

JUN - 6 2005

By TOOELE COUNTY
Deputy Clerk

D. Matthew Moscon (6947)
STOEL RIVES LLP
201 S Main Street, Suite 1100
Salt Lake City, UT, 84111
Telephone: (301) 328-3131

Attorneys for Geneva Rock Products, Inc.

IN THE THIRD JUDICIAL DISTRICT COURT

TOOELE COUNTY, STATE OF UTAH

Entry: 240701
Page 1 of 7
Date: 04-NOV-2005 1:50PM
Fee: \$22.00 Check
By: RGL
CALLEEN B PESHELL, Recorder
TOOELE COUNTY CORPORATION
For: RANCH 77 LLC

CYRUS LAND INVESTMENT LLC,

Plaintiff,

v.

RANCH 77 LC, CLAIR BANKHEAD
AND KENETH HANSEN AS
INDIVIDUALS AND PERSONS
UNKNOWN,

Defendants.

PERMANENT INJUNCTION AGAINST
TRESPASS

Civil No. 050300563

The Honorable Randall N. Skanchy

This matter came before the Court for hearing on June 6, 2005, on the plaintiff's motion for TRO. The defendants Ranch 77 and S. Bankhead and K. Hansen were served with notice of this hearing and the complaint in this matter via certified mail that was signed for and received by the registered agent S. Bankhead on May 20, 2005.

The plaintiff was represented by its attorney of record Gary Buhler. The defendants were present, but not represented by counsel. Geneva Rock Products, Inc. filed a motion to intervene and was represented by counsel Stoel Rives, LLP. The Court having reviewed the Plaintiff's motion requiring the defendants to cease and desist their trespass on the subject land, and good cause appearing, the Court hereby enters the following:

INJUNCTION AGAINST TRESPASS

1. Cyrus Land Investment LLC, is the deeded owner of the subject land ("Subject Property") located in sections 11, 12, 13, and 14 of Township 4 South, Range 5 West, SL B&M, Tooele County, Utah which is further described currently as the Tooele County tax parcels 6-17-5, 6-17-17 (was 6-19-2), 6-17-19 (was 6-17-6), 6-17-20 (was 6-19-2), and 6-17-29 (was 6-17-1).

2. ^{unwritten} An easement exists for the benefit of property owned by Ranch 77, over and across the Subject Property, for use, maintenance and replacement of a water line in the location as it existed on January 1, 2004, ~~and extending fifteen (15) feet on either side thereof.~~

3. The named defendants in this action, their agents, employees, contractors, and all similarly related entities are, without further order of this Court or written permission of the plaintiff or its assigns, hereby permanently prohibited from entering onto the Subject Property, with or without excavation equipment, to construct, maintain, or use any pipeline, ditch, or water control device except pursuant to the easement described in section 2 above or otherwise with the written permission of the owner of the Subject Property, *To A Lateral Deviation*

DATED: June 6, 2005.

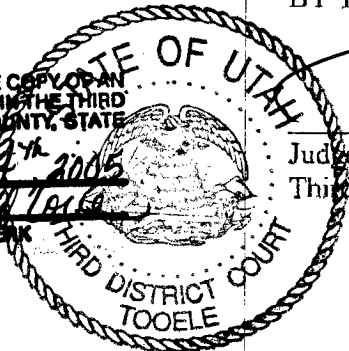
*From Center Line of Existing Pipe Line
NOT TO EXCEED 15 feet
either side*

BY THE COURT

I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, TOOELE COUNTY, STATE OF UTAH.

DATE:

November 4th 2005
Sharon Spent Lake
DEPUTY COURT CLERK



[Signature]
Judge Randall N. Skanchy
Third District Court Judge

TOOELE COUNTY CORPORATION
 Ent 249701 Page 3 of 7
Tax Roll Master Record

November 4, 2005

1:46PM

Parcel: 06-017-0-0005		Entry: 236171	
Name: CENTRAL ELEMENTARY LLC			
c/o Name:		Property Address:	
Address 1: PO BOX 399			
Address 2:			
City State Zip: TOOELE	UT 84074-0399	Acres: 26.90	
Status: Active	Year: 2006	District: 010 O.D. MOSQUITO	0.011048

Owners	Interest	Entry	Comment
CENTRAL ELEMENTARY LLC		236171 (1003/0223)	
CYRUS LAND INVESTMENT LLC		236171 (1003/0223)	

Property Information	2006 Values & Taxes				2005 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LG01 LAND GREENBELT	26.90	13,450	500	5.52	13,450	500	5.52
Totals:	26.90	13,450	500	5.52	13,450	500	5.52

Property Type	Year Built	Square Footage	Basement Size	Building Type
**** SPECIAL NOTE ****			2006 Taxes:	5.52
Tax Rates for 2006 have NOT been set or approved. Any taxes levied shown on this printout for the year 2006 are subject to change!			2005 Taxes:	5.52
			Special Taxes:	0.00
			Penalty:	0.00
			Abatements: (0.00)
			Payments: (0.00)
			Amount Due:	5.52

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2004	0.00	0.00	0.00	0.00	8.25%	11.61	0.00
2003	0.00	0.00	0.00	0.00	7.00%	12.40	0.00
2002	0.00	0.00	0.00	0.00	6.75%	11.79	0.00
2000	0.00	0.00	0.00	0.00	12.00%	50.21	0.00
1999	0.00	0.00	0.00	0.00	11.00%	10.27	0.00

Legal Description

BEG S 82 05'11" W 2566.14 FT FR NE COR SEC 13, T4S, R5W, SLB&M, TH W 1624 FT, S 1000 FT, E 663.3 FT TO CENTER LI UPRR SPUR TRACK, NELY ALG CENTERLINE SD TRACK 821.2 FT, TH NELY ALG CENTERLINE SD RD 593.59 FT TO BEG, CONT 26.9 AC 26.90 AC

TOOELE COUNTY CORPORATION Ent 249701 Page 4 of 7
Tax Roll Master Record

November 4, 2005

1:48PM

Parcel: 06-017-0-0017	Entry: 142206
Name: CYRUS LAND INVESTMENT LLC	
c/o Name:	Property Address:
Address 1: PO BOX 399	
Address 2:	
City State Zip: TOOELE UT 84074-0399	Acres: 192.10
Status: Active	Year: 2006 District: 010 O.D. MOSQUITO 0.011048

Owners	Interest	Entry	Comment
CYRUS LAND INVESTMENT LLC		142206	(0605/0297)

Property Information	2006 Values & Taxes				2005 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LG01 LAND GREENBELT	192.10	96,050	1,155	12.76	96,050	1,155	12.76
Totals:	192.10	96,050	1,155	12.76	96,050	1,155	12.76

Property Type	Year Built	Square Footage	Basement Size	Building Type
---------------	------------	----------------	---------------	---------------

****** SPECIAL NOTE ******
 Tax Rates for 2006 have NOT been set or approved.
 Any taxes levied shown on this printout for the year
 2006 are subject to change!

2006 Taxes:	12.76	2005 Taxes:	12.76
Special Taxes:	0.00		
Penalty:	0.00		
Abatements: (0.00)		
Payments: (0.00)		
Amount Due:	12.76		

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2004	0.00	0.00	0.00	0.00	8.25%	23.12	0.00
2002	0.00	0.00	0.00	0.00	6.75%	20.58	0.00

Legal Description

COM AT A FOUND MONUMENT MARKING THE NE COR SEC 12, T4S, R5W, SLB&M; TH S 89°37'13" W ALONG N LI OF SD SEC 12 FOR 263.23 FT; TH S 00°22'47" E PERPENDICULAR TO SD SEC LI FOR 455.24 FT TO A FOUND REBAR W/ ALUMINUM CAP MARKED PROP COR LS 5173 SD PT ALSO BEING THE POB; TH S 00°11'34" E FOR 1367.81 FT; TH N 89°51'50" E 254.20 FT TO THE E LI OF SD SEC 12; TH S 00°02'39" W ALG SD E LI FOR 811.63 FT TO A TOOELE COUNTY MON MARKING THE E 1/4 COR OF SD SEC 12; TH CONT ALG THE E LI OF SEC 12 S 00°02'13" W FOR 1158.58 FT TO A PT ON THE W R/W OF THE SAN PEDRO LOS ANGELES & SALT LAKE RAILROAD CO; TH S 27°36'42" W ALG THE W R/W OF SD RR CO FOR 2089.86 FT TO A PT ON THE N LI OF THE PPTY CONVEYED TO TOOELE COUNTY BY DEED, REC SEP 20, 1995 ENTRY #077581 BK 404 PG 1 OF OFFICIAL RECORDS; TH N 71°58'54" W ALG SD N LI 1164.95 FT; TH N 04°47'29" E FOR 3607.63 FT; TH N 00°06'14" W FOR 1241.85 FT; TH S 89°41'59" E FOR 1519.93 FT TO THE POB. ---LESS & EXCEPT ANY PRTION LYING W/ COUNTY RDS (BAUER CO RD) AS DISCLOSED ON SURVEY PREPARED BY THOMPSON-HYSELL ENGINEER, NOV 29.1999. OUT OF 6-17-2 AND PART OF 6-17-6 FOR 2001 YEAR. 192.10 ACRES. 04/04/2001 04/04/2001

History

RECORDERS OFFICE SHOWS AN ENCROACHMENT ONTO TOOELE COUNTY PPTY TO S OF THIS PARCEL DUE TO DIFFERENCE IN BEARING AND NO PHYSICAL TIES ON SD SOUTH LINE. /// REF AFFIDAVIT REC 8/11/00 #151129 634/198 - CORRECTS ABOVE DISCREPANCY. 4/4/01 JOT

Ent 249701 Page 5 of 7

TOOELE COUNTY CORPORATION
Tax Roll Master Record

November 4, 2005

1:46PM

Parcel: 06-017-0-0019		Entry: 236171	
Name: CENTRAL ELEMENTARY LLC			
c/o Name:		Property Address:	
Address 1: PO BOX 399			
Address 2:			
City State Zip: TOOELE	UT 84074-0399		
Acres: 56.91			
Status: Active	Year: 2006	District: 010 O.D. MOSQUITO	0.011048

Owners	Interest	Entry	Comment
CENTRAL ELEMENTARY LLC		236171 (1003/0223)	
CYRUS LAND INVESTMENT LLC		236171 (1003/0223)	

Property Information	2006 Values & Taxes				2005 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LG01 LAND GREENBELT	56.91	56,910	4,480	49.50	56,910	4,480	49.50
Totals:	56.91	56,910	4,480	49.50	56,910	4,480	49.50

Property Type	Year Built	Square Footage	Basement Size	Building Type
---------------	------------	----------------	---------------	---------------

<p>**** SPECIAL NOTE **** Tax Rates for 2006 have NOT been set or approved. Any taxes levied shown on this printout for the year 2006 are subject to change!</p>	<table style="width: 100%;"> <tr> <td>2006 Taxes:</td> <td style="text-align: right;">49.50</td> <td>2005 Taxes:</td> <td style="text-align: right;">49.50</td> </tr> <tr> <td>Special Taxes:</td> <td style="text-align: right;">0.00</td> <td></td> <td></td> </tr> <tr> <td>Penalty:</td> <td style="text-align: right;">0.00</td> <td></td> <td></td> </tr> <tr> <td>Abatements: (</td> <td style="text-align: right;">0.00)</td> <td></td> <td></td> </tr> <tr> <td>Payments: (</td> <td style="text-align: right;">0.00)</td> <td></td> <td></td> </tr> <tr> <td>Amount Due:</td> <td style="text-align: right;">49.50</td> <td></td> <td></td> </tr> </table>	2006 Taxes:	49.50	2005 Taxes:	49.50	Special Taxes:	0.00			Penalty:	0.00			Abatements: (0.00)			Payments: (0.00)			Amount Due:	49.50		
2006 Taxes:	49.50	2005 Taxes:	49.50																						
Special Taxes:	0.00																								
Penalty:	0.00																								
Abatements: (0.00)																								
Payments: (0.00)																								
Amount Due:	49.50																								

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2004	0.00	0.00	0.00	0.00	8.25%	59.97	0.00
2003	0.00	0.00	0.00	0.00	7.00%	62.73	0.00
2002	0.00	0.00	0.00	0.00	6.75%	57.82	0.00
2000	0.00	0.00	0.00	0.00	12.00%	42.80	0.00

Legal Description

BEG AT THE NW COR OF SEC 13, T4S, R5W, SLB&M, RUN TH N 89°59'50" E 3150.17 FT TO A PT ON THE W LI OF TOOELE COUNTY PPTY AS CONVEYED IN BK 404 PG 1 OF OFFICIAL RECORDS; TH ALG SD BDY S 37°33'57" W 1670.84 FT TO THE MOST NELY COR OF ARCHIE POARCH PPTY AS CONVEYED IN BK 401 PG 379 OF OFFICIAL RECORDS; SD PT HAS ALSO BEEN DESCRIBED AS THE CTR LI OF THE BAUER RR SPUR TRACK; TH ALG SD BDY THE FOLLOWING FOUR COURSES: 1) SWLY 804.50 FT, 2) TH W 663.30 FT, 3) TH N 1000 FT, 4) TH W 891.42 FT M/L TO THE W LI OF SEC 13; TH N 00°14'16" W 838.27 FT M/L TO THE POB. ---LESS/EXCEPTING 26.70 AC TO 6-17-5. (BALANCE OF 6-17-6 FOR 2001 YEAR.) 56.91 AC
 05/09/2001 05/09/2001

History

2000 BACK TAXES MOVED HERE FROM 06-017-0-0006. 3/25/02 DGB

TOOELE COUNTY CORPORATION Page 6 of 7
Tax Roll Master Record

November 4, 2005

1:47PM

Parcel: 06-017-0-0020		Entry: 236171	
Name: CENTRAL ELEMENTARY LLC			
c/o Name:		Property Address:	
Address 1: PO BOX 399			
Address 2:			
City State Zip: TOOELE	UT 84074-0399	Acres: 286.70	
Status: Active	Year: 2006	District: 010 O.D. MOSQUITO	0.011048

Owners	Interest	Entry	Comment
CENTRAL ELEMENTARY LLC		236171 (1003/0223)	
CYRUS LAND INVESTMENT LLC		236171 (1003/0223)	

Property Information	2006 Values & Taxes				2005 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LA02 AGRICULTURAL NON-FAA UNIMPROVD	9.50	2,850	2,850	31.49	2,850	2,850	31.49
LG01 LAND GREENBELT	277.20	138,600	9,760	107.83	138,600	9,760	107.83
Totals:	286.70	141,450	12,610	139.32	141,450	12,610	139.32

Property Type	Year Built	Square Footage	Basement Size	Building Type
---------------	------------	----------------	---------------	---------------

****** SPECIAL NOTE ******
 Tax Rates for 2006 have NOT been set or approved.
 Any taxes levied shown on this printout for the year
 2006 are subject to change!

2006 Taxes:	139.32	2005 Taxes:	139.32
Special Taxes:	0.00		
Penalty:	0.00		
Abatements: (0.00)		
Payments: (0.00)		
Amount Due:	139.32		

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2004	0.00	0.00	0.00	0.00	8.25%	150.44	0.00
2003	0.00	0.00	0.00	0.00	7.00%	163.09	0.00
2002	0.00	0.00	0.00	0.00	6.75%	139.29	0.00
2000	0.00	0.00	0.00	0.00	12.00%	106.17	0.00

Legal Description

BEG AT THE SW COR OF SEC 12, T4S, R5W, SLB&M, TH ALG THE W LI OF SEC 12, N 00°29'08" E 2250.94 FT TO THE S LI OF RANCH 77 LC PPTY AS CONVEYED IN BK 414 PG 589 OF OFFICIAL RECORDS; TH ALG SD S LI N 89°42'56" E 4.19 FT TO THE MOST SELY COR OF SD RANCH 77 LC PPTY; TH ALG SD PPTY LI N 00°13'14" W 1339.40 FT; TH N 89°53'07" E 3506.66 FT ALG TH S LI OF SD PPTY TO THE W LI OF CYRUS LAND INVESTMENT LLC PPTY AS CONVEYED IN BK 634 PG 198 OF OFFICIAL RECORDS; TH S 04°47'29" W ALG SD W LI OF PPTY 3609.62 M/L TO THE S LI OF SEC 12; TH S 89°59'50" W 3223.73 FT M/L ALG THE S SEC LI TO POB. (BALANCE OF 6-17-2 FOR 2001 YEAR.) 277.20 AC 04/11/2001 04/11/2001

History

2000 BACK TAXES MOVED HERE FROM 06-017-0-0002. 03/25/02 DGB2001 9.50 ACRES WERE STATE ASSESSED AS A GRAVEL PIT - THE GRAVEL PIT WAS REMOVED FOR THE 2002 TAX YEAR 5/21-2002 AH

TOOELE COUNTY CORPORATION ENR 249701 Page 7 of 7
Tax Roll Master Record

November 4, 2005

1:47PM

Parcel: 06-017-0-0029		Entry: 236171	
Name: CENTRAL ELEMENTARY LLC			
c/o Name:		Property Address:	
Address 1: PO BOX 399			
Address 2:			
City State Zip: TOOELE	UT 84074-0399		
Status: Active	Year: 2006	District: 010 O.D. MOSQUITO	0.011048

Owners	Interest	Entry	Comment
CENTRAL ELEMENTARY LLC		236171 (1003/0223)	
CYRUS LAND INVESTMENT LLC		236171 (1003/0223)	

Property Information	2006 Values & Taxes				2005 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LG01 LAND GREENBELT	184.38	92,190	1,745	19.28	92,190	1,745	19.28
Totals:	184.38	92,190	1,745	19.28	92,190	1,745	19.28

Property Type	Year Built	Square Footage	Basement Size	Building Type
**** SPECIAL NOTE ****		2006 Taxes:	19.28	2005 Taxes: 19.28
Tax Rates for 2006 have NOT been set or approved. Any taxes levied shown on this printout for the year 2006 are subject to change!		Special Taxes:	0.00	
		Penalty:	0.00	
		Abatements: (0.00)	
		Payments: (0.00)	
		Amount Due:	19.28	

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2004	0.00	0.00	0.00	0.00	8.25%	29.52	0.00
2003	0.00	0.00	0.00	0.00	7.00%	28.32	0.00
2002	0.00	0.00	0.00	0.00	6.75%	25.55	0.00
2000	0.00	0.00	0.00	0.00	12.00%	25.27	0.00

Legal Description

BEG AT THE SE COR OF SEC 11, T4S, R5W, SLB&M, AND RUN ALG THE S LI OF SD SEC S 89°17'17" W 655.39 FT TO THE E LI OF PPTY CONVEYED TO ARCHIE POARCH IN BK 401 PG 379 OF OFFICIAL RECORDS; TH ALG SD PPTY THE FOLLOWING THREE COURSES; 1) N 1469.88 FT, 2) W 1700 FT, 3) S 1491.01 FT M/L TO THE S LI OF SD SEC; TH S 89°17'17" W 2106.30 FT M/L TO THE E LI OF AGREEMENT RECORDED AS ENTRY #305976 IN BK 130 PG 402-405 OF OFFICIAL RECORDS; TH ALG SD E LI N 09° W 2310.70 FT TO THE S LI OF PPTY CONVEYED TO RANCH 77 LC IN BK 414 PG 589 OF OFFICIAL RECORDS; TH ALG SD S LI N 89°42'56" E 4842.09 FT TO THE E LI OF SD SEC; TH S 00°29'08" W 2250.94 FT TO THE SE COR OF SD SEC AND POB. (OUT OF 6-17-1 FOR 2001 YEAR.) 184.38 AC 05/02/2001 05/02/2001

History

2000 BACK TAXES MOVED HERE FROM 06-017-0-0001. 3/25/02 DGB