

**After Recording, Please Return To:**

Shawn C. Ferrin  
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201 South Main Street, Suite 1800  
P.O. Box 45898  
Salt Lake City, Utah 84145-0898

00555579 Bk01300 Pg01067-01073  
ALAN SPRIGGS, SUMMIT CO RECORDER  
1999 DEC 20 15:39 PM FEE \$28.00 BY DMG  
REQUEST: FIRST AMERICAN TITLE CO UTAH

**FIRST AMENDMENT TO EASEMENT AGREEMENT**  
(Sundial Lodge)

This First Amendment to Easement Agreement ("Amendment") is made and entered into this 20 day of December, 1999, by and between Wolf Mountain Resorts, L.C., a Utah limited liability company, ("Owner"), and American Skiing Company Resort Properties, Inc., a Maine corporation ("ASCRP"), with reference to the following:

A. Owner and ASCRP entered into that certain Easement Agreement ("Agreement") dated August 1, 1998, and recorded on April 30, 1999, as Entry No. 537596, in Book 1253, at Page 245 of the records of the Summit County Recorder's Office.

B. Owner and ASCRP desire to amend the Agreement to replace the legal description for the Easement Parcel as described on Exhibit B to the Agreement.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, ASCRP and Owner agree as follows:

1. Definitions. Unless otherwise indicated herein, all capitalized terms used in this Amendment shall have the meanings as set forth in the Agreement.

2. Replacement of Legal Description of Easement Parcel. The legal description of the Easement Parcel as set forth on Exhibit B of the Agreement is hereby deleted and replaced in its entirety with the legal description attached hereto as Exhibit A.

3. Ratification. Except as set forth herein, all of the terms and conditions contained in the Agreement shall remain the same and in full force and effect, and the Agreement is hereby ratified and reaffirmed, and Owner and ASCRP agree to be bound by the provisions of the Agreement.


4. Further Action. The Parties shall execute and deliver all documents, provide all information, take or forbear from all such action as may be necessary or appropriate to achieve the purposes of this Amendment.

5. Counterparts. This Amendment may be executed in any number of counterpart originals, each of which shall be deemed an original instrument for all purposes, but all of which shall comprise one and the same instrument.

Executed the date and year first above written.

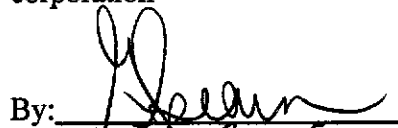
**OWNER:**

WOLF MOUNTAIN RESORTS, L.C., a  
Utah limited liability company

By:   
Print Name: Kenneth D. Spauld  
Its: manager

**ASCRP:**

AMERICAN SKIING COMPANY  
RESORT PROPERTIES, INC., a Maine  
corporation

By:   
Print Name: Greg Sparr  
Its: Senior Vice President

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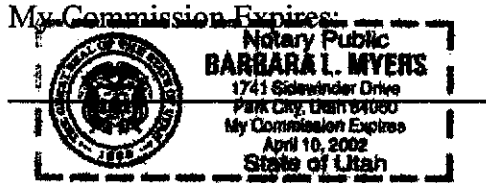
STATE OF UTAH )

COUNTY OF Summit

: ss.

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of December, 1999, by Kenneth Rowland the manager of Wolf Mountain Resorts, L.C., a Utah limited liability company.

Barbara L. Myers  
Notary Public  
Residing at: Park City



STATE OF UTAH )

COUNTY OF \_\_\_\_\_

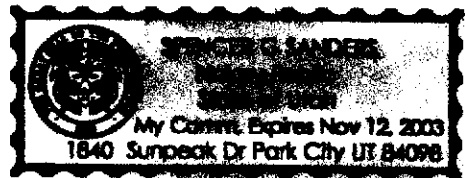
: ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of December, 1999, by GREG SPEAR, the SENIOR VICE PRESIDENT of American Skiing Company Resort Properties, Inc., a Maine corporation.

Spencer G. Sanders  
Notary Public  
Residing at: SALT LAKE COUNTY

My Commission Expires:

NOVEMBER 12, 19 2003



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**EXHIBIT A  
TO  
FIRST AMENDMENT TO EASEMENT AGREEMENT**

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**EASEMENT PARCEL**

The Easement Parcel is located in Summit County, Utah and is more particularly described as follows:

**The Canyons Resort Drive:**

A 68.00 foot wide non-exclusive easement lying 34.00 feet each side of the centerline more particularly described as follows:

Beginning at a point being North 1325.85 feet and West 760.24 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian); and running thence South 80° 11'39" West 63.67 feet to a point of curvature of a 210.00 foot radius curve to the right, center of which bears North 09°48'21" East; thence Northwesterly along the arc of said curve 55.90 feet through a Central Angle of 15°15'09"; thence North 84°33'11" West 89.73 feet to a point of curvature of a 185.00 foot radius curve to the left, center of which bears South 05°26'49" West; thence Southwesterly along the arc of said curve 302.58 feet through a Central Angle of 93°42'41"; thence South 01°44'07" West 157.02 feet to a point of curvature of a 270.00 foot radius curve to the right, center of which bears North 88°15'53" West; thence Southwesterly along the arc of said curve 165.79 feet through a Central Angle of 35°10'52"; thence South 36°54'59" West 147.38 feet to a point of curvature of a 180.00 foot radius curve to the left, center of which bears South 53°05'01" East; thence Southwesterly along the arc of said curve 265.27 feet through a Central Angle of 84°26'15"; thence South 47°31'16" East 314.03 feet to the point of terminus.

**High Mountain Road:**

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A 30.00 foot wide non-exclusive easement lying 15.00 feet each side of the centerline more particularly described as follows:

Beginning at a point at the Intersection of The Canyons Drive and High Mountain Road, said point being North 322.83 feet, and West 1131.21 feet from the

Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36); and running thence South 42°28'44" West 304.64 feet to a point of curvature of a 225.00 foot radius curve to the right, center of which bears North 47°31'16" West; thence Southwesterly along the arc of said curve 186.71 feet through a Central Angle of 47°32'39"; thence North 89°58'37" West 363.80 feet to a point of curvature of a 225.00 foot radius curve to the left, center of which bears South 00°01'23" West; thence Southwesterly along the arc of said curve 139.51 feet through a Central Angle of 35°31'34"; thence South 54°29'50" West 50.00 feet to the point of terminus.

**Tennis Court Road:**

A 30.00 foot wide non-exclusive easement lying 15.00 feet each side of the centerline more particularly described as follows:

Beginning at a point on the westerly top back of curb line of the Red Pine Road, said point being North 381.62 feet and West 717.38 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base & Meridian; (Basis of Bearing being North 89°59'43" West between the said Southeast Corner of Section 36, and the South Quarter Corner of said Section 36); thence South 76°31'50" West 93.05 feet to the point of curvature of a 300 foot radius tangent curve to the right; thence along the arc of said curve 33.55 feet through a Central Angle of 06°24'26" to the curves end; thence South 82°56'16" West 38.83 feet to the point of Curvature of a 300 foot radius tangent curve to the right; thence along the arc of said curve 48.33 feet through a Central Angle of 9° 13'48" to the curves end; thence North 87°49'56" West 78.34 feet to the point of curvature of a 300 foot radius tangent curve to the left; thence along the arc of said curve 87.41 feet through a Central Angle of 16°41'36" to the curves end; thence South 75°28'28" West 6.60 feet to the Northeasterly top back of curb line of the Canyons Resort Drive, said point being the point of termination, right-of-way lines extend to said top back of curb on the Canyons Resort Drive and said top back of curb on Red Pine Road.

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**Sundial Court:**

A 30.00 foot wide non-exclusive easement lying 15.00 feet each side of the centerline more particularly described as follows:

Beginning at a point at the Intersection of High Mountain Road and Sundial Court, said point being North 18.33 feet, and West 1922.21 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base

and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36); and running thence North 14°14'22" West 45.72 feet to a point of curvature of a 150.00 foot radius curve to the right, center of which bears North 75°45'38" East; thence Northwesterly along the arc of said curve 37.27 feet through a Central Angle of 14°14'16"; thence North 00°00'06" West 27.91 feet to a point of curvature of a 200.00 foot radius curve to the left, center of which bears South 89°59'54" West; thence Northwesterly along the arc of said curve 198.56 feet through a Central Angle of 56°52'59"; thence North 56°53'05" West 171.60 feet to a point of curvature of a 150.00 foot radius curve to the right, center of which bears North 33°06'55" East; thence Northwesterly along the arc of said curve 41.33 feet through a Central Angle of 15°47'16"; thence North 41°05'48" West 74.88 feet to a point of curvature of a 250.00 foot radius curve to the right, center of which bears North 48°54'12" East; thence Northwesterly along the arc of said curve 284.51 feet through a Central Angle of 65°12'16"; thence North 24°06'27" East 189.63 feet to the point of terminus.

**Sundial Courtyard "A":**

A 29.00 foot wide non-exclusive easement lying 14.50 feet each side of the centerline more particularly described as follows:

Beginning at a point in Sundial Court, said point being North 253.25 feet, and West 1982.59 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36); and running thence North 02°09'29" West 130.91 feet to a point of curvature of a 42.00 foot radius curve to the left, center of which bears North 87°50'31" East; thence Northwesterly along the arc of said curve 62.36 feet through a Central Angle of 85°03'52" to a point of terminus.

**Sundial Courtyard "B":**

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A 29.00 foot wide non-exclusive easement lying 14.50 feet each side of the centerline more particularly described as follows:

Beginning at a point which is North 424.44 feet, and West 2027.46 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36), said point also being on the arc of a 42.00 foot radius curve to the left, the center of which bears South 02°46'39" West; and running thence Northwesterly along the arc of said curve 3.55 feet through a Central Angle of 04°50'48"; thence North 87°55'51"

East 8.98 feet to a point of curvature of a 48.00 foot radius curve to the left, center of which bears South 02°04'09" East; thence Southwesterly along the arc of said curve 45.14 feet through a Central Angel of 53°52'44" to a point of terminus.

**Sundial Courtyard "C":**

A 29.00 foot wide non-exclusive easement lying 14.50 feet each side of the centerline more particularly described as follows:

Beginning at a point which is North 403.04 feet, and West 2078.01 feet from the Southeast Corner of Section 36, Township 1 South, Range 3 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°00'31" East between said Southeast Corner and the East Quarter Corner of said Section 36), said point also being on the arc of a 48.00 foot radius curve to the left, the center of which bears South 55°56'52" West; and running thence Southwesterly along the arc of said curve 6.26 feet through a Central Angle of 07°28'25"; thence South 26°34'43" West 57.77 feet to a point of terminus.

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