

6385083
 06/17/96 4:51 PM 21.00
 NANCY WORKMAN
 RECORDER, SALT LAKE COUNTY, UTAH
 KENNECOTT TAILINGS MOD PROJ
 PO BOX 352 HAGNA UT 84044-0352
 ATTN ROBERT DUNNE
 REC BY: B GRAY DEPUTY

6385083

DECLARATION OF ESTABLISHMENT OF
 CONDITIONS, COVENANTS, AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that whereas under Section 1344 of Title 33 of the United States Code, the Sacramento District Engineer, US Army Corps of Engineers, has authorized certain improvements on and/or adjacent to my certain pieces of real property in the County of Salt Lake, State of Utah at Assessor's parcel numbers and described in those certain deeds recorded in the official records of Salt Lake County, as follows:

<u>Entry Number</u>	<u>Book</u>	<u>Page</u>	<u>Tax Parcel Number</u>
5187228	6401	465	06-36-100-002 (Only that portion lying north of I-80) 07-31-300-002 (Only that portion lying north of I-80)
5638927	6784	2726	06-25-200-001 07-17-300-001 07-18-400-001 07-19-100-001 07-19-300-001 07-20-100-001 07-30-100-001 07-30-300-004 07-31-100-001 07-31-200-001
6032222	7109	2794	07-30-300-001 07-30-300-003 07-30-300-005 07-30-300-006 07-30-300-008 07-31-300-001 07-31-400-001 (The west 500 feet ± lying north of I-80)
6214604	7271	1922	07-30-300-002 07-30-300-007 07-30-300-009
6231239	7286	1557	07-18-300-003

I, the owner of said real property, in consideration of such authorization, certify and declare that the following covenants, conditions, and restrictions are placed on said property for the protection of the owner and the public at large:

Covenants Inland Sea

BK 7424 PG 1750

- a. All conditions, as they specifically pertain to the Wetland Mitigation Plan For The Tailings Modernization Project, August, 1995 and in that authorization document known as Department of the Army Permit No. 199450301 specific to the mitigation site in the official records of the US Army Corps of Engineers, Sacramento District, will be observed.
- b. That no alterations or additions to the improvements will be made unless expressly authorized by the US Army Corps of Engineers.
- c. These covenants are to run with the land and shall be binding on all successors and assigns of the owner.

IN WETNESS WHEREOF, the undersigned has caused this instrument to be executed,

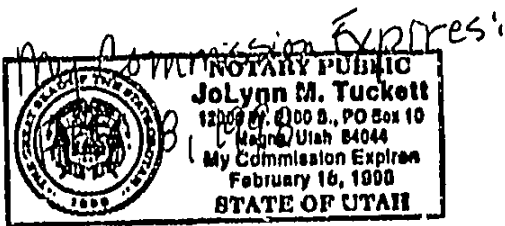
OWNER(S) OF RECORD:

D.J. Priano 6-17-96
 Kennecott Utah Copper Corporation, by D.J. Priano, Controller Date

State of Utah)
 County of Salt Lake) ss.

Subscribed and sworn this 17th day of June, 1996

JoLynn M. Tuckett
 Notary Public



SURVEYED BOUNDARY DESCRIPTION

A parcel of land located within Section 31, 30, 19, 20, 17, and 18; Township 1 North, Range 2 West and Section 36 and 25; Township 1 North, Range 3 West of the Salt Lake Base and Meridian, said parcel to be known as the "Inland Sea Shorebird Reserve" for the purpose of wetland mitigation in perpetuity, said parcel being more particularly described as follows:

Beginning at a point which is the East Quarter corner of said Section 31, a found Salt Lake County brass cap; Thence North 89°49'34" West, along the South line of the Southeast Quarter of the Northeast Quarter of said Section 31, 1319.900 feet, to the Southwest corner of said Southeast Quarter of the Northeast Quarter of said Section 31; Thence North 00°18'51" East, along the West line of the East half of the Northeast Quarter of said Section 31, 2641.810 feet, to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 31; Thence North 89°49'32" West, along the North line of the Northeast Quarter of said Section 31, 1320.605 feet, to the North Quarter corner of said Section 31, a found Salt Lake County Brass Cap; Thence North 89°44'06" West, along the North line of the Northwest Quarter of said Section 31, 1321.119 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 31; Thence South 00°16'52" West, along the East line of the West half of the Northwest Quarter of said Section 31, 2643.920 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 31; Thence South 89°49'34" East, along the South line of the Northwest Quarter of said Section 31, 924.000 feet; Thence South 00°17'38" West, 1846.951 feet, to the North right-of-way line of Interstate 80; Thence along said North right-of-way line the following four courses: North 89°49'22" West, 472.528 feet to a found Utah Department of Transportation, Brass Cap, right-of-way Marker, marked 645+00.50; North 89°47'59" West, 2000.243 feet to a found Utah Department of Transportation, Brass Cap, right-of-way marker, marked 625+00.53; North 89°47'35" West, 1999.688 feet to a found Utah Department of Transportation, Brass Cap, right-of-way marker, marked 605+00; North 89°47'35" West, 1641.526 feet; Thence North 00°09'26" East, 1386.959 feet; Thence North 89°49'15" West, 1412.361 feet to the West line of the Southwest Quarter of said Section 36; Thence North 00°07'23" East, along said West line of the Southwest Quarter of said Section 36, 456.786 feet to the West Quarter corner of said Section 36; Thence North 00°07'23" East, along the West line of the Northwest Quarter of said Section 36, 2640.000 feet to the Northwest corner of said Section 36; Thence South 89°50'36" East, along the North line of the Northwest Quarter of said Section 36, 2645.881 feet, to the North Quarter corner of said Section 36, a found Salt Lake County Brass Cap; Thence South 89°56'23" East, along the North line of the Northeast Quarter of said Section 36, 1323.660 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 36; Thence North 00°18'01" East, along the West line of the East half of the Southeast Quarter of said Section 25, 2632.198 feet, to the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 25; Thence North 00°18'00" East, along the West line of the East half of the Northeast Quarter of said Section 25, 2632.211 feet, to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 25; Thence East, along the North line of the Northeast Quarter of said Section 25, 1320.000 feet, to the Northeast corner of said Section 25; Thence North 00°23'30" East, along the West line of the Southwest Quarter of said Section 19, 2632.895 feet, to the West Quarter corner of said Section 19; Thence North 00°23'30" East, along the West line of the Northwest Quarter of said Section 19, 2632.895 feet, to the Northwest corner of said Section 19; Thence North 00°23'33" East, along the West line of the Southwest Quarter of said Section 18, 2281.300 feet, to the South edge of the Goggin Drain; Thence South 81°07'44" East, along the South edge of the Goggin Drain, 5335.634 feet, to the East line of the Southeast Quarter of said Section 18; Thence South 00°17'28" West along said East line of the Southeast Quarter of said Section 18, 143.086 feet, to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 17; Thence North 89°54'58" East, along the North line of said Southwest Quarter of the Southwest Quarter of said Section 17, 1320.183 feet, to the Northeast corner of said Southwest Quarter of the Southwest Quarter of said Section 17; Thence South 00°18'14" West, along the East line of said Southwest Quarter of the Southwest Quarter of said Section 17, 1320.088 feet, to the Southeast corner of said Southwest Quarter of the Southwest Quarter of said Section 17; Thence South 00°18'29" West, along the East line of the Northwest Quarter of the Northwest Quarter of said Section 20, 1317.729 feet, to the Southeast Corner of said Northwest Quarter of the Northwest Quarter of said Section 20; Thence North 89°59'51" West, along the South line of said Northwest Quarter of the Northwest Quarter of said Section 20, 1320.485 feet, to the Southwest corner of said Northwest Quarter of the Northwest Quarter of said Section 20; Thence South 00°18'04" West, along the East line of the Northeast Quarter of said Section 19, 1315.461 feet, to the East Quarter corner of said section 19, a found Salt Lake County, Brass Cap; Thence South 00°17'46" West, along the East line of the Southeast Quarter of said Section 19, 2629.912 feet, to the Southeast corner of said Section 19, a found Salt Lake County, Brass Cap; Thence South 00°18'21" West, along the East line of the Northeast Quarter of said Section 30, 2643.111 feet, to the East Quarter corner of said Section 30, a found white sandstone with copper rivet; Thence South 00°19'30" West, along the East line of the Southeast Quarter of said Section 30, 2642.266 feet, to the Southeast corner of said Section 30, a found white sandstone with copper rivet; Thence South 00°19'40" West, along the East line of the Northeast quarter of said Section 31, 2641.803 feet, to the East Quarter corner of said Section 31 and the point of beginning.

Above described parcel contains 2,500.473 acres, more or less.

SURVEYOR'S NARRATIVE

The intent of this survey is to establish boundary lines and set property corners.

Basis of survey and bearing is located within the central zone of the Lambert Conformal Conic Project of the Utah State Plan Coordinate system (North American Datum 1983). All surveys are based on or extended from NAD 83, first order control points, with the primary occupation station on an existing NGS control monument known as "Mline".

The Basis of Bearing is North 16°01'02" West as sighted between Mline and the NGS line of sight azimuth station known as "KSL" (tallest of two radio towers located north of I-80).

All bearings are relative to the above basis. All distances are relative to ground.

The combined adjustment factor for this project was determined by obtaining an average of individual station factors. To convert state plane grid distances to ground distance, multiply by 1.0001802 (Projects combined adjustment factor). To convert ground distances to grid distances multiply by 0.9998198 (Inverse of combined adjustment factor).

All record legal descriptions were provided by Kennecott Utah Copper which consist of aliquot parts of several sections. Boundary lines in Section 17, 20, 31, Township 1 North, Range 2 West, Salt Lake Base and Meridian were determined by the process of subdivision of sections as outlined by the Manual of Surveying Instruction 1973, U.S. Department of the Interior, Bureau of Land Management. Boundary lines along the West side of Section 18, 19 and 30 Township 1 North, Range 2 West, Salt Lake Base and Meridian were determined by single proportionate measurement between the Northwest corner of said Section 18 and the Southwest corner of said Section 30, these proportionate distances were then used in a distance - distance intersection with the record distances of the original Survey General's Office Survey of 1855. Boundary lines in Section 25, Township 1 North, Range 3 West, Salt Lake Base and Meridian were determined by Record, 1855 survey, bearing and distance from the Northwest corner of said Section 30 and procedures of subdivision of sections as outlined by the Manual of Surveying Instructions, 1973.

BK 7424 PG 1753