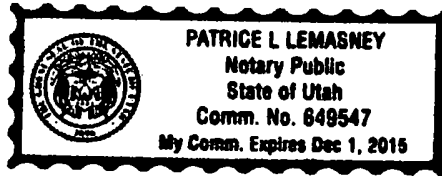


EXHIBIT A

That certain real property located in Salt Lake County, State of Utah, more particularly described as follows:

Parcel 1

Provo Reservoir Water Users Crossing

NESE SEC 6 T3S R1W SLBM
[Parcel ID No. 27-06-501-004-0000]

Parcel 2

South Jordan Canal Crossing

NESE SEC 33 T25 R1W SLBM
[Parcel ID No. 21-25-501-006-0000]

Parcel 3

North Jordan Canal Site

Commencing at a point on the South right of way line of the Denver and Rio Grande Western Railroad Company, which point is 693 feet South and 1223 feet East of the Northwest corner of Section 35, Township 2 South, Range 1 West, Salt Lake Base & Meridian, thence North 89° 56' East 80.5 feet, more or less, to the North Jordan Canal; thence along said canal South 37° 30' West 110 feet; thence South 89° 56' West 118 feet to the East side of existing road; thence Northwesterly along the East side of said roadway 25 feet, more or less, to the Southerly Right of Way line of said Railroad; thence along said right of way line North 59° 14' East 130 feet, more or less, to the point of beginning. Containing 0.24 Acres, more or less. [Parcel ID No. 21-35-104-007-0000]

Parcel 4

Utah and Salt Lake Canal Site

Commencing at a point on the center line of the Denver and Rio Grande Western Railroad 1027.8 feet North and 825.6 feet West of the South Quarter of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 69°27' East 65.0 feet; thence North 51°22' West 161.71 feet; thence South 27°52' East 140.0 feet to the place of beginning.

Less and excepting any portion of said land lying within the Railroad Right of Way, as conveyed in that certain Deed recorded September 26, 1988, in Book W of Deeds at Page 662 of Official Records of Salt Lake County. [Parcel ID No. 21-33-378-006-0000]

Also

Commencing at a point on the center line of the Denver and Rio Grande Western Railroad 1027.8 feet North and 825.6 feet West of the South Quarter of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 69°27'05" West 20.01 feet; thence North 51°22' West 56.62 feet; thence South 69°25'05" East 140.0 feet to the place of beginning.

Less and excepting any portion of said land lying within the Railroad Right of Way, as conveyed in that certain Deed recorded September 26, 1988, in Book W of Deeds at Page 662 of Official Records of Salt Lake County. [Parcel ID No. 21-33-378-010-0000]

Also

Commencing at a point on the center line of the Denver and Rio Grande Western Railroad 1027.8 feet North and 825.6 feet West from the South Quarter of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 69°27' East 75.0 feet; thence South 20°33' East 157.13 feet; thence North 46°04' West 174.10 feet to the place of beginning.

Less and excepting any portion of said land lying within the Railroad Right of Way, as conveyed in that certain Deed recorded September 26, 1988, in the Book W of Deeds at Page 662 of Official Records of Salt Lake County. [Parcel ID No. 21-33-378-008-0000]

Parcel 5

Beginning at a point 324.29 feet South and 1036.78 feet East of the Norwest corner of the Northwest quarter of Section 35, Township 2 South, Range 1 West, Salt Lake Base & Meridian, running thence South from South property line of 7800 South Street 379.81 feet to North right of way line of D & R G W R R tracks. (Bingham Ranch). [Parcel ID No. 21-35-103-001-0000]

Parcel 6

Daybreak (Entire Development)

A tract of land situated in Sections 18 and 19, Township 3 South, Range 1 West and Sections 13, 14, 15, 22, 23 and 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said tract being more particularly described as follows:

BEGINNING at a Salt Lake County monument marking the Northwest corner of said Section 13; thence North 89°57'24" East along the north line of said section for 2699.959 feet to a Salt Lake County monument marking the North quarter corner of said Section 13; thence continuing along said north line North 89°57'36" East for 2666.551 feet to a point marking the northwest corner of a parcel described in that certain Quit Claim Deed recorded in Book 6833 at Page 52, from which a Salt Lake County monument marking the Northeast corner of said Section 13 bears North 89°57'36" East – 33.000 feet; thence along the west and south lines of said parcel the following two (2) calls: (1) South 00°15'56" West for 33.000 feet; (2) thence North 89°57'36" East intersecting the east line of said Section 13 at 33.000 feet and continuing on along the south

line of said parcel for a total of 33.178 feet; thence North $89^{\circ}57'12''$ East parallel to and 33.00 feet perpendicular south of the north line of Section 18, Township 3 South, Range 1 West and along the south right of way of 10200 South for 2574.761 feet to an angle point; thence continuing parallel with said north line and along the said south right of way North $89^{\circ}58'34''$ East for 278.761 feet to a point of intersection with the south right of way of 10200 South and an extension of the west line of the property conveyed to Oquirrh Shadows, L.C. as recorded in Book 8221 at Page 869; thence South $23^{\circ}56'44''$ East passing the northwest corner of said property at 0.591 feet and continuing along the west line of said property for a total of 634.361 feet to an angle point; thence continuing along said west line South $29^{\circ}39'04''$ East for 1012.874 feet to the northeast corner of a parcel conveyed to South Jordan City, recorded in Book 8401 at Page 5930; thence along the perimeter of said South Jordan City property the following four (4) calls: (1) South $60^{\circ}20'55''$ West for 360.045 feet; (2) thence South $29^{\circ}39'05''$ East for 496.250 feet; (3) thence North $33^{\circ}11'06''$ East for 98.140; (4) thence with a curve to the right, having a radius of 1653.000 feet, a central angle of $10^{\circ}12'46''$ (chord bearing and distance of North $38^{\circ}17'57''$ East – 294.249 feet) and for an arc distance of 294.639 feet, said point being the southwest corner of South Jordan City and lying on the north right of way of 10400 South Street, said point also lying on the west line of said Oquirrh Shadows property, thence South $29^{\circ}39'04''$ East along said west line for 2916.402 feet to the south east corner of said Oquirrh Shadows property, said point also lying on the east line of said Section 18; thence South $00^{\circ}07'15''$ East along said east line for 967.184 feet to a Salt Lake County monument marking the northeast corner of Section 19; thence South $00^{\circ}07'47''$ East along the west line of said Section 19 for 1326.083 feet to the northeast corner of the William B. Wray Jr. parcel, also known as Parcel 3 in Commitment for Title Insurance, Amendment No. 3, Order No. 00113350; thence along the north and west lines of said parcel 3 the following two (2) calls: (1) South $89^{\circ}58'28''$ West for 1316.070 feet; (2) thence South $00^{\circ}04'54''$ East for 1324.371 feet to a point on the North line of Country Crossing Subdivision No. 5, recorded as Entry No. 7422489 in Plat Book 99-7P at Page 204; thence along the north and west lines of said subdivision, phase No.'s 5, 4 and 3 the following two (2) calls: (1) North $89^{\circ}56'46''$ West for 1320.153 feet; (2) thence South $00^{\circ}01'42''$ West for 2609.121 feet to the southwest corner of said Country Crossing Subdivision No. 3, said point also lying on the north right of way of 11800 South Street; thence along said north right of way line the following three (3) calls: (1) North $89^{\circ}52'04''$ West for 2642.116 feet; (2) thence North $89^{\circ}58'42''$ West for 2677.945 feet; (3) thence North $89^{\circ}58'44''$ West for 2677.394 feet to a point of intersection of the north right of way line of said 11800 South Street and the east line of Sunstone Village No. 1 Subdivision, recorded as Entry No. 7973084 in Plat Book 2001P at Page 224, said point also lying North $00^{\circ}00'42''$ East – 40.000 feet from a Salt Lake County monument marking the southwest corner of Section 24, Township 3 South, Range 2 West; thence along the east, north and west lines of phases No. 1 and 2 the following three (3) calls: (1) North $00^{\circ}00'42''$ East for 2360.900 feet to the northeast corner of said Sunstone Village No. 1; (2) thence South $89^{\circ}56'12''$ West for 1815.000 feet to the northwest corner of said Sunstone Village No. 2; (3) thence South $00^{\circ}00'42''$ West for 783.900 feet to a point of intersection of the west line of said Sunstone Village No. 2 and the northeast corner of a 20 acre land swap; thence along the north and west lines of said 20 acre land swap the following two (2) calls: (1) South $89^{\circ}56'12''$ West for 550.000 feet; (2) thence South $00^{\circ}00'42''$ West for 1577.000 feet to a point on the north right of way line of said 11800 South Street; thence along said north right of way line the following four (4) calls: (1) South $89^{\circ}56'12''$ West for 282.340 feet; (2) thence South $89^{\circ}56'14''$ West for 2647.809 feet; (3) thence North $89^{\circ}49'08''$ West for 2644.258 feet; (4)

thence North 89°49'44" West for 1322.052 feet; thence North 00°02'03" East along the west line of the east half of the southwest quarter of section 22 for 2605.415 feet to the northwest corner of the east half of the southwest quarter of said Section 22; thence North 89°47'52" West along the north line of said southwest quarter for 1320.211 feet to a Salt Lake County monument marking the west quarter corner of said Section 22; thence North 00°03'55" East along the west line of said Section 22 for 2645.133 feet to a Salt Lake County monument marking the southwest corner of Section 15; thence North 00°14'20" West along the west line of said Section 15 for 12.748 feet to a point on the east right of way of Highway 111; thence along said east right of way line the following two(2) calls: (1) North 20°34'34" East for 618.785'; (2) thence with a curve to the left, having a radius of 2934.930 feet, a central angle of 18°11'53" (chord bearing and distance of North 03°16'41" East – 928.261 feet) and for an arc distance of 932.174 feet to a point of intersection with said east right of way and the south line of the Trans Jordan Landfill property, recorded as Entry No. 5683985 in Book 6826 at Page 293, from which the southwest corner of said property bears South 89°55'33" West – 2.095 feet; thence North 89°55'33" East along the south line of said landfill property for 4347.905 feet to the southeast corner; thence along the east and northerly boundary of said landfill property the following fourteen (14) calls: (1) North 00°04'27" West for 1075.580 feet; (2) thence North 70°32'11" West for 679.750 feet; (3) thence North 32°28'51" West for 429.340 feet; (4) thence North 25°09'37" West for 219.480 feet; (5) thence North 54°23'20" West for 67.210 feet; (6) thence North 71°54'33" West for 83.160 feet; (7) thence South 87°43'11" West for 366.060 feet; (8) thence South 71°57'46" West for 162.800 feet; (9) thence South 84°04'01" West for 113.990 feet; (10) thence North 87°25'43" West for 89.260 feet; (11) thence North 79°38'44" West for 107.140 feet; (12) thence North 72°57'41" West for 348.270 for; (13) thence North 78°14'53" West for 465.783 feet; (14) thence South 89°55'33" West for 1887.661 feet to a point on said east right of way of Highway 111; thence along said east right of way the following four (4) calls: (1) North 06°31'26" West for 48.941 feet; (2) thence North 00°48'48" West for 251.250 feet; (3) thence North 06°31'26" West for 687.100 feet to a found Utah Department of Transportation right of way marker; (4) thence with a curve to the right, having a radius of 5654.580 feet, a central angle of 05°38'46" (chord bearing and distance of North 03°42'03" West – 556.992 feet) and for an arc distance of 557.218 feet to a point of intersection of the said east right of way and the south right of way of the Denver and Rio Grande Railroad, recorded in Book 5381 at Page 373 ; thence leaving Highway 111 and along said Denver and Rio Grande south right of way the following four (4) calls: (1) North 87°56'32" East for 525.105 feet; (2) thence with a curve to the right, having a radius of 5679.650 feet, a central angle of 02°07'45" (chord bearing and distance of North 89°00'25" East - 211.050 feet) and for an arc distance of 211.062 feet; (3) thence South 89°55'43" East for 6588.936 feet; (4) thence North 56°54'49" East for 242.927 feet to a point of intersection with said south right of way and the north line of Section 14, Township 3 South, Range 2 West; thence South 89°55'21" East along the north line of said section for 512.274 feet to a Salt Lake County monument marking the north quarter corner of said Section 14; thence South 89°55'04" East continuing along said north line for 761.295 feet to the northwest corner of the Utah Power and Light parcel recorded in Book 4362 at Page 429; thence along the west and south lines of said U.P & L. parcel the following two (2) calls: (1) South 00°02'50" West for 940.000 feet; (2) thence South 89°55'04" East for 1890.000 feet to the southeast corner of the Utah Power and Light parcel recorded in Book 4358 at Page 302, said point also lying on the east line of said Section 14; thence North 00°02'50" East along said east line for 940.000 feet to the POINT OF BEGINNING

Containing 189,265,768.079 Square feet or 4344.9442 Acres

Less and Except

A tract of land located in the west half of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said tract being more particularly described as follows:

Commencing at the south quarter corner of said Section 24; thence North 00°08'33" East along the east line of said west half for 362.40 feet to the POINT of BEGINNING, said point marking the south east corner of a tract of land recorded in Book 5015 at Page 420; thence North 37°29'42" West for 4399.260 feet to a point on the west line of said Section 24; thence North 00°00'12" East along said west line for 410.687 feet to a point, from which the northwest corner of said Section 24 bears North 00°00'12" East – 1020.943 feet; thence South 37°29'42" East for 4400.894 feet to a point on the east line of said west half; thence South 00°08'33" West for 409.393 to the POINT OF BEGINNING.

Containing 25.2530 Acres.

Less and Except

A tract of land located in the northeast quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said tract being more particularly described as follows:

Commencing at the northeast corner of said Section 23; thence South 89°58'54" West along the north line of said section for 791.000 feet to the POINT OF BEGINNING; thence South 37°29'42" East for 1299.415 feet to a point on the east line of said Section 23, from which the northeast corner of said section bears North 00°00'12" East – 1031.220 feet; thence South 00°00'12" West along said east section line for 180.702 feet; thence North 37°29'42" West for 1527.114 feet to a point on the north line of said Section 23; thence North 89°58'54" East along the north line of said section for 138.608 feet to the POINT OF BEGINNING.

Containing 3.5689 Acres.

Less and Except

A tract of land traditionally described as the South 80 rods of Section 14, Township 3 South Range 2 West, Salt Lake base and Meridian, said tract being more particularly described as follows:

BEGINNING at a Salt Lake County monument marking the southeast corner of said Section 14; thence South 89°58'54" West along the south line of the section for 2647.919 feet to a Salt Lake County monument marking the south quarter corner of said Section 14; thence South 89°58'44" West continuing along the south line of said section for 2648.752 feet to a Salt Lake County monument marking the southwest corner of said Section 14; thence North 00°02'40" West along the west line of said section for 1325.317 feet; thence South 89°51'12" East for 5298.808 feet to

a point on the east line of said section; thence South 00°02'52" West along the east line of said section for 1309.930 feet to the POINT OF BEGINNING.

Containing 160.2445 Acres.

Less and Excepting

A parcel of land located in the north half of Sections 14 and 15, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said parcel owned by the Denver and Rio Grande Railroad, said parcel being more particularly described as follows:

Commencing at the north quarter corner of said Section 14; thence North 89°55'21" West along the north line of said Section 14 for 146.669 feet to the POINT OF BEGINNING; thence the following three calls along the south right of way of said railroad: (1) South 56°54'49" West for 1884.169 feet; (2) thence with a curve to the right having a radius of 4397.183 feet, a central angle of 32°12'16" (chord bearing and distance of South 73°00'57" West – 2439.140 feet) and for an arc distance of 2471.547 feet; (3) thence South 89°07'05" West for 1572.971 feet to a point of intersection with the north line of the landfill property; thence along the north line of said landfill property the following two (2) calls: (1) thence North 78°14'54" West for 407.402 feet; (2) thence South 89°55'33" West for 1661.830 feet to a point of intersection with the north right of way of the railroad; thence with said north right of way line the following five (5) calls: (1) North 89°07'34" East for 1067.497 feet; (2) North 00°12'08" West for 87.624 feet; (3) thence North 89°07'05" East for 2563.638 feet; (4) thence with a curve to the left having a radius of 4197.183 feet, a central angle of 32°12'16" (chord bearing and distance of North 73°00'57" East – 2328.199 feet) and for an arc distance of 2359.132 feet; (5) thence North 56°54'49" East for 1578.118 feet to a point on the north line of said Section 14; thence South 89°55'21" East along the north line of said Section 14 for 365.605 feet to the POINT OF BEGINNING.

Containing 29.3158 acres.

Parcel 7 **Filter Plant Pipeline**

A forty foot (40') easement that is twenty feet (20') each side of the following described center line:

Beginning at a point which is S 89°35'50" E 1279.154 ft and S 00°24'12" W 1569.375 ft from the Northwest corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and beginning N 57°56'55" E 38.495 ft; thence S 77°03'08" E 857.531 ft; thence N 86°19'13" E 140.823 ft; thence N 86°19'07" E 63.354 ft; thence N 03°40'01" W 13.245 ft to the end point.

Parcel 8

Filter Plant Pump Station

A parcel of land located in the north half of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is N 89°36'13" W 149.077 ft and S 00°24'07" W 1577.502 ft from the North quarter corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and beginning S 00°00'00" W 187.487 ft; thence S 90°00'00" W 250.495 ft; thence N 00°00'00" E 187.487 ft; thence N 90°00'00" E 250.495 ft to the point of beginning.

Parcel 9

Water Treatment Facility

Beginning at a point which is S 89°35'50" E 932.266 ft and S 00°24'12" W 1387.641 ft from the Northwest corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and beginning S 63°53'25" E 88.031 ft; thence beginning of a 609.197 ft radius curve to the left, thence along the arc of said curve 102.637 ft (Chord bears S 68°43'43" E for a distance of 102.516 ft); thence S 77°06'04" E 129.671 ft; thence S 75°45'46" E 135.457 ft; thence S 74°57'25" E 52.927 ft; thence beginning of a 167.185 ft radius curve to the right, thence along the arc of said curve 48.683 ft (Chord bears S 66°21'11" E for a distance of 48.511 ft); thence beginning of a 56.035 ft radius curve to the right, thence along the arc of said curve 84.672 ft (Chord bears S 16°17'43" E for a distance of 76.843 ft); thence S 34°47'58" W 40.387 ft; thence S 35°45'46" W 202.861 ft; thence S 35°50'15" W 163.167 ft; thence beginning of a 1373.351 ft radius curve to the left, thence along the arc of said curve 225.987 ft (Chord bears S 30°07'32" W for a distance of 225.732 ft); thence S 26°51'09" W 46.917 ft; thence beginning of a 69.907 ft radius curve to the right, thence along the arc of said curve 72.246 ft (Chord bears S 61°08'51" W for a distance of 69.073 ft); thence N 88°22'44" W 51.951 ft; thence N 88°53'15" W 100.941 ft; thence beginning of a 753.841 ft radius curve to the right, thence along the arc of said curve 177.917 ft (Chord bears N 81°41'36" W for a distance of 177.505 ft); thence beginning of a 211.504 ft radius curve to the right, thence along the arc of said curve 148.945 ft (Chord bears N 52°53'33" W for a distance of 145.886 ft); thence beginning of a 118.901 ft radius curve to the right, thence along the arc of said curve 112.252 ft (Chord bears N 07°20'47" W for a distance of 108.13 ft); thence beginning of a 624.53 ft radius curve to the right, thence along the arc of said curve 170.274 ft (Chord bears N 26°22'53" E for a distance of 169.747 ft); thence N 33°29'18" E 95.91 ft; thence beginning of a 1503.812 ft radius curve to the left, thence along the arc of said curve 82.517 ft (Chord bears N 38°15'51" E for a distance of 82.507 ft); thence beginning of a 522.282 ft radius curve to the left, thence along the arc of said curve 157.876 ft (Chord bears N 30°11'05" E for a distance of 157.275 ft); thence N 20°37'21" E 60.561 ft; thence N 16°16'19" E 94.416 ft; thence N 16°35'52" E 34.207 ft; thence beginning of a 18.529 ft radius curve to the right, thence along the arc of said curve 29.799 ft (Chord bears N 71°38'03" E for a distance of 26.689 ft) to the point of beginning.

Water Right No. 59-5798 and approved Application for Permanent Change of Water No. a30426.

Parcel 10
North Jordan Lateral Pipeline

A parcel of land located in the Northwest $\frac{1}{4}$ of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah being 10 feet each side of the centerline being described as follows:

Beginning at a point on the South Right-of-way line of a railroad which is South $89^{\circ}55'21''$ East, 917.98 feet along the North Section line and South, 132.14 feet from the Northwest Corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running thence South, 1095.92 feet to a point of curvature of a 838 foot radius curve to the right (radius point bears West); thence running Southwesterly along the arc of said curve 259.10 feet (Delta = $17^{\circ}42'55''$) to a point which is South $89^{\circ}55'21''$ East, 878.24 feet along said North Section Line and South, 1483.11 feet. [Portions of Parcel Nos. 26-14-126-001-0000, 26-14-100-025-0000, 26-14-100-030-0000, and 26-14-151-002-0000]

Parcel 11

A parcel of land located in the west half of Section 14 and the east half of Section 15, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, being more particularly described as follows:

Commencing at the Northwest corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of Bearing being South $00^{\circ}02'25''$ East - 2650.848 feet between the Northwest corner and the West quarter corner of said Section 14) and running thence South $00^{\circ}02'25''$ East along the west line of said Section 14 for 2063.72 feet to the southwest corner of a parcel of land conveyed to Daybreak Commerce Park, LLC recorded in Book 9471 at Page 2340, in the office of the Salt Lake County Recorder, said corner being the POINT OF BEGINNING; thence along the boundary of said parcel for the following four (4) courses: South $75^{\circ}51'05''$ East for 459.24 feet; thence South $78^{\circ}57'17''$ East for 85.00 feet; thence with a non-tangent curve to the right having a radius of 782.50 feet, whose center bears South $78^{\circ}57'18''$ East, with a central angle of $31^{\circ}22'03''$ (chord bearing and distance of North $26^{\circ}43'44''$ East - 423.06 feet) for an arc distance of 428.39 feet; thence with a reverse curve to the left having a radius of 867.50 feet, with a central angle of $23^{\circ}36'24''$ (chord bearing and distance of North $30^{\circ}36'33''$ East - 354.90 feet) for an arc distance of 357.42 feet to the south line of Lot B2 of Amended Lots B2, B3, OS2, T4, V4, V7 & WTC2 Kennecott Master Subdivision #1, recorded in Book 2003P at Page 303, in the office of the Salt Lake County Recorder; thence North $89^{\circ}07'05''$ East along the south line of said Lot B2 for 99.01 feet to a point on the west line of Lot P-129 of Kennecott Daybreak Bingham Creek, recorded in Book 2009P at Page 193, in the office of the Salt Lake County Recorder; thence along the boundary of said Kennecott Daybreak

Bingham Creek for the following four (4) courses: South 29°24'49" West for 956.988 feet; thence South 00°00'00" East for 710.904 feet; thence North 90°00'00" East for 252.711 feet; thence with a non-tangent curve to the right having a radius of 5658.038 feet, whose center bears South 38°21'56" East, with a central angle of 06°58'40" (chord bearing and distance of North 55°07'24" East - 688.634 feet) for an arc distance of 689.060 feet to a point on the east-west center line of said Section 14; thence South 89°41'15" East along said east-west center line for 503.940 feet to the south line of Lot OS1 of said Amended Lots B2, B3, OS2, T4, V4, V7 & WTC2 Kennecott Master Subdivision #1; thence along the boundary line of said Lot OS1 for the following four (4) courses: South 63°32'01" West for 2223.938 feet; thence with a curve to the right having a radius of 1000.000 feet, with a central angle of 26°23'32" (chord bearing and distance of South 76°43'47" West - 456.571 feet) for an arc distance of 460.633 feet; thence South 89°55'32" West for 75.200 feet; thence North 00°04'27" West for 1075.580 feet to the southeast corner of Lot P-131 of said Kennecott Daybreak Bingham Creek; thence North 00°04'27" West along the east line of said Lot P-131 for 455.279 feet to the northeast corner of said Lot P-131 and a point on the southern boundary of a parcel of land conveyed to Daybreak Commerce Park, LLC in Book 9655 at Page 3267; thence along the boundary of said parcel for the following three (3) courses: South 71°47'05" East for 520.396 feet; thence North 89°57'35" East for 168.008 feet to the west line of said Section 14; thence North 00°02'25" West along said west line for 324.973 feet to the POINT OF BEGINNING. [Tax ID No. 26-14-100-030-000]

Parcel 12

A parcel of land located in the Northwest ¼ of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah being described as follows:

Beginning at a point which is South 89°55'21" East, 859.76 feet along the North Section line and South, 1483.42 feet from the Northwest Corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running thence North 89°07'05" East, 632 feet; thence South 0°52'55" East, 44 feet; thence South 76°05'54" East, 534 feet; thence North 85°17'02" East, 380 feet; thence North 4°12'22" West, 24 feet; thence North 85°47'38" East, 77 feet; thence South 4°12'22" East, 171 feet; thence South 85°17'02" West, 205 feet; thence North 77°22'28" West, 812 feet; thence South 24°54'32" West, 277 feet; thence South 45°02'22" West, 508 feet; thence West, 400 feet; thence North 345.93 feet to a point on a 820.50 foot radius curve to the left (radius point bears North 39°42'40" West); thence running Northeasterly along the arc of said curve 460.57 feet (Delta = 32°09'42") to the point of beginning.

[Tax Parcel Nos. 26-14-100-025-0000, 26-14-100-030-0000, 26-14-151-002-0000, 26-14-151-001-0000, 26-14-151-003-0000, 26-14-176-001-0000, 26-14-176-002-0000, 26-14-176-003-0000, 26-14-176-004-0000, and 26-14-176-005-0000]

Parcel 13

Beginning at a point which is 335.65 feet North and North 69°27' East 1670 feet, more or less, along the Railroad Right of Way to the West line of the Grantors' property from the Southwest Corner of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 20°33' East 23.0 feet; thence North 69°27' East 210 feet, more or less, to the West line of the Utah and Salt Lake Canal, thence North 20°33' West 23.0 feet along the West line of said Canal, thence South 69°27' West 210 feet to the point of beginning. Containing 0.111 acres. [Portion of Parcel ID No. 21-33-377-010-0000].

Parcel 14
East Parcel

Commencing at a point in the North-South Center line of Section 33, Township 2 South, Range 1 West of the Salt Lake Meridian, said point being situate North 0°6' East 1300.3 feet from the South 1/4 corner of said Section, running thence parallel with and 35.5 feet distant from the center line of the Denver and Rio Grande Western Railroad Company's railroad track South 69°27' West 795.1 feet, thence North 20°33' West 35.5 feet to the said center line of railroad track, thence North 69°27' East 809.2 feet, more or less, to said North-South center line of said Section 33; thence along said North-South center line South 0°06' West 37.9 feet, more or less, to the point of beginning, excluding therefrom that part of said Railroad Company's Right of Way included therein. (Area, less R.R. R. of W. .429 Ac). [Portion of Parcel ID No. 21-33-379-011-0000].

Parcel 15
North Parcel

Commencing at a point on the center line of the Denver and Rio Grande Western Railroad Company's railroad track 1027.8 feet North and 825.6 feet West of the South quarter Section corner of Section 33, Township 2 South, Range 1 West of the Salt Lake Meridian, thence North 69°27' East 65.0 feet; thence North 51°22' West 161.71 feet; thence South 27°52' East 140.0 feet to the place of beginning. (Area, less R.R. right-of-way, 0.086 Acres). [Parcel ID No. 21-33-378-006-0000].

Parcel 16
South Parcel

Commencing at a point on the center line of the Denver and Rio Grande Western Railroad Company's railroad track 1027.8 feet North and 825.6 feet West of the South quarter Section corner of Section 33, Township 2 South, Range 1 West of the Salt Lake Meridian, thence North 69°27' East 75.0 feet; thence South 20°33' East 157.13 feet; thence North 46°04' West 174.10 feet to the place of beginning. (Area, less R.R. right-of-way, 0.114 Acres). [Parcel ID No. 21-33-378-008-0000].

Parcel 17

Beginning at a point 335.65 feet North of the Southwest corner of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian, said point being 13.35 feet South of mile post number 168 + 32 and on the South Right of Way line of the Denver and Rio Grande Western Railroad; and running thence North 69°27' East 1670.0 feet, more or less, along the railroad Right of Way to the West line of the Milton T. Rigby, et al, property; thence South 20°33' East 23.0 feet; thence South 69°27' West 1678.62 feet; thence North 24.56 feet, more or less, to the point of beginning, containing 0.884 acres.

[Portion of Parcel ID Nos. 21-33-352-002-0000, 21-33-352-006-0000, 21-33-352-007-0000, 21-33-352-008-0000, and 21-33-352-009-0000].

Parcel 18

That certain alley, 20 feet in width, on the Southerly side of the D. & R.G.R.R., Bingham Branch, right of way, extending in a Westerly direction from Redwood Road, 1700 West Street, through the West Jordan Subdivision, a part of the West 1/2 of Section 34, Township 2 South, Range 1 West, Salt Lake Base and Meridian, along the Northerly side or ends of Lots 1 through 21, both inclusive, Bank Place, Lot 67, the property formerly owned by the Salt Lake and Utah Railroad between Lots 67 and 68, Lots 68 and 69, West Street, Lot 88, the property between Lots 88 and 89 and Lots 89 to 107, both inclusive.

Parcel 19

Commencing at a point 1027.8 feet North and 825.6 feet West and North 69°27' East 65.0 and North 51°22' West 86.0 feet from the South Quarter of Section 33, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 69°27' East 20.0 feet; thence South 51°22' East 56.62 feet; thence South 69°25'05" West 20.01 feet; thence North 51°22' West 56.62 to the place of beginning. Containing 0.02 Acres, more or less.

[Parcel ID No. 21-33-378-010-0000].

Parcel 20

Manfay Pipeline

A forty foot (40') easement that is twenty feet (20') each side of the following described center line:

Beginning at a point which is S 89°35'50" E 1283.232 ft and S 00°24'12" W 1560.135 ft from the Northwest corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and beginning S 26°59'20" E 37.304 ft; thence beginning of a 106.604 ft radius curve to the right, thence along the arc of said curve 91.919 ft (Chord bears S 00°31'00" W for a distance of 89.098 ft); thence beginning of a 725.463 ft radius curve to the right, thence along the arc of said

curve 92.044 ft (Chord bears S 18°19'31" W for a distance of 91.982 ft); thence S 24°00'53" W 65.104 ft; thence S 18°44'50" W 23.045 ft; thence beginning of a 486.671 ft radius curve to the right, thence along the arc of said curve 82.699 ft (Chord bears S 24°34'55" W for a distance of 82.6 ft); thence S 32°20'45" W 61.057 ft; thence S 31°00'57" W 61.057 ft; thence S 32°30'22" W 24.575 ft; thence S 36°14'49" W 24.575 ft; thence S 36°16'40" W 32.766 ft; thence S 46°25'55" W 18.012 ft; thence S 55°21'20" W 49.428 ft; thence S 61°25'30" W 35.988 ft; thence S 55°35'25" W 13.481 ft; thence beginning of a 79.298 ft radius curve to the right, thence along the arc of said curve 49.532 ft (Chord bears S 72°43'21" W for a distance of 48.731 ft); thence S 82°35'38" W 48.347 ft; thence beginning of a 238.551 ft radius curve to the left, thence along the arc of said curve 70.018 ft (Chord bears S 74°16'01" W for a distance of 69.767 ft); thence S 66°50'29" W 38.885 ft; thence beginning of a 52.219 ft radius curve to the left, thence along the arc of said curve 59.699 ft (Chord bears S 33°57'50" W for a distance of 56.5 ft); thence S 03°15'36" E 1.52 ft; thence S 00°31'39" W 37.311 ft to the end point.

Parcel 21
East Waste Rock Pipeline

A forty foot (40') easement that is twenty feet (20') each side of the following described center line:

Beginning at a point which is N 89°36'02" W 334.797 ft and S 00°24'07" W 1704.855 ft from the North quarter corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and beginning S 78°49'23" W 92.21 ft; thence S 65°40'34" W 64.138 ft; thence N 83°36'10" W 156.43 ft; thence N 76°19'23" W 452.924 ft; thence N 77°58'24" W 88.488 ft; thence beginning of a 170.603 ft radius curve to the left, thence along the arc of said curve 98.146 ft (Chord bears S 67°23'42" W for a distance of 96.798 ft); thence beginning of a 187.299 ft radius curve to the left, thence along the arc of said curve 52.378 ft (Chord bears S 41°24'34" W for a distance of 52.208 ft); thence S 36°22'51" W 401.375 ft; thence S 41°16'09" W 336.838 ft; thence S 75°24'39" W 143.979 ft to the end point

Parcel 22
Future Pump Station Easement

Beginning at the Southeast corner of the South Jordan City water tank parcel recorded as Entry No. 9797197 at the Salt Lake County Recorder's Office, said point lies South 89°55'21" East 467.46 feet along the section line and South 2134.02 feet from the Northwest Corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 14°04'39" West 230.00 feet; thence North 76°09'49" West 150.00 feet; thence North 14°04'39" East 230.00 feet to the South line of said water tank parcel; thence South 76°09'49" East 150.00 feet along said South line to the point of beginning. Property contains 0.792 acres, 34500 square feet.

Parcel 23
Future Pipeline Easement

Beginning at the Southeast corner of the South Jordan City water tank parcel recorded as Entry No. 9797197 at the Salt Lake County Recorder's Office, said point lies South 89°55'21" East 467.46 feet along the section line and South 2134.02 feet from the Northwest Corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said point also being on an 855.17 foot radius tangent curve to the right, (radius bears South 75°55'21" East); and running thence along the East line of said water tank parcel and the arc of said curve 51.61 feet through a central angle of 03°27'28"; thence North 33°35'03" East 576.90 feet; thence North 20°09'43" East 125.28 feet; thence North 89°15'43" East 69.58 feet; thence South 20°09'43" West 157.75 feet; thence South 33°35'03" West 772.70 feet; thence North 14°04'39" East 147.48 feet to the point of beginning.

Parcel 24
Future Pipeline (Drain) Easement

Beginning at a point lies South 89°55'21" East 467.46 feet along the section line and South 2134.02 feet to the Southeast corner of the South Jordan City water tank parcel recorded as Entry No. 9797197 at the Salt Lake County Recorder's Office, and South 14°04'39" West 47.83 feet from the Northwest Corner of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 66°50'47" East 308.92 feet; thence South 23°09'13" East 50.00 feet; thence South 66°50'47" West 346.91 feet; thence North 14°04'39" East 62.80 feet to the point of beginning.

Parcel 25
Utah Lake Distributing Canal Crossing

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