

**FIRST AMENDMENT  
TO THE  
MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,  
AND RESERVATION OF EASEMENTS  
FOR  
DEER CREST,  
A PLANNED RECREATIONAL DEVELOPMENT**

THIS FIRST AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR DEER CREST, A PLANNED RECREATIONAL DEVELOPMENT (hereinafter called the "First Amendment"), is made and executed this 5<sup>th</sup> day of October, 2005, by the Deer Crest Master Association, Inc., a Utah non-profit corporation (the "Master Association").

**RECITALS:**

A. The Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Deer Crest, a Planned Recreational Development ("Declaration"), was executed on the 31<sup>st</sup> day of October, 1997, and recorded on October 31, 1997 as (i) Entry No. 492181, Book 1093, Pages 139-210, Official Records of Summit County, Utah, and (ii) Entry No. 198235, Book 363, Pages 542-613, Official Records of Wasatch County, Utah. The Declaration affects the real property described in Exhibit A attached hereto.

B. The Association now desires to amend the Declaration to (i) incorporate Utah Code Ann. § 78-27-51 as a part thereof, (ii) reduce the number Design Review Committee members from seven (7) to five (5), (iii) terminate Wasatch County's right and obligation to approve the professional members of the Design Review Committee, and (iv) eliminate any special qualifications applying to architects serving as a members of the Design Review Committee.

C. This Amendment has been duly authorized by the Class C Member and a seventy-five percent (75%) vote of the Members of the Association, as required by the Declaration.

NOW THEREFORE, for the foregoing purposes, the Declaration is amended in the following respects:

1. A new Section 11.15, the text of which is set forth below, is hereby added to the Declaration:

11.15 Inherent Risks of Skiing. Certain risks are inherent in the sport of skiing, and, as such, Utah Code Ann. § 78-27-51 (and any successor statute or amendments thereto), and its liability limitations in particular, is hereby incorporated in this Declaration. As of the date hereof, the text of Utah Code Ann. § 78-27-51 is as follows:

"The Legislature finds that the sport of skiing is practiced by a large number of residents of Utah and attracts a large number of nonresidents, significantly contributing to the economy of this state. It further finds that few insurance carriers are willing to provide liability insurance protection to ski area operators and that the premiums charged by those carriers have risen sharply in recent years due to confusion as to whether a skier assumes the risks inherent in the sport of skiing. It is the purpose of this act, therefore, to clarify the law in relation to skiing injuries and

the risks inherent in that sport, to establish as a matter of law that certain risks are inherent in that sport, and to provide that, as a matter of public policy, no person engaged in that sport shall recover from a ski operator for injuries resulting from those inherent risks.”

2. Section 6.1 of the Declaration is hereby amended as follows:

6.1 Design Review Committee. The Design Review Committee shall consist of five (5) or less members. The term of office shall be two (2) years commencing July 1 of each year, with staggered terms. The Design Review Committee shall consist of a chair appointed by the Board of the Master Association and other members selected annually by the Board of the Master Association. There shall be at least two (2) licensed architects on the Design Review Committee. The Design Review Committee shall have and exercise all of the powers, duties and responsibilities set out in this Maser Declaration. The Design Review Committee shall meet on such schedules as may be established by the Chairman. A majority of its Members shall constitute a quorum and the majority vote of a quorum present at any meeting shall be sufficient to approve action. Meetings may occur telephonically and actions may be approved by unanimous written consent of all Committee Members. Members of the Design Review Committee need not be Members. Any dispute or disagreement among members of the Design Review Committee, whether pertaining to any proposed plans, development or otherwise, shall be resolved by the Board of the Master Association.

3. Section 7.16 of the Declaration is hereby amended to read as follows:

7.16 Trails and Ski Ways. No Owner shall have the right to alter or obstruct the maintenance, use or enjoyment of any Trail, ski way or ski run on or adjacent to any Lot of Unit.

There are certain restrictions that apply to the Trails, ski runs and ski ways, including:

- (a) All Trails, ski runs and ski ways are private and open and available for use only to Owners and their guests;
- (b) Trails are only open from 9:00 a.m. to 4:00 p.m., daily conditions permitting;
- (c) Users must stay on the designated Trail, ski way or ski run. Off Trail skiing is strictly prohibited;
- (d) Access Trails are slow skiing family areas only. Fast or reckless skiing is not permitted; and
- (e) Access Trails are for skiing only. Unauthorized snowmobiles, snowboards, sleds, tubs or other devices are not permitted.

Skiing includes inherent serious risks. Every skier assumes all of the risks and accepts the responsibility for injuries associated with skiing, including but not limited to:

- (a) There is NOT AN EASY WAY DOWN as the access Trails are either blue □/intermediate or double blue □□/advanced;
- (b) Changing weather and snow conditions;
- (c) Variations or steepness of terrain;

- (d) Surface or subsurface conditions such as bare spots, forest growth, rocks, stumps and ice;
- (e) Impact with lift towers, fencing or other structures or their components;
- (f) Collisions with other skiers;
- (g) Failure to ski within one's own ability;
- (h) Equipment failure;
- (i) Failure to ski in control; and
- (j) Snowmaking equipment, snow cats, snowmobiles, falling rocks and unmarked obstacles which may be on the slopes and Trails at any time.

4. The introductory portion of Section 11.8 of the Declaration is hereby amended to read as follows:

11.8 Amendment. Subject to the other provisions of this Master Declaration, including without limitation, the right of first Mortgagees pursuant to Article 10, this Master Declaration may be revoked or amended as follows:

5. In all other respects, the Declaration shall remain in full force and effect.

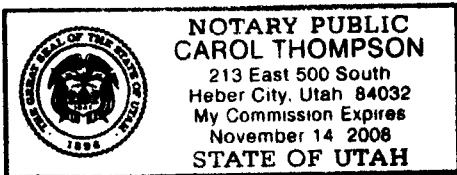
Executed the day and year hereinabove set forth.

DEER CREST MASTER ASSOCIATION, INC.,  
a Utah non-profit corporation

By BT Sammons  
Its SECRETARY

STATE OF Utah )  
COUNTY OF Wasatch : ss.

On this 5 day of Oct, 2005, personally appeared before me BOB SAMMONS who, being by me duly sworn did say that he is the \_\_\_\_\_ of the Board of Trustees of Deer Crest Master Association, a Utah non-profit corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws or a resolution of its Board of Trustees, and said officer acknowledged to me that said corporation executed the same.



[Signature]  
NOTARY PUBLIC  
Residing at: 213 E 500 S, Heber City  
Commission Expires: 11/14/08

EXHIBIT "A"  
TO  
MASTER DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS, AND RESERVATION OF EASEMENTS

DEER CREST  
OWNER'S POLICY  
EXHIBIT "A" DESCRIPTIONS

(Work Order 00006516)

October 23, 1997

PARCEL 1 HOTEL SITE:

A portion of the property is located in Summit County, Utah, and is described as follows:

Beginning at a point on the Summit-Wasatch County line as monumented, said point is located South 1799.86 feet and East 5007.93 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the Summit-Wasatch County line the following nine (9) courses: 1) South 08°43'41" West 376.39 feet; thence 2) 28°29'27" West 214.25 feet; thence 3) South 11°18'39" West 801.35 feet; thence 4) South 12°51'25" West 724.39 feet; thence 5) South 12°53'14" West 499.61 feet; thence 6) South 26°08'13" East 279.53 feet; thence 7) South 40°47'43" East 296.74; thence 8) South 51°35'50" East 408.17 feet; thence 9) South 41°02'08" West 549.09 feet; thence along the Westerly end line of the Rucker No. 1 Mining Claim (MS 5166) North 30°48'28" West 353.22 feet; thence along the Westerly end line of the Fred Williams No. 1 Mining Claim (MS 5166) North 30°48'28" West 390.46 feet more or less; thence North 00°11'40" West 1465.51 feet more or less; thence North 89°56'57" West 283.66 feet; North 11°55'00" East 245.62 feet to the Southeast Corner of the East Bench multi-family parcel in Deer Valley Subdivision, recorded Plat No. 228831 in the Summit County Recorder's Office; thence along the Easterly line of said plat the following two (2) courses: 1) North 11°55'00" East 183.55 feet; thence 2) North 17°46'20" East 1256.61 feet to the Northeast Corner of said plat; thence along the Northerly side line of the McKinley No. 1 Mining Claim (MS 6645) South 85°42'00" East 511.49 feet to the POINT OF BEGINNING. The basis of bearing for the description is South 00°30'11" West between the East Quarter Corner and the Southeast Corner of Section 16.

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Containing 34.639 acres more or less.

~~00196235~~ Bk 00363 Pg 00588

**TOGETHER WITH THE FOLLOWING UTILITY EASEMENT:  
EASEMENT NO. 1**

An easement and right-of-way, as platted on the East bench multi-family parcel in Deer Valley, recorded Plat No. 228831 (12-28-84) in the Summit County Recorder's Office, and described as follows:

Beginning at a point on the East right-of-way of the Deer Valley East Road, said point being due South 2931.90 feet, and due East 4037.67 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; basis of bearing South 00°30'11" West 2630.02 feet between said East Quarter Corner and the Southeast Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 75°00'00" East 80.545 feet to the Westerly line of Stott property; thence South 11°55'00" West along said Westerly line 78.113 feet; thence North 75°00'00" West 84.743 feet to the Easterly right-of-way line of Deer Valley East Road, said point also being on a 309.90 foot radius curve to the left (center bears North 67°46'14" West 309.90 feet of which the central angle is 14°27'33"); thence Northeasterly along the arc of said curve 78.207 feet to the POINT OF BEGINNING.

**PARCEL 2 TWC REMAINDER PROPERTY  
(OPEN SPACE CONTAINING KEETLEY ROAD CORRIDOR):**

Part of Lots F, G and I, Hanover-Queen Esther Subdivision and a part of the West half of Section 14, Township 2 South, Range 4 East, Salt Lake Base and Meridian more particularly described as:

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Beginning at a point on the Summit-Wasatch County line; said point being South 00°30'11" West 529.16 feet along the section line and East 5719.73 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the County line the following three (3) courses: 1) South 61°48'14" West 133.55 feet; thence 2) South 55°24'54" West 454.52 feet; thence 3) South 17°33'57" West 370.98 feet more or less; thence along the North line of the McKinley Mining Claim (MS 6645) North 85°42'00" West 328.95 feet more or less; thence North 10°11'15" East 539.77 feet more or less; thence North 01°37'00" East 432.66 feet; thence North 14°00'00" East 258.00 feet; thence along the

boundary line of the Nordic Village PUD Parcel B the following four (4) courses: 1) North 29°36'17" East 266.20 feet; thence 2) North 23°00'00" East 189.00 feet; thence 3) North 08°00'00" West 55.58 feet; thence 4) North 80°00'00" West 97.00 feet to a point on a 275.00 foot curve to the left, whose radius point bears North 83°13'29" West; thence along the arc of said curve and along the Queen Esther Drive right-of-way line 54.92 feet thru a central angle of 11°26'31"; thence along the Queen Esther Drive right-of-way line North 04°40'00" West 57.72 feet; thence along the boundary line of the Nordic Village PUD Parcel A the following three courses: 1) South 80°00'00" East 315.23 feet; thence 2) North 04°00'00" East 303.94 feet; thence 3) North 17°00'00" West 360.40 feet; thence along the South line of the Weary Willie and the Republican Mining Claims South 68°19'00" East 649.62 feet more or less; thence South 00°40'51" East 620.11 feet; thence South 12°19'16" West 761.76 feet; thence South 04°33'29" West 142.89 feet to the POINT OF BEGINNING.

Containing 34.459 acres more or less.

TOGETHER WITH THE FOLLOWING UTILITY EASEMENT:

EASEMENT NO. 2

Beginning at a point which is South 1181.24 feet and East 4782.83 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 85°42'00" West 689.87 feet to a point on the Easterly right-of-way line of Deer Valley East Road, as dedicated, said point also being on a 300.00 foot radius curve to the right (center bears South 65°50'05" East 300.00 feet of which the central angle is 12°50'05"); thence Northeasterly along the arc of said curve and Easterly right-of-way line 67.20 feet; thence North 37°00'00" East along said Easterly right-of-way line 53.00 feet; thence South 81°01'56" East 639.098 feet; thence South 10°11'15" West 53.00 feet to the POINT OF BEGINNING. (The basis of bearing for this description is South 00°30'11" West 2630.08 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the Southeast Corner of said Section 16).

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PARCEL 3 (TELEMARK PARK) (PARCEL A TELEMARK PARK SURVEY)

Beginning at a point on the Summit-Wasatch County line, said point is located South 00°30'11" West 5480.89 feet along the Section Line and East 4742.22 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the County Line the following 16 courses: 1) North 41°15'09" East 548.41 feet; thence 2) North 51°35'50" West 408.17 feet; thence 3) North 40°47'43" West 296.74 feet; thence 4) North 26°08'13" West 279.53 feet; thence 5) North 12°53'14" East 499.61 feet; thence 6) North 12°51'25" East 724.39 feet; thence 7) North 11°18'39" East 801.35 feet; thence 8) North 28°29'27" East 214.25 feet; thence 9) North 08°43'41" East 906.05 feet; thence 10) North 17°33'57" East 446.92 feet; thence 11) North 55°24'54" East 454.52 feet; thence 12) North 61°48'14" East 133.55 feet; thence 13) North 73°02'55" East 812.81 feet; thence 14) North 73°11'51" East 485.08 feet; thence 15) South 85°09'01" East 382.13 feet; thence 16) South 43°00'37" East 488.15 feet; thence along the East Line of the Queen Esther No. 3 Mining Claim (MS 6979) South 18°31'58" West 333.29 feet; thence along the West line of the Mountain Neff No. 5 Mining Claim (MS 6798) South 05°39'38" East 573.77 feet; thence along the West Line of the Mountain Neff No. 3 Mining Claim South 05°26'45" East 627.94 feet; thence along the South Line of the Mountain Neff No. 3 Mining Claim South 77°30'43" East 1500.74 feet; thence along the East Line of the Mountain Neff No. 3 Mining Claim North 05°26'43" West 28.39 feet; thence along the North Line of the Mountain Neff No. 3 Mining Claim North 84°33'15" East 1386.12 feet; thence along the right-of-way line of US 40 South 18°46'46" East 493.82 feet more or less; thence along the East Line of the Mountain Neff Mining Claim South 05°26'45" East 119.49 feet more or less; thence along the South Line of the Mountain Neff Mining Claim South 84°40'19" West 468.55 feet more or less; thence along the East Line of the Kruger No. 3 Mining Claim (MS 5161) South 50°41'13" East 615.39 feet; thence along the North Line of the Old Missouri Mining Claim (MS 5161) South 89°54'38" East 490.74 feet; thence along the right-of-way line of US 40 the following 3 courses: 1) South 20°26'22" East 433.78 feet more or less; thence 2) South 01°51'02" East 213.74 feet; thence 3) South 34°17'35" East 97.77 feet more or less; thence along the West Line of the Thurman Lode (Lot 155) South 07°10'00" East 414.32 feet more or less; thence along the South Line of the Kruger No. 4 Mining Claim South 80°45'00" West 177.04 feet more or less to a point on the Easterly right-of-way line of a U.D.O.T. frontage road; thence North 71°05'06" West (North 71°13'00" West, Highway Bearing) along said right-of-way 220.25 feet; thence South 18°54'54" West (South 18°47'00" West Highway Bearing) along said right-of-way 100.00 feet; thence South 71°05'06" East (South 71°13'00" East, Highway Bearing) along said right-of-way 33.48 feet more or less to the South line of said Kruger No. 4 Mining Claim; thence continuing along said South line South

80°45'00" West 416.87 feet thence along the South Line of the Kruger No. 4 Mining Claim South 80°20'00" West 683.50 feet more or less; thence along the South Line of the Dewet No. 4 Mining Claim (MS 5161) South 80°20'00" West 798.50 feet more or less; thence along the South Line of the Dewet No. 4 Mining Claim South 85°53'00" West 697.41 feet more or less; thence along the North Line of the Pioche No. 14 Mining Claim South 85°53'00" West 798.80 feet more or less; thence along the West Line of the Pioche No. 14 Mining Claim (Lot 181) South 09°45'00" East 341.45 feet more or less; thence along the South Line of the Sommer Mining Claim (MS 5166) South 81°01'45" West 597.51 feet more or less; thence along the South Line of the Sommer Mining Claim South 53°31'51" West 772.57 feet; thence along the West Line of the Sommer Mining Claim North 47°08'25" West 395.50 feet; thence along the South Line of the Hanna Lode No. 1 Mining Claim (MS 5166) South 56°21'07" West 61.39 feet more or less; thence along the North Line of the North Dakota Mining Claim (Lot 185) South 59°25'05" West 1303.28 feet more or less; thence along the West Line of the Hanna Lode No. 1 North 30°41'11" West 532.49 feet more or less; thence along the West Line of the Rucker No. 1 Mining Claim (MS 5166) North 30°48'29" West 250.00 feet to the POINT OF BEGINNING.

Containing 524.559 acres more or less, less exceptions.

**TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY (PARCEL B  
TELEMARK PARK SURVEY)**

Beginning at the Southwest Corner of the Hanna Lode Mining Claim (MS 5166), said point is located South 00°30'11" West 6213.60 feet along the Section Line and East 5184.07 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the West Line of the Hanna Lode Mining Claim North 30°41'11" West 59.50 feet more or less; thence along the North Line of the North Dakota Mining Claim (MS 185) South 47°40'42" East 61.25 feet more or less; thence along the South Line of the Hanna Lode Mining Claim South 56°21'07" West 17.92 feet more or less to the POINT OF BEGINNING.

Containing 532.51 square feet more or less.

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EXCEPTING THEREFROM THE FOLLOWING:

EXCEPTION NO. 1

SLL#1 (MCKINLEY EAST OF COUNTY LINE) (EXCEPTION NO. 1 TELEMAR  
PARK SURVEY)

Beginning at a point on the North Line of the McKinley Mining Claim (MS 6645) and on the Summit-Wasatch County line, said point being South 00°30'11" West 1203.97 feet along the Section Line and East 5121.79 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North Line of the McKinley Mining Claim South 85°42'00" East 400.24 feet; thence along the East Line of the McKinley Mining Claim South 04°18'00" West 600.00 feet; thence along the South Line of the McKinley Mining Claim North 85°42'00" West 458.40 feet; thence along the Summit-Wasatch County line North 08°43'41" East 527.66 feet; thence along the Summit-Wasatch County Line North 17°33'57" East 75.94 feet to the POINT OF BEGINNING.

EXCEPTION NO. 2

SLL#2 (ROOSEVELT NO. 1 MINING CLAIM) (EXCEPTION NO. 2 TELEMAR  
PARK SURVEY)

Beginning at the Northwest Corner of the Roosevelt No. 1 Mining Claim (MS 6645), said point being South 00°30'11" West 1832.31 feet along the Section Line and East 5481.43 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North Line of the Roosevelt No. 1 Mining Claim South 85°42'00" East 1500.00 feet; thence along the East Line of the Roosevelt No. 1 Mining Claim South 04°18'00" West 600.00 feet; thence along the South Line of the Roosevelt No. 1 Mining Claim North 85°42'00" West 1500.00 feet; thence along the West Line of the Roosevelt No. 1 Mining Claim North 04°18'00" East 600.00 feet to the POINT OF BEGINNING.

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**EXCEPTION NO. 3**

**SLL#3 (ROOSEVELT NO. 4 LESS MS 5166) (EXCEPTION NO. 3 TELEMAR PARK SURVEY)**

Beginning at the Northwest Corner of the Roosevelt No. 4 Mining Claim (MS 6645); said point being South 00°30'11" West 3000.53 feet along the Section Line and East 5021.79 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North Line of the Roosevelt No. 4 Mining Claim South 85°42'00" East 1500.00 feet; thence along the East Line of the Roosevelt No. 4 Mining Claim South 04°18'00" West 437.42 feet; thence along the North Line of the Dieter and the Schuyler Mining Claims (MS 5166) South 74°25'00" West 478.02 feet; thence along the South Line of the Roosevelt No. 4 Mining Claim North 85°42'00" West 1050.48 feet; thence along the West Line of the Roosevelt No. 4 Mining Claim North 04°18'00" East 600.00 feet to the POINT OF BEGINNING.

**EXCEPTION NO. 4**

**(BLM FRACTION NORTH) (EXCEPTION NO. 4 TELEMAR PARK SURVEY)**

Beginning at a point on the North Line of the Roosevelt Mining Claim (MS 6645) and on the East Line of the Queen Esther No. 11 Mining Claim (MS 6979), said point being South 00°30'11" West 1269.25 feet along the Section Line and East 5990.53 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North Line of the Roosevelt Mining Claim South 85°42'00" East 414.97 feet; thence along the South Line of the Queen Esther No. 6 Mining Claim North 67°49'00" West 402.56 feet; thence along the East Line of the Queen Esther No. 11 Mining Claim South 18°45'00" West 127.66 feet to the POINT OF BEGINNING.

**EXCEPTION NO. 5**

**(BLM FRACTION SOUTH) (EXCEPTION NO. 5 TELEMAR PARK SURVEY)**

Beginning at a point on the East Line of the Hanna Lode Mining Claim (MS 5166) and the South Line of the Schuyler Mining Claim (MS 5166), said point is located South 00°30'11" West 5156.19 feet along the Section Line and East 6294.91 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and

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running thence along the North Line of the Schuyler Mining Claim North 74°15'00" East 99.87 feet more or less; thence along the North Line of the Sommer Mining Claim (MS 5166) South 52°50'00" West 97.07 feet more or less; thence along the East Line of the Hanna Lode Mining Claim North 30°46'00" West 36.70 feet more or less to the POINT OF BEGINNING.

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AND TOGETHER WITH THE FOLLOWING UTILITY EASEMENTS:

**EASEMENT NO. 3 - KEETLEY ROAD NO. 2**

**A NON-EXCLUSIVE RIGHT-OF-WAY AND UTILITY EASEMENT**

BEGINNING at a point that is North 85°42'00" West 920.24 feet along the North line of the McKinley Mining Claim (MS 6645) from the Northeast Corner of said mining claim; and running North 85°42'00" West along said North line 520.00 feet to a point on the Summit and Wasatch County line; thence South 17°33'57" West 75.94 feet along said County line; thence North 78°05'18" West 317.61 feet; thence North 80°50'40" West 195.94 feet; thence North 30°25'32" East 16.99 feet to the POINT OF BEGINNING.

**EASEMENT NO. 4 - KEETLEY ROAD NO. 3**

**A NON-EXCLUSIVE RIGHT-OF-WAY AND UTILITY EASEMENT**

BEGINNING at the Northeast Corner of the McKinley Mining Claim (MS 6645); and running thence South 04°18'00" West along the East line of said Mining Claim 129.73 feet; thence North 78°05'18" West 421.38 feet to a point on the Summit and Wasatch County line; thence North 17°33'57" East 75.94 feet along said County line to a point on the North line of said Mining Claim; thence South 85°42'00" East along said North line 400.24 feet to the POINT OF BEGINNING.

The basis of bearing for the above two easement descriptions is North 00°13'37" 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.

**EASEMENT NO. 5 - CENTERLINE SAINT LOUIS DRIVE NO. 1**

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A 50-foot easement and non-exclusive right-of-way across State Parcel 1C, being 25 feet on either side of the following described centerline:

BEGINNING at a point that is North 16°08'05" West 1736.65 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian,

said point also being on a 75.00 foot radius curve to the left, whose radius point bears North 72°37'48" East; and running thence Southeasterly along the arc of said curve 51.77 feet thru a central angle of 39°32'50" to a point of tangency, thence South 56°55'02" East 267.46 feet to a point on a 177.58 foot radius curve to the right, whose radius point bears South 33°04'58" West; thence Southeasterly along the arc of said curve 138.65 feet thru a central angle of 44°44'02" to a point on a 75.56 foot radius reverse curve to the left, whose radius point bears North 77°49'00" East; thence Southeasterly along the arc of said curve 9.38 feet thru a central angle of 07°06'51" to a point on the East line of the McKinley Mining Claim (MS 6645) and terminating.

#### EASEMENT NO. 6 - CENTERLINE SAINT LOUIS DRIVE CONNECTOR

A 50-foot easement and non-exclusive right-of-way across State Parcel 1C, being 25 feet on either side of the following described centerline:

BEGINNING at a point that is North 13°41'02" West 1631.01 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 33°04'58" East 66.23 feet and terminating.

#### EASEMENT NO. 7 - CENTERLINE SAINT LOUIS DRIVE NO. 3

A 50-foot easement and non-exclusive right-of-way across State Parcel 2A, being 25 feet on either side of the following described centerline:

BEGINNING at a point on the North line of the Roosevelt No. 1 Mining Claim (MS 6645) that is North 03°48'34" East 1109.56 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on a 248.55 foot radius curve to the left, whose radius point bears North 76°09'24" East; and running thence Southeasterly along the arc of said curve 136.96 feet thru a central angle of 31°34'19" to a point on a 325.20 foot radius reverse curve to the right, whose radius point bears South 44°35'05" West; thence Southeasterly along the arc of said curve 131.61 feet thru a central angle of 23°11'17" to a point on a 140.00 foot radius compound curve to the right, whose radius point bears South 67°46'23" West; thence Southerly along the arc of said curve 174.42 feet thru a central of 71°23'02" to a point of tangency; thence South 49°09'25" West 315.55 feet to a point on the South line of the Roosevelt No. 1 Mining Claim (MS 6645) and terminating.

**EASEMENT NO. 8 - CENTERLINE SAINT LOUIS DRIVE NO. 5**

A 50-foot easement and non-exclusive right-of-way across State Parcel 3A, being 25 feet on either side of the following described centerline:

BEGINNING at a point on the North line of the Roosevelt No. 4 Mining Claim (MS 6645) that is South 84°26'27" West 529.13 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 25°53'55" East 93.16 feet to a point on a 75.00 foot radius curve to the left, whose radius point bears North 64°06'05" East; thence Southwesterly along the arc of said curve 110.30 feet thru a central angle of 84°15'58" to a point on of tangency; thence North 69°50'08" East 268.18 feet to a point on the North line of the Roosevelt No. 4 Mining Claim (MS 6645) and terminating.

**EASEMENT NO. 9 - CENTERLINE KEETLEY ROAD NO. 5 (WEILEN MANN)**

A 50-foot easement and non-exclusive right-of-way, being 25 feet on either side of the following described centerline:

BEGINNING at a point on the West line of the Mountain Neef No. 3 Mining Claim (MS 6798) North 05°26'45" West 145.99 feet from the Southeast Corner of said Mining Claim, said point being North 62°43'23" East 2289.93 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 62°58'39" East 367.25 feet to a point on a 812.29 foot radius curve to the left, whose radius point bears North 27°01'21" East; thence Southeasterly along the arc of said curve 179.23 feet thru a central angle of 12°40'13" to a point on a 842.04 foot radius reverse curve to the right, whose radius point bears South 14°21'09" West; thence Southeasterly along the arc of said curve 120.15 feet thru a central angle of 08°10'31" and terminating.

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**EASEMENT NO. 10 - CENTERLINE KEETLEY ROAD NO. 6 (LAND DEN BERG)**

A 50-foot easement and non-exclusive right-of-way, being 25 feet on either side of the following described centerline:

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BEGINNING at a point North 73°32'16" East 2757.06 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; said point being on a 842.04 foot radius curve to the right, whose radius point bears South 22°31'40" West; and running thence Southeasterly along the arc of said curve 43.65 feet thru a central angle of 02°58'12" to a point on the South line of the Mountain Neef No. 3 Mining Claim (MS 6798) and terminating.

**EASEMENT NO. 11 - HIDDEN HOLLOW NO. 1**

A 50-foot easement and non-exclusive right-of-way, being 25 feet on either side of the following described centerline:

Beginning at a point on the Summit and Wasatch County line North 17°38'28" East 2792.10 feet more or less from the Southeast corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on a 250.00 foot radius curve to the right whose radius point bears North 36°49'11" East; thence Northwesterly along the arc of said curve 47.18 feet thru a central angle of 10°48'46" to a point on a 140.00 foot radius reverse curve to the left, whose radius point bears South 47°37'58" West; thence Westerly along the arc of said curve 147.58 feet thru a central angle of 60°23'49" to a point on a 375.00 foot radius reverse curve to the right, whose radius point bears North 12°45'51" West; thence Northwesterly along the arc of said curve 344.14 feet thru a central angle of 52°34'53" to a point on a 75.00 foot radius compound curve to the right, whose radius point bears North 39°49'02" East; thence Northwesterly along the arc of said curve 210.60 feet thru a central angle of 160°53'02" to a point on a 750.00 foot radius reverse curve to the left; whose radius point bears North 20°42'04" East; thence Southeasterly along the arc of said curve 214.06 feet thru a central angle of 16°21'10" to a point on a 110.00 foot compound curve to the left, whose radius point bears North 04°20'54" East; thence Northeasterly along the arc of said curve 188.87 feet thru a central angle of 98°22'46" and terminating.

**EASEMENT NO. 12 - HIDDEN HOLLOW NO. 2**

~~00492101~~ Bk01073 Pg00196

A 50-foot easement and non-exclusive right-of-way, being 25 feet on either side of the following described centerline:

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Beginning at a point North  $14^{\circ}04'17''$  East 3104.42 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on a 110.00 foot radius curve to the left, whose radius point bears South  $85^{\circ}58'08''$  West; and running thence Northwesterly along the arc of said curve 142.09 feet thru a central angle of  $74^{\circ}00'40''$  to a point on a 151.12 foot radius reverse curve to the right, whose radius point bears North  $11^{\circ}57'28''$  East; thence Northerly along the arc of said curve 236.64 feet thru a central angle of  $89^{\circ}43'10''$  to a point of tangency; thence North  $11^{\circ}40'38''$  East 422.26 feet to a point on a 60.00 foot radius curve to the right, whose radius point bears South  $78^{\circ}19'22''$  East; thence Northeasterly, Easterly, and Southerly along the arc of said curve 188.50 feet thru a central angle of  $180^{\circ}00'00''$  to a point of tangency; thence South  $11^{\circ}40'38''$  West 151.62 feet to a point on a 75.00 foot radius curve to the left, whose radius point bears South  $78^{\circ}19'22''$  East; thence Southeasterly, Easterly, and Northerly along the arc of said curve 235.62 feet thru a central angle of  $180^{\circ}00'00''$  to a point of tangency; thence North  $11^{\circ}40'38''$  East 32.48 feet to a point on a 282.45 foot radius curve to the right, whose radius point bears South  $78^{\circ}19'22''$  East; thence Northeasterly along the arc of said curve 275.78 feet thru a central angle of  $55^{\circ}56'32''$  to a point on a 1888.54 foot radius compound curve to the right, whose radius point bears South  $22^{\circ}22'50''$  East; thence Northeasterly along the arc of said curve 269.33 feet thru a central angle of  $08^{\circ}10'16''$  to a point on a 332.71 foot radius reverse curve to the left, whose radius point bears North  $14^{\circ}12'34''$  West; thence Northeasterly along the arc of said curve 222.38 feet thru a central angle of  $38^{\circ}17'45''$  to a point of tangency; thence North  $37^{\circ}29'42''$  East 115.24 feet to a point on a 106.92 foot radius curve to the right, whose radius point bears South  $52^{\circ}30'18''$  East; thence Easterly along the arc of said curve 167.94 feet thru a central angle of  $90^{\circ}00'00''$  to a point on a 100.00 foot radius reverse curve to the left, whose radius point bears North  $37^{\circ}29'42''$  East; thence Easterly and Northerly along the arc of said curve 314.16 feet thru a central angle of  $180^{\circ}00'00''$  to a point on a 79.52 foot radius reverse curve to the right, whose radius point bears North  $39^{\circ}23'55''$  East; thence Northerly along the arc of said curve 143.19 feet thru a central angle of  $103^{\circ}10'36''$  to a point on a 265.47 foot radius reverse curve to the left, whose radius point bears North  $37^{\circ}25'30''$  West; thence Northeasterly along the arc of said curve 214.64 feet thru a central angle of  $46^{\circ}19'30''$  to a point on a 281.67 foot radius reverse curve to the right, whose radius point bears South  $83^{\circ}45'00''$  East; thence Northeasterly along the arc of said curve 81.64 feet thru a central angle of  $16^{\circ}36'25''$  to a point on the Northerly line of the Queen Esther No. 5 Mining Claim ( MS 6979) and terminating.

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**EASEMENT NO. 13 - HIDDEN HOLLOW ACROSS BLM**

A 50-foot easement and non-exclusive right-of-way, being 25 feet on either side of the following described centerline:

Beginning at a point that is on the Southerly line of the AJO No. 14, Mining Claim (mineral survey No. 6989) North  $56^{\circ}22'33''$  West along said Southerly line 284.97 feet more or less from the Southeast Corner of said mining claim, a found mound of stones, said point being North  $24^{\circ}35'22''$  East 5365.17 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South  $39^{\circ}42'29''$  West 65.42 feet to a point on a 398.67 foot radius curve to the right (center bears North  $50^{\circ}17'31''$  West); thence Southwesterly along the arc of said curve 150.54 feet thru a central angle of  $21^{\circ}38'09''$  to a point on a 281.67 foot radius reverse curve to the left (center bears South  $28^{\circ}39'22''$  East); thence Southwesterly along the arc of said curve 189.20 feet more or less thru a central angle of  $38^{\circ}29'13''$  to a point on the Northerly line of the Queen Esther No. 5, Mining Claim, (Mineral Survey No. 6979), and terminating.

It is the intent herein that the side lines extend to the referenced Southerly and Northerly Mining Claim lines.

The basis of bearing for the above nine (9) centerline descriptions is North  $00^{\circ}13'37''$  West between the Southwest corner of Section 14 and the West Quarter Corner of Section 14, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments.

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AND TOGETHER WITH THE FOLLOWING STATE LAND LEASE PARCELS:

**LEASEHOLD PARCEL 1 - MCKINLEY PARCEL 1C**

Beginning at the Northeast Corner of the McKinley Mining Claim (MS 6645), said point being North  $04^{\circ}01'53''$  West 1727.75 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the East line of said McKinley Mining Claim South  $04^{\circ}18'00''$  West 405.71 feet to a point on a 100.56 foot radius curve to the right, whose radius point bears North  $47^{\circ}48'56''$  East; thence Northeasterly along the arc of said curve 52.65 feet thru a central angle of  $30^{\circ}00'03''$  to a point on a 152.58 foot radius reverse curve to the left, whose radius point bears South  $77^{\circ}49'00''$  West; thence Northwesterly along the arc of said curve 119.13 feet thru a central angle of  $44^{\circ}44'02''$  to a point of tangency; thence North  $56^{\circ}55'02''$  West 267.46 feet to a point on a 100.00 foot radius curve to the right, whose radius point bears North  $33^{\circ}04'58''$  East; thence Northwesterly along the arc of said curve 20.32 feet thru a central angle of  $11^{\circ}38'37''$  to a point of tangency; thence North  $45^{\circ}16'25''$  West 87.39 feet to a point on the Summit/Wasatch County line; thence North  $17^{\circ}33'57''$  East 75.94 feet along said county line to a point on the North line of said McKinley Mining Claim; thence South  $85^{\circ}42'00''$  East 400.24 feet along said North line to the POINT OF BEGINNING.

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**LEASEHOLD PARCEL 2 - MCKINLEY PARCEL 1D**

Beginning at the Southeast Corner of the McKinley Mining Claim (MS 6645), said point being North  $08^{\circ}24'54''$  West 1137.41 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence along the South line of said McKinley Mining Claim North  $85^{\circ}42'00''$  West 458.40 feet to a point on the Summit/Wasatch County line; thence North  $08^{\circ}43'41''$  East 527.66 feet along said county line; thence South  $45^{\circ}16'25''$  East 87.39 feet to a point on a 100.00 foot radius curve to the left, whose radius point bears North  $44^{\circ}43'35''$  East; thence Southeasterly along the arc of said curve 20.32 feet thru a central angle of  $11^{\circ}38'37''$  to a point of tangency; thence South  $56^{\circ}55'02''$  East 267.46 feet to a point on a 152.58 foot radius curve to the right, whose radius point bears South  $33^{\circ}04'58''$  West; thence Southeasterly along the arc of said curve 119.13 feet thru a central angle of  $44^{\circ}44'02''$  to a point on a 100.56 foot radius reverse curve to the left, whose radius point bears North  $77^{\circ}49'00''$  East; thence Southeasterly along the arc of said curve 52.65 feet thru a central

angle of  $30^{\circ}00'03''$  to a point on the East line of said McKinley Mining Claim; thence South  $04^{\circ}18'00''$  West 194.29 feet along said East line to the POINT OF BEGINNING.

**LEASEHOLD PARCEL 3 – ROOSEVELT NO. 1 PARCEL 2A**

Beginning at the Northwest Corner of the Roosevelt No. 1 Mining Claim ( MS 6645), said point being North  $08^{\circ}24'54''$  West 1137.41 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence along the North line of said Roosevelt No. 1 Mining Claim South  $85^{\circ}42'00''$  East 240.85 feet to a point on a 248.55 foot radius curve to the left, whose radius point bears North  $76^{\circ}09'24''$  East; thence Southeasterly along the arc of said curve 136.96 feet thru a central angle of  $31^{\circ}34'19''$  to a point on a 325.20 foot radius reverse curve to the right, whose radius point bears South  $44^{\circ}35'05''$  West; thence Southeasterly along the arc of said curve 131.61 feet thru a central angle of  $23^{\circ}11'17''$  to a point on a 140.00 foot radius compound curve to the right, whose radius point bears South  $67^{\circ}46'23''$  West; thence Southwesterly along the arc of said curve 174.42 feet thru a central angle of  $71^{\circ}23'02''$  to a point of tangency; thence South  $49^{\circ}09'25''$  West 315.55 feet to a point on the South line of said Roosevelt No. 1 Mining Claim; thence North  $85^{\circ}42'00''$  West 148.44 feet to the Southwest corner of said mining claim; thence North  $04^{\circ}18'00''$  East 600.00 feet along the West line of said mining claim to the POINT OF BEGINNING.

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**LEASEHOLD PARCEL 4 – ROOSEVELT NO. 1 PARCEL 2B**

Beginning at a point that is South  $85^{\circ}42'00''$  East 240.85 feet from the Northwest Corner of the Roosevelt No. 1 Mining Claim ( MS 6645), said point being North  $03^{\circ}48'34''$  East 1109.56 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence along the North line of said Roosevelt No. 1 Mining Claim South  $85^{\circ}42'00''$  East 391.45 feet; thence South  $08^{\circ}00'00''$  East 225.00 feet; thence South  $15^{\circ}08'49''$  West 306.27 feet; thence South  $53^{\circ}41'55''$  West 121.95 feet to a point on the South line of said mining claim; thence North  $85^{\circ}42'00''$  West 381.56 feet along said South line; thence North  $49^{\circ}09'25''$  East 315.55 feet to a point on a 140.00 foot radius curve to the left, whose radius point bears North  $40^{\circ}50'35''$  West; thence Northeasterly along the arc of said curve 174.42 feet thru a central angle of  $71^{\circ}23'02''$  to a point on a 325.20 foot radius compound curve to the left, whose radius point bears South  $67^{\circ}46'23''$  West; thence Northwesterly along the arc of said curve 131.61 feet thru a central angle of  $23^{\circ}11'17''$  to a point

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on a 248.55 foot radius reverse curve to the right, whose radius point bears North 44°35'05" East; thence Northwesterly along the arc of said curve 136.96 feet thru a central angle of 31°34'19" to the POINT OF BEGINNING.

**LEASEHOLD PARCEL 5 – ROOSEVELT NO. 1 PARCEL 2C**

Beginning at a point that is on the North line of the Roosevelt No. 1 Mining Claim ( MS 6645), said point being South 85°42'00" East 750.00 feet from the Northwest Corner of said claim and North 28°32'37" East 1216.83 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East Salt Lake Base and Meridian, and running thence along the North line of said Roosevelt No. 1 Mining Claim South 85°42'00" East 480.00 feet; thence South 53°41'55" West 800.00 feet; thence North 15°08'49" East 306.27 feet; thence North 08°00'00" West 225.00 feet to a point on the North line of said Roosevelt No. 1 Mining Claim; thence South 85°42'00" East 117.70 feet along said mining claim to the POINT OF BEGINNING. The basis of bearing for the description is North 00°13'37" West between the Southwest Corner of Section 14 and the West Quarter Corner of Section 14, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said corners being found monuments.

**LEASEHOLD PARCEL 6 – ROOSEVELT NO. 1 PARCEL 2D**

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Beginning at a point on the North line of the Roosevelt No. 1 Mining Claim ( MS 6645). Said point being South 85°42'00" East 1230.00 feet from the Northwest Corner of said claim and North 45°44'35" East 1480.12 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of the Roosevelt No. 1 Mining Claim South 85°42'00" East 270.00 feet; thence along the East line of the Roosevelt No. 1 Mining Claim South 4°18'00" West 600.00 feet; thence along the South line of the Roosevelt No. 1 Mining Claim North 85°42'00" West 970.00 feet; thence North 53°41'55" East 921.96 feet to the POINT OF BEGINNING.

**LEASEHOLD PARCEL 7 – ROOSEVELT NO. 4 PARCEL 3A**

Beginning at the Northwest Corner of the Roosevelt No. 4 Mining Claim ( MS 6645). Said point

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being South 86°08'00" West 637.80 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of the Roosevelt No. 4 Mining Claim South 85°42'00" East 580.00 feet; thence South 45°32'34" West 304.70 feet; thence South 73°58'00" West 128.92 feet; thence South 56°10'00" West 328.31 feet; thence along the West line of the Roosevelt No. 4 Mining Claim North 04°18'00" East 476.64 feet to the POINT OF BEGINNING.

**LEASEHOLD PARCEL 8 – ROOSEVELT NO. 4 PARCEL 3B**

Beginning at a point on the North line of the Roosevelt No. 4 Mining Claim ( MS 6645). Said point being South 85°42'00" East 997.39 feet from the Northwest Corner of said claim and South 71°47'54" East 377.10 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of the Roosevelt No. 4 Mining Claim South 85°42'00" East 502.61 feet; thence along the East line of the Roosevelt No. 4 Mining Claim South 04°18'00" West 437.42 feet; thence South 74°25'00" West 150.00 feet; thence North 33°35'00" West 350.00 feet; thence South 79°11'45" West 183.70 feet; thence South 51°28'00" West 500.00 feet; thence along the South line of the Roosevelt No. 4 Mining Claim North 85°42'00" West 600.00 feet; thence along the West line of the Roosevelt No. 4 Mining Claim North 04°18'00" East 123.36 feet; thence North 56°10'00" East 328.31 feet; thence North 73°58'00" East 788.27 feet to the POINT OF BEGINNING.

**LEASEHOLD PARCEL 9 – ROOSEVELT NO. 4 PARCEL 3C**

Beginning at a point on the South line of the Roosevelt No. 4 Mining Claim ( MS 6645). Said point being South 85°42'00" East 600.00 feet from the Southwest Corner of said claim and South 06°53'52" West 691.31 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 51°28'00" East 500.00 feet; thence North 79°11'45" East 183.70 feet; - thence South 33°35'00" East 350.00 feet; thence South 74°25'00" West 328.02 feet; thence along the South line of the Roosevelt No. 4 Mining Claim North 85°42'00" West 450.48 feet to the POINT OF BEGINNING.

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LEASEHOLD PARCEL 10 - ROOSEVELT NO. 4 PARCEL 3D

Beginning at a point on the North line of the Roosevelt No. 4 Mining Claim ( MS 6645). Said point being South 85°42'00" East 580.00 feet from the Northwest Corner of said claim and South 33°50'05" West 104.13 feet more or less from the Southeast Corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of the Roosevelt No. 4 Mining Claim South 85°42'00" East 417.39 feet; thence South 73°58'00" West 659.35 feet; thence North 45°32'34" East 304.70 feet to the POINT OF BEGINNING.

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