

LEGAL DESCRIPTION

Order No. **5-094383**

Lot 310, KENNECOTT DAYBREAK PLAT 10E SUBDIVISION, according to the Official Plat thereof as recorded in the Office of the Salt Lake County Recorder, State of Utah.

Subject to Special Warranty Deed recorded November 20, 2014, as Entry No. 11949301, in Book 10276, at Page 1321, which recites as follows: Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the first 500 feet below the surface of the Land to use or extract the same and (ii) all water flowing or located under, within, or over and all water rights or water shares in any way connected or associated with or appurtenant to the land.

Grantor and Grantee agree that provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Copper Corporation, as Grantor, to OM Enterprises Company, as Grantee, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" {which prohibits drilling of water wells on the land} and the "Subsequent Transfer Covenant" {which requires that the Well Prohibition Covenant be inserted in all future deeds for such land} (as such terms are defined in such paragraph 10), are hereby incorporated into this Deed shall be binding on Grantee, its successors and assigns.

Parcel No.: **26-13-403-003**