

10429971  
 05/16/2008 01:31 PM \$0.00  
 Book - 9607 Pg - 4739-4741  
 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 SOUTH JORDAN  
 1600 W. TOWNE CENTER DR  
 SOUTH JORDAN UT 84095-8265  
 BY: HNP, DEPUTY - WI 3 P.

WHEN RECORDED, RETURN TO:

*ATTN: City Recorder*  
 South Jordan City  
 1600 W. Towne Center Drive  
 South Jordan, Utah 84095

### QUITCLAIM DEED

KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation, Grantor, of 5295 South 300 West, Suite 475, Murray, Utah 84107, hereby quitclaims to SOUTH JORDAN CITY, a municipal corporation and political subdivision of the State of Utah, Grantee, of 1600 W. Towne Center Drive, South Jordan, Utah 84095, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, all of its interest in the following described tract of land (the "Land") in Salt Lake County, Utah, to wit:

A strip of land for the purpose of a Utah Transit Authority (UTA) easement, being located in the East Half of Section 14, the Southwest Quarter of Section 13 and Section 24 all in Township 3 South, Range 2 West Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Northeast Corner of said Section 14 (Basis of Bearing being South 00°02'50" West - 2672.400 feet between the Northeast Corner and the East Quarter Corner of said Section 14) and running South 00°02'50" West along the east line of said Section 14 and the northerly most west line of Lot OS2 of the Amended Kennecott Master Subdivision #1 as recorded in Book 2003P at Page 303 in the office of the Salt Lake County recorder for 940.000 feet; thence North 89°55'04" West along the southerly most north line of said Lot OS2 and the southerly line of the UP&L property for 28.453 feet to the POINT OF BEGINNING; thence South 00°00'00" West for 1525.286 feet; thence North 90°00'00" East for 9.562 feet; thence South 00°00'00" West for 356.000 feet; thence North 90°00'00" West for 9.562 feet; thence South 00°00'00" West for 788.233 feet; thence with a curve to the left having a radius of 1186.000 feet, with a central angle of 36°32'54" (chord bearing and distance of South 18°16'27" East - 743.775 feet) for an arc length of 756.536 feet; thence South 36°32'54" East for 2919.309 feet; thence with a curve to the left having a radius of 34986.000 feet, with a central angle of 00°10'20" (chord bearing and distance of South 36°38'04" East - 105.162 feet) for an arc length of 105.162 feet; thence South 36°43'14" East for 693.518 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 5.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 295.000 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 25.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 328.577 feet; thence North 53°16'46" East for 9.562 feet; thence South 36°43'14" East for 358.000 feet; thence South 53°16'46" West for 9.562 feet; thence South 36°43'14" East for 562.190 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 25.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 10.918 feet; thence South 53°16'46" West for 28.000 feet; thence North

36°43'14" West for 10.918 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 562.190 feet; thence South 53°16'46" West for 9.562 feet; thence North 36°43'14" West for 358.000 feet; thence North 53°16'46" East for 9.562 feet; thence North 36°43'14" West for 308.577 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 315.000 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 673.518 feet; thence with a curve to the right having a radius of 35014.000 feet, with a central angle of 00°10'20" (chord bearing and distance of North 36°38'04" West - 105.247 feet) for an arc length of 105.247 feet; thence North 36°32'54" West for 2919.309 feet; thence with a curve to the right having a radius of 1214.000 feet, with a central angle of 36°32'54" (chord bearing and distance of North 18°16'27" West - 761.334 feet) for an arc length of 774.397 feet; thence North 00°00'00" East for 788.233 feet; thence North 90°00'00" West for 9.562 feet; thence North 00°00'00" East for 356.000 feet; thence North 90°00'00" East for 9.562 feet; thence North 00°00'00" East for 1525.326 feet to a point on the southerly most north line of said Lot OS2; thence South 89°55'04" East along said Lot OS2 for 28.000 feet to the POINT OF BEGINNING.

Containing 259,334 sq. ft. or 5.9535 acres.

**SUBJECT TO** all reservations contained in this Deed; all encumbrances of record, including those contained in that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Daybreak Village, recorded on December 30, 2005 as Entry No. 9598233, in Book 9237, beginning at page 5395 of the official records of the Salt Lake County Recorder, as amended and/or supplemented, and that certain Covenant for Community recorded on February 27, 2004 as Entry No. 8989517, in Book 8950, beginning at page 7722 of the official records of the Salt Lake County Recorder, as amended and/or supplemented; and all easements, restrictions, rights-of-way, covenants, or other property interests enforceable at law or in equity. Grantee is accepting the Land in its "as is, where is" condition with all faults, and Grantee acknowledges that it has had the opportunity to perform such due diligence as it deems appropriate with respect to the Land.

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to disturb the first 500 feet below the surface of the Land to use or extract the same, (ii) all water flowing or located under, within, or over the Land, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land, and (iii) any and all pipes and ancillary equipment or fixtures constituting the secondary water transmission system to point of connection that may run on, under or through the Land.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantees, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on the land] and the "Subsequent Transfer Covenant" [which

requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.

Grantee agrees that the Land shall be used only for construction and operation of a fixed-guideway transit system and related stations and improvements, otherwise known as the "Mid-Jordan Light Rail Extension", or other transportation uses, unless otherwise agreed to in writing by Grantor and Grantee.

WITNESS the hand of Grantor this 13 day of MAY, 2008.

KENNECOTT LAND RESIDENTIAL  
DEVELOPMENT COMPANY,  
a Delaware corporation

By: Russell K. Sanford  
Name: Russell K. Sanford  
Title: Vice President

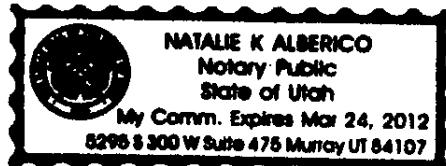
STATE OF Utah )  
: ss.  
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 13 day of May, 2008, by Russell K. Sanford, the Vice President of Kennecott Land Residential Development Company, a Delaware corporation.

Natalie K. Alberico  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My Commission Expires:

March 24, 2012



10429972  
 05/16/2008 01:31 PM \$0.00  
 Book - 9607 Pg - 4742-4744  
**GARY W. OTT**  
 RECORDER, SALT LAKE COUNTY, UTAH  
 SOUTH JORDAN  
 1600 W TOWNE CENTER DR  
 SOUTH JORDAN UT 84095-8265  
 BY: HNP, DEPUTY - WI 3 P.

WHEN RECORDED, RETURN TO:

**ATTN: City Recorder**  
 South Jordan City  
 1600 W. Towne Center Drive  
 South Jordan, Utah 84095

### QUITCLAIM DEED

KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation, Grantor, of 5295 South 300 West, Suite 475, Murray, Utah 84107, hereby quitclaims to SOUTH JORDAN CITY, a municipal corporation and political subdivision of the State of Utah, Grantee, of 1600 W. Towne Center Drive, South Jordan, Utah 84095, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, all of its interest in the following described tract of land (the "Land") in Salt Lake County, Utah, to wit:

A strip of land for the purpose of a switch easement said strip being located in the Northwest Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Southwest Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of Bearing North 00°02'52" East - 2619.860 feet between the Southwest Corner and the West Quarter Corner of said Section 13) and running East for 2496.056 feet; thence South for 2234.890 feet to the POINT OF BEGINNING; thence South 36°43'14" East for 12.000 feet; thence South 53°16'46" West for 16.000 feet; thence North 36°43'14" West for 12.000 feet; thence North 53°16'46" East for 16.000 feet to the POINT OF BEGINNING.

Containing 192 sq. ft. or 0.004 acres.

A strip of land for the purpose of a traffic power substation said strip being located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Southwest Corner of said Section 13 (Basis of Bearing North 00°02'52" East - 2619.860 feet between the Southwest Corner and the West Quarter Corner of said Section 13) and running North 00°02'52" East along the west line of Section 13 for 129.269 feet; thence South 89°57'07" East perpendicular to said section line for 506.133 feet to the POINT OF BEGINNING; thence North 53°27'06" East for 52.000 feet; thence South 36°32'54" East for 27.000 feet; thence South 53°27'06" West for 52.000 feet; thence North 36°32'54" West for 27.000 feet to the POINT OF BEGINNING.

Containing 1,404 sq. ft. or 0.032 acres.

A strip of land for the purpose of a traffic power substation said strip being located in the Southeast Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Southwest Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of Bearing North 00°02'52" East – 2619.860 feet between the Southwest Corner and the West Quarter Corner of said Section 13) and running East for 3290.379 feet; thence South for 3124.986 feet to the POINT OF BEGINNING; thence South 36°43'14" East for 52.000 feet; thence South 53°16'46" West for 27.000 feet; thence North 36°43'14" West for 52.000 feet; thence North 53°16'46" East for 27.000 feet to the POINT OF BEGINNING.

Containing 1,404 sq. ft. or 0.032 acres.

**SUBJECT TO** all reservations contained in this Deed; all encumbrances of record, including those contained in that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Daybreak Village, recorded on December 30, 2005 as Entry No. 9598233, in Book 9237, beginning at page 5395 of the official records of the Salt Lake County Recorder, as amended and/or supplemented, and that certain Covenant for Community recorded on February 27, 2004 as Entry No. 8989517, in Book 8950, beginning at page 7722 of the official records of the Salt Lake County Recorder, as amended and/or supplemented; and all easements, restrictions, rights-of-way, covenants, or other property interests enforceable at law or in equity. Grantee is accepting the Land in its "as is, where is" condition with all faults, and Grantee acknowledges that it has had the opportunity to perform such due diligence as it deems appropriate with respect to the Land.

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to disturb the first 500 feet below the surface of the Land to use or extract the same, (ii) all water flowing or located under, within, or over the Land, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land, and (iii) any and all pipes and ancillary equipment or fixtures constituting the secondary water transmission system to point of connection that may run on, under or through the Land.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantees, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on the land] and the "Subsequent Transfer Covenant" [which requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.

Grantee agrees that the Land shall be used only for construction and operation of a fixed-guideway transit system and related stations and improvements. In the event that, subsequent to initial commencement of fixed-guideway transit service within the Land, fixed-guideway transit

service within the Land is permanently terminated or abandoned, or is not provided for a period of one year, except when due to a force majeure event, in which case such one year period shall be tolled for the duration of the force majeure event and any time necessary to reconstruct fixed-guideway improvements on the Land, the Land shall, at Grantor's option, revert to Grantor, free of all encumbrances placed on such Land by Grantee or during the period of Grantee's ownership, unless otherwise approved by Grantor in writing at the time of such reversion.

WITNESS the hand of Grantor this 13 day of May, 2008.

KENNECOTT LAND RESIDENTIAL  
DEVELOPMENT COMPANY,  
a Delaware corporation

By: Russell K. Sanford  
Name: Russell K. Sanford  
Title: Vice President

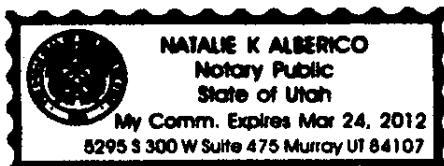
STATE OF Utah )  
: ss.  
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 13 day of May, 2008, by Russell K. Sanford, the Vice President of Kennecott Land Residential Development Company, a Delaware corporation.

Natalie K. Alberico  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My Commission Expires:

March 24, 2012



WHEN RECORDED, RETURN TO:

*ATTN: City Recorder*  
 South Jordan City  
 1600 W. Towne Center Drive  
 South Jordan, Utah 84095

10429973  
 05/16/2008 01:31 PM \$0.00  
 Book - 9607 Pg - 4745-4752  
**GARY W. OTT**  
 RECORDER, SALT LAKE COUNTY, UTAH  
 SOUTH JORDAN  
 1600 W TOWNE CENTER DR  
 SOUTH JORDAN UT 84095-8265  
 BY: HNP, DEPUTY - WI S P.

### QUITCLAIM DEED

KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation, Grantor, of 5295 South 300 West, Suite 475, Murray, Utah 84107, hereby quitclaims to SOUTH JORDAN CITY, a municipal corporation and political subdivision of the State of Utah, Grantee, of 1600 W. Towne Center Drive, South Jordan, Utah 84095, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, all of its interest in the following described tract of land (the "Land") in Salt Lake County, Utah, to wit:

A strip of land for the purpose of a right-of-way, said strip being located in the West Half of Section 13, the East Half of Section 14 and Section 24 all in Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Beginning at the Northwest Corner of said Section 13 (Basis of Bearing South 00°02'50" West - 2672.400 feet between the Northwest corner and the West Quarter corner of said Section 13) and running North 89°57'24" East along the north line of Section 13 for a distance of 75.147 feet; thence with a non-tangent curve to the right having a radius of 140.000 feet, whose center bears North 89°58'40" West with a central angle of 39°15'17" (chord bearing and distance of South 19°38'58" West - 94.052 feet) for a arc length of 95.917 feet; thence with a reverse curve to the left having a radius of 125.000 feet with a central angle of 42°06'47" (chord bearing and distance of South 18°13'14" West - 89.822 feet) for a arc length of 91.876 feet; thence with a reverse curve to the right having a radius of 10078.000 feet with a central angle of 02°08'50" (chord bearing and distance of South 01°45'45" East - 377.662 feet) for a arc length of 377.684 feet; thence South 02°35'23" West for 448.659 feet; thence South 00°00'00" West for 326.370 feet; thence South 03°48'48" East for 150.367 feet; thence with a non-tangent curve to the left having a radius of 962.500 feet, whose center bears North 17°29'27" West with a central angle of 00°52'33" (chord bearing and distance of North 72°04'17" East - 14.713 feet) for a arc length of 14.713 feet; thence South 00°00'00" West for 196.938 feet; thence South 03°48'51" West for 157.850 feet; thence South 00°00'00" West for 515.805 feet; thence with a non-tangent curve to the right having a radius of 304.000 feet, whose center bears South 09°10'49" West with a central angle of 161°38'22" (chord bearing and distance of South 00°00'00" West - 600.212 feet) for a arc length of 857.627 feet; thence South 00°00'00" West for 667.627 feet; thence with a curve to the left having a radius of 1136.500 feet with a central angle of 27°55'18" (chord bearing and distance of South 13°57'39" East - 548.381 feet) for a arc length of 553.845 feet; thence North 53°27'06" East for 11.633 feet; thence with a non-tangent curve to the left having a radius of 1125.000 feet, whose center bears North 62°10'02" East with a central angle of 08°42'56" (chord bearing and distance of South 32°11'26" East - 170.965 feet) for a arc length of 171.130 feet; thence South 36°32'54" East for 118.076 feet; thence South 32°44'04" East for

172.883 feet; thence South 36°32'54" East for 2628.733 feet; thence with a curve to the left having a radius of 34936.500 feet with a central angle of 00°10'20" (chord bearing and distance of South 36°38'04" East – 105.014 feet) for a arc length of 105.014 feet; thence South 36°43'14" East for 1875.115 feet; thence with a curve to the left having a radius of 375.500 feet with a central angle of 10°37'36" (chord bearing and distance of South 42°02'02" East – 69.544 feet) for a arc length of 69.644 feet; thence South 47°20'50" East for 300.332 feet; thence with a curve to the right having a radius of 622.500 feet with a central angle of 10°37'36" (chord bearing and distance of South 42°02'02" East – 115.290 feet) for a arc length of 115.455 feet; thence South 36°43'14" East for 212.425 feet; thence South 53°27'06" West for 7.589 feet; thence with a non-tangent curve to the right having a radius of 130.500 feet, whose center bears South 63°09'25" West with a central angle of 61°17'18" (chord bearing and distance of South 03°48'04" West – 133.033 feet) for a arc length of 139.594 feet; thence South 36°32'54" East for 67.114 feet to a point on the northerly boundary line of Kennecott Daybreak Plat 4 Subdivision recorded in Book 2005P at Page 160 in the office of the Salt Lake County Recorder; thence South 53°27'06" West along said northerly boundary line 85.000 feet; thence North 36°32'54" West for 67.114 feet; thence with a non-tangent curve to the right having a radius of 130.500 feet, whose center bears North 17°32'32" West with a central angle of 61°17'18" (chord bearing and distance of North 76°53'53" West – 133.033 feet) for a arc length of 139.594 feet; thence South 53°27'06" West for 7.148 feet; thence North 36°43'14" West for 211.608 feet; thence with a curve to the right having a radius of 622.500 feet with a central angle of 10°37'36" (chord bearing and distance of North 31°24'26" West – 115.290 feet) for a arc length of 115.455 feet; thence North 26°05'38" West for 300.332 feet; thence with a curve to the left having a radius of 375.500 feet with a central angle of 10°37'36" (chord bearing and distance of North 31°24'26" West – 69.544 feet) for a arc length of 69.644 feet; thence North 36°43'14" West for 1875.115 feet; thence with a curve to the right having a radius of 35063.500 feet with a central angle of 00°10'20" (chord bearing and distance of North 36°38'04" West – 105.395 feet) for a arc length of 105.395 feet; thence North 36°32'54" West for 2919.309 feet; thence with a curve to the right having a radius of 1263.500 feet with a central angle of 01°39'15" (chord bearing and distance of North 35°43'17" West – 36.477 feet) for a arc length of 36.478 feet; thence South 53°27'06" West for 11.005 feet; thence with a non-tangent curve to the right having a radius of 1274.500 feet, whose center bears North 55°05'29" East with a central angle of 10°27'24" (chord bearing and distance of North 29°40'49" West – 232.278 feet) for a arc length of 232.600 feet to a point on the easterly boundary line of Parcel 8 of the Amended Kennecott Master Subdivision #1 recorded in Book 2003P at Page 303 in the office of the Salt Lake County Recorder; thence North 00°02'53" East along said easterly boundary line of Parcel 8 for 154.725 feet to the Northeast corner of said Parcel 8; thence North 89°51'13" West along the northerly boundary line of said Parcel 8 for 55.949 feet; thence with a non-tangent curve to the right having a radius of 1269.000 feet whose center bears North 76°42'18" East with a central angle of 05°38'19" (chord bearing and distance of North 10°28'32" West – 124.835 feet) for a arc length of 124.885 feet; thence with a reverse curve to the left having a radius of 83.500 feet with a central angle of 03°31'07" (chord bearing and distance of North 09°24'56" West – 5.127 feet) for a arc length of 5.128 feet; thence with a reverse curve to the right having a radius of 1263.500 feet with a central angle of 11°10'30" (chord bearing and distance of North 05°35'15" West – 246.043 feet) for a arc length of 246.434 feet; thence North 00°00'00" East for 43.872 feet; thence North 02°04'00" West for 489.849 feet; thence with a curve to the right having a radius of 516.500 feet with a central angle of 02°04'00" (chord bearing and distance of North 01°02'00"

West – 18.629 feet) for a arc length of 18.630 feet; thence North 00°00'00" East for 705.707 feet; thence North 01°44'09" East for 346.620 feet; thence North 00°00'00" East for 494.778 feet; thence North 75°56'41" East for 10.309 feet; thence North 00°00'00" East for 117.576 feet; thence North 03°48'51" East for 165.366 feet; thence North 00°00'00" East for 225.904 feet; thence North 02°35'23" West for 59.719 feet to a point on the northerly boundary line of said Amended Kennecott Master Subdivision #1; thence along the northerly boundary of said Amended Kennecott Master Subdivision #1 the following two (2) calls: South 89°55'04" East for 95.147 feet to a point on the west line of said Section 13; thence North 00°02'50" East along the west line of Section 13 for 940.000 feet to the POINT OF BEGINNING.

Containing 1,400,074 sq ft or 32.1413 acres.

#### **LESS AND EXCEPTING**

##### **Parcel A**

A strip of land being located in the West Half of Section 13 and the East Half of Section 14 Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 13 (Basis of Bearing North 00°02'50" East – 2672.400 feet between the West Quarter corner and the Northwest corner of said Section 13) and running North 00°02'50" East along the west line of said Section 13 for 267.639 feet; thence North 89°57'10" West perpendicular to said section line for 17.682 feet to the POINT OF BEGINNING; thence North 90°00'00" East for 69.420 feet; thence with a non-tangent curve to the right having a radius of 249.500 feet, whose center bears South 18°12'48" West with a central angle of 21°11'42" (chord bearing and distance of South 61°11'21" East - 91.770 feet) for an arc length of 92.296 feet; thence with a curve to the left having a radius of 108.000 feet, with a central angle of 07°09'31" (chord bearing and distance of South 54°10'15" East - 13.485 feet) for an arc length of 13.494 feet; thence with a curve to the right having a radius of 92.000 feet, with a central angle of 16°03'52" (chord bearing and distance of South 49°43'05" East - 25.710 feet) for an arc length of 25.795 feet; thence with a curve to the right having a radius of 253.000 feet, with a central angle of 124°05'47" (chord bearing and distance of South 20°21'44" West - 446.971 feet) for an arc length of 547.970 feet; thence with a curve to the right having a radius of 67.500 feet, with a central angle of 21°14'48" (chord bearing and distance of North 86°57'58" West - 24.887 feet) for an arc length of 25.031 feet; thence North 00°00'00" East for 486.466 feet to the POINT OF BEGINNING.

Containing 95,002 sq. ft. or 2.1810 acres.

#### **LESS AND EXCEPTING**

##### **Parcel B**

A strip of land being located in the Southeast Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 13 (Basis of Bearing North 00°02'50" East - 2672.400 feet between the West Quarter corner and the Northwest corner of said Section 13) and running East for 3098.097 feet and South for 5581.983 feet to the POINT OF BEGINNING; thence South 36°43'14" East for 405.478 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 10.918 feet; thence North 53°16'46" East for 28.000 feet; thence North 36°43'14" West for 10.918 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 109.270 feet; thence North 53°16'46" East for 27.000 feet; thence North 36°43'14" West for 52.000 feet; thence South 53°16'46" West for 27.000 feet; thence North 36°43'14" West for 244.000 feet; thence with a non-tangent curve to the right having a radius of 4.000 feet, whose center bears South 22°14'35" East with a central angle of 75°31'21" (chord bearing and distance of South 74°28'54" East - 4.899 feet) for an arc length of 5.272 feet; thence South 36°43'14" East for 9.226 feet; thence with a curve to the left having a radius of 422.000 feet, with a central angle of 10°37'36" (chord bearing and distance of South 42°02'02" East - 78.156 feet) for an arc length of 78.268 feet; thence South 47°20'50" East for 108.873 feet; thence with a curve to the left having a radius of 100.500 feet, with a central angle of 05°42'38" (chord bearing and distance of South 50°12'09" East - 10.012 feet) for an arc length of 10.017 feet; thence South 53°03'28" East for 30.175 feet; thence with a curve to the right having a radius of 100.500 feet, with a central angle of 05°42'38" (chord bearing and distance of South 50°12'09" East - 10.012 feet) for an arc length of 10.017 feet; thence South 47°20'50" East for 141.434 feet; thence with a curve to the right having a radius of 580.000 feet, with a central angle of 10°37'36" (chord bearing and distance of South 42°02'02" East - 107.419 feet) for an arc length of 107.573 feet; thence South 36°43'14" East for 65.296 feet; thence South 53°27'06" West for 175.001 feet; thence North 36°43'14" West for 64.771 feet; thence with a curve to the right having a radius of 568.000 feet, with a central angle of 10°37'36" (chord bearing and distance of North 31°24'26" West - 105.196 feet) for an arc length of 105.347 feet; thence North 26°05'38" West for 27.002 feet; thence with a curve to the left having a radius of 100.500 feet, with a central angle of 05°42'38" (chord bearing and distance of North 28°56'57" West - 10.012 feet) for an arc length of 10.017 feet; thence North 31°48'16" West for 110.574 feet; thence with a curve to the right having a radius of 100.500 feet, with a central angle of 05°42'38" (chord bearing and distance of North 28°56'57" West - 10.012 feet) for an arc length of 10.017 feet; thence North 26°05'38" West for 143.305 feet; thence with a curve to the left having a radius of 418.000 feet, with a central angle of 10°37'36" (chord bearing and distance of North 31°24'26" West - 77.416 feet) for an arc length of 77.527 feet; thence North 36°43'14" West for 9.317 feet; thence with a curve to the right having a radius of 4.000 feet, with a central angle of 90°10'20" (chord bearing and distance of North 08°21'56" East - 5.665 feet) for an arc length of 6.295 feet; thence North 53°27'06" East for 2.988 feet to the POINT OF BEGINNING.

Containing 50,640 sq. ft. or 1.1625 acres.

#### **LESS AND EXCEPTING**

##### **Parcel C**

A strip of land being located in the Southeast Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 13 (Basis of Bearing North 00°02'50" East – 2672.400 feet between the West Quarter corner and the Northwest corner of said Section 13) and running East for 3458.219 feet and South for 6191.983 feet to the POINT OF BEGINNING; thence North 53°27'06" East for 179.102 feet; thence with a non-tangent curve to the right having a radius of 48.500 feet, whose center bears South 61°13'21" West with a central angle of 12°46'30" (chord bearing and distance of South 22°23'24" East – 10.791 feet) for an arc length of 10.814 feet; thence with a curve to the right having a radius of 92.500 feet, with a central angle of 145°41'42" (chord bearing and distance of South 56°50'42" West – 176.772 feet) for an arc length of 235.214 feet to the POINT OF BEGINNING.

Containing 9,407 sq. ft. or 0.2159 acres.

#### **LESS AND EXCEPTING**

A strip of land for the purpose of a traffic power substation said strip being located in the Southeast Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Southwest Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of Bearing North 00°02'52" East – 2619.860 feet between the Southwest Corner and the West Quarter Corner of said Section 13) and running East for 3290.379 feet; thence South for 3124.986 feet to the POINT OF BEGINNING; thence South 36°43'14" East for 52.000 feet; thence South 53°16'46" West for 27.000 feet; thence North 36°43'14" West for 52.000 feet; thence North 53°16'46" East for 27.000 feet to the POINT OF BEGINNING.

Containing 1,404 sq. ft. or 0.032 acres.

#### **LESS AND EXCEPTING**

A strip of land for the purpose of a fixed-guideway transit corridor, being located in the East Half of Section 14, the Southwest Quarter of Section 13 and Section 24 all in Township 3 South, Range 2 West Salt Lake Base and Meridian and being more particularly described as follows:

Commencing at the Northeast Corner of said Section 14 (Basis of Bearing being South 00°02'50" West – 2672.400 feet between the Northeast Corner and the East Quarter Corner of said Section 14) and running South 00°02'50" West along the east line of said Section 14 and the northerly most west line of Lot OS2 of the Amended Kennecott Master Subdivision #1 as recorded in Book 2003P at Page 303 in the office of the Salt Lake County recorder for 940.000 feet; thence North 89°55'04" West along the southerly most north line of said Lot OS2 and the southerly line of the UP&L property for 28.453 feet to the POINT OF BEGINNING; thence South 00°00'00" West for 1525.286 feet; thence North 90°00'00" East for 9.562 feet; thence South 00°00'00" West for 356.000 feet; thence North 90°00'00" West for 9.562 feet; thence South 00°00'00" West for 788.233 feet; thence with a curve to the left having a radius of 1186.000 feet, with a central angle of 36°32'54" (chord bearing and distance of South 18°16'27"

East - 743.775 feet) for an arc length of 756.536 feet; thence South 36°32'54" East for 2919.309 feet; thence with a curve to the left having a radius of 34986.000 feet, with a central angle of 00°10'20" (chord bearing and distance of South 36°38'04" East - 105.162 feet) for an arc length of 105.162 feet; thence South 36°43'14" East for 693.518 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 5.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 295.000 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 25.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 328.577 feet; thence North 53°16'46" East for 9.562 feet; thence South 36°43'14" East for 358.000 feet; thence South 53°16'46" West for 9.562 feet; thence South 36°43'14" East for 562.190 feet; thence North 53°16'46" East for 2.500 feet; thence South 36°43'14" East for 25.000 feet; thence South 53°16'46" West for 2.500 feet; thence South 36°43'14" East for 10.918 feet; thence South 53°16'46" West for 28.000 feet; thence North 36°43'14" West for 10.918 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 562.190 feet; thence South 53°16'46" West for 9.562 feet; thence North 36°43'14" West for 358.000 feet; thence North 53°16'46" East for 9.562 feet; thence North 36°43'14" West for 308.577 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 315.000 feet; thence South 53°16'46" West for 2.500 feet; thence North 36°43'14" West for 25.000 feet; thence North 53°16'46" East for 2.500 feet; thence North 36°43'14" West for 673.518 feet; thence with a curve to the right having a radius of 35014.000 feet, with a central angle of 00°10'20" (chord bearing and distance of North 36°38'04" West - 105.247 feet) for an arc length of 105.247 feet; thence North 36°32'54" West for 2919.309 feet; thence with a curve to the right having a radius of 1214.000 feet, with a central angle of 36°32'54" (chord bearing and distance of North 18°16'27" West - 761.334 feet) for an arc length of 774.397 feet; thence North 00°00'00" East for 788.233 feet; thence North 90°00'00" West for 9.562 feet; thence North 00°00'00" East for 356.000 feet; thence North 90°00'00" East for 9.562 feet; thence North 00°00'00" East for 1525.326 feet to a point on the southerly most north line of said Lot OS2; thence South 89°55'04" East along said Lot OS2 for 28.000 feet to the POINT OF BEGINNING.

Containing 259,334 sq. ft. or 5.9535 acres.

**SUBJECT TO** all reservations contained in this Deed; all encumbrances of record, including those contained in that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Daybreak Village, recorded on December 30, 2005 as Entry No. 9598233, in Book 9237, beginning at page 5395 of the official records of the Salt Lake County Recorder, as amended and/or supplemented, and that certain Covenant for Community recorded on February 27, 2004 as Entry No. 8989517, in Book 8950, beginning at page 7722 of the official records of the Salt Lake County Recorder, as amended and/or supplemented; and all easements, restrictions, rights-of-way, covenants, or other property interests enforceable at law or in equity. Grantee is accepting the Land in its "as is, where is" condition with all faults, and Grantee acknowledges that it has had the opportunity to perform such due diligence as it deems appropriate with respect to the Land.

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to disturb the first 500 feet below the surface of the Land to use or extract the same, (ii) all water flowing or located under, within, or over the Land, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land, and (iii) any and all pipes and ancillary equipment or fixtures constituting the secondary water transmission system to point of connection that may run on, under or through the Land.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantee, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on the land] and the "Subsequent Transfer Covenant" [which requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.

Grantor hereby dedicates the Land for use as public right-of-way.

WITNESS the hand of Grantor this 13 day of May, 2008.

KENNECOTT LAND RESIDENTIAL  
DEVELOPMENT COMPANY,  
a Delaware corporation

By: Russell K. Sanford  
Name: Russell K. Sanford  
Title: VICE PRESIDENT

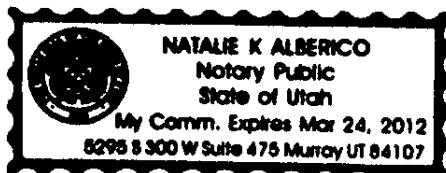
STATE OF Utah )  
: ss.  
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 13 day of May, 2008, by Russell K. Sanford, the Vice President of Kennecott Land Residential Development Company, a Delaware corporation.

Natalie K. Alberico  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My Commission Expires:

March 24, 2012



**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL  
DEED TO:**

City of South Jordan  
1600 W. Towne Center Dr.  
South Jordan City, Utah 84095  
Attention: Gary L. Whatcott, City Manager

12970445  
4/18/2019 11:47:00 AM \$16.00  
Book - 10771 Pg - 1245-1248  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
OLD REPUBLIC TITLE DRAPER/OREM  
BY: eCASH, DEPUTY - EF 4 P.

**SENT TAX NOTICES TO:**

City of South Jordan  
1600 W. Towne Center Dr.  
South Jordan City, Utah 84095  
Attention: Gary L. Whatcott, City Manager

(Tax Identification No.: 26-24-176-004 and 26-24-176-002)

19331e21eF4

---

**SPECIAL WARRANTY DEED**

**VP DAYBREAK DEVCO LLC**, a Delaware limited liability company with its principal office at 11248 Kestrel Rise Road, Suite 201, South Jordan, County of Salt Lake, State of Utah 84009 ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby **CONVEY and WARRANT** against all who claim by, through or under the Grantor to **CITY of SOUTH JORDAN**, a municipal corporation of the State of Utah, with its principal office at 1600 W. Towne Center Dr., South Jordan City, Utah 84095 ("Grantee"), certain land being more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Land"), together with(i) all improvements, if any, located thereon, (ii) any and all rights, privileges and easements appurtenant to the Land, and (iii) all right, title and interest of Grantor (if any) in, to and under adjoining streets, rights of way and easements, **SUBJECT TO** all reservations contained in this Deed and all encumbrances of record, all building codes and other applicable laws, ordinances and governmental regulations affecting the Land and all other matters reasonably identifiable from an inspection or survey of the Land.

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the surface and the first 500 feet below the surface of the Land to use or extract the same, and (ii) all water flowing or located under, within, or over, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land; together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the first 500 feet below the surface of the Land to use or extract the same; provided the reservation of geothermal rights by Grantor will not prohibit Grantee from installing and operating a ground source heat exchange system on the Land to service the building improvements constructed on the Land.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantees, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on

the land] and the “Subsequent Transfer Covenant” [which requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.

Grantor reserves the exclusive right to construct and operate, and to authorize the construction and operation, of commercial cellular, microwave and other wireless communication towers, antennas and related facilities (“Commercial Wireless Facilities”) within the Daybreak master planned community, as legally described in that certain Community Charter for Daybreak recorded on February 27, 2004 as Entry No. 8989518 in Book 88950 at Page 7784 in the official records of the Salt Lake County Recorder, Utah, as amended and supplemented from time to time, and that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Daybreak Village recorded on December 30, 2005, as Entry No. 9598233, in Book 9237, beginning at Page 5395 of the official records of the Salt Lake County Recorder, as amended and supplemented from time to time. Accordingly, Grantee agrees that the Land shall not be used for the construction or operation of Commercial Wireless Facilities; provided that nothing herein shall exclude Grantee’s constructions, operation, and use of facilities for its own purposes. Such restriction shall run with the Land for the benefit of Grantor and its successors and assigns operating Commercial Wireless Facilities within Daybreak.

*[Signatures on Following Page]*

[South Jordan Public Safety Center – Special Warranty Deed – Grantor Signature Page]

**IN WITNESS WHEREOF**, Grantor has caused its duly authorized representative to execute this instrument as of the date hereinafter written.

**DATED: April 11, 2019**

**GRANTOR:**

**VP DAYBREAK DEVCO LLC,**  
a Delaware limited liability company

By: Daybreak Communities LLC,  
a Delaware limited liability company  
Its: Project Manager

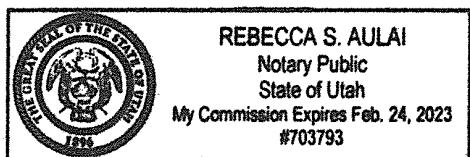
By: Ty  
Name: Ty McCutcheon  
Its: President & CEO

**ACKNOWLEDGMENT**

STATE OF UTAH )  
 )  
COUNTY OF SALT LAKE ) SS.  
 )

On April 11, 2019, personally appeared before me, a Notary Public, Ty McCutcheon, the President & CEO of DAYBREAK COMMUNITIES LLC, a Delaware limited liability company, the Project Manager of VP DAYBREAK DEVCO LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of VP DAYBREAK DEVCO LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.



Rebecca S. Aulai  
Notary Public in and for said State

My commission expires: 2/24/23

[SEAL]

**EXHIBIT A**  
**TO SPECIAL WARRANTY DEED**

**Legal Description**

Lot C-101, DAYBREAK SOUTH JORDAN CITY PUBLIC SAFETY CENTER Amending Lots T3 and T4 of The Kennecott Master Subdivision #1 Amended, recorded April 2, 2019 as Entry No. 12961132 in Book 2019P of Plats at Page 111, on file in the office of the Salt Lake County Recorder, State of Utah

The following is for informational purposes only:  
Tax ID No. 26-24-176-004 and 26-24-176-002