

PAGE () INDEX () ABSTRACT () PLAT () CHECK ()

WHEN RECORDED RETURN TO:
United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

00198231 Bk00363 Pg00405-004

WASATCH CO RECORDER-ELIZABETH M PARCE
1997 NOV 03 09:23 AM FEE \$57.00 BY
REQUEST: DEER CREST ASSOCIATES I LC

ACCESS AND UTILITY EASEMENT AGREEMENT

(United Park City Mines Company 12 Lots-Deer Crest Roads)

THIS ACCESS AND UTILITY EASEMENT AGREEMENT ("Easement Agreement") is made and entered into as of the 31 day of October, 1997 by and between UNITED PARK CITY MINES COMPANY, a Delaware corporation ("Grantee"), and DEER CREST ASSOCIATES I, L.C., a Utah limited liability company ("Grantor").

RECITALS:

A. Grantor owns an interest in the land located in Summit and Wasatch Counties, Utah, which is more particularly described in Exhibit A hereto (the "Burdened Property"). The Burdened Property consists of road corridors through a part of the Deer Crest Project.

B. Grantee owns property adjacent to the Burdened Property and more particularly described in Exhibit B hereto (the "Benefitted Property") and desires to obtain an easement for access and utilities across the Burdened Property to benefit the Benefitted Property. Grantor is willing to grant such easement to Grantee on certain terms and conditions.

NOW, THEREFORE, in consideration of the covenants, promises, obligations, and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

1. EASEMENT.

1.1. Grant of Access and Utility Easements. Grantor, as to its interest in the Burdened Property, hereby grants to Grantee a non-exclusive easement (the "Easement") fifty (50) feet in width (twenty five (25) feet on either side of the center line of the legal description of the Burdened Property) for access and ingress and egress across the roads to be constructed on the Burdened Property and to and from the Benefitted Property, and for the right to connect to and use utilities to be constructed across the Burdened Property for the benefit of the Benefitted Property on the terms and conditions set forth in this Easement Agreement.

1.2 Construction of Roads and Utilities by Grantor. Grantor agrees, at no cost to Grantee, to extend, or cause utility service providers to extend, the roads and utilities (including water, sewer, electric power, gas, cable television and telephone) of the Deer Crest Project to the border of the Benefitted Property. Grantor shall design and upsiz where necessary its utilities with sufficient capacity to serve the twelve (12) residential lots anticipated to be constructed within Benefitted Property on the same basis as the residential lots within the Deer Crest Project. Grantor warrants satisfactory completion of the roads and utility infrastructure in accordance with the approved plans and specifications and the other applicable requirements of Wasatch County. Grantee's right to connect to utility lines provided by third party service providers is subject to Grantee's compliance with the requirements of the third party service providers.

1.3 Use of the Easement by Grantee. The Easement may be used by the owners and guests of twelve (12) residential lots and residences to be built on the Benefitted Property and occupied by Grantee, the owners of the Lots and their respective contractors and invitees. Any construction activity undertaken by Grantee shall be undertaken with ten days prior written notice to Grantor and the Deer Crest Master Association and in a manner so as to minimize interference with the use of the Burdened Property by Grantor and its successor in the ownership and use of the Burdened Property including the Deer Crest Master Association and Deer Crest lot owners. Grantee agrees to restore any portion of the Burdened Property and repair any improvements thereon damaged or modified by reason of Grantee's construction activity. Grantee's use of the Easement shall be subject to rules, regulations and restrictions established by Grantor and any rules and regulations established by or issued pursuant to the authority in the Master Declaration of Covenants, Conditions and Restrictions for Deer Crest (the "Master Declaration"), which is recorded contemporaneously with this Easement Agreement. This Easement is granted in contemplation that the Benefitted Property will become a part of the Deer Crest Project and will benefit from easements granted by reason of the recordation of the Deer Crest plat and the Master Declaration. The parties intend that the Benefitted Property shall have the same rights of access as other lots within the Deer Crest Project and shall be subject to rules, regulations and restrictions no more burdensome than those imposed on lot owners within the Deer Crest Project.

1.4 Use of Easement Property by Grantor. Grantor shall be entitled to use or grant to others the right to use the property through which the Easement passes for access, utilities and other purposes authorized by any plat covering the Burdened Property and by the Master Declaration. The Easement is subject to the rights of Grantor to construct roads and install utilities on and in the vicinity of the Burdened Property, which construction may impair the use of the Easement from time to time until the construction of the roads has been satisfactorily completed. By reason of such construction and the subsequent platting of roads in other areas of the Deer Crest Project, the actual location of the access road may vary from the legal description of the Burdened Property attached hereto. Maintenance of the roads and

certain utility lines not maintained by utility service providers will be accomplished by the Deer Crest Master Association pursuant to the Master Declaration. By separate agreement, Grantee has agreed to contribute toward the maintenance of the roads and those utility lines on the same terms as other residential lots within the Deer Crest Project. Grantor may not construct any buildings or above surface improvements over the Easement that would permanently impair its use for access.

1.5 Amended Easement. This Easement may be amended from time to time to reflect the final location of roads and utilities. At such time as the Benefitted Property becomes a part of the Deer Crest Project by reason of the recordation of a Supplemental Declaration to the Master Declaration signed by both Grantor and Grantee and the recorded Deer Crest plats, the Master Declaration and any supplemental declaration provide equivalent rights of access and utilities as is provided herein, the parties agree to terminate this Easement Agreement by recording a notice of termination against the Burdened and Benefitted Property.

1.6 Gated Access. The parties acknowledge and agree that the access roads covered by this Agreement will be gated at both ends. All construction traffic will be required to access the Benefitted Property through the east gate. Grantor agrees to provide the owners of lots within the Benefitted Property means of access through the gates that are comparable to the means of access provided by Grantor to other owners of lots in the vicinity of the Benefitted Property and within the portion of the Deer Crest Project between the control gates.

2. GENERAL.

2.1. Notices. All notices and other communications provided for in this Easement Agreement shall be in writing and shall be sufficient for all purposes if (i) sent by fax to the fax number set forth below or at such other number as the respective party may designate by notice as provided herein, and concurrently sent by 1st class U.S. mail, (ii) personally delivered, or (iii) sent by certified or registered U.S. mail, return receipt requested, postage prepaid, and addressed to the respective party at the fax number and address set forth below or at such other address as such party may hereafter designate by written notice to the other parties as herein provided.

To Grantor:

Deer Crest Associates I, L.C.
c/o LCC Properties Group, L.C.
136 Heber Avenue, Suite 308
P.O. Box 8888
Park City, UT 84060
Fax: (435) 655-8120

To Grantee:

United Park City Mines Company

P.O. Box 1450
Park City, UT 84060
Attn: Hank Rothwell, President
Fax: (435) 649-8035

With a copy to:

United Park City Mines Company
P.O. Box 1450
Park City, UT 84060
Attn: Edwin L. Osika, Jr.
Executive Vice President
Fax: (435) 645-8626

If personally delivered, notices and other communications under this Easement Agreement shall be deemed to have been given and received and shall be effective when personally delivered. If sent by fax and mail in the form specified in this section, notices and other communications under this Easement Agreement shall be deemed to have been given and received and shall be effective when faxed and deposited in the U.S. mail, whichever shall last occur.

2.2. Costs. Except as otherwise specifically provided in this Easement Agreement, Grantor and Grantee each shall pay their own costs and expenses incurred in preparation and execution of and performance under this Easement Agreement.

2.3. Entire Agreement. This Easement Agreement (including the exhibits attached hereto) constitutes the entire agreement between the parties hereto relative to the subject matter hereof. This Easement Agreement may not be amended or modified except in writing executed by all of the parties hereto.

2.4. Interpretation. This Easement Agreement shall be governed by and construed in accordance with the internal laws of the State of Utah. This Agreement shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

2.5. Counterparts and Facsimile Signatures. This Easement Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, binding between the executing parties, and all of which shall together constitute one and the same instrument. Original, facsimile or power of attorney signatures shall be binding upon the executing party.

2.6. No Waiver. Acceptance by either party of any performance less than required hereby shall not be deemed to be a waiver of the rights of such party to enforce all of the terms and conditions hereof. Except as otherwise expressly provided herein, no waiver of any

such right hereunder shall be binding unless reduced to writing and signed by the party to be charged therewith.

2.7 Covenants Run With the Land. Each right and obligation in this Easement Agreement (whether affirmative or negative in nature) (a) shall constitute a covenant running with the land; (b) shall benefit and bind every person having any fee, leasehold or other interest in any portion of the Benefitted Property or in the Burdened Property; and (c) shall benefit and be binding upon any person whose title is acquired by voluntary conveyance, judicial foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise. Grantor shall not have any obligations under this Easement Agreement after it has transferred its interest in the Burdened Property to the Deer Crest Master Association.

2.8 Public Benefit. Nothing contained in the Easement Agreement shall be deemed a gift or dedication of any portion of the Burdened Property to the general public or for the use of the public or for any public purpose.

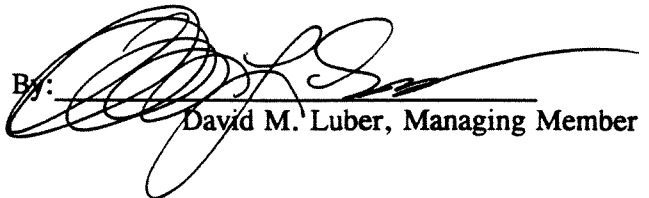
2.9. Attorneys' Fees. In the event of any legal, equitable or administrative action or proceeding brought by any party against any other party under this Easement Agreement, the prevailing party shall be entitled to recover the reasonable fees of its attorneys, and any costs incurred in such action or proceeding including costs of appeal, if any, in such amount as the court or administrative body having jurisdiction may award.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the day and year first above written.

Grantor:

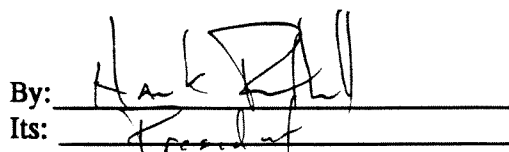
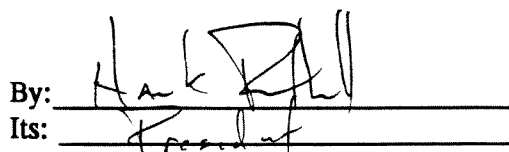
DEER CREST ASSOCIATES I, L.C.

By LCC Properties Group, L.C., its Managing Member

By: 
David M. Luber, Managing Member

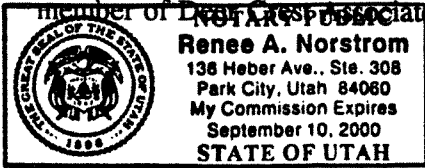
Grantee:

UNITED PARK CITY MINES COMPANY

By: 
Its: 

STATE OF UTAH)
COUNTY OF Summit) :ss

The foregoing instrument was acknowledged before me on the 31ST day of October, 1997, by David M. Luber, Managing Member of LCC Properties, L.C., the managing member of LCC Properties Associates I, L.C.

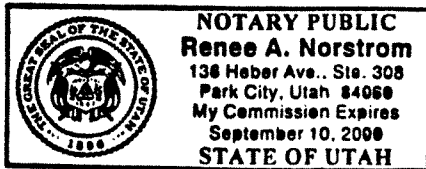


Renee A. Norstrom
Notary Public
Residing at Park City

My Commission Expires:
9/10/2000

STATE OF Utah)
COUNTY OF Summit) :ss.

The foregoing instrument was acknowledged before me on the 31ST day of October, 1997, by David M. Luber as President of United Park City Mines Company.



Renee A. Norstrom
Notary Public
Residing at Park City

My Commission Expires:
9/10/2000

EXHIBIT "A"
TO
TEMPORARY ACCESS EASEMENT AGREEMENT
Access Easement Burdened Property

ACCESS EASEMENT NO. 1
OLD KEETLEY ROAD CONNECTION

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point which is North 09°17'05" West, 3562.78 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner and the Eastern Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, both being found monument); said point also being at the point of intersection of the Easterly right-of-way line of Queen Esther Drive and the centerline of an existing road formerly known as Old Keetley Road, and commencing thence South 87° 12'10" East, 32.74 feet to a point on a 108.25 foot radius curve to the right, radius point bears South 02°47'50" West; thence Southerly along the arc of said curve 205.98 feet thru a central angle of 109°01'19" to the point of tangency; thence South 21°49'09" West, 223.40 feet to a point on a 403.23 foot radius curve to the left, radius point bears South 68°10'51" East; thence Southerly along the arc of said curve 91.49 feet thru a central angle of 13°00'00" to the point of a 508.91 foot reverse curve to the right, radius point bears North 81°10'51" West; thence Southerly along the arc of said curve 150.99 feet thru a central angle of 17°00'00" to the point of a 643.20 foot reverse curve to the left, radius point bears South 64°10'50" East; thence Southerly along the arc of said curve 318.93 feet thru a central angle of 28°24'36" to the point of a 675.00 foot reverse curve to the right, radius point bears South 87°24'34" West; thence Southerly along the arc of said curve 65.76 feet thru a central angle of 05°34'56" to the point of tangency; thence South 02°59'30" West, 175.08 feet to a point on a 1500.00 foot curve to the left, radius point bears South 87°00'30" East; thence Southerly along the arc of said curve 110.59 feet thru a central angle of 04°13'27" to the point of tangency; thence South 00°55'17" East, 5.86 feet to a point on a 540.00 foot radius curve to the right, radius point bears South 89°04'43" West; thence along the arc of said curve 98.65 feet thru a central angle of 10°28'02" to the point of a 3097.77 foot reverse curve to the left, radius point

bears South 80°27'15" East; thence Southerly along the arc of said curve 233.99 feet thru a central angle of 04°19'40" to the point of a 145.00 foot compound curve to the left, radius point bears South 84°46'55" East; thence Southerly along the arc of said curve 170.55 feet thru a central angle of 67°23'25" to the point of tangency; thence South 61°51'08" East, 123.83 feet to a point on the Summit-Wasatch County line and terminating.

**ACCESS EASEMENT NO. 2
CENTERLINE OF DEER CREST ESTATES DRIVE – WEST CONNECTION**

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point on the Summit-Wasatch County line which is North 16°56'51" West 1809.66 feet from at the Southeast Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); and running thence South 61°51'08" East, 305.64 feet to a point on a 500.00 foot radius curve to the right, radius point bears South 28°08'52" West; thence Southeasterly along the arc of said curve 294.39 feet, thru a central angle of 33°43'58" to the point of tangency; thence South 28°07'10" East 188.26 to a point on a 160.00 foot radius curve to the right, radius point bears South 61°52'50" West, and thence Southerly along the arc of said curve 78.32 feet thru a central angle of 28°02'53" to the point of tangency; thence South 00°04'18" East 51.70 feet to a point on a 100.00 foot radius curve to the left, radius point bears North 89°55'42" East; thence Southerly along the arc of said curve 56.02 feet thru a central angle of 32°05'55" to the point of tangency; thence South 32°10'12" East, 152.98 feet to a point on a 135.00 foot curve to the right, radius point bears South 57°49'48" West; thence Southerly along the arc of said curve 203.44 feet to the point of tangency; thence South 54°10'18" West 533.22 feet to a point on a 500.00 foot radius curve to the left, radius point bears South 35°49'42 East; thence Southerly along the arc of said curve 111.28 feet thru a central angle of 12°45'04", to the point of tangency; thence South 41°25'13" West, 144.80 feet to a point on a 250.00 foot curve to the left, radius point bears South 48°34'47" East; thence Southeasterly along the arc of said curve 677.60 feet thru a central angle of 155°17'44" to the point of tangency; thence North 66°07'29" East, 198.40 feet to a point on a 375.00 foot radius curve to the right, radius bears South 23°52'31" East; thence Easterly along

the arc of said curve 185.35 feet thru a central angle of 28°19'10" to the point of tangency; thence South 85°33'21" East, 77.17 feet to a point on a 275.00 foot radius curve to the left radius point bears North 04°26'39" East; thence Northeasterly along the arc of said curve 84.54 feet thru a central angle of 17°36'50" to the point of tangency; thence North 76°49'49" East 411.36 feet to a point on a 1000.00 foot radius curve to the right radius point bears South 13°10'11" East; thence Easterly along the arc of said curve 131.17 feet thru a central angle of 07°30'56" to the point of tangency; thence North 84°20'44" East 191.49 feet to a point on a 350.00 foot curve to the right radius point bears South 05°39'16" East; thence Southeasterly along the arc of said curve 194.40 feet thru a central angle of 31°49'26" to the point of tangency; thence South 63°49'50" East 451.59 feet to a point on a 300.00 foot radius curve to the left radius point bears North 26°10'10" East; thence Easterly along the arc of said curve 166.08 feet thru a central angle of 31°43'08" more or less to a point at the intersection of the centerline of Deer Crest Estates Drive and the Westerly boundary of Deer Crest Subdivision Phase 1 and terminating.

ACCESS EASEMENT NO. 3
CENTERLINE OF SUMMIT DRIVE CONNECTION

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point on the centerline of Deer Crest Estates Drive (Right of Way No.2) which is South 89°08'01" East, 1362.01 feet at the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); and commencing thence South 26°10'10" West 23.63 feet to a point on a 70.00 foot radius curve to the left, radius point bears South 63°49'50" East, and running thence Southerly along the arc of said curve 94.12 feet thru a central angle of 77°02'08" to a point of tangency; thence South 50°51'57" East, 190.07 feet to a point on a 700.00 foot radius curve to the right, radius point bears South 39°08'03" West; thence Southeasterly along the arc of said curve 101.63 feet thru a central angle of 08°16'10" more or less to the point of intersection with the center line of Summit Drive and the Westerly boundary of Deer Crest Subdivision Phase 1 and terminating.

ACCESS EASEMENT NO. 4
CENTERLINE OF DEER CREST ESTATES DRIVE EAST EXTENSION

A. 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at the point of intersection of the Easterly end of the centerline of Deer Crest Estates Drive and the Easterly boundary of Deer Crest Subdivision Phase 1, which is South 60°01'59" East, 3102.288 feet at the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); said point also being on a 250.00 foot radius curve to the left, radius point bears North 35°29'04" East, and commencing thence Easterly along the arc of said curve 274.33 feet thru a central angle of 62°52'20" to a point of tangency; thence North 62°36'43" East 80.85 feet to a point on a 125.00 foot radius curve to the right, radius point bears South 27°23'17" East; thence Easterly along the arc of said curve 151.32 feet thru a central angle of 69°21'28" to a point of tangency; thence South 48°01'49" East 92.78 feet to a point on a 300.00 foot radius curve to the left, radius point bears North 41°58'11" East; thence Southeasterly along the arc of said curve 124.32 feet thru a central angle of 23°44'35" to a point of tangency; thence South 71°46'24" East, 42.20 feet to a point on a 73.21 foot radius curve to the left, radius point bears North 18°13'36" East, thence Northerly along the arc of said curve 244.37 feet thru a central angle of 191°24'33" to a point of tangency; thence North 83°10'57" West, 74.83 feet to a point on a 135.00 foot radius curve to the right, radius point bears North 06°49'03" East; thence Northwesterly along the arc of said curve 71.86 feet thru a central angle of 30°29'51" to a point of tangency; thence North 52°41'06" West, 125.05 feet to a point on a 280.00 foot radius curve to the left, radius point bears South 37°18'54" West; thence Northwesterly along the arc of said curve 154.31 feet thru a central angle of 31°34'32" to a point of tangency, thence North 84°15'38" West, 48.51 feet to a point on a 185.00 foot radius curve to the right, radius point bears North 05°44'22" East; thence Northerly along the arc of said curve 209.78 feet thru a central angle of 64°58'14" to a point of tangency; thence North 19°17'24" West, 46.22 feet to a point on a 185.00 foot radius curve to the right, radius point bears North 70°42'36" East; thence Northerly along the arc of said curve 258.85 feet thru a central angle of 80°09'40" to a point of tangency; thence North 60°52'16" East, 304.43 feet to a point on a 600.00 foot radius curve to the left, radius point bears North 29°07'44" West;

thence Northerly along the arc of said curve 227.59 feet thru a central angle of $21^{\circ}44'01''$ to a point of tangency; thence North $39^{\circ}08'15''$ East, 66.56 feet to a point on a 325.00 foot radius curve to the right, radius point bears South $50^{\circ}51'45''$ East; thence Northeasterly along the arc of said curve 131.77 feet thru a central angle of $23^{\circ}13'47''$ to a point of tangency; thence North $62^{\circ}22'03''$ East, 68.93 feet to a point on a 175.00 foot radius curve to the left, radius point bears North $27^{\circ}37'57''$ West; thence Northerly along the arc of said curve 236.66 feet thru a central angle of $77^{\circ}28'59''$ to a point of tangency; thence North $15^{\circ}06'57''$ West, 62.95 feet to a point on a 325.00 foot radius curve to the right, radius point bears North $74^{\circ}53'03''$ East; thence Northerly along the arc of said curve 168.48 feet thru a central angle of $29^{\circ}42'08''$ to a point of tangency; thence North $14^{\circ}35'11''$ East, 80.69 feet to a point on a 175.00 foot radius curve to the left, radius point bears North $75^{\circ}24'49''$ West; thence Northerly along the arc of said curve 134.17 feet thru a central angle of $43^{\circ}55'40''$ to a point of tangency; thence North $29^{\circ}20'28''$ West, 121.78 feet to a point on a 185.00 foot curve to the left, radius point bears South $60^{\circ}39'32''$ West; thence Northwesterly along the arc of said curve 136.80 feet thru a central angle of $42^{\circ}22'09''$ to a point of tangency; thence North $71^{\circ}42'38''$ West, 200.55 feet to a point on a 800.00 foot radius curve to the right, radius point bears North $18^{\circ}17'22''$ East; thence Northwesterly along the arc of said curve 90.24 feet thru a central angle of $06^{\circ}27'46''$ to a point of tangency; thence North $65^{\circ}14'52''$ West, 118.88 feet to a point on a 90.00 foot radius curve to the right, radius point bears North $24^{\circ}45'08''$ East; thence Northerly along the arc of said curve 127.90 feet thru a central angle of $81^{\circ}26'36''$ to a point of tangency; thence North $16^{\circ}10'44''$ East, 55.69 feet more or less to a point on the center of an existing County Road formerly known as Old Kietley Road and terminating.

ACCESS EASEMENT NO. 5
CENTERLINE OF LOWER DEER HOLLOW CONNECTION

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point on the centerline of an existing County Road (formerly known as Old Kietley Road) which is North $78^{\circ}32'36''$ East, 3091.99 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base & Meridian (Basis of bearing being North $00^{\circ}13'07''$ West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); said point being on a 1000.00 foot radius curve to the left, radius point bears

416

North 19°31'34" West; and commencing thence Easterly along the arc of said curve 115.43 feet thru a central angle of 06°36'49" to a point of tangency; thence South 77°05'15" East 631.93 feet, to a point on a 350.00 foot radius curve to the right; radius point bears South 12°54'45" West; thence Southeasterly along the arc of said curve 370.51 feet thru a central angle of 60°39'14" to the point of tangency; thence South 16°26'02" East 338.84 feet to a point on a 149.65 foot radius curve to the left; radius bears North 73°33'58" East; thence Southeasterly along the arc of said curve 50.39 feet thru a central angle of 19°17'35"; thence South 35°43'37" East 280.72 feet to a point on a 100.00 foot radius curve to the left; radius point bears North 54°16'23" East; thence Easterly along the arc of said curve 20.94 feet to a point of tangency; thence South 47°43'30" East, 89.95 feet to a point of a 100.00 foot curve to the right; radius point bears South 42° 16'30" West; thence Southerly along the arc of said curve 116.08 feet thru a central angel 66° 30'24", to the point of tangency; thence South 18°46'55" West 120.06 feet to a point on a 100.00 foot radius curve to the left, radius point bears South 71°13'05" East; thence Southeasterly along the arc of said curve, 166.66 feet thru a central angle of 95°29'30" to the point of tangency; thence South 76°42'36" East 157.46 feet to a point on a 500.00 foot radius curve to the left; radius point bears North 13°17'24" East; thence Southeasterly along the arc of said curve 63.82 feet thru a central angle of 07°18'47" to the point of tangency; thence South 84°01'23" East 270.53 feet to the point on a 180.00 foot curve to the right. radius point bears North 05°58'37" East; thence Easterly along the arc of said curve 196.88 feet, thru a central angle of 62°40'13" to a point of tangency; thence South 21°21'09" East 81.47 feet to a point on a 520.00 foot radius curve to the left, radius point bears North 68°38'51" East; thence along the arc of said curve 452.55 feet through a central angle of 49°51'51"; and terminating at a point on the centerline of the Frontage Road right-of-way at UDOT Parcel No. JDR-Hy-40-19:20.

**ACCESS EASEMENT NO. 6A
SUMMIT DRIVE OFFSITE ACCESS A**

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point on a 90.00 foot radius curve to the right, said point also being on the centerline of Summit Drive and the Southerly boundary of said Deer Crest Subdivision – Phase 1, located South 22°24'24" West 2861.58 feet from an existing monument at the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, radius

point bears North 87°55'08" West; (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); and running thence Southwesterly along the arc of said curve 122.59 feet thru a central angle of 78°02'46" to the point of a 640.00 foot compound curve to the right, center bears North 09°52'22" West; thence 50.54 feet thru a central angle of 04°31'29" to a point on the centerline of said Summit Drive, said point also being on the Southerly boundary of said Deer Crest Subdivision- Phase 1 and then terminating.

**ACCESS EASEMENT NO. 6B
SUMMIT DRIVE OFFSITE ACCESS B**

A 50.00 foot access easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being 25.00 feet either side of the following described centerline:

Beginning at a point on a 640.00 foot radius curve to the right, said point also being on the centerline of Summit Drive and the Southerly boundary of said Deer Crest Subdivision – Phase 1, located South 18°05'54" West 2882.96 feet from an existing monument at the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, radius point bears North 00°58'49" East; (Basis of bearing being North 00°13'07" East between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); and running thence Northwesterly along the arc of said curve 144.67 feet thru a central angle of 12°57'05" to the point of tangency; thence North 76°04'06" West 101.85 feet to the point of a 500.00 foot radius curve to the right, radius point bears North 13°55'54" East; thence Northwesterly along the arc of said curve 212.91 feet thru a central angle of 24°23'52" to a point on the centerline of said Summit Drive and the Southerly boundary of said Deer Crest Subdivision – Phase 1 and then terminating.

ACCESS EASEMENT NO. 7A
LOT 49 OFFSITE ACCESS

An access easement for the benefit of Lot 49 of the Deer Crest Subdivision – Phase 1, located in the West Half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the Southwest Corner of said Lot 49, located South 25°56'06" East 2823.41 feet from an existing monument at the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments); and running thence North 53°31'51" East 387.63 feet; thence North 81°01'45" East 108.31 feet; thence South 53°31'51" West 483.76 feet; thence North 36°23'10" West 50.00 feet to the Point of Beginning.

Containing 21,785 square feet or 0.050 acres of land more or less.

GRADING EASEMENT NO. 7B

A slope easement for the benefit of the Deer Crest Subdivision – Phase 1, located in the West half of Section 23, Township 2 South, Range 4 East, Salt Lake Base and Meridian. more particularly described as follows:

Beginning at a point which is South 35°48'38" East 2826.03 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" East between the Southeast Corner and the East Quarter Corner of said Section 15 both being found monuments) and running thence North 81°01'45" East 489.22 feet; thence South 10°35'23" West, 53.06 feet; thence South 81°01'45" West 567.51 feet; thence North 53°31'51" East 108.29 feet more or less to the POINT OF BEGINNING.

Containing: 26,418 square feet or 0.61 acres more or less.

AND TOGETHER WITH:

**EASEMENT NO. 8
PHASE I – PLATTED RIGHTS-OF-WAY**

**All platted roadways and rights-of-way as shown on the Official Plat of Deer Crest Estates
Subdivision Phase I as recorded in the Office of the Wasatch County Recorder.**

00198231 Bk00363 Pg00419

EXHIBIT "B"
TO
TEMPORARY ACCESS EASEMENT AGREEMENT
Access Easement Benefitted Property

UNITED PARK CITY MINES COMPANY
PARCEL DESCRIPTION NO. 1

Beginning at a point which is South 09°33'03" West, 3240.86 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, both being found monuments), said point also being at Corner No. 1 of the North Dakota Mining Claim (Lot #185), MS #149 as recorded and running thence along the North line of said North Dakota Mining Claim, North 59°25'05" East, 425.96 feet; thence South 37°23'53" East 151.42 feet; thence South 22°14'24" East, 224.04 feet; thence North 67°45'36" East, 172.44 feet; thence South 22°14'24" East, 200.00 feet; thence South 67°45'36" West, 222.86 feet; thence North 85°13'50" West, 262.10 feet more or less to the West line of said North Dakota Mining Claim; thence North 46°42'00" West along said West line, 427.76 feet more or less to the POINT OF BEGINNING.

Containing: 4.87 acres more or less.

UNITED PARK CITY MINES COMPANY
PARCEL DESCRIPTION NO. 2

Beginning at a point which is South 33°49'03" East, 2778.81 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North 00°13'07" West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, both being found monuments), and running thence North 81°01'45" East, 597.51 feet; thence South 10°35'23" West, 688.67 feet; thence North 68°34'51" West, 322.88 feet; thence North 36°28'09" West, 421.55 feet; thence South 53°31'51" West, 241.93 feet; thence North 36°23'10" West, 50.00 feet; thence North 53°31'51" East, 387.63 feet more or less to the POINT OF BEGINNING.

Containing: 6.90 acres more or less.

UNITED PARK CITY MINES COMPANY
PARCEL DESCRIPTION NO. 3

Beginning at a point which is South $56^{\circ}13'29''$ East 3294.46 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North $00^{\circ}13'07''$ West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, both being found monuments); and running thence North $85^{\circ}53'00''$ East, 137.60 feet; thence North $85^{\circ}53'00''$ East, 697.41 feet; thence North $80^{\circ}20'00''$ East, 25.82 feet; thence South $33^{\circ}49'00''$ West, 109.00 feet; thence South $06^{\circ}53'27''$ West, 382.02 feet; thence West 296.02 feet; thence North $48^{\circ}20'21''$ West, 610.29 feet more or less to the POINT OF BEGINNING.

Containing: 5.69 acres more or less.

UNITED PARK CITY MINES COMPANY
PARCEL DESCRIPTION NO. 4
(AKA AGREEMENT EASEMENT PARCEL G - 1)

Beginning at a point which is South $14^{\circ}15'57''$ East 2578.36 feet from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of bearing being North $00^{\circ}13'07''$ West between the Southeast Corner of Section 15 and the East Quarter Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, both being found monuments); and running thence South $47^{\circ}08'25''$ East, 395.50 feet; thence North $53^{\circ}31'51''$ East, 384.94 feet; thence South $36^{\circ}23'10''$ East, 50.00 feet; thence South $14^{\circ}16'35''$ West, 126.02 feet to a point on a 240.00 foot radius curve to the right, radius point bears North $75^{\circ}43'25''$ West and running thence Southerly along the arc of said curve 275.84 feet thru a central angle of $65^{\circ}51'04''$ to the point of a 790.00 foot compound curve to the right, radius point bears North $09^{\circ}52'22''$ West, and running thence Westerly along the arc of said curve 328.22 feet thru a central angle of $23^{\circ}48'16''$ to the point of tangency; thence North $76^{\circ}04'06''$ West, 506.37 feet to a point on the Southerly boundary of Deer Crest Subdivision, Phase 1, thence along said

boundary North 59°25'05" East, 417.47 feet; thence North 56°21'07" East 61.39 feet more or less to the POINT OF BEGINNING.

Containing: 4.68 acres more or less.