

WHEN RECORDED, RETURN TO:

AJ FIRESIDE PARK CITY LLC
c/o SNELL & WILMER LLP
15 W. South Temple, Suite 1200
Salt Lake City, UT 84111

Attn: Wade R. Budge

Ent 495948 Bk 1343 Pg 1253 - 1259
MARCY M. MURRAY, Recorder
WASATCH COUNTY CORPORATION
2021 Mar 16 10:45AM Fee: \$40.00 TC
For: Cottonwood Title Insurance Agency, In
ELECTRONICALLY RECORDED

Affects Parcel Nos.: See Exhibit A

STATEMENT REGARDING RERECORDING
(Rerecording of Right-of-Way Agreement, Entry No. 495572, as provided in UCA §57-3-106(8), as amended.)

STATE OF Wyoming)
ss.
COUNTY OF Teton)

Jamie Mackay, being first duly sworn under oath, states as follows:

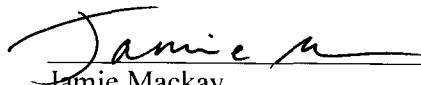
- 1) I am the President of AJ Fireside Park City LLC, a Delaware limited liability company (“**Benloch**”), and I am able to make this statement and affidavit based upon my personal knowledge of the matters contained herein.
- 2) On March 10, 2021, the following document was recorded in the Wasatch County Recorder’s Office: Right-of-Way Agreement between Benloch and Cummings Land and Livestock, LLC, a Utah limited liability company, (“**ROW Agreement**”), Entry No. 495572 with respect to those certain parcels of real property located in Wasatch County, Utah, and more particularly described in **Exhibit A-1** and **Exhibit A-2** to this STATEMENT REGARDING RERECORDING.
- 3) The ROW Agreement was recorded without the signature and acknowledgement of Cummings Land and Livestock, LLC, a Utah limited liability company, a party to the ROW Agreement.
- 4) Pursuant to UCA §57-3-106(8), the ROW Agreement is submitted for rerecording, executed and acknowledged by all parties to the ROW Agreement in compliance with Utah Code Title 57, Chapter 3, together with this STATEMENT REGARDING RERECORDING.

This Statement Regarding Rerecording is not intended to correct or affect any provisions of the above-referenced ROW Agreement.

ACCOMMODATION RECORDING ONLY.
COTTONWOOD TITLE INSURANCE AGENCY.
INC. MAKES NO REPRESENTATION AS TO
CONDITION OF TITLE, NOR DOES IT ASSUME
ANY RESPONSIBILITY FOR VALIDITY,
SUFFICIENCY OR EFFECTS OF DOCUMENT.

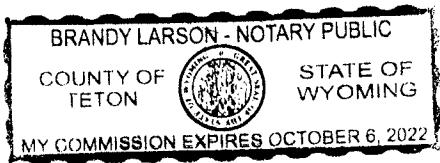
5) Further this Affiant saith not.

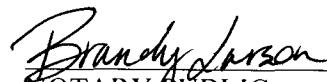
DATED this 12th day of March, 2021.



Jamie Mackay

Subscribed and sworn to before me this 12th day of March, 2021.





NOTARY PUBLIC
Residing at: Teton County, WY

Exhibit A-1
(Cummings Property)

Wasatch County Parcel No. 00-0007-6906

LEGAL DESCRIPTIONS FOR PARCELS 1 AND 2 COMBINED:

Legal description from the ALTA Survey performed by Dominion Engineering Associates, L.C. as Project No. 2749-01 and recorded May 31, 2017 as File No. 2959, records of Wasatch County, Utah: A parcel of land being a portion of that certain property described in the Warranty Deed recorded February 9, 2005 as Entry No. 279713 in Book 735 at page 593, currently shown as Tax Parcel ID 00-0007-6906 (Serial No. OWC-0458-0-003-035), located in Lot 3, Lot 4 and the South Half of the Northwest Quarter of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian, combined with a parcel of land conveyed in that certain Quit-Claim Deed recorded December 5, 2017 as Entry No. 445997 in Book 1209 at page 614, and as surveyed as follows:

BEGINNING at a point on the Easterly line of a rectangle located along the Western edge of said Section 3 running the entire length of said section in a North-South direction with such width in an East-West direction so that said rectangle contains 23.09 acres, said point is 182.14 feet North $89^{\circ}56'20''$ East along the Section line and 2639.24 feet North $00^{\circ}03'54''$ East from the Wasatch County monument found marking the Southwest corner of said Section 3, said POINT OF BEGINNING is also 182.14 feet South $89^{\circ}57'23''$ East from the West quarter corner of said Section 3 and running thence North $00^{\circ}03'54''$ East 2123.73 feet along said East line of said rectangle to the highway right-of-way line of State Route 32 (Project No. SP-1776) as described in that certain Quit-Claim Deed recorded March 29, 1993 as Entry No. 165154 in Book 255 at page 405 in the Office of the Wasatch County Recorder; thence North $29^{\circ}01'49''$ East 79.91 feet along said highway to a point 110.0 feet right of Engineer's Station 270+99.24 and a point on a non-tangent curve; thence Northeasterly 1370.66 feet along said highway and the arc of a 1322.39 foot radius curve to the right through a central angle of $59^{\circ}23'13''$ (chord bears North $61^{\circ}25'02''$ East 1310.12 feet); thence South $86^{\circ}11'46''$ East 192.27 feet along said highway to a point 110.0 feet right at Engineer's Station 287+83.92; thence South $84^{\circ}53'22''$ East 1112.25 feet along said highway to the East line of said Lot 3 in Section 3; thence leaving said highway South $00^{\circ}16'12''$ West 1392.99 feet along said East line of Lot 3 to the Southeast corner of said Lot 3, which is also the Northeast corner of the South Half of the Northwest Quarter of said Section 3; thence South $00^{\circ}16'12''$ West 1317.50 feet to the Southeast corner of said South Half of the Northwest Quarter of said Section 3, which is also the Center Quarter corner of said Section 3; thence North $89^{\circ}57'23''$ West 2478.55 feet along the South line of said South Half of the Northwest Quarter of said Section 3 to the POINT OF BEGINNING.

Serial No. OWC-0458 Parcel No. 7-6906

Less and excepting therefrom the following described property:

A parcel of land located in Lots 3 and 4 of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian, Wasatch County, Utah, described as follows:

BEGINNING at a point North 89°24'35" East 1,282.16 feet along the North line of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian and South 465.53 feet from the Northwest Corner of said Section 3, and thence South 89°37'32" East 480.37 feet; thence South 00°22'28" West 725.44 feet; thence North 89°37'32" West 480.37 feet; thence North 00°22'28" East 725.44 feet to the POINT OF BEGINNING.

Together with the following described easement:

A 20.00-foot-wide permanent, non-exclusive easement located in Lot 3 of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian, Wasatch County, Utah, lying 10.00 feet on each side of the following described line:

BEGINNING at a point North 89°24'35" East 1,761.00 feet along the north line of Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian and South 708.77 feet from the Northwest Corner of said Section 3, and thence along the center of an existing dirt road the following six courses: 1) North 37°52'49" East 110.27 feet, 2) North 40°40'28" East 204.11 feet to a point of tangency of a 574.50 foot radius curve to the right, 3) Northeasterly 68.21 feet along the arc of said curve through a central angle of 06°48'11" and a long chord of North 44°04'34" East 68.17 feet, 4) North 47°28'39" East 115.69 feet to a point of tangency of a 200.00 foot radius curve to the left, 5) Northeasterly 156.00 feet along the arc of said curve through a central angle of 44°41'22" and a long chord of North 25°07'58" East 152.07 feet and 6) North 02°47'17" East 56.17 feet to the POINT OF TERMINUS of the herein described centerline.

Serial No. OWC-0458-4

Parcel No. 20-9423

Exhibit A-2
(Benloch Property)

That portion of the following described property lying South of the Southerly Boundary of State Highway 32:

Lot 2, located within Section 3, Township 3 South, Range 5 East, Salt Lake Base and Meridian.

EXCEPTING therefrom that portion being conveyed to Cummings Land and Livestock, LLC by Quit Claim Deed recorded December 5, 2017 as Entry No. 445997 in Book 1209 at Page 614 of Official Records.

The following is shown for informational purposes only: Tax Parcel No. 00-0021-0645

And:

PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 32, SAID POINT BEING N89°31'27"E 4121.32 FEET AND S00°28'33"E 134.09 FEET FROM A FOUND BRASS CAP MONUMENT AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST (SAID SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST BEING S89°31'27"W 16027.88 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING THE BASIS OF BEARINGS FOR THIS PROJECT); THENCE N76°18'19"E ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 32, 194.98 FEET TO THE WESTERLY RIGHT OF WAY LINE OF BEAR TRACK LOOP; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING NINE (9) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 180.04 FEET, AN ARC LENGTH OF 174.92 FEET, A DELTA ANGLE OF 55°40'04", A CHORD BEARING OF S55°35'06"E, AND A CHORD LENGTH OF 168.12 FEET; (2) S83°25'32"E 73.41 FEET; (3) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 69.49 FEET, A DELTA ANGLE OF 08°28'16", A CHORD BEARING OF S79°11'24"E, AND A CHORD LENGTH OF 69.43 FEET; (4) S74°57'15"E 298.53 FEET; (5) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 570.00 FEET, AN ARC LENGTH OF 219.57 FEET, A DELTA ANGLE OF 22°04'15", A CHORD BEARING OF S63°55'08"E, AND A CHORD LENGTH OF 218.21 FEET; (6) S52°53'00"E 67.79 FEET; (7) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 770.14 FEET, AN ARC LENGTH OF 176.73 FEET, A DELTA ANGLE OF 13°08'53", A CHORD BEARING OF S46°18'33"E, AND A CHORD LENGTH OF 176.34 FEET; (8) S39°44'06"E 200.02 FEET; (9) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 80.58 FEET, A DELTA ANGLE OF 13°59'29", A CHORD BEARING OF S46°43'50"E, AND A CHORD LENGTH OF 80.38 FEET TO THE EAST LINE OF SAID SECTION 3; THENCE S00°00'15"W ALONG SAID EAST LINE, 116.79 FEET; THENCE S43°23'25"W 140.16 FEET; THENCE S31°04'15"W 117.65 FEET; THENCE S19°24'49"W 138.25 FEET; THENCE S06°55'10"W 135.96 FEET; THENCE

S05°00'04"E 114.39 FEET; THENCE S89°41'46"W 1112.51 FEET; THENCE N00°00'57"E 1319.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,417,347 SQUARE FEET OR 32.538 ACRES MORE OR LESS.

And:

PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N89°31'27"E 6017.58 FEET AND S00°28'33"E 632.41 FEET FROM A FOUND BRASS CAP MONUMENT AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST (SAID SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST BEING S89°31'27"W 16027.88 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING THE BASIS OF BEARINGS FOR THIS PROJECT); THENCE S35°11'22"W 99.40 FEET; THENCE ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 125.00 FEET, AN ARC LENGTH OF 109.31 FEET, A DELTA ANGLE OF 50°06'15", A CHORD BEARING OF S10°07'54"W, AND A CHORD LENGTH OF 105.86 FEET; THENCE S80°47'54"W 48.95 FEET; THENCE N33°53'57"W 177.36 FEET; THENCE S60°30'43"W 188.01 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BEAR TRACK LOOP; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) N82°36'21"W 31.84 FEET; AND (2) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 269.99 FEET, AN ARC LENGTH OF 183.39 FEET, A DELTA ANGLE OF 38°55'03", A CHORD BEARING OF N63°08'50"W, AND A CHORD LENGTH OF 179.88 FEET TO THE WEST LINE OF SAID SECTION 2; THENCE N00°00'15"E ALONG SAID WEST LINE, 691.29 FEET TO THE NORTHWEST CORNER OF SAID SECTION 2; THENCE N89°33'55"E ALONG THE NORTH LINE OF SAID SECTION 2, 848.95 FEET TO THE WESTERLY RIGHT OF WAY LINE OF TALISMAN PARKWAY; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 858.50 FEET, AN ARC LENGTH OF 609.89 FEET, A DELTA ANGLE OF 40°42'14", A CHORD BEARING OF S21°18'30"E, AND A CHORD LENGTH OF 597.15 FEET; (2) S41°42'02"E 301.56 FEET; AND (3) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 1305.00 FEET, AN ARC LENGTH OF 467.95 FEET, A DELTA ANGLE OF 20°32'43", A CHORD BEARING OF S51°58'24"E, AND A CHORD LENGTH OF 465.45 FEET; THENCE N80°36'04"W 288.35 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 705.00 FEET, AN ARC LENGTH OF 178.14 FEET, A DELTA ANGLE OF 14°28'39", A CHORD BEARING OF N73°21'44"W, AND A CHORD LENGTH OF 177.67 FEET; THENCE N66°07'25"W 250.14 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 1555.00 FEET, AN ARC LENGTH OF 306.88 FEET, A DELTA ANGLE OF 11°18'26", A CHORD BEARING OF N60°28'12"W, AND A CHORD LENGTH OF 306.38 FEET; THENCE N54°48'59"W 122.63 FEET; THENCE ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 160.00 FEET, AN ARC LENGTH OF 5.01 FEET, A DELTA ANGLE OF 01°47'41", A CHORD BEARING OF N55°15'54"W, AND A CHORD LENGTH OF 5.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 831,859 SQUARE FEET OR 19.097 ACRES MORE OR LESS.