

After recording, return to:

Joe Johnson
Hadco/TM Crushing
1450 West 1850 North
Lehi, Utah 84043

14380896 B: 11569 P: 3124 Total Pages: 5
05/06/2025 02:54 PM By: Jattermann Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

Affects Salt Lake County Tax Parcels: 26-09-300-012-0000; 26-09-100-006-0000; 26-10-100-001-0000

DECLARATION OF VESTED CRITICAL INFRASTRUCTURE MATERIALS USE

The undersigned, being first duly sworn under oath, hereby deposes and states as follows:

1. I, John D. Hadfield, am the Manager and President of the Operator, **Hadco Construction LLC** a Utah limited liability company (the “**Operator**”).
2. The Operator leases certain parcels of real properties located in Salt Lake County, Utah, identified as Salt Lake County Tax Parcels 26-09-300-012-0000, 26-10-100-001-0000 and 26-09-100-006-0000 (collectively, the “**Properties**”). Legal descriptions of the Properties are set forth in Exhibit A hereto.
3. The Operator is a **critical infrastructure materials operator** as defined in Utah Code Ann. § 10-9a-901 because it owns, controls, or manages critical infrastructure materials operations and uses and it has produced commercial quantities of critical infrastructure materials from the same.
4. The critical infrastructure materials operations conducted on the Properties constitute “**vested critical infrastructure materials operations**” and “**vested critical infrastructure materials uses**” under Utah Code Ann. § 10-9a-901 through -903, including the amendments to such statutes effectuated by H.B. 355 (Mining and Critical Infrastructure Materials Amendments) 2025 General Session, because they involve the extraction, excavation, processing, and/or reprocessing of sand, gravel, and/or rock aggregate and they qualify as “existing legal uses” as defined in Utah Code Ann. § 10-9a-901.
5. The land included within the existing vested critical infrastructure materials use is located within Salt Lake County Tax Parcel(s): 26-09-300-012-0000.
6. In addition, notice is hereby given of the Operator’s intent, with respect to its existing legal uses, to:
 - a. progress, extend, enlarge, grow, or expand the vested critical infrastructure materials uses to any contiguous land that the Operator owns or controls;
 - b. expand the vested critical infrastructure materials use to new land contiguous to the surface or subsurface land on which the Operator has vested critical infrastructure materials uses;

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and as to the content, validity,
or effects of this document.

- c. use, operate, construct, reconstruct, restore, extend, expand, maintain, repair, alter, substitute, modernize, upgrade, and replace equipment, processes, facilities, and buildings on any surface or subsurface land that the Operator owns or controls;
 - d. increase production or volume;
 - e. alter the method of extracting or processing, including stockpiling or holding in reserve critical infrastructure materials, to recycle, and to batch and mix concrete and asphalt; and
 - f. extract or process a different or additional critical infrastructure material.
7. The intent of this Declaration is to: (a) comply with the statutory provisions of Utah Code Ann. §10-9a-901 through -904, as amended by House Bill 355 (Mining and Critical Infrastructure Materials Amendments) 2025 General Session; and (b) provide the Company and the Operator with all rights and protections of “vested critical infrastructure materials uses” under Utah law.

DATED this 2nd day of May, 2025.

DATED this 02 day of May, 2025.

THE OPERATOR:

TM CRUSHING, LLC

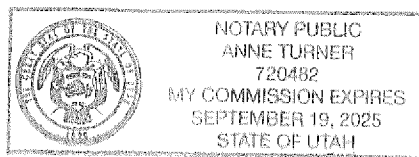


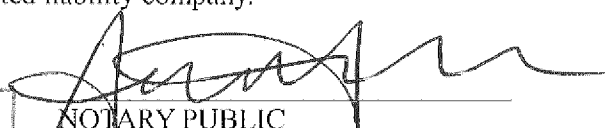
John D. Hadfield, President/Manager

STATE OF UTAH)
 :SS
COUNTY OF Utah)

May 2, 2025
The above Declaration was acknowledged and signed by John D Hadfield in his capacity as President and Manager of TM Crushing, LLC, a Utah limited liability company.

Seal:





NOTARY PUBLIC

EXHIBIT A

The Properties are located in Salt Lake County, State of Utah, and are described as follows:

Parcel No. 26-09-300-012-0000

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N 01°05'04" E 200.28 FT FROM THE NORTHWEST CORNER OF LOT 1, JORDAN VALLEY WATER CONSERVANCY DISTRICT WATER TANK SUBDIVISION OF RECORD AT THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE N 0°33'40" E 1534.60 FT; THENCE N 89°55' E 3970.90 FT; THENCE S 58°23'15" W 3849.08 FT; THENCE N 1°04'44" E 455.99 FT; THENCE N 88°55'16" W 283 FT; THENCE N 1°15'42" E 6.15 FT; THENCE N 88°32'44" W 432.07 FT MORE OR LESS TO THE POINT OF BEGINNING.

INCLUDING THE FOLLOWING PROPERTY:

ALSO BEGINNING AT THE NORTHEAST CORNER OF LOT 1, SOUTH JORDAN ZONES 7 & 8 TANK SUBDIVISION ON RECORD AT THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE N 57°58'22" E 132.99 FT; THENCE N 58°14'03" E 3893.891 FT; THENCE N 89°53'32" E 1097.99 FT; THENCE S 1°02'45" W 84.725 FT; THENCE E 45.63 FT; THENCE S 8°27'44" W 2594.719 FT; THENCE N 89°19'16" W 230.63 FT; THENCE N 13°22'21" E 100 FT; THENCE N 89°33'55" W 100 FT; THENCE S 13°22'21" W 100 FT; THENCE N 89°38'42" W 3829.235 FT; THENCE N 85°53'21" W 24.139 FT; THENCE N 0°19'03" E 500.90 FT MORE OR LESS TO THE POINT OF BEGINNING.

ALSO BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SOUTH JORDAN ZONES 7 & 8 TANK SUBDIVISION ON RECORD AT THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE S 0°19'06" W 321.44 FT; THENCE N 89°48'25" W 461.788 FT; THENCE N 0°00'20" W 146.869 FT; THENCE NORTHEASTERLY ALONG A 3879.73 FT RADIUS CURVE TO LEFT, (CHORD BEARS: N 69°27'36" E. CHORD LENGTH = 493.117 FT.) TO THE POINT OF BEGINNING.

Parcel No. 26-09-100-006-0000

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1600 FT EAST FROM THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SLBM; THENCE E 3682.64 FT; THENCE S 2640 FT; THENCE W 5282.64 FT; THENCE N 31°13'06" E 3087.01 FT MORE OR LESS TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE STATE ROAD 209.

LESS AND EXCEPTING SALT LAKE COUNTY PARCEL NO. 26-09-100-007-0000 WHICH BEGINS N 89°54'29" W 1432.24 FT & S 0°05'31" W 35 FT FROM THE NORTHEAST CORNER OF SECTION 9; THENCE S 364.45 FT; THENCE W 342 FT; THENCE N 365 FT; THENCE S 89°54'29" E 342 FT MORE OR LESS TO THE POINTN OF BEGINNING.

Parcel No. 26-10-100-001-0000

BEGINNING AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN; THENCE EAST 445 FEET, MORE OR LESS TO THE TOW LINE OF STATE ROAD; THENCE SOUTH 7°33'30" WEST TO THE WEST LINE OF SAID SECTION 10; THENCE NORTH ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

APPROXIMATE ACREAGE IS 17.62 ACRES +/-.