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Patsy Cutler, Iron County Recorder Page 1 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

**TOWN OF BRIAN HEAD TOWN COUNCIL
ORDINANCE NO. 08-019**

PLAN AMENDMENT

AN ORDINANCE ADOPTING THE AMENDED BRIAN HEAD INTERCONNECT COMMUNITY DEVELOPMENT PROJECT AREA PLAN AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE BRIAN HEAD INTERCONNECT COMMUNITY DEVELOPMENT PROJECT AREA

WHEREAS the Brian Head Redevelopment Agency (the "Agency"), having prepared an amended Community Development Project Area Plan (the "Amended Plan") for the Brian Head Interconnect Community Development Project Area, the legal description of which is attached hereto as Exhibit A (the "Project Area"), pursuant to Utah Code Annotated ("UCA") § 17C-4-108, and adopted the Amended Plan as the Official Community Development Project Area Plan for the Project Area (see Agency Resolution No. RDA- 008); and

WHEREAS the Utah Community Development and Renewal Agencies Act (the "Act") mandates that, before a community development project area plan amendment approved by an agency under UCA § 17C-4-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-4-105(1); and

WHEREAS the Act also requires certain notice to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-106.

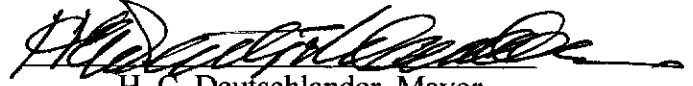
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BRIAN HEAD TOWN COUNCIL AS FOLLOWS:

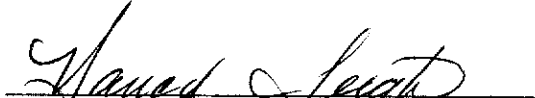
1. The Town of Brian Head Town Council hereby adopts the Brian Head Interconnect Community Development Project Area Plan as amended by the Agency on October 28, 2008 (*see* Agency Resolution No. RDA-008) as the Official Community Development Project Area Plan for the Brian Head Interconnect Community Development Project Area (the "Amended Official Plan").
2. The Town Staff is hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106(1)(a)(i), substantially in the form attached hereto as Exhibit B, whereupon the Amended Official Plan shall become effective pursuant to UCA § 17C-4-106(2)(a).
3. Pursuant to UCA § 17C-4-106(4), the Agency may proceed to carry out the Amended Official Plan as soon as it becomes effective.

4. This ordinance shall take effect immediately upon publication and recording.

APPROVED AND ADOPTED this 28th day of October, 2008.

Attest:


H. C. Deutschlander, Mayor
Town of Brian Head


Nancy Leigh, Town Recorder



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B: 1149 P: 1900 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 2 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



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EXHIBIT A
THE BRIAN HEAD INTERCONNECT
COMMUNITY DEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

Beginning at the West 1/4 corner Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian, said point being the POINT OF BEGINNING; thence North 89°20'58" West 1,004.75 feet along the east 1/4 Section Line of Section 10, Township 36 South, Range 9 West, Salt Lake Base and Meridian to the southwest corner of the Brian Head Unit 3 Subdivision lot 6; thence the following eight courses through the Brian Head Unit 3 Subdivision; (1) thence North 24°54'00" East 124.94 feet; (2) thence North 22°38'00" West 244.74 feet; (3) thence South 67°12'00" West 124.61 feet; (4) thence northwesterly 62.09 feet along the arc of a 30.00 foot radius curve to the right, chord bears North 53°30'30" West 51.59 feet; (5) thence North 05°47'00" East 375.65 feet; (6) thence South 65°06'00" East 157.10 feet; (7) thence North 15°16'00" East 202.90 feet; (8) thence North 00°55'00" West 230.60 feet to the northwest corner of lot 13 of said Subdivision; thence South 71°14'26" West 364.07 feet along the northerly Boundary Line of said Subdivision; thence North 00°12'03" East 382.40 feet; thence North 89°30'14" West 1316.25 feet; thence North 00°24'10" East 1313.67 feet to south Section Line of Section 3, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°39'35" East 1311.31 feet along said Section Line; thence South 89°39'35" East 699.52 feet along said Section Line to the western corner of the Woodbridge Subdivision southerly Boundary Line, thence the following eight courses along said subdivision Boundary Line; (1) thence South 89°39'35" East 184.22 feet along the Section Line; (2) thence North 37°34'09" East 550.79 feet; thence (3) North 47°49'12" East 130.93 feet to west Section Line of Section 2, Township 36 South Range 9 West, Salt lake Base and Meridian; (4) thence North 00°01'42" East 149.32 feet more or less along said Section Line, (5) thence North 47°49'12" East 113.55 feet; (6) thence northeasterly 101.43 feet along the arc of a 2,308.28 foot radius curve to the left, chord bears North 46°33'40" East 101.42 feet; (7) thence North 45°18'08" East 207.01 feet; (8) thence North 57°33'30" West 67.70 feet to the southeast corner of Eagles Roost Subdivision; thence the following eight courses along the southern boundary of said subdivision, (1) thence North 45°18'08" East 120.38 feet; (2) thence northeasterly 95.38 feet along the arc of a 704.83 foot radius non tangent curve to the left, chord bears North 41°25'31" East 95.31 feet; (3) thence North 37°32'55" East 169.89 feet; (4) thence northeasterly 85.42 feet along the arc of a 213.04 foot radius non tangent curve to the left, chord bears North 26°03'39" East 84.85 feet; (5) thence North 14°34'27" East 54.99 feet; (6) thence northerly 92.82 feet along the arc of a 448.92 foot radius curve to the left, chord bears North 08°39'03" East 92.65 feet; (7) thence North 02°43'39" East 283.87 feet; (8) thence northwesterly 39.55 feet along the arc of a 104.16 foot radius non tangent curve to the right, chord bears North 32°45'07" West 39.31 feet; thence North 68°07'32" East 66.00 feet to a point along the Brooke Hill Subdivision Boundary Line; thence the following four courses along said subdivision; (1) thence easterly 96.99 feet along the arc of a 38.16 foot radius non tangent curve to the left, chord bears North 85°18'44" East 72.91 feet; (2) thence North 12°29'56" East 135.86 feet; (3) thence northerly 88.96 feet along the arc of a 286.87 foot radius non tangent curve to the left, chord bears North 03°36'51" East 88.60 feet; (4) thence North 05°16'11" West 243.75 feet to the southeast corner of the Aspen View Subdivision; thence North 45°00'00" West 432.50 feet along the Boundary Line of said Subdivision to west 1/4 Section Line of said Section 2; thence North 89°31'46" West 242.48 feet along said 1/4 Section Line; thence North 74°11'45" East 195.12 feet; thence North 00°28'32" East 1,267.66 feet more or less to the north 1/16th Section Line of said Section 2; thence North 89°29'44" West 324.30 feet along said 1/16th Section Line to the east Section Line of Section 3,

Township 36 South, Range 9 West; Salt Lake Base and Meridian thence North 89°44'19" West 554.30 feet along the north 1/16th Section Line of said Section 3; thence North 89°43'57" West 104.85 feet along said 1/16th Section line to the southeast corner of Phase I-A of The Trails at Navajo Subdivision; thence North 00°23'35" East 660.96 feet along the Boundary Line of said Subdivision; thence North 89°44'24" West 15.00 feet to the western lot line of Lot 1 of said subdivision; thence North 00°23'35" East 174.63 feet along said lot line to the northerly right-of-way line of Hunter Ridge Drive; thence the following four courses along said right-of way; (1) thence North 87°39'16" West 57.48 feet; (2) thence northwesterly 73.19 feet along the arc of a 82.08 foot radius curve to the right, chord bears North 62°06'34" West 70.79 feet; (3) thence North 36°34'01" West 87.18 feet; (4) thence northwesterly 24.22 feet along the arc of a 121.03 foot radius curve to the left, chord bears North 42°17'57" West 24.18 feet; thence North 00°28'32" East 415.15 feet more or less to the south Section Line of Section 34, Township 35 South, Range 9 West, Salt Lake Base and Meridian said Section Line also being the southern Township Line for Township 35 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°09'10" East 288.99 feet along said Township Line; thence continue along said Township Line South 89°09'10" East 373.95 feet to the southwest corner of Block D Lot 4 of the Mountair Evergreen Estates Subdivision; thence the following six courses through said Subdivision; (1) thence North 00°52'32" East 149.74 feet; (2) thence South 89°07'28" East 221.19 feet; (3) thence North 00°52'32" East 30.00 feet; (4) thence continue along said line North 00°52'32" East 137.75 feet; (5) thence continue along said line North 00°52'32" East 150.00 feet; (6) thence South 86°09'28" East 124.00 feet more or less to the westerly Right of Way Line of Utah Highway 143; thence southerly 347.48 feet along the arc of a 557.50 foot radius non tangent curve to the left, chord bears South 19°42'04" East 341.88 feet along said Right of Way Line; thence North 52°26'36" East 160.38 feet to the southwest corner of Block A Lot 11 of the Mountair Evergreen Estates Subdivision; thence the following eleven courses through said Subdivision; (1) thence North 56°46'32" East 150.31 feet; (2) thence southeasterly 19.10 feet along the arc of a 247.50 foot radius non tangent curve to the left, chord bears South 42°23'49" East 19.10 feet; (3) thence South 44°36'28" East 121.00 feet; (4) thence North 45°23'32" East 150.00 feet; (5) thence South 44°36'28" East 90.00 feet; (6) thence southerly 78.54 feet along the arc of a 50.00 foot radius curve to the right, chord bears South 00°23'32" West 70.71 feet; (7) thence South 45°23'32" West 11.70 feet; (8) thence South 44°36'28" East 30.00 feet; (9) thence South 89°07'28" East 342.80 feet; (10) thence South 23°04'28" East 186.30 feet; (11) thence South 89°07'28" East 135.00 feet to southwest corner of Section 35, Township 35 South, Range 9 West; Salt Lake Base and Meridian, thence North 00°35'00" West 1,354.32 feet more or less to the southwest 1/16th corner of said Section; thence South 89°57'00" East 1,329.00 feet more or less along said 1/16th Section line to the west 1/16th Section Line; thence South 00°31'16" West 1,363.38 feet along said 1/16th Section Line to the northerly Section Line of Section 2, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence North 89°33'01" West 190.29 feet along said Section Line; thence South 00°34'14" West 34.62 feet to the northwest corner of Brian Head Unit 1 Subdivision; Thence the following seven courses along the western boundary of said Subdivision; (1) thence South 00°34'14" West 331.40 feet; (2) thence South 56°47'14" West 502.60 feet; (3) thence South 34°17'14" West 400.80 feet; (4) thence South 01°46'14" West 705.90 feet; (5) thence South 30°55'46" East 351.00 feet; (6) thence South 89°25'46" East 50.60 feet; (7) thence South 00°34'14" West 693.92 feet more or less to the west 1/4 Section Line of said Section 2 ; thence South 89°31'46" East 610.53 feet along said 1/4 Section Line to the northwest corner of the Ski Haven Chalets Unit A Subdivision; thence South 89°55'00" East 776.16 feet along the northerly Boundary Line of said Subdivision; thence the following ten courses through said Subdivision; (1) thence South 20°17'00" West 54.62 feet; (2) thence southwesterly 47.56 feet along the arc of a 62.51 foot radius curve to the right, chord bears South 42°04'47" West 46.42 feet; (3) thence South 63°54'00" West 192.14 feet; (4) thence South 36°36'00" West 154.00 feet; (5)

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Page 4 of 28



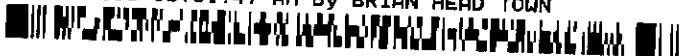
Adopted October 28, 2008

thence South 01°43'00" West 322.03 feet; (6) thence southerly 98.12 feet along the arc of a 207.18 foot radius non tangent curve to the right, chord bears South 15°16'57" West 97.21 feet; (7) thence South 28°51'00" West 384.53 feet; (8) thence South 01°10'58" West 84.93 feet; (9) thence South 06°21'00" East 80.00 feet; (10) thence South 08°43'00" East 212.26 feet to the southerly Boundary Line of said Subdivision, thence the following three courses along the Boundary Line of said Subdivision; (1) thence North 82°57'00" West 33.55 feet; (2) thence North 40°18'00" West 190.09 feet; (3) thence North 51°17'00" West 173.72 feet more or less to the south 1/4 Section Line of said Section 2; thence South 00°34'14" West 1489.99 feet along said 1/4 Section Line to the northerly Section Line of Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian; Thence North 89°09'03" West 1322.26 feet; thence South 00°16'34" West 567.78 feet along the west 1/16th Section Line of said Section; thence South 43°27'36" East 1,045.78 feet to the north 1/16th Section Line of said Section; thence North 89°16'50" West 723.01 feet along said 1/16th Section Line to the west 1/16th Section Line; thence South 00°16'34" West 1,317.79 feet along the west 1/16th Section Line; thence South 00°43'14" West 2,636.81 feet along the west 1/16th Section Line to the south Section Line of said Section 11; thence North 89°31'52" West 1,317.15 feet along said Section Line to the southwest corner of said section 11; thence North 00°53'15" East 2,639.60 feet to the POINT OF BEGINNING.

Containing 619.40 acres, more or less.

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Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN Page 5 of 28



4839-5436-1346BR094-009

EXHIBIT B

Notice of Adoption of Ordinance No. 08-019 by the Town of Brian Head Town Council

Pursuant to Section 17C-4-106(1), Utah Code, the Town of Brian Head Town Council (the "Town Council") is providing this notice with respect to Ordinance 08-019 which was passed by the Town Council on October 28, 2008, adopting the Brian Head Interconnect Community Development Project Area Plan, as amended and adopted by the Brian Head Redevelopment Agency (the "Agency") on October 28, 2008, as the Official Community Development Project Area Plan for the Brian Head Interconnect Community Development Project Area (the "Amended Official Plan"), and directing that the notice of adoption be given as required by law. Ordinance 08-019 and the Amended Official Plan shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Amended Official Plan. The Amended Official Plan is available for general public inspection at the office of the Brian Head Town Recorder located at 56 N. Highway 143, Brian Head, Utah, during regular office hours of 9:00 am to 4:30 pm, Monday through Friday.

For a period of 30 days after the Effective Date of the Amended Official Plan (the "30-Day Period"), any person in interest may contest the Amended Official Plan or the procedure used to adopt it if the Amended Official Plan or procedure fails to comply with applicable statutory requirements. After the 30-Day Period, no person may contest the Amended Official Plan or procedure used to adopt it for any cause.

Published: _____, 2008.

/s/ Nancy Leigh
Town Recorder

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B: 1149 P: 1904 Fee \$0.00 Page 6 of 28
Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



BRIAN HEAD INTERCONNECT COMMUNITY DEVELOPMENT PROJECT AREA

Official Project Area Plan

As Amended, October 28, 2008

Brian Head Redevelopment Agency
56 N. Hwy 143
Brian Head, Utah 84719

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Patsy Cutler, Iron County Recorder

11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

Page 7 of 28



Table of Contents

Introduction 4

Section 1 Description of the Project Area 4

Section 2 Affect of Community Development on the Character of the Project Area5

 A. Land Uses in the Project Area 5

 B. Layout of Principal Streets in the Project Area 5

 C. Population Densities in the Project Area5

 D. Building Intensities in the Project Area 6

Section 3 Standards That Will Guide Community Development 6

 A. Development Objectives 6

 B. Design Objectives 6

 C. Specific Design Objectives 7

 D. Approvals 7

Section 4 The Purposes of State Law Will Be Attained by the Community Development Contemplated by the Plan7

Section 5 The Plan is Consistent with the Town’s General Plan 8

 A. Zoning Ordinances 8

 B. Building Codes 8

 C. Planning Commission 8

Section 6 Description of the Specific Projects that are the Object of the Proposed Community Development 8

Section 7 Selection of Private Developers to Undertake the Community Development 9

Section 8 Reasons for the Selection of the Project Area 9

Section 9 Description of the Physical, Social and Economic Conditions Existing in the Area 9

Section 10 Tax Incentives Offered to Private Entities for Development within the Project Area 10

00580797

B: 1149 P: 1906 Fee \$0.00
 Patsy Cutler, Iron County Recorder
 11/18/2008 09:01:47 AM By BRIAN HEAD TOWN Page 8 of 28



Section 11 Analysis of the Anticipated Public Benefit to be Derived from the Community Development10

A. Project Description..... 10

B. Tax Base..... 11

C. Associated Economic Activity..... 11

D. Net Benefit of and Need for Public Financial Assistance 12

.....

APPENDIX A Brian Head Interconnect Community Development Project Area Land Use Map.....

APPENDIX B Brian Head Interconnect Community Development Project Area Parcel Numbers.....

APPENDIX C Brian Head Interconnect Community Development Project Area Project Area Map.....

APPENDIX D Brian Head Interconnect Community Development Project Area Legal Description.....

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 Patsy Cutler, Iron County Recorder
 11/18/2008 09:01:47 AM By BRIAN HEAD TOWN Page 9 of 28



Introduction

The Brian Head Redevelopment Agency (the "Agency"), following thorough consideration of the needs and desires of the Town of Brian Head (the "Town") and its residents, as well as the Town's need and capacity for new development, has carefully crafted this Brian Head Interconnect Community Development Project Area Plan (the "Plan") for the Brian Head Interconnect Community Development Project (the "Project"). This Plan is the end result of considerable discussion and negotiation with Brian Head Ski, Ltd., a Utah limited partnership (the "Resort"). In accordance with the terms of this Plan, the Resort intends to construct a bridge (the "Bridge") across Utah State Road 143 ("Highway 143") to connect two mountain recreational areas within the Town that are separated by that highway. The Bridge will serve skiers, hikers, and bicyclists, as well as limited vehicular traffic. In connection with the construction of the Bridge, the Resort will modify, relocate and extend Vasels Road so as to connect Vasels Road to Brian Head Boulevard and otherwise accommodate the design of the Bridge (the "Road Improvements"). The Resort will also relocate existing utilities as necessary to facilitate the design, construction, and use of the Bridge and Road Improvements (the "Utilities Relocation"). The acquisition, construction, installation and maintenance of the Bridge, the Road Improvements, and the Utilities Relocation are collectively referred to herein as the "Interconnect Bridge." This Plan will also govern (a) the acquisition, construction, and installation of (i) a system of lighting and signage along Highway 143 to improve the appearance of the Town's main entrance and better guide visitors and tourists around town (the "Lighting and Signage") and (ii) other infrastructure improvements designed to improve and enhance the safety of the roads and pedestrian access to the Town and the recreational areas therein as well as related water and sewer infrastructure improvements within the Project Area (the "Infrastructure Improvements") and (b) an investment in a shuttle service that will encourage and promote community development in the Project Area (the "Shuttle Service"). All components of the Project, including the Interconnect Bridge, the Lighting and Signage, Infrastructure Improvements and the Shuttle Service will be located within the Brian Head Interconnect Community Development Project Area (the "Project Area"). It is the purpose of this Plan to clearly set forth the aims and objectives of this development, its scope, its mechanism, and its value to the residents of Town of Brian Head.

The Project is undertaken as a community development project pursuant to the provisions of Chapters 1 and 4 of the Utah Community Development and Renewal Agencies Act, Title 17C of the Utah Code Annotated 1953, as amended (the "Act"). The requirements of the Act, including notice and hearing obligations, have been scrupulously observed at all times throughout the establishment of the Project and the Project Area.

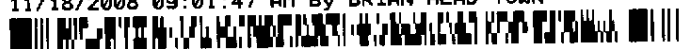
Section 1 Description of the Project Area

The Brian Head Interconnect Community Development Project Area lies entirely within the boundaries of the Town of Brian Head and, more specifically, includes the properties lying within the boundaries of the following zones as depicted on the Brian Head Town Zoning Map as currently adopted and attached hereto as Appendix A (the "Land Use Map"):

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B: 1149 P: 1908 Fee \$0.00
Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

Page 10 of 28



I-1 Zone:	All property
C-1, C-2 and C-3 Zones:	All property
COS Zone:	All property
R-3 Zone:	All property except the Cedar Village Condominiums

As delineated in the office of the Iron County Recorder, the Project Area encompasses the parcels set forth in Appendix B. A map of the Project Area (the "Project Area Map") is attached hereto as Appendix C. The legal description of the Project Area is attached hereto as Appendix D. All of the Appendices attached hereto are incorporated herein by reference.

Section 2 Affect of Community Development on Project Area Character

A. Land Uses in the Project Area

At present, approximately 85-90% of the land within the Project Area is undeveloped (including, conservation open space). The currently developed portions of the Project Area consist of the following land uses: less than 1% industrial, and approximately 68% residential, 26% commercial, and 6% governmentally-owned open space. Buildings and other structures presently existing within the Project Area will remain in place, undisturbed by the development of the Project.

All zoning within the Project Area is consistent with the Town's General Plan and permits the development of the Project as contemplated by this Plan. The development presently proposed hereunder focuses primarily on the Interconnect Bridge, the Lighting and Signage, the Infrastructure Improvements and the Shuttle Service within the Project Area. The land uses set forth on the Land Use Map (Appendix A) will not change as a result of the Project. All uses within the Project Area will conform to both the Town's General Plan and the goals and objectives of this Plan.

B. Layout of Principal Streets in the Project Area

The layout of the principal streets within the Project Area is shown on the Project Area Map (Appendix C). In connection with the development of the Project, Brian Head Boulevard will be extended past the Fire Station and connected to Vasels Road near the Evergreens Condominiums, and the section of Vasels Road from Highway 143 to the Evergreens Condominiums will be closed during the winter season to accommodate the use of the Interconnect Bridge. The Agency does not expect that development in the Project Area will otherwise eliminate or alter any of the existing streets except by possible improvement. Such improvements may include acceleration/deceleration lanes and intersection improvements to enhance traffic flow and safety and increase the carrying capacity of those streets.

C. Population Densities in the Project Area

At present, 1006 dwelling units exist within the Project Area, of which only 25 are primary residences. With an average household size of 1.68 persons for primary residences within the Town, the population of the Project Area is approximately 42. Accordingly, the year-round population density of the Project



Area is currently significantly less than 1 person per acre and is not expected to change appreciably as a result of the Project or future development within the Project Area.

D. Building Intensities in the Project Area

Buildings and structures within the Project Area consist primarily of second-home condominium projects. In addition, there are 22 single-family dwellings, two Resort base lodges with associated retail businesses within, and a variety of commercial businesses providing food, equipment and vehicle rental, real estate, and miscellaneous retail services. All of these buildings and structures will remain in place, undisturbed by the development of the Project. While development of the Project itself will not change building intensities in the Project Area, it is expected that future community development therein will result in a significant increase in building intensities.

Section 3 Standards That Will Guide Community Development

A. Development Objectives

As noted above, the development contemplated within the Project Area consists of the Interconnect Bridge, the Lighting and Signage, the Infrastructure Improvements and the Shuttle Service. While the infrastructure for the Project Area is readily available, extensions will be required for electrical distribution lines and water and sewer lines to provide the service where it is needed. In addition, development of the Project will require certain street improvements including storm drain and curb improvements, landscaping, and walking and off-road vehicle paths. All street improvements will include new curbs and gutters and sidewalks or walking paths.

B. Design Objectives

Development within the Project Area will be held to the highest quality design and construction standards and will be subject to (1) appropriate elements of the Town's General Plan; (2) the land use code of the Town; (3) other applicable building codes and ordinances of the Town; (4) Planning Commission review and recommendation; (5) and Agency review to ensure consistency with this Plan.

All development will be accompanied by site plans, development data, and other appropriate material clearly describing the development, including land coverage, setbacks, heights, and any other data required by the Brian Head Town Land Management Code (LMC) or requested by the Town or the Agency.

The proposed design for the Project Area provides for (a) a much needed bridge to facilitate primarily the movement of skiers, hikers, bicyclists and other recreational enthusiasts from one mountain recreation area to another, as well as limited vehicular traffic, (b) the Lighting and Signage and Infrastructure Improvements to enhance the movement of vehicles in and around the Town and its related recreational areas, and to provide the necessary utilities to accommodate commercial and residential growth and development, and (c) a Shuttle Service that will encourage and promote community development. The result will make the Project Area more user-friendly for both residents and visitors alike.

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Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN Page 12 of 28



00580797

B: 1149 P: 1911 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 13 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

C. Specific Design Objectives

1. Interconnect Bridge:

The contemplated Interconnect Bridge shall be of a design and materials in harmony with the adjoining area and subject to design review and approval by the Agency and/or the Town pursuant to the Interconnect Project Agreement with the Resort specifically addressing these points.

Coordinated and attractive landscaping shall also be provided. A design theme shall apply in connection with the development of the Project, incorporating landscaped treatment for open space, roads, and walking paths.

Primary landscape treatment shall consist of trees, shrubs, and ground cover as appropriate for the character of the Project. Materials and design for paving, retaining walls, fences, curbs, and other items shall have an attractive appearance and shall be easily maintained and suitable for the harsh environment.

2. Lighting and Signage and Infrastructure Improvements:

a. Public rights-of-way. The Infrastructure Improvements, including all street, sidewalk and walkway improvements, as well as water and sewer improvements, within the public rights-of-way will be designed or approved by the Town and will be consistent with the overall design objectives.

b. Street lighting and signs. The Lighting and Signage will be designed and installed subject to standards provided as necessary and approved by the Town.

D. Approvals:

The Agency shall have the right to approve the design and construction documents of all development with the Project Area to ensure that development within the Project Area is consistent with this Plan. The Town shall notify the Agency of all requests for (1) zoning changes; (2) design approval; (3) site plan approval; and (4) building permits within the Project Area. Development within the Project Area shall be implemented as approved by the Agency and the Town.

Section 4 The Purposes of State Law Will Be Attained by the Community Development Contemplated by the Plan

It is the intent of the Agency, with assistance from the Town and in participation with the Resort, to accomplish the planned Interconnect Bridge, Lighting and Signage, Infrastructure Improvements and Shuttle Service within the Project Area. This Plan includes the construction of new facilities, the extension of already existing utility infrastructure, and an investment in related maintenance and public services. The result will be the development of facilities that will enhance the ability of skiers and other recreation enthusiasts, as well as limited vehicular traffic, to move in and around the Town by (a) providing a bridge across Highway 143, which runs through and divides the Town, and (b) improving the lighting and signage in connection therewith. Additional road and walkway improvements, water

and sewer infrastructure and public shuttle services will be developed and provided under this Plan to encourage and promote community development in the Project Area. The enhanced ability of residents and visitors to move around the community as a result of the Project will encourage, promote and/or provide for further development within the Project Area and the Town generally.

Section 5 The Plan is Consistent with the Town's General Plan

This Plan and the development contemplated hereby conform to the Town's General Plan in the following respects: First, the Project is consistent with the Town's long-term goals of supporting commercial development and the recreation and tourism industry within the Town. Second, the proposed development of the Project Area provides a direct transportation link between the east and west sides of the Town, which furthers the objectives of the General Plan and benefits the entire area.

A. Zoning Ordinances

As noted previously, the Project Area is currently zoned for industrial, commercial, and residential uses. The immediate location of the Interconnect Bridge is in an area zoned for commercial uses, consistent with the Town's General Plan and Land Management Code, permitting the development of the Project.

B. Building Codes

Construction within the Project Area shall comply with the standards set forth in the Town's General Plan and with the applicable building codes. The Town shall prepare and issue all building permits in connection with the Project so as to ensure that construction of the Project is consistent with the Plan and site plan review.

C. Planning Commission

The Planning Commission will review any future proposals to amend the Town's Zoning Map and make such recommendation thereon to the Town Council as may be needed to facilitate the Project.

Section 6 Description of the Specific Projects That are the Object of the Proposed Community Development

The contemplated Project entails the Interconnect Bridge, the Lighting and Signage, the Infrastructure Improvements and the Shuttle Service, all within the Project Area. The Agency believes that the proposed Project will greatly benefit the Town's residents, visitors and tourists by facilitating the movement of skiers, hikers, bicyclists, and other recreational enthusiasts from one mountain recreation area to another, thereby enhancing their recreation experience, while accommodating limited vehicular traffic needed in the area to provide support services to the recreation and tourism industry in the Town. All components of the Project will encourage, promote and/or provide for community development.

00580797

B: 1149 P: 1912 Fee \$0.00 Page 14 of 28
Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



Section 7 Selection of Private Developers to Undertake the Community Development

The Resort has contemplated a mountain interconnect system for several years and, in May, 2004, the residents of the Town approved by referendum the issuance of a general obligation bond to pay up to \$900,000 for the construction of an interconnect bridge. In 2006, the Resort approached the Town in connection with its desire to undertake the proposed Interconnect Bridge and on October 17, 2006, a Interconnect Project Agreement was adopted by the Town and the Resort. The Agency was favorably impressed with the Interconnect Project Agreement that was adopted and, as a result, selected the Resort to participate in the development of the Project Area. Other potential developers of the Project may be identified by one or more of the following processes: (1) public solicitation, (2) requests for proposals (RFP), (3) requests for bids (RFB), (4) private negotiation, or (5) some other method of identification approved by the Agency.

Section 8 Reasons for the Selection of the Project Area

The Agency selected the Project Area for the development contemplated by this Plan primarily for following reasons. First, the Project Area includes Highway 143, the primary traffic corridor through the Town that splits the Town in two and separates the two mountain recreational areas in the community. Second, the Agency and the Town have long thought that connecting the two halves of the community would enhance the attractiveness of the area to both residents and visitors, and the improvements contemplated by this Plan will not only provide the desired connection but will also support its utility and provide and encourage community development generally. Third, the Project Area is primarily commercial and seasonal residential properties that impose the greatest burden on the Town and will enjoy the greatest benefit of the community development proposed herein.

Section 9 Description of the Physical, Social and Economic Conditions Existing in the Area

The Project Area consists of approximately 531 acres and is located in a mountain resort setting, at an elevation ranging from 9,500 to 10,500 feet above sea level. The surrounding alpine forests boast relaxing summer high temperatures that average 75 degrees and are suitable for biking, hiking, and off-road vehicle activities. Winter conditions of the area, which include average annual snowfalls of 350-500 inches, are ideal for skiing, snowmobiling and other various outdoor winter activities. While the Town has relatively few permanent, year-round residents, the population of the community swells in the summer and winter with the influx of second-home residents and tourists. Summer activities have increased significantly over the past few years and have become a growing part of the local economy. The Town has experienced unprecedented growth in the past two years with nearly 800 condominium units approved for construction and many other projects currently under review by the Town. The Resort has planned several projects for the 2007-2008 and 2008-2009 ski seasons that are designed to enhance the skiing experience of its guests. These Resort improvements will complement the Project proposed herein and together will encourage continued growth and development in the area.

00580797

B: 1149 P: 1913 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 15 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



Section 10 Tax Incentives Offered to Private Entities for Development within the Project Area

The Agency intends to use a portion of the Town's property tax increment within the Project Area to pay part of the costs associated with development of the Project Area. The Agency also intends to enter into one or more interlocal agreements with the Iron County School District (the "School District") and Iron County, Utah (the "County"), to secure receipt of a portion of the property tax increment generated within the Project Area that would otherwise be paid to those taxing entities. Collectively, those tax revenues will be used to pay the debt service on certain general obligation bonds issued by the Town to reimburse the Resort for a portion of the cost of constructing the Interconnect Bridge and a future bond issue or other debt obligation to finance the cost of the Infrastructure Improvements. Those tax revenues will also be applied to the cost of (a) the Lighting and Signage, (b) the Shuttle Service, and (c) related improvements as approved by the Agency. Subject to the provisions of the Act, the Agency may agree to pay for eligible development costs and other items from such tax revenues for any period of time the Agency may deem appropriate under the circumstances.

Section 11 Analysis of the Anticipated Public Benefit to be Derived from the Community Development

The public will realize significant benefits from the development of the Project Area as proposed by the Plan. The Agency's primary objective in developing the Project is to facilitate the movement of skiers and other recreation enthusiasts from one recreational area to another within the Town, which in turn will promote and support commercial activity in general and the recreation/tourism industry in particular.

In order to facilitate the movement of residents, visitors, and tourists in and around the area, the Agency created the Project Area. The Town and the Agency saw the development of the Project as an opportunity to foster the area's tourism industry, which contributes to the vitality of the community and encourages further commercial development within the Project Area.

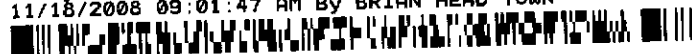
Development of the Project Area as contemplated herein is expected to make the area more attractive to skiers and other tourists, which in turn is expected to increase property values and related property tax revenues. The Project is also expected to produce future increased sales tax revenue from expanded commercial activity within the Project Area attracted to the area as a result of the Project. Moreover, the cost of the Project is expected to be paid in full from incremental property tax revenues generated by the Project Area.

A. Project Description

The Brian Head Interconnect Community Development Project will be the first community development project in Town of Brian Head. The Agency anticipates that the development will consist of the Interconnect Bridge, the Lighting and Signage, the Infrastructure Improvements and the Shuttle Service, all within the Project Area.

00580797

B: 1149 P: 1914 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 16 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



B. Tax Base

The combined real and personal property tax rate for the property located in the Project Area is currently 1.05180%. This combined rate is the sum of the 2006 tax rates for the Town, the School District and the County. During the 15-year period following the adoption of the Plan, real and personal property values are expected to increase by approximately \$234,011,600 as a result of new development within the Project Area. As a result of such development, the combined property tax increment to be generated within the Project Area over that same period is projected to be \$23,217,076. Assuming that the Town, the School District and the County each contribute to the Project an average of 34-36% of their respective tax increment over that 15-year period, it is projected that the Agency would receive a total of \$7,934,011 of property tax increment to pay for costs related to the Project. Such property tax increment is expected to be sufficient to pay the projected costs of the Project.

C. Associated Economic Activity

The economic activities associated with the development of the Project Area could take any one or more of the following forms. The Interconnect Bridge, Lighting, and Signage, Infrastructure Improvements and Shuttle Service are designed to assist residents, visitors, and tourists move in and across town. This should encourage more people to travel to the vicinity of the Project Area to participate in available recreational opportunities. Businesses and professionals currently located in the Project Area will likely benefit from this influx of additional traffic and will be encouraged to remain in and around the community. Currently existing businesses and professionals may even be inclined to expand their facilities to take advantage of the new demographic resulting from the development of the Project. Businesses and professionals seeking to locate new facilities will likewise be drawn to the vicinity of the Project Area for similar reasons.

The Town of Brian Head is located at the base of Brian Head Peak, a popular destination ski area and second home location for a variety of people, including residents of the greater Las Vegas, Nevada, and Southern California areas. As proposed herein, the developed Project Area will serve the immediate needs of the community and can reasonably be expected to encourage additional development in the surrounding area.

00580797

B: 1149 P: 1915 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 17 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



D. Net Benefit of and Need for Public Financial Assistance

Primarily to ensure that the Interconnect Bridge would be constructed, the Agency has offered certain financial assistance in connection with the development of the Project Area. Since the Town will own the Interconnect Bridge, which will in turn serve residents and visitors year round (not just during the ski season), it is unlikely that the Project as contemplated by this Plan would ever be undertaken without some financial assistance. Most of the land within the Project Area is improved with second home residences or condos and commercial property related to tourism, which will benefit most from Project development. Accordingly, the Agency concluded that it would be appropriate to create a community development project area from which sufficient tax revenues could be generated to pay for the Project. The contemplated Interconnect Bridge, Lighting and Signage, Infrastructure Improvements and Shuttle Service are consistent with the Town's goals of promoting and supporting the Town's tourism industry and increasing commercial development generally. The Agency is interested in working with the Resort and possibly other developers to achieve those goals.

A project of the type contemplated herein, with its financial advantages to the Town in the form of increased property values and future tax revenues, together with the potential to attract additional commercial projects to the area, is critical to the continued economic prosperity of the community. The Town and the Agency have determined that construction costs were too high to expect private development of the Interconnect Bridge to occur without some public financial assistance. Therefore, in order to secure the desired development, the Agency proposed to fund a part of the development costs of the Project Area with a portion of the Town's incremental property tax revenues. The Agency also expects that the School District and the County will contribute a portion of their incremental property taxes generated within the Project Area to pay for a portion of the costs of the Project. No existing tax revenues are or will be committed to develop the Project. Only a portion of those incremental property taxes resulting from future development within the Project Area will be used to finance Project costs. The financial incentives offered under this Plan have been deemed necessary for the success of the development of the Project Area.

00580797

B: 1149 P: 1916 Fee \$0.00 Page 18 of 28
Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



APPENDIX B

Brian Head Interconnect Community Development Project Area Parcel Numbers

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Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN
Page 22 of 28

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Patsy Cutler Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOLM Page 23 of 28

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00580797

B: 1149 P: 1922 Fee \$0.00 Page 24 of 28
Patsy Cutler, Iron County Recorder
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

APPENDIX C

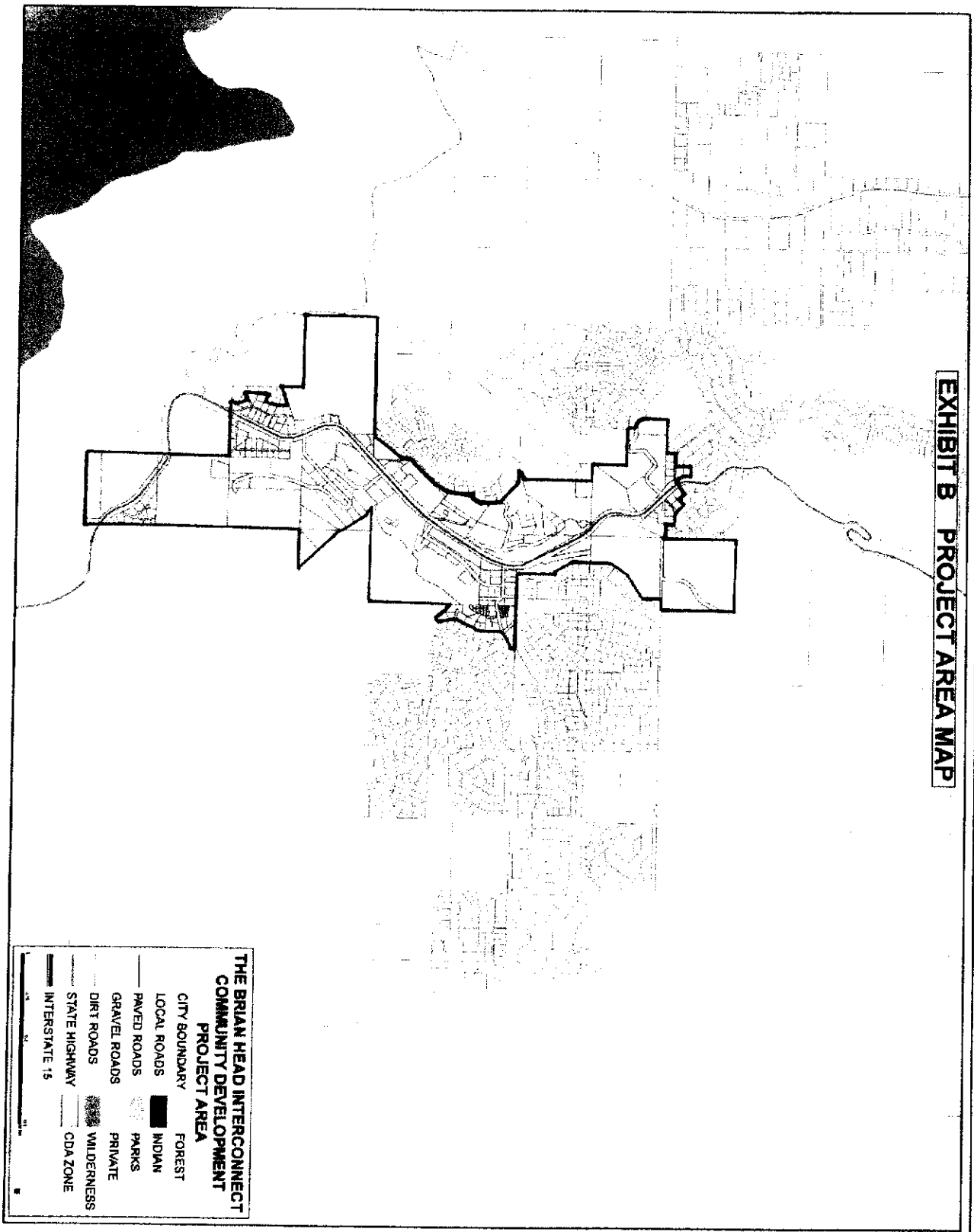


EXHIBIT B PROJECT AREA MAP

00580797

B: 1149 P: 1923 Fee \$0.00
 Patsy Cutler, Iron County Recorder
 11/18/2008 09:01:47 AM By BRIAN HEAD TOWN Page 25 of 28



APPENDIX D

00580797

B: 1149 P: 1924 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 26 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

THE BRIAN HEAD INTERCONNECT COMMUNITY DEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

Beginning at the West 1/4 corner Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian, said point being the POINT OF BEGINNING; thence North 89°20'58" West 1,004.75 feet along the east 1/4 Section Line of Section 10, Township 36 South, Range 9 West, Salt Lake Base and Meridian to the southwest corner of the Brian Head Unit 3 Subdivision lot 6; thence the following eight courses through the Brian Head Unit 3 Subdivision; (1) thence North 24°54'00" East 124.94 feet; (2) thence North 22°38'00" West 244.74 feet; (3) thence South 67°12'00" West 124.61 feet; (4) thence northwesterly 62.09 feet along the arc of a 30.00 foot radius curve to the right, chord bears North 53°30'30" West 51.59 feet; (5) thence North 05°47'00" East 375.65 feet; (6) thence South 65°06'00" East 157.10 feet; (7) thence North 15°16'00" East 202.90 feet; (8) thence North 00°55'00" West 230.60 feet to the northwest corner of lot 13 of said Subdivision; thence South 71°14'26" West 364.07 feet along the northerly Boundary Line of said Subdivision; thence North 00°12'03" East 382.40 feet; thence North 89°30'14" West 1316.25 feet; thence North 00°24'10" East 1313.67 feet to south Section Line of Section 3, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°39'35" East 1311.31 feet along said Section Line; thence South 89°39'35" East 699.52 feet along said Section Line to the western corner of the Woodbridge Subdivision southerly Boundary Line, thence the following eight courses along said subdivision Boundary Line; (1) thence South 89°39'35" East 184.22 feet along the Section Line; (2) thence North 37°34'09" East 550.79 feet; thence (3) North 47°49'12" East 130.93 feet to west Section Line of Section 2, Township 36 South Range 9 West, Salt lake Base and Meridian; (4) thence North 00°01'42" East 149.32 feet more or less along said Section Line, (5) thence North 47°49'12" East 113.55 feet; (6) thence northeasterly 101.43 feet along the arc of a 2,308.28 foot radius curve to the left, chord bears North 46°33'40" East 101.42 feet; (7) thence North 45°18'08" East 207.01 feet; (8) thence North 57°33'30" West 67.70 feet to the southeast corner of Eagles Roost Subdivision; thence the following eight courses along the southern boundary of said subdivision, (1) thence North 45°18'08" East 120.38 feet; (2) thence northeasterly 95.38 feet along the arc of a 704.83 foot radius non tangent curve to the left, chord bears North 41°25'31" East 95.31 feet; (3) thence North 37°32'55" East 169.89 feet; (4) thence northeasterly 85.42 feet along the arc of a 213.04 foot radius non tangent curve to the left, chord bears North 26°03'39" East 84.85 feet; (5) thence North 14°34'27" East 54.99 feet; (6) thence northerly 92.82 feet along the arc of a 448.92 foot radius curve to the left, chord bears North 08°39'03" East 92.65 feet; (7) thence North 02°43'39" East 283.87 feet; (8) thence northwesterly 39.55 feet along the arc of a 104.16 foot radius non tangent curve to the right, chord bears North 32°45'07" West 39.31 feet; thence North 68°07'32" East 66.00 feet to a point along the Brooke Hill Subdivision Boundary Line; thence the following four courses along said subdivision; (1) thence easterly 96.99 feet along the arc of a 38.16 foot radius non tangent curve to the left, chord bears North 85°18'44" East 72.91 feet; (2) thence North 12°29'56" East 135.86 feet; (3) thence northerly 88.96 feet along the arc of a 286.87 foot radius non tangent curve to the left, chord bears North 03°36'51" East 88.60 feet; (4) thence North 05°16'11" West 243.75 feet to the southeast corner of the Aspen View Subdivision; thence North 45°00'00" West 432.50 feet along the Boundary Line of said Subdivision to west 1/4 Section Line of said Section 2; thence North 89°31'46" West 242.48 feet along said 1/4 Section Line; thence North 74°11'45" East 195.12 feet; thence North 00°28'32" East 1,267.66 feet more or less to the north 1/16th Section Line of said Section 2; thence North 89°29'44" West 324.30 feet along said 1/16th Section Line to the east Section Line of Section 3, Township 36 South, Range 9 West; Salt Lake Base and Meridian thence North 89°44'19" West 554.30 feet along the north 1/16th Section Line of said Section 3; thence North 89°43'57" West 104.85 feet along said 1/16th Section line to the southeast corner of Phase I-A of The Trails at Navajo Subdivision; thence North 00°23'35" East 660.96 feet along the Boundary Line of said Subdivision; thence North 89°44'24" West 15.00 feet to the western lot line of Lot 1 of said subdivision; thence North 00°23'35"

East 174.63 feet along said lot line to the northerly right-of-way line of Hunter Ridge Drive; thence the following four courses along said right-of way; (1) thence North 87°39'16" West 57.48 feet; (2) thence northwesterly 73.19 feet along the arc of a 82.08 foot radius curve to the right, chord bears North 62°06'34" West 70.79 feet; (3) thence North 36°34'01" West 87.18 feet; (4) thence northwesterly 24.22 feet along the arc of a 121.03 foot radius curve to the left, chord bears North 42°17'57" West 24.18 feet; thence North 00°28'32" East 415.15 feet more or less to the south Section Line of Section 34, Township 35 South, Range 9 West, Salt Lake Base and Meridian said Section Line also being the southern Township Line for Township 35 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°09'10" East 288.99 feet along said Township Line; thence continue along said Township Line South 89°09'10" East 373.95 feet to the southwest corner of Block D Lot 4 of the Mountair Evergreen Estates Subdivision; thence the following six courses through said Subdivision; (1) thence North 00°52'32" East 149.74 feet; (2) thence South 89°07'28" East 221.19 feet; (3) thence North 00°52'32" East 30.00 feet; (4) thence continue along said line North 00°52'32" East 137.75 feet; (5) thence continue along said line North 00°52'32" East 150.00 feet; (6) thence South 86°09'28" East 124.00 feet more or less to the westerly Right of Way Line of Utah Highway 143; thence southerly 347.48 feet along the arc of a 557.50 foot radius non tangent curve to the left, chord bears South 19°42'04" East 341.88 feet along said Right of Way Line; thence North 52°26'36" East 160.38 feet to the southwest corner of Block A Lot 11 of the Mountair Evergreen Estates Subdivision; thence the following eleven courses through said Subdivision; (1) thence North 56°46'32" East 150.31 feet; (2) thence southeasterly 19.10 feet along the arc of a 247.50 foot radius non tangent curve to the left, chord bears South 42°23'49" East 19.10 feet; (3) thence South 44°36'28" East 121.00 feet; (4) thence North 45°23'32" East 150.00 feet; (5) thence South 44°36'28" East 90.00 feet; (6) thence southerly 78.54 feet along the arc of a 50.00 foot radius curve to the right, chord bears South 00°23'32" West 70.71 feet; (7) thence South 45°23'32" West 11.70 feet; (8) thence South 44°36'28" East 30.00 feet; (9) thence South 89°07'28" East 342.80 feet; (10) thence South 23°04'28" East 186.30 feet; (11) thence South 89°07'28" East 135.00 feet to southwest corner of Section 35, Township 35 South, Range 9 West; Salt Lake Base and Meridian, thence North 00°35'00" West 1,354.32 feet more or less to the southwest 1/16th corner of said Section; thence South 89°57'00" East 1,329.00 feet more or less along said 1/16th Section line to the west 1/16th Section Line; thence South 00°31'16" West 1,363.38 feet along said 1/16th Section Line to the northerly Section Line of Section 2, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence North 89°33'01" West 190.29 feet along said Section Line; thence South 00°34'14" West 34.62 feet to the northwest corner of Brian Head Unit 1 Subdivision; Thence the following seven courses along the western boundary of said Subdivision; (1) thence South 00°34'14" West 331.40 feet; (2) thence South 56°47'14" West 502.60 feet; (3) thence South 34°17'14" West 400.80 feet; (4) thence South 01°46'14" West 705.90 feet; (5) thence South 30°55'46" East 351.00 feet; (6) thence South 89°25'46" East 50.60 feet; (7) thence South 00°34'14" West 693.92 feet more or less to the west 1/4 Section Line of said Section 2 ; thence South 89°31'46" East 610.53 feet along said 1/4 Section Line to the northwest corner of the Ski Haven Chalets Unit A Subdivision; thence South 89°55'00" East 776.16 feet along the northerly Boundary Line of said Subdivision; thence the following ten courses through said Subdivision; (1) thence South 20°17'00" West 54.62 feet; (2) thence southwesterly 47.56 feet along the arc of a 62.51 foot radius curve to the right, chord bears South 42°04'47" West 46.42 feet; (3) thence South 63°54'00" West 192.14 feet; (4) thence South 36°36'00" West 154.00 feet; (5) thence South 01°43'00" West 322.03 feet; (6) thence southerly 98.12 feet along the arc of a 207.18 foot radius non tangent curve to the right, chord bears South 15°16'57" West 97.21 feet; (7) thence South 28°51'00" West 384.53 feet; (8) thence South 01°10'58" West 84.93 feet; (9) thence South 06°21'00" East 80.00 feet; (10) thence South 08°43'00" East 212.26 feet to the southerly Boundary Line of said Subdivision, thence the following three courses along the Boundary Line of said Subdivision; (1) thence North 82°57'00" West 33.55 feet; (2) thence North 40°18'00" West 190.09 feet; (3) thence North 51°17'00" West 173.72 feet more or less to the south 1/4 Section Line of said Section 2; thence South 00°34'14" West 1489.99 feet along said 1/4 Section Line to the northerly Section Line of Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian; Thence North 89°09'03" West 1322.26 feet; thence South 00°16'34" West 567.78 feet along the west 1/16th Section Line of said Section: thence South 43°27'36" East 1.045.78 feet to

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Patsy Cutler, Iron County Recorder Page 27 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN



the north 1/16th Section Line of said Section; thence North 89°16'50" West 723.01 feet along said 1/16th Section Line to the west 1/16th Section Line; thence South 00°16'34" West 1,317.79 feet along the west 1/16th Section Line; thence South 00°43'14" West 2,636.81 feet along the west 1/16th Section Line to the south Section Line of said Section 11; thence North 89°31'52" West 1,317.15 feet along said Section Line to the southwest corner of said section 11; thence North 00°53'15" East 2,639.60 feet to the POINT OF BEGINNING.

Containing 619.40 acres, more or less.

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B: 1149 P: 1926 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 28 of 28
11/18/2008 09:01:47 AM By BRIAN HEAD TOWN

