

192220-CP1

After recording, return to:

CATHOLIC DIOCESE OF SALT LAKE  
REAL ESTATE CORPORATION, INC.  
[INSERT ADDRESS]

14482990 B: 11628 P: 5075 Total Pages: 3  
12/31/2025 10:09 AM By: dsalazar 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

APNs: 26-23-276-003-0000 and ~~26-23-203-001~~ 26-23-203-001

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August 25, 2025

**RE: Non-Applicability of Ancillary Use under the Declaration of Certain  
Exclusive Rights**

This letter is written for the benefit of CATHOLIC DIOCESE OF SALT LAKE REAL ESTATE CORPORATION, a Utah non-profit corporation ("**Catholic Diocese**"), regarding that certain Declaration of Certain Exclusive Rights between Kennecott Land Residential Development Company, a Delaware corporation, and OM Enterprises Company, a Utah corporation, recorded on May 25, 2010, as Entry Number 10959255, in the Salt Lake County Recorder's Office ("**Declaration**"). As the beneficiary under the Declaration, the University of Utah, a body politic and corporate of the State of Utah acting on behalf of University of Utah Hospitals and Clinics ("**Beneficiary**"), was granted the exclusive right to develop and operate a health care facility and to provide "Medical Facility Services" within the real property described in the Declaration.

Catholic Diocese is the owner of certain real property located in South Jordan, Utah, as more particularly described on Exhibit A, attached hereto and incorporated herein by this reference ("**Catholic Diocese Property**"), which is encumbered by the Declaration. The Catholic Diocese Property will be developed with a church meetinghouse that will occasionally be used for blood drives and emergency shelters and care units ("**Ancillary Use**"). Beneficiary hereby acknowledges for the benefit of Catholic Diocese that the Ancillary Use does not constitute "Medical Facility Services" as defined in the Declaration or a violation under the Declaration.

*[Signatures on Following Page]*

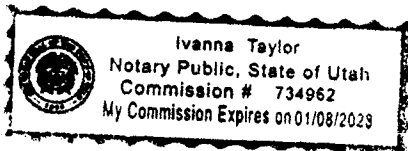
**UNIVERSITY OF UTAH,**  
a body politic and corporate of the State of Utah

By: Anthony E. Wagner  
Name: Anthony E. Wagner  
Its: Chief Financial Officer

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

On this 25th day of August, 2025, personally appeared before me  
Anthony E. Wagner, the Chief Financial Officer of UNIVERSITY OF UTAH,  
a body politic and corporate of the State of Utah, known to me to be the person who executed the  
above instrument and acknowledged to me that she/he executed the same on behalf of said entity.

[Signature]  
Notary Public  
My commission expires: 1/08/2028



## EXHIBIT A PROPERTY DESCRIPTION

**PARCEL 1:**

Beginning at the intersection of the Northwest Right-of-Way Line of Electric Avenue and the Easterly Right-of-Way Line of Kitty Hawk Road, said point also being a point on a 1033.000 foot radius non tangent curve to the left, (radius bears South 58°42'52" West, Chord: North 32°25'18" West 40.969 feet), said point lies South 89°56'37" East 7984.870 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3064.447 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Kitty Hawk Road and the arc of said curve 40.972 feet through a central angle of 02°16'21"; thence North 33°33'29" West 169.442 feet; thence North 56°26'31" East 280.850 feet to a point on a 368.000 foot radius tangent curve to the right, (radius bears South 33°33'29" East, Chord: North 74°29'22" East 228.016 feet); thence along the arc of said curve 231.830 feet through a central angle of 36°05'41"; thence South 87°27'47" East 237.239 feet to said Northwest Right-of-Way Line of Electric Avenue; thence along said Electric Avenue South 56°26'31" West 690.159 feet to the point of beginning.

**PARCEL 2:**

Beginning at the intersection of the North Right-of-Way Line of Lake Avenue and the Easterly Right-of-Way Line of Kitty Hawk Road, said point also being a point on a 1033.000 foot radius non tangent curve to the left, (radius bears South 75°11'24" West, Chord: North 21°12'45" West 230.379 feet), said point lies South 89°56'37" East 8100.761 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 2792.172 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Kitty Hawk Road and the arc of said curve 230.860 feet through a central angle of 12°48'17" to the Southeast Right-of-Way Line of Electric Avenue; thence along said Electric Avenue North 56°26'31" East 785.425 feet; thence South 87°27'47" East 40.939 feet; thence South 02°32'13" West 597.193 feet to a point on a 1071.000 foot radius non tangent curve to the left, (radius bears South 00°38'44" East, Chord: South 87°02'32" West 86.425 feet) to said North Right-of-Way Line of Lake Avenue; thence along said Lake Avenue the following (2) courses: 1) along the arc of said curve 86.449 feet through a central angle of 04°37'29"; 2) South 84°43'47" West 501.434 feet to the point of beginning.

Tax Id No.: 26-23-203-001 and 26-23-276-003