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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY PUBLIC UTILITIES
1530 S WEST TEMPLE
SLC UT 84115
BY: KAM, DEPUTY - WI 1 P.

When Recorded Please return to:
Salt Lake City Public Utilities
Attention: Karryn Greenleaf
1530 South West Temple
Salt Lake City, Utah 84115
County Parcel 16-05-326-007

Space above for County Recorders Use

MEMORANDUM OF UTILITY PERMIT

NOTICE IS HEREBY GIVEN of that certain Utility Permit (the "Permit") made and entered into as of June 01, 2006 between Salt Lake City Corporation, 1530 South West Temple, Salt Lake City, Utah 84105 ("City") and **SP Evergreen, LLC**, a Utah limited liability company by its member Sun Peak Partners, LLC, whose mailing address 2430 Meadows Drive, Park City, Utah 84060, hereinafter ("Permittee") on file with the Salt Lake City Recorder's office.

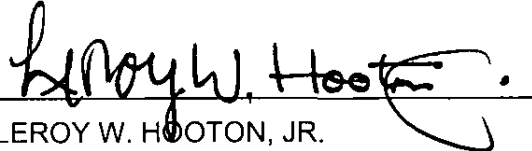
For the consideration set out in the Permit, City has granted license to Permittee to encroach on City's property (Jordan and Salt Lake City Canal) for the repair, maintenance and reconstruction of an existing structure.

Said permit affects property located at 821-823 East 400 South, parcel number **16-05-326-007**, further described as follows:

COM AT SW COR LOT 3 BLK 41 PLAT B SLC SUR E 37.75 FT N 10
RDS W 49.75 FT S 10 RDS E 12 FT TO BEG.

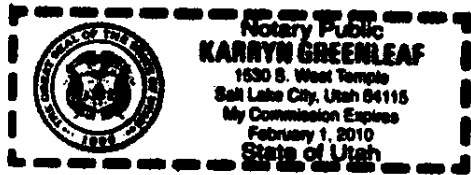
Dated 01-08-07

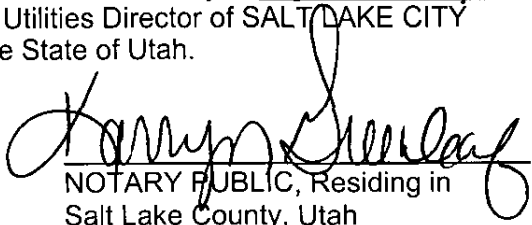
Salt Lake City Corporation
a Utah municipal corporation


LERoy W. HOOTON, JR.
Public Utilities Director

STATE OF UTAH)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this day of 01-08-07, by LeRoy W. Hooton, Jr. in his capacity as Public Utilities Director of SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah.




NOTARY PUBLIC, Residing in
Salt Lake County, Utah