

WHEN RECORDED, RETURN TO:

Dan W. Egan  
Ballard Spahr Andrews & Ingersoll, LLP  
201 South Main Street, Suite 800  
Salt Lake City, Utah 84111-2221

**ENTRY NO. 00861321**

12/19/2008 11:48:37 AM B: 1960 P: 1199

Subordination Agreement PAGE 1/9  
ALAN SPRIGGS, SUMMIT COUNTY RECORDER  
FEE 51.00 BY FOUNDERS TITLE CO



**SUBORDINATION AGREEMENT**

A. TRI STAR 2005, L.L.C., a Utah limited liability company ("Borrower"), is the owner of certain real property located in Summit County, Utah, as more particularly described on Exhibit "A" attached to and incorporated in this Subordination Agreement by reference (the "Property").

B. The Property serves as security for three separate credit facilities advanced by U.S. BANK NATIONAL ASSOCIATION ("Lender") to Borrower (collectively, the "Existing Loans") as follows: (1) a term loan in the maximum principal amount of FOUR MILLION ONE HUNDRED TWENTY THOUSAND DOLLARS (\$4,120,000.00); (2) a term loan in the maximum principal amount of THREE MILLION SIX HUNDRED TWENTY-FOUR THOUSAND DOLLARS (\$3,624,000.00); and (3) a revolving line of credit in the maximum line amount of THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000.00).

C. Borrower's obligations to Lender under the Existing Loans are evidenced by the following instruments, executed by Borrower, as maker, in favor of Lender, as payee: (1) a Term Loan Promissory Note, dated June 28, 2005; (2) a Term Loan Promissory Note, dated March 27, 2006; and (3) a Promissory Note (Revolving Line of Credit), dated July 7, 2007.

D. Borrower and Lender have entered into an Amended and Restated Loan Agreement, dated the same date as this Amendment (the "Loan Agreement"). Under the terms of the Loan Agreement, Lender and Borrower have combined the Existing Loans into one credit facility (the "Loan") in the maximum principal amount of ELEVEN MILLION TWO HUNDRED SEVENTY-TWO THOUSAND DOLLARS (\$11,272,000.00). The combination and modification of the Existing Loans into the Loan, among other things, represents an increase in the maximum commitment of Lender to Borrower of TWENTY-EIGHT THOUSAND DOLLARS (\$28,000.00).

E. Lender is the beneficiary named in the following deed of trust encumbering the Property:

Revolving Credit Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing, dated July 7, 2007, and recorded August 8, 2007, as Entry Number 00821641, in Book 1881, beginning at page 1453 of the official records of Summit County, Utah, as amended by a Modification to Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing, dated the same date as this Subordination Agreement (collectively, the "Financing Deed of Trust"). The Financing Deed of Trust secures payment of the Loan, as modified and combined under the terms of the Loan Agreement.

F. As security for one or more of the Existing Loans, Borrower executed and delivered to Lender the following documents encumbering the Property:

Water Rights Deed of Trust and Security Agreement, dated March 27, 2006, encumbering the Property, and recorded March 28, 2006, as Entry Number 00772976, in Book 1780, beginning at page 703 of the official records of Summit County, Utah, as amended by a Modification to Water Rights Deed of Trust and Security Agreement, dated the same date as this Subordination Agreement (collectively the "Water Rights Deed of Trust"). The Water Rights Deed of Trust secures payment of the Loan, as modified and combined under the terms of the Loan Agreement.

Assignment of Lessor's Interest in Leases, dated March 27, 2006, encumbering the Property, and recorded March 28, 2006, as Entry Number 00772975, in Book 1780, beginning at page 693 of the official records of Summit County, Utah, as amended by an Amendment to Assignment of Lessor's Interest in Leases, dated the same date as this Subordination Agreement (collectively the "Assignment of Leases"). The Assignment of Leases secures payment of the Loan, as modified and combined under the terms of the Loan Agreement.

NOW, THEREFORE, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, Lender agrees as follows:

1. Lender hereby subordinates the liens and encumbrances of the Water Rights Deed of Trust and the Assignment of Leases to the lien and encumbrance of the Financing Deed of Trust, as modified (with an increased principal obligation to a total of \$11,272,000.00. In the event of foreclosure or exercise of remedies (including foreclosure under private power of sale) contained in any of the Financing Deed of Trust (as amended), the Water Rights Deed of Trust (as amended) or the Assignment of Leases (as amended), the priority herein established shall be respected to the same extent and in the same manner as if the Financing Deed of Trust, as modified, had predated, both in time of execution and date of recordation, the Water Rights Deed of Trust and the Assignment.

2. This Subordination Agreement shall not be deemed or construed to limit or affect in any manner whatsoever any of the obligations secured by any of the Financing Deed of Trust, the Water Rights Deed of Trust or the Assignment of Leases (all as now or hereafter amended).

3. This Subordination Agreement shall be binding upon and shall inure to the benefit of Lender, its successors and assigns.

DATED this 18 day of December, 2008.

LENDER:

U.S. BANK NATIONAL ASSOCIATION

By: Thomas P. Brennan  
\_\_\_\_\_  
STEFANIE A. WILSON, Vice President  
\_\_\_\_\_  
Thomas P. Brennan, Regional President

*mif*  
*gj*  
*nat*

STATE OF UTAH )  
COUNTY OF SUMMIT )  
: ss.  
)

The foregoing instrument was acknowledged before me this 18 day of December, 2008, by STEFANIE A. WILSON, who is a Vice President of U.S. BANK NATIONAL ASSOCIATION. Thomas P. Brennan *M.J. Wilson* *Mark Thelander*  
Regional President

NOTARY PUBLIC  
Residing at Summit County, Utah

My Commission Expires:

1/1/2011

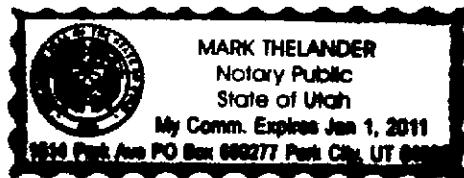


EXHIBIT "A"

PROPERTY DESCRIPTION

The following described real property is located in Summit County, Utah:

**PARCEL 1:**

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 80 RODS; THENCE EAST 160 RODS; THENCE SOUTH 95 RODS; THENCE WEST 160 RODS THENCE NORTH 15 RODS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF

A) STATE HIGHWAYS AND/OR COUNTY ROADS.

B) WEBER-PROVO RIVER DIVERSION CANAL

C) BEGINNING AT A POINT WHICH IS SOUTH 1502.6 FEET AND WEST 4866.77 FEET FROM THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 02°17' WEST 104.3 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 87°43' EAST 104.3 FEET; THENCE SOUTH 02°17' EAST 208.6 FEET; THENCE SOUTH 87°43' WEST 208.6 FEET; THENCE NORTH 02°17' WEST 208.6 FEET; THENCE NORTH 87°43' EAST 104.3 FEET TO THE TRUE POINT OF BEGINNING.

D) THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN LYING WESTERLY OF THE WEBER-PROVO DIVERSION CANAL AND LYING NORTHERLY OF THE FOLLOWING DESCRIBED BOUNDARY LINE:

BEGINNING AT A POINT WHICH IS 1358.21 FEET SOUTH 00°31'36" EAST ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°36'12" EAST 52.01 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF SR 32; THE NEXT (3) COURSES ARE ALONG AN EXISTING FENCE LINE, THENCE SOUTH 89°36'12" EAST 55.25 FEET; THENCE NORTH 75°43'03" EAST 30.58 FEET; THENCE NORTH 87°06'03" EAST 1924.90 FEET TO THE WESTERLY SIDE OF THE PROVO RIVER WATER USERS DIVERSION CANAL.

TOGETHER WITH

THAT PORTION OF THE NORTHWEST QUARTER SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN LYING EASTERLY OF THE WEBER-PROVO DIVERSION CANAL AND LYING SOUTHERLY OF THE FOLLOWING DESCRIBED BOUNDARY LINE:

BEGINNING AT A POINT WHICH IS 1358.21 FEET SOUTH  $00^{\circ}31'36''$  EAST ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH  $89^{\circ}36'12''$  EAST 52.01 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF SR 32; THE NEXT (3) COURSES ARE ALONG AN EXISTING FENCE LINE, THENCE SOUTH  $89^{\circ}36'12''$  EAST 55.25 FEET; THENCE NORTH  $75^{\circ}43'03''$  EAST 30.58 FEET; THENCE NORTH  $87^{\circ}06'03''$  EAST 1924.90 FEET TO THE WESTERLY SIDE OF THE PROVO RIVER WATER USERS DIVERSION CANAL.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDS OF THE FOLLOWING:

A) BEGINNING AT A POINT WHICH IS SOUTH 1502.6 FEET AND WEST 4866.77 FEET FROM THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH  $02^{\circ}17'$  WEST 104.3 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH  $87^{\circ}43'$  EAST 104.33 FEET; THENCE SOUTH  $02^{\circ}17'$  EAST 208.6 FEET; THENCE SOUTH  $87^{\circ}43'$  WEST 208.6 FEET; THENCE NORTH  $02^{\circ}17'$  WEST 208.6 FEET; THENCE NORTH  $87^{\circ}43'$  EAST 104.3 FEET TO THE TRUE POINT OF BEGINNING.

B) BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE WEST 325 FEET TO PROVO, WEBER DIVERSION CANAL, THENCE SOUTHERLY ALONG THE EAST BANK OF THE CANAL FOR 1250 FEET; THENCE EAST 440 FEET; THENCE NORTH 1280 FEET TO THE POINT OF BEGINNING.

**PARCEL 2:**

BEGINNING AT A POINT WHICH IS SOUTH 1502.6 FEET AND WEST 4866.77 FEET FROM THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH  $02^{\circ}17'$  WEST 104.3 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH  $87^{\circ}43'$  EAST 104.33 FEET; THENCE SOUTH  $02^{\circ}17'$  EAST 208.6 FEET; THENCE SOUTH  $87^{\circ}43'$  WEST 208.6 FEET; THENCE NORTH  $02^{\circ}17'$  WEST 108.6 FEET; THENCE NORTH  $87^{\circ}43'$  EAST 104.3 FEET TO THE TRUE POINT OF BEGINNING

**PARCEL 3:**

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE WEST 325 FEET TO PROVO, WEBER DIVERSION CANAL, THENCE SOUTHERLY ALONG THE EAST BANK OF THE CANAL FOR 1250 FEET; THENCE EAST 440 FEET; THENCE NORTH 1280 FEET TO THE POINT OF BEGINNING.

**PARCEL 4:**

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, THENCE EAST 20 RODS; THENCE SOUTH 80 RODS; THENCE WEST 20 RODS; THENCE NORTH 80 RODS TO THE POINT OF BEGINNING.

**PARCEL 5:**

BEGINNING 20 RODS EAST OF THE NORTHWEST CORNER OF THE NORTHEAST OF SECTION 9, TOWNSHIP 2 SOUTH RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE EAST 60 RODS, THENCE SOUTH 80 RODS; THENCE WEST 60 RODS; THENCE NORTH 80 RODS TO POINT OF BEGINNING.

**PARCEL 6:**

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN.

**PARCEL 7:**

THE EAST ONE HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN.

**PARCEL 8:**

THE SOUTH ONE HALF OF THE NORTHWEST QUARTER AND THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER, SECTION 10, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN.

**PARCEL 9:**

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 31, KAMAS TOWNSITE SURVEY; THENCE NORTH 56 FEET; THENCE EAST 70 FEET; THENCE SOUTH 56 FEET; THENCE WEST 70 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 31, KAMAS TOWNSITE SURVEY; THENCE EAST 62.5 FEET; THENCE SOUTH 12 FEET; THENCE WEST 62.5 FEET; THENCE NORTH 12 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING 56 FEET NORTH FROM THE SOUTHWEST CORNER OF LOT 2, BLOCK 31, KAMAS TOWNSITE SURVEY; THENCE NORTH 19.75 FEET; THENCE EAST 127.5 FEET; THENCE NORTH 48 FEET; THENCE EAST 120 FEET; THENCE SOUTH 123.75 FEET; THENCE WEST 148.5 FEET; THENCE NORTH 56 FEET; THENCE WEST 99 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT A POINT WHICH IS EAST 62.50 FEET FROM THE SOUTHWEST CORNER OF LOT 2, BLOCK 31, KAMAS TOWNSITE SURVEY; THENCE EAST 62.50 FEET; THENCE SOUTH 12.00 FEET; THENCE WEST 62.50 FEET; THENCE NORTH 12.00 FEET TO THE POINT OF BEGINNING.

**PARCEL 10:**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH  $00^{\circ}15'42''$  EAST 592.16 FEET ALONG THE SECTION LINE; THENCE NORTH  $89^{\circ}44'18''$  EAST 50.06 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL RECORDED JULY 9, 1963 AS ENTRY NO. 97082 IN BOOK X AT PAGE 225 OF SAID RECORDS; THENCE ALONG THE BOUNDARIES OF SAID PARCEL, SOUTH  $36^{\circ}29'32''$  EAST 50.00 FEET AND SOUTH  $00^{\circ}03'32''$  EAST 50.00 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH  $37^{\circ}17'39''$  EAST 827.76 FEET ALONG SAID FENCE LINE TO A CORNER THEREIN; THENCE SOUTH  $89^{\circ}50'07''$  EAST 537.60 FEET CONTINUING ALONG SAID FENCE LINE TO A POINT ON THE WEST LINE OF THE WEBER PROVO DIVERSION CANAL RIGHT OF WAY, SAID POINT BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 766.80 FEET; THENCE SOUTHWESTERLY 11.38 FEET ALONG THE ARC OF SAID CURVE HAVING A CHORD BEARING SOUTH  $63^{\circ}23'04''$  WEST 11.38 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (N 1/2 NW 1/4) OF SAID SECTION 16; THENCE SOUTH  $89^{\circ}47'56''$  EAST 1536.79 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER (N 1/2 NE 1/4) OF SAID SECTION 16; THENCE SOUTH  $89^{\circ}23'00''$  EAST 2639.96 FEET ALONG THE SOUTH LINE OF THE SAID (N 1/2 NE 1/4) TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH  $00^{\circ}53'40''$  EAST 1322.65 FEET ALONG THE EAST LINE OF THE SAID (N 1/2 NE 1/4) TO THE NORTHEAST CORNER OF SAID SECTION 16 AND THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH  $00^{\circ}36'41''$  EAST 2686.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 9; THENCE NORTH  $89^{\circ}24'40''$  WEST 2693.50 FEET TO THE CENTER OF SAID SECTION 9; THENCE

SOUTH 00°16'22" EAST 247.53 FEET ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 9 TO THE SOUTH LINE OF THE NORTH 15 RODS OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 89°24'40" WEST 2651.74 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID SECTION 9; THENCE SOUTH 00°09'00" EAST 2434.71 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

SUBJECT TO THE FOLLOWING:

ANY RECORDED EASEMENTS FOR THE USE AND MAINTENANCE OF THE WEBER-PROVO DIVERSION CANAL, THAT MAY BE LOCATED ON THE HEREIN DESCRIBED PROPERTY.

EXCEPTING:

A TRACT OF LAND SITUATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET WIDE AND INCLUDED BETWEEN TWO LINES EXTENDED TO LINES AT RIGHT ANGLES TO THE CANAL CENTER LINE AT STATION 250 + 53.8 ON THE NORTH AND STATION 266+00 ON THE SOUTH, AND EVERYWHERE DISTANT 50 FEET AND 80 FEET, RESPECTIVELY, ON THE LEFT OR EAST SIDE OF THAT PORTION OF THE FOLLOWING DESCRIBED CENTER LINE OF THE WEBER-PROVO DIVERSION CANAL BETWEEN STATION 250+53.8 AND STATION 268+00, MEASURED AT RIGHT ANGLES AND/OR RADIALLY THERETO; SAID CENTER LINE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 250 + 53.8 OF SAID CENTER LINE, WHICH POINT IS NORTH 7°02' WEST 2315.0 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 39°41' WEST 466.3 FEET, THENCE ALONG A REGULAR CURVE TO THE LEFT WITH A RADIUS OF 206.7 FEET AND A DISTANCE OF 89.0 FEET, THENCE SOUTH 14°46' WEST 168.7 FEET, THENCE ALONG A REGULAR CURVE TO THE LEFT WITH A RADIUS OF 287.9 FEET AND A DISTANCE OF 44.5 FEET, THENCE SOUTH 5°52' WEST 65.7 FEET, THENCE ALONG A REGULAR CURVE TO THE LEFT WITH A RADIUS OF 1432.7 FEET AND A DISTANCE OF 215.0 FEET, THENCE SOUTH 2°44' EAST 261.0 FEET, THENCE ALONG A REGULAR CURVE TO THE LEFT WITH A RADIUS OF 716.8 FEET AND A DISTANCE OF 154.8 FEET, THENCE SOUTH 15°07' EAST 281.2 FEET TO STATION 268+00 OF SAID CENTER LINE, WHICH POINT IS NORTH 39°58' WEST, 896.6 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN,

ALSO EXCEPTING,

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 20 FEET WIDE AND INCLUDED BETWEEN TWO LINES EXTENDED TO LINES AT RIGHT ANGLES TO THE CANAL CENTER LINE AT STATION 278+00 ON THE NORTH AND STATION 283+70.7 ON THE SOUTH, AND EVERYWHERE DISTANT 50 FEET AND 70 FEET, RESPECTIVELY ON THE LEFT OR EAST SIDE OF THAT PORTION OF THE FOLLOWING DESCRIBED CENTER LINE OF THE WEBER-PROVO DIVERSION CANAL BETWEEN STATION 278+00 AND 283+70.7 MEASURED AT RIGHT ANGLES AND/OR RADIALLY THERETO; SAID CENTER LINE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 278+00 OF SAID CENTER LINE WHICH POINT IS SOUTH 64°52' WEST 665.6 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 22°26' WEST 205.4 FEET, THENCE ALONG A REGULAR CURVE TO THE LEFT WITH A RADIUS OF 716.8 FEET AND A DISTANCE OF 179.6 FEET, THENCE SOUTH 8°03' WEST 170.3 FEET, THENCE ALONG A REGULAR CURVE TO THE RIGHT WITH A RADIUS OF 206.7 FEET AND A DISTANCE OF 15.2 FEET TO STATION 283+70.7 OF SAID CENTER LINE WHICH POINT IS SOUTH 42°29' WEST, 1130.4 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN,

ALSO EXCEPTING,

ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF STATE HIGHWAYS, COUNTY ROADS AND/OR CITY STREETS.

**PARCEL 11:**

THE SOUTH HALF OF THE SOUTH HALF OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN.

**PARCEL 12:**

TOGETHER WITH AN EASEMENT AND RIGHT OF WAY FOR A ROAD ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN AS GRANTED IN THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 6, 1991 AS ENTRY NO. 336248 IN BOOK 595 AT PAGE 489.

(Tax Serial Nos. CD-526, CD-526-B, CD-526-1, CD-527, CD-528-A, KT-133, CD-523, KT-251, CD-534, CD-530 and CD-525-C).