

9510571

89-15

When Recorded Mail To:

Laura Lockhart  
Utah Attorney General's Office  
P.O. Box 140873  
Salt Lake City, Utah 84114-0873

9510571  
10/03/2005 04:10 PM \$81.00  
Book - 9197 Pg - 7976-8004  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
UT ST-ATTORNEY GENERAL  
PO BOX 1980 ATTN LAURA  
LOCKHART  
SLC UT 84110-1980  
BY: ZJM, DEPUTY - WI 29 P.

In the Matter of:  
Utah Transit Authority  
Surface Passenger Rail Transportation Corridor

Amendment to Agreement, Grant of Access to DEQ, and  
Covenants Not to Sue Utah Transit Authority

Pertains to that certain property described in "Amended Exhibit 1"  
attached hereto and added Exhibit "3," incorporated herein by this reference.

STATE OF UTAH  
DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:  UTAH TRANSIT AUTHORITY Surface Passenger Rail Transportation Corridor	AMENDMENT TO AGREEMENT, GRANT OF ACCESS TO DEQ AND COVENANTS NOT TO SUE UTAH TRANSIT AUTHORITY
--	---

**I. AMENDMENT**

This Amendment to Agreement, Grant of Access to DEQ and Covenants Not To Sue Utah Transit Authority (this "Amendment") amends the Agreement, Grant of Access to DEQ, and Covenants Not to Sue Utah Transit Authority ("The Agreement") recorded in Salt Lake County on April 12, 2002, as Entry 8204308, Book 8587, Pages 1603-1648, by amending and incorporating into The Agreement the attached "Amended Exhibit 1" for the Exhibit "1" that was originally attached to The Agreement and previously recorded at the above referenced Entry and Book at Pages 1618 through and including 1646. This Amendment also amends The Agreement by adding as Exhibit "3" certain Union Pacific Railroad Company ("UPRR") Valuation Maps that depict the property acquired by Utah Transit Authority ("UTA") from UPRR pursuant to The Agreement (the "Property"). The Valuation Maps depict the final alignment of the UTA commuter/light rail right-of-way and the additions to, and the subtractions from, the property generally described in the Exhibit "1" originally attached to The Agreement. Exhibit "3" is not attached to this Amendment, but will be maintained in both hard copy and compact disc form by the State of Utah, Department of Environmental Quality with this recorded Amendment.

## **II. THE AGREEMENT**

Except as set forth above, the terms of The Agreement are unchanged and remain in full force and effect and are binding on, and grant rights to, the parties hereto as set forth in The Agreement.

## **III. PURPOSE**

In 2002, when UTA was completing the purchase of the Property for the construction of its commuter/light rail right-of-way from UPRR, the best available description of properties that UTA was purchasing from UPRR, and were therefore included within the purview of The Agreement, were generally found by UPRR Railroad Valuation Maps and/or mile posts, not by a final survey. The UPRR Valuation Maps describe property in pictorial terms and in a scale that made definition of property lines difficult for the design and construction of facilities such as UTA's commuter/light rail system.

Since the execution of The Agreement, UTA has continued to progress with the design of its commuter/light rail system. That ongoing design requires that the parties more accurately define the property previously acquired by UTA, define additional property acquired by UTA since execution of The Agreement, and delete certain slivers of property from the property UTA previously acquired from UPRR, but no longer requires for the right-of-way.


UTA has now completed its engineering design of the commuter/light rail track alignment within the UTA corridor in Utah, Salt Lake, Davis and Weber Counties and of the Bingham Branch right-of-way in Salt Lake County. A final survey has been completed and the legal descriptions of the Property have now been determined. The "Amended Exhibit 1" provides the complete and

accurate legal description of the Property acquired by UTA for the construction of its commuter/light rail system.

UPRR and UTA have agreed to adjustments of the right-of-way within the rail corridor based upon the complete and accurate legal descriptions of the Property. UPRR and UTA will execute the 7<sup>th</sup> Amendment to the Purchase Sale Agreement using these more accurate metes and bounds descriptions in describing the Property.


IT IS SO AGREED:

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY BY:

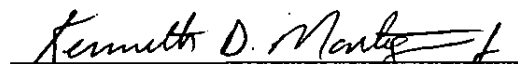
  
DIANNE R. NIELSON, Ph.D.  
Executive Director

Dated: 9/12/05


UTAH TRANSIT AUTHORITY:

  
JOHN M. ENGLISH  
General Manager

Dated: 9/30/05

  
KENNETH D. MONTAGUE JR.  
Director of Finance and Administration

Dated: 9/30/05

  
KATHRYN H.S. PETT, ESQ.  
General Counsel

Dated: 30 September 2005

ACKNOWLEDGMENTS

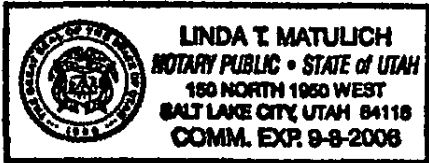
STATE OF UTAH )  
COUNTY OF Salt Lake SS.

On August 12, 2005, before me, Dianne Nielson, personally appeared Dianne R. Nielsen, Ph.D., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity on behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

Linda T. Matulich  
Notary Public

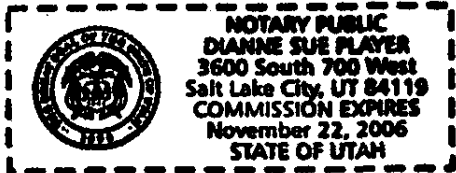
STATE OF UTAH )  
COUNTY OF Salt Lake SS.



On Sept 30, 2005, before me, Dianne Sue Player, personally appeared John M. English, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity on behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

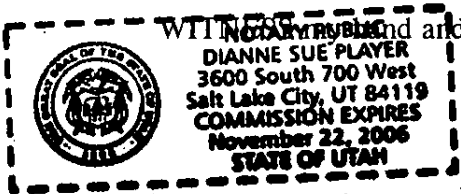
Dianne Sue Player  
Notary Public



STATE OF UTAH )

COUNTY OF Salt Lake : SS

On Sept 30, 2005, before me, Dianne Sue Player, personally appeared Kenneth D. Montague, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity on behalf of which the person acted executed the instrument.



WITNESS my hand and official seal.

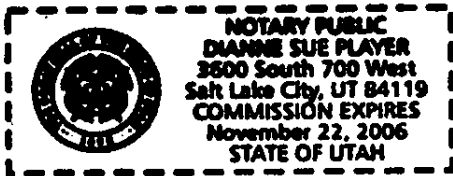
Dianne Sue Player  
Notary Public

STATE OF UTAH )

COUNTY OF Salt Lake : SS

On Sept 30, 2005, before me, Dianne Sue Player, personally appeared Kathryn H.S. Pett, Esq., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity on behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.



Dianne Sue Player  
Notary Public

# Amended Exhibit 1

## Salt Lake County, Utah

That portion of the Sugarhouse Branch of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), as now constructed and operated, said branch extends easterly from the easterly right of way line of the Provo Subdivision of the Union Pacific Railroad Company at said railroad branch mile post 0.00, to said railroad branch mile post 2.74, said portion being situate in, over and across the following legal subdivisions of Salt Lake County, Utah:

Subdivision	Section	Township	Range	Meridian
NW 1/4	24	1S	1W	Salt Lake
NE 1/4	24	1S	1W	Salt Lake
NW 1/4	19	1S	1E	Salt Lake
NE 1/4	19	1S	1E	Salt Lake
NW 1/4	20	1S	1E	Salt Lake
NE 1/4	20	1S	1E	Salt Lake

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 12 2002 T.D.A.

Segment 3.2e

*Revised Amended Exhibit 1  
Accepted 9/20/05  
JRMelson*

Salt Lake Co. Exh. 1  
Page 1 of 23

BK 9197 PG 7982

## Salt Lake County, Utah

That portion of the Bingham Industrial Lead of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), as now constructed and operated, said portion extends westerly from a line drawn at right angles from the center line of the main line track at said railroad industrial lead mile post 6.60, to a line drawn at right angles to the main line track at said industrial lead mile post 11.81, said portion being situate in, over and across the following legal subdivisions of Salt Lake County, Utah:

Subdivision	Section	Township	Range	Meridian
N1/2 SW1/4	12	3S	2W	Salt Lake
SE1/4	11	3S	2W	Salt Lake
SE1/4 SW1/4	11	3S	2W	Salt Lake
N1/2 NW1/4	14	3S	2W	Salt Lake
N1/2 NE1/4	15	3S	2W	Salt Lake
N1/2 NW1/4	15	3S	2W	Salt Lake
N1/2 NE1/4	16	3S	2W	Salt Lake
N1/2 NW1/4	16	3S	2W	Salt Lake
N1/2 NE1/4	17	3S	2W	Salt Lake
NW1/4	17	3S	2W	Salt Lake
S1/2 NE1/4	18	3S	2W	Salt Lake
SE1/4 NW1/4	18	3S	2W	Salt Lake

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 12 2002 T.D.A.

Segment 3.2f



## Salt Lake County, Utah

A portion of the Provo Subdivision of the Union Pacific Railroad Company (formerly the Denver and Rio Grand Railroad Company) Right of Way, being strips of land from mile post 745.21 to 745.50, and together with a portion of the Salt Lake Subdivision of the Union Pacific Railroad Company (formerly the Oregon Short Line Railroad Company and, originally, the Utah Central Railroad Company) Right of Way, being strips of land from mile post 782.48 to 782.74, and more specifically described as follows:

### Basis of Bearing:

All bearings and distances contained herein, are expressed as grid bearings and ground distances based on the following defined coordinate projection:

System Projection	Transverse Mercator
System Datum	NAD – 1983/1994 (Federal Base Network – 2000 Adjustment)
System Elevation	4400 Feet Above Mean Sea Level (NAVD 88)
Origin Latitude	39°45'00.00" North
Origin Longitude	111°52'30.00" West
Scale Factor	1.000205271907
False Northing	75,000.00
False Easting	75,000.00

### Block 48 Parcel – 200 South Street to 700 West Street (said Provo Subdivision MP 745.21 to 745.28)

Beginning at a point on the South Line of Block 48, Official Survey of Plat "C", Salt Lake City Survey, said point being North 89°59'11" East 68.00 feet along the 200 South Street Monument Line and North 00°00'04" East 63.97 feet to the Southwest Corner of said Block 48 and North 89°59'11" East 96.57 feet along said South Line from the Salt Lake City Monument in the intersection of 200 South and 700 West Streets; thence North 89°59'11" East 25.04 feet along said South Line; thence along the Grantor's Easterly Property Line the following five (5) courses: 1) North 15°50'49" West 147.28 feet; 2) North 20°38'49" West 112.80 feet; 3) North 71°39'11" East 10.35 feet; 4) North 43°25'49" West 26.70 feet; 5) North 20°38'49" West 64.31 feet to the South Line of Lot 4; thence South 89°59'11" West 10.40 feet along said South Line to the West Line of said Block 48; thence South 00°00'04" West 11.63 feet along said West Line; thence 116.06 feet along the arc of a curve to the left with a radius of 2809.48 feet, through a central angle of 02°22'01" (long chord = South 16°22'32" East 116.05 feet); thence South 17°08'02" East 216.71 feet to the Point of Beginning.

### Block 49 Parcel – 700 West Street to South Temple Street (said Provo Subdivision MP 745.39 to 745.50 and said Salt Lake Subdivision MP 782.48 to 782.55)

Beginning at the Southwest Corner of Block 49, Official Survey of Plat "C", Salt Lake City Survey, said point being South 89°59'14" West 724.33 feet and North 00°00'01" West 64.03 feet from the Salt Lake City Monument in the intersection of 100 South and 600 West Streets (Basis of Bearing being North 89°58'54" East from said Monument to the Salt Lake City Monument in the intersection of 100 South and 500 West Streets); thence North 00°00'01" West 120.26 feet along the West Line of said Block 49; thence 796.52 feet along the arc of a curve to the right with a radius of 830.00 feet, through a central angle of 54°59'04" (long chord = North 46°39'59" East 766.30 feet); thence 58.50 feet along the arc of a curve to the right with a radius of 1013.08 feet, through a central angle of 03°18'30" (long chord = North 75°58'52" East 58.50 feet) to the North Line of said Block 49; thence North 89°59'03" East 46.22 feet to the

Northeast Corner of said Block 49; thence South 00°00'04" West 26.29 feet along the East Line of said Block 49; thence 50.62 feet along the arc of a curve to the left with a radius of 1322.46 feet, through a central angle of 02°11'35" (long chord = South 78°10'42" West 50.62 feet); thence 46.99 feet along the arc of a curve to the left with a radius of 910.42 feet, through a central angle of 02°57'25" (long chord = South 75°35'07" West 46.98 feet); thence 873.94 feet along the arc of a curve to the left with a radius of 795.00 feet, through a central angle of 62°59'05" (long chord = South 42°32'33" West 830.59 feet) to the South Line of said Block 49; thence South 89°59'23" West 3.71 feet along said South Line to the Point of Beginning.

Block 82 Parcel (Grant Tower) – South Temple Street to 500 West Street (said Salt Lake Subdivision MP 782.60 to 782.74)

Beginning at a point on the East Line of Block 82, Official Survey of Plat "A", Salt Lake City Survey, said point being North 00°00'18" West 63.18 feet and South 89°57'09" West 60.79 feet to the Southeast Corner of said Block 82 and North 00°00'10" West 194.51 feet along said East Line from the Salt Lake City Monument in the intersection of South Temple and 500 West Streets (Basis of Bearing being South 00°00'18" East from said Monument to the Salt Lake City Monument in the intersection of 100 South and 500 West Streets); thence 443.80 feet along the arc of a curve to the right with a radius of 810.00 feet, through a central angle of 31°23'33" (long chord = South 53°28'59" West 438.27 feet) to the South Line of the vacated portion of South Temple Street; thence South 89°57'09" West 122.99 feet along said South Line; thence 50.78 feet along the arc of a curve to the left with a radius of 901.47 feet, through a central angle of 03°13'38" (long chord = North 75°26'54" East 50.77 feet); thence 545.38 feet along the arc of a curve to the left with a radius of 755.00 feet, through a central angle of 41°23'17" (long chord = North 52°59'14" East 533.60 feet) to the East Line of said Block 82; thence South 00°00'10" East 73.08 feet along said East Line to the Point of Beginning.

## Salt Lake County, Utah

A portion of the Salt Lake Subdivision of the Union Pacific Railroad Company (formerly the Oregon Short Line Railroad Company and, originally, the Utah Central Railroad Company) Right of Way, being a strip of land adjoining the Easterly Line of said Right of Way, and extending from the North Line of Salt Lake County, said North Line crosses the centerline of the main line track of said Salt Lake Subdivision at mile post 786.50, to the North Line of 1800 North Street, being situate in the Northeast Quarter of Section 14, the Southeast Quarter of Section 14 and the Northeast Quarter of Section 23, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and described as follows:

**Basis of Bearing:**

All bearings and distances contained herein, are expressed as grid bearings and ground distances based on the following defined coordinate projection:

System Projection	Transverse Mercator
System Datum	NAD - 1983/1994 (Federal Base Network - 2000 Adjustment)
System Elevation	4400 Feet Above Mean Sea Level (NAVD 88)
Origin Latitude	39°45'00.00" North
Origin Longitude	111°52'30.00" West
Scale Factor	1.000205271907
False Northing	75,000.00
False Easting	75,000.00

**TRACT S1 - Section 23, Township 1 North, Range 1 West, Salt Lake Base and Meridian**

Beginning at the point of intersection of the Easterly Right of Way Line of said Union Pacific Railroad and the North Line of said Section 23, said point being North 89°52'31" West 2507.44 feet from the Northeast Corner of said Section 23 (said Northeast Corner position computed from field surveyed positions of the South Quarter Corner and the North Quarter Corner of said Section 14, and data shown on the Salt Lake County Surveyor's Section Corner Tie Sheet for said Section 14, dated April 1, 1999) and South 89°52'31" East 167.97 feet from the North Quarter Corner of said Section 23; thence South 01°37'27" West 2534.94 feet along said Easterly Right of Way Line; thence North 89°51'34" West 16.63 feet; thence South 00°08'26" West 64.60 feet to the North Line of 1800 North Street; thence North 89°50'50" West 19.72 feet along said North Line; thence North 01°39'27" East 2599.58 feet to the North Line of said Section 23; thence South 89°52'31" East 33.17 feet along said North Line to the Point of Beginning.

**TRACT S2 - Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian**

Beginning at the point of intersection of the Easterly Right of Way Line of said Union Pacific Railroad and the South Line of said Section 14, said point being North 89°52'31" West 2507.44 feet from the Southeast Corner of said Section 14 (said Southeast Corner position computed from field surveyed positions of the South Quarter Corner and the North Quarter Corner of said Section 14, and data shown on the Salt Lake County Surveyor's Section Corner Tie Sheet for said Section 14, dated April 1, 1999) and South 89°52'31" East 167.97 feet from the South Quarter Corner of said Section 14; thence North 01°37'27" East 173.20 feet along said Easterly Right of Way Line; thence 408.74 feet along the arc of a curve to the right with a radius of 14,200.00 feet, through a central angle of 01°38'57" (long chord = North 02°26'56" East 408.73 feet) along said Easterly Right of Way Line; thence North 03°16'25" East 2702.18 feet along said Easterly Right of Way Line to a point on the

North Line of Salt Lake County, said North Line determined from that certain Township Reference Plat recorded November 17, 1972, Davis County Recorder Entry No. 372978; thence South 89°58'22" West 35.05 feet along said North Line; thence South 03°16'01" West 641.94 feet; thence South 03°11'17" West 95.04 feet; thence 203.08 feet along the arc of a curve to the left with a radius of 11,470 feet, through a central angle of 01°00'52" (long chord = South 02°31'21" West 203.08 feet); thence South 01°54'59" West 47.52 feet; thence South 01°47'52" West 47.52 feet; thence South 01°46'40" West 307.13 feet; thence South 01°47'52" West 47.48 feet; thence South 01°54'59" West 47.48 feet; thence 220.66 feet along the arc of a curve to the right with a radius of 11,450.00 feet, through a central angle of 01°06'15" (long chord = South 02°34'03" West 220.66 feet); thence South 03°13'07" West 47.48 feet; thence South 03°20'15" West 47.48 feet; thence South 03°21'26" West 306.56 feet; thence South 03°22'37" West 47.48 feet; thence South 03°29'45" West 47.48 feet; thence 122.47 feet along the arc of a curve to the right with a radius of 11,450.00 feet, through a central angle of 00°36'46" (long chord = South 03°54'05" West 122.47 feet); thence South 04°18'24" West 47.48 feet; thence South 04°25'32" West 47.48 feet; thence South 04°26'43" West 295.07 feet; thence South 04°23'37" West 82.55 feet; thence South 04°05'05" West 82.55 feet; thence 207.10 feet along the arc of a curve to the left with a radius of 7650.00 feet, through a central angle of 01°33'04" (long chord = South 03°03'05" West 207.10 feet); thence South 02°01'06" West 82.55 feet; thence South 01°42'33" West 82.55 feet; thence South 01°39'27" West 80.06 feet to the South Line of said Section 14; thence South 89°52'31" East 33.17 feet along said South Line to the Point of Beginning.

## Salt Lake County, Utah

A portion of the Salt Lake Subdivision of the Union Pacific Railroad Company (formerly the Oregon Short Line Railroad Company and, originally, the Utah Central Railroad Company) Right of Way, extending from the South Line of 1800 North Street to the South Line of 500 North Street, being situate in the Northeast Quarter of Section 23, the Southeast Quarter of Section 23, the Northeast Quarter of Section 26, the Northwest Quarter of Section 25, the Southwest Quarter of Section 25 and the Northwest Quarter of Section 36, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and described as follows:

Beginning at a point on the South Line of 1800 North Street and an existing Railroad Right of Way fence, said point being South 89°46'13" East 275.46 feet along the Section Line and North 00°00'00" East 2544.65 feet from the South Quarter Corner of said Section 23; thence along said Right of Way fence the following three (3) courses: 1) South 06°34'37" West 257.10 feet; 2) South 39°04'56" West 16.42 feet; 3) South 04°52'20" West 186.51 feet; thence South 146.15 feet; thence South 04°27'46" East 29.40 feet to said Right of Way fence; thence along said Right of Way fence the following four (4) courses: 1) South 03°51'58" East 293.65 feet; 2) South 16°21'41" East 202.85 feet; 3) South 16°07'52" East 64.67 feet; 4) South 23°15'11" East 271.61 feet; thence South 17°13'26" East 392.08 feet; thence South 24°04'31" East 90.01 feet to a point of curvature of a 402.88 foot radius curve to the left, the center of which bears North 65°55'29" East; thence Southeasterly along the arc of said curve 200.28 feet through a central angle of 28°28'56" to a point of reverse curvature of a 292.07 foot radius curve to the right, the center of which bears South 37°26'33" West; thence Southeasterly along the arc of said curve 71.34 feet through a central angle of 13°59'39"; thence South 38°33'48" East 132.40 feet; thence South 32°13'00" East 486.47 feet; thence South 37°07'54" East 70.00 feet; thence South 38°26'45" East 680.37 feet to said Right of Way fence; thence along said Right of Way fence the following thirteen (13) courses: 1) South 30°35'05" East 565.66 feet; 2) South 30°55'41" East 100.93 feet; 3) South 31°36'43" East 84.99 feet; 4) South 31°17'31" East 87.39 feet; 5) South 31°17'10" East 346.13 feet; 6) South 31°25'00" East 265.97 feet; 7) South 41°34'18" East 837.50 feet; 8) South 50°35'54" East 89.45 feet; 9) South 52°52'11" East 86.90 feet; 10) South 56°57'06" East 84.25 feet; 11) South 61°03'41" East 86.48 feet; 12) South 63°40'59" East 82.53 feet; 13) South 68°21'15" East 64.77 feet; thence South 62°33'37" East 276.87 feet to a non-tangent point of curvature of a 2222.40 foot radius curve to the right, the center of which bears South 24°53'41" West, said point also being 10.00 feet perpendicularly distant Easterly from the centerline of the most Easterly Railroad tracks; thence parallel with and 10.00 feet perpendicularly distant Easterly from said centerline of the most Easterly Railroad tracks the following eight (8) courses: 1) Southeasterly along the arc of said curve 190.65 feet through a central angle of 04°54'55" to a point of compound curvature of a 743.76 foot radius curve to the right, the center of which bears South 29°48'36" West; 2) Southeasterly along the arc of said curve 578.58 feet through a central angle of 44°34'16" to a point of compound curvature of a 1017.22 foot radius curve to the right, the center of which bears South 74°22'55" West; 3) Southerly along the arc of said curve 275.52 feet through a central angle of 15°31'08"; 4) South 00°05'57" East 985.88 feet to a point of curvature of a 17045.38 foot radius curve to the left, the center of which bears North 89°54'03" East; 5) Southerly along the arc of said curve 777.46 feet through a central angle of 02°36'48"; 6) South 02°42'45" East 961.34 feet to a point of curvature of a 1299.51 foot radius curve to the right, the center of which bears South 87°17'15" West; 7) Southerly along the arc of said curve 208.50 feet through a central angle of 09°11'34"; 8) South 06°28'49" West 99.60 feet to the South Line of 500 North Street; thence North 83°31'11" West 17.42 feet along said South Line; thence North 04°22'00" East 69.91 feet; thence North 02°14'34" West

868.59 feet to a point which is 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad track; thence parallel with and 10.00 feet perpendicularly distant Westerly from the centerline of said Railroad track the following nine (9) courses; 1) North 02°00'12" West 286.52 feet; 2) North 04°45'35" West 136.18 feet; 3) North 01°54'53" West 370.88 feet; 4) North 00°09'25" West 312.13 feet; 5) North 00°05'57" West 985.88 feet to a point of curvature of a 983.16 foot radius curve to the left, the center of which bears South 89°54'03" West; 6) Northwesterly along the arc of said curve 144.90 feet through a central angle of 08°26'40" to a point of compound curvature of a 782.00 foot radius curve to the left, the center of which bears South 81°27'22" West; 7) Northwesterly along the arc of said curve 786.79 feet through a central angle of 57°38'49"; 8) North 66°11'26" West 389.58 feet to a point of curvature of a 1510.27 foot radius curve to the right, the center of which bears North 23°48'34" East; 9) Northwesterly along the arc of said curve 418.59 feet through a central angle of 15°52'49" (long chord = North 58°15'02" West 417.25 feet); thence South 31°41'15" East 57.08 feet; thence 15.14 feet along the arc of a curve to the right with a radius of 11,768.98 feet, through a central angle of 00°04'25" (long chord = North 51°13'54" West 15.14 feet); thence 183.57 feet along the arc of a curve to the right with a radius of 3972.48 feet, through a central angle of 02°38'51" (long chord = North 48°55'58" West 183.55 feet); thence 227.47 feet along the arc of a curve to the right with a radius of 2169.55 feet, through a central angle of 06°00'26" (long chord = North 45°17'06" West 227.37 feet); thence 196.04 feet along the arc of a curve to the right with a radius of 2729.27 feet, through a central angle of 04°06'56" (long chord = North 40°18'20" West 196.00 feet); thence 248.93 feet along the arc of a curve to the right with a radius of 17,148.91 feet, through a central angle of 00°49'54" (long chord = North 38°22'49" West 248.93 feet); thence 139.94 feet along the arc of a curve to the right with a radius of 839.76 feet, through a central angle of 09°32'53" (long chord = North 34°28'28" West 139.78 feet); thence 113.15 feet along the arc of a curve to the right with a radius of 17,044.06 feet, through a central angle of 00°22'49" (long chord = North 30°35'07" West 113.15 feet); thence 84.70 feet along the arc of a curve to the right with a radius of 2363.87 feet, through a central angle of 02°03'11" (long chord = North 29°41'52" West 84.69 feet); thence North 28°39'20" West 34.88 feet; thence 165.27 feet along the arc of a curve to the right with a radius of 5325.87 feet, through a central angle of 01°46'41" (long chord = North 25°58'50" West 165.26 feet); thence 144.31 feet along the arc of a curve to the left with a radius of 2049.64 feet, through a central angle of 04°02'02" (long chord = North 29°36'10" West 144.28 feet); thence 178.56 feet along the arc of a curve to the left with a radius of 16,076.89 feet, through a central angle of 00°38'11" (long chord = North 30°44'33" West 178.56 feet); thence 210.26 feet along the arc of a curve to the left with a radius of 2321.50 feet, through a central angle of 05°11'22" (long chord = North 33°09'12" West 210.19 feet); thence North 34°13'34" West 69.62 feet; thence North 34°17'43" West 319.17 feet; thence North 34°30'13" West 124.91 feet; thence 175.16 feet along the arc of a curve to the left with a radius of 5720.77 feet, through a central angle of 01°45'15" (long chord = North 35°47'52" West 175.15 feet); thence North 37°05'31" West 124.91 feet; thence North 37°18'02" West 520.77 feet to a point on the South Line of said Section 23, said point bearing South 89°46'13" East 974.33 feet from the South Quarter Corner of said Section 23 and North 89°46'13" West 1684.24 feet from the Southeast Corner of said Section 23; thence North 37°18'02" West 353.33 feet; thence North 37°09'40" West 95.16 feet; thence North 36°19'30" West 95.16 feet; thence 45.71 feet along the arc of a curve to the right with a radius of 3260.44 feet, through a central angle of 00°48'12" (long chord = North 35°31'36" West 45.71 feet); thence 342.60 feet along the arc of a curve to the right with a radius of 6511.35 feet, through a central angle of 03°00'53" (long chord = North 31°48'49" West 342.56 feet); thence 1636.75 feet along the arc of a curve to the right with a radius of 3260.44 feet, through a central angle of 28°45'46" (long chord = North 14°25'15" West 1619.62 feet); thence North 00°39'26" East 95.16 feet; thence North 01°29'36" East 95.16 feet; thence North 01°37'57" East 27.11 feet to the South Line of 1800 North Street; thence South 89°52'20" East 235.06 feet along said South Line to the Point of Beginning.

Basis of Bearing: South 89°46'13" East 2658.57 feet from the South Quarter Corner to the Southeast Corner of said Section 23.

## Salt Lake County, Utah

That portion of the Provo Subdivision of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), that lies between a line drawn parallel and/or concentric with and 30 feet distant westerly as measured at right angles and/or radially from the center line of the most westerly main line track of said railroad subdivision, as now constructed and operated and the westerly right of way line of said railroad subdivision as now located, said strip extends northerly from the southerly county line of Salt Lake County, Utah, said county line crosses the center line of the main line track at said railroad subdivision mile post 722.12, to a line drawn at right angles to the center line of the main line track at said subdivision mile post 729.29, said strip of land being situate in, over and across the following legal subdivisions of Salt Lake County, Utah:

Subdivision	Section	Township	Range	Meridian
NE 1/4 SW 1/4	26	4S	1W	Salt Lake
E 1/2 NW 1/4	26	4S	1W	Salt Lake
SW 1/4	23	4S	1W	Salt Lake
NE 1/4 SE 1/4	22	4S	1W	Salt Lake
E 1/2 NE 1/4	22	4S	1W	Salt Lake
E 1/2 SE 1/4	15	4S	1W	Salt Lake
E 1/2 NE 1/4	15	4S	1W	Salt Lake
NW 1/4 NW 1/4	14	4S	1W	Salt Lake
SW 1/4	11	4S	1W	Salt Lake
SE 1/4 NW 1/4	11	4S	1W	Salt Lake
W 1/2 NE 1/4	11	4S	1W	Salt Lake
SE 1/4	2	4S	1W	Salt Lake
SE 1/4 NE 1/4	2	4S	1W	Salt Lake
W 1/2 NW 1/4	1	4S	1W	Salt Lake
SW 1/4	36	3S	1W	Salt Lake
E 1/2 NW 1/4	36	3S	1W	Salt Lake
E 1/2 SW 1/4	25	3S	1W	Salt Lake
E 1/2 NW 1/4	25	3S	1W	Salt Lake
E 1/2 SW 1/4	24	3S	1W	Salt Lake
SE 1/4 NW 1/4	24	3S	1W	Salt Lake

Provided, however, that subject to the exception(s) from this quitclaim described below, the portion of the right of way quitclaimed hereby shall comprise not less than the westerly 20.00 feet of said portion of said right of way.

**EXCEPTING** from the portion of the right of way quitclaimed hereby any portion thereof that lies between the easterly right of way line and a line drawn parallel and/or concentric with and 30 feet distant westerly from such easterly right of way line.

Grantor and Grantee acknowledge that it is their intent that the widths of the portions of the right of way referred to in the two immediately preceding paragraphs shall be measured as if each outer boundary of the right of way were a continuous line, i.e., without regard to so-called "notching" or "notch-outs," as shown on the "Val Maps" as defined in that certain Purchase and Sale Agreement dated January 17,

2002, by and between Grantor and Grantee, as amended by First Amendment to Purchase and Sale Agreement dated as of September 19, 2002.

**FURTHER EXCEPTING** therefrom all that part of the Northeast Quarter of the Southeast Quarter of Section 15 Township 4S Range 1W (NE1/4 SE1/4 S15 T4S R1W) and the East Half of the Northeast Quarter of Section 15 Township 4S Range 1W (E1/2 NE1/4 S15 T4S R1W) and the Northwest Quarter of the Northwest Quarter of Section 14 Township 4S Range 1W (W1/2 NW1/4 S15 T4S R1W) lying northwesterly of a line that is parallel with and 50 feet distant northwesterly as measured at right angles from the center line of the main track of said subdivision as originally constructed and operated.

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 12, 2002 T.D.A.

Segment 3.4b-2



**Salt Lake County, Utah**

That portion of the Provo Subdivision of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), that lies between a line drawn parallel and/or concentric with and 30 feet distant easterly as measured at right angles and/or radially from the center line of the most easterly main line track of said railroad subdivision, as now constructed and operated, and the easterly right of way line of said railroad subdivision as now located, said strip extends northerly from a line drawn at right angles to the center line of the main line track at said railroad subdivision mile post 729.50, to the southerly line of Center Street (100 feet wide), Midvale, Utah, said southerly line crosses the center line of the main line track at said subdivision mile post 734.47, said strip of land being situate in over and across the following legal subdivisions of Salt Lake County, Utah:

Subdivision	Section	Township	Range	Meridian
E 1/2 SW 1/4	24	3S	1W	Salt Lake
E 1/2 NW 1/4	24	3S	1W	Salt Lake
E 1/2 SW 1/4	13	3S	1W	Salt Lake
SE 1/4 NW 1/4	13	3S	1W	Salt Lake
W 1/2 NE 1/4	13	3S	1W	Salt Lake
SW 1/4 SE 1/4	12	3S	1W	Salt Lake
E 1/2 SW 1/4	12	3S	1W	Salt Lake
E 1/2 NW 1/4	12	3S	1W	Salt Lake
E 1/2 SW 1/4	1	3S	1W	Salt Lake
E 1/2 NW 1/4	1	3S	1W	Salt Lake
E 1/2 SW 1/4	36	2S	1W	Salt Lake
NW 1/4	36	2S	1W	Salt Lake
SW 1/4 SW 1/4	25	2S	1W	Salt Lake

Also, that portion of the Provo Subdivision of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), that lies between a line drawn parallel and/or concentric with and 15 feet distant easterly as measured at right angles and/or radially from the center line of the most easterly main line track of said railroad subdivision, as now constructed and operated, and the easterly right of way line of said railroad subdivision as now located, said strip extends northerly from the northerly line of Center Street (100 feet wide), Midvale, Utah, said northerly line crosses the main line track at said railroad subdivision mile post 734.47, to a line drawn at right angles to the center line of the main line track at said subdivision mile post 745.21, said strip of land being situate in over and across the following legal subdivisions of Salt Lake County, Utah:

Subdivision	Section	Township	Range	Meridian
W 1/2 SW 1/4	25	2S	1W	Salt Lake

NW 1/4	25	2S	1W	Salt Lake
SW 1/4 SW 1/4	24	2S	1W	Salt Lake
W 1/2 SW 1/4	24	2S	1W	Salt Lake
W 1/2 NW 1/4	24	2S	1W	Salt Lake
SE 1/4 SW 1/4	13	2S	1W	Salt Lake
W 1/2 SE 1/4	13	2S	1W	Salt Lake
W 1/2 NE 1/4	13	2S	1W	Salt Lake
W 1/2 SE 1/4	12	2S	1W	Salt Lake
NE 1/4	12	2S	1W	Salt Lake
E 1/2 SE 1/4	1	2S	1W	Salt Lake
NE 1/4	1	2S	1W	Salt Lake
W 1/2 SE 1/4	36	1S	1W	Salt Lake
SW 1/4 NE 1/4	36	1S	1W	Salt Lake
E 1/2 NW 1/4	36	1S	1W	Salt Lake
SW 1/4	25	1S	1W	Salt Lake
NW 1/4	25	1S	1W	Salt Lake
W 1/2 SW 1/4	24	1S	1W	Salt Lake
W 1/2 NW 1/4	24	1S	1W	Salt Lake
W 1/2 SW 1/4	13	1S	1W	Salt Lake
W 1/2 NW 1/4	13	1S	1W	Salt Lake
W 1/2 SW 1/4	12	1S	1W	Salt Lake
W 1/2 NW 1/4	12	1S	1W	Salt Lake
W 1/2 SW 1/4	1	1S	1W	Salt Lake
SW 1/4 NW 1/4	1	1S	1W	Salt Lake
SW 1/4 NE 1/4	2	1S	1W	Salt Lake

Provided, however, that subject to the exception(s) from this quitclaim described below, the portion of the right of way quitclaimed hereby shall comprise not less than the easterly 20.00 feet of said portion of said right of way.

**EXCEPTING** from the portion of the right of way quitclaimed hereby any portion thereof that lies between the westerly right of way line and a line drawn parallel and/or concentric with and 30 feet distant easterly from such westerly right of way line.

Grantor and Grantee acknowledge that it is their intent that the widths of the portions of the right of way referred to in the two immediately preceding paragraphs shall be measured as if each outer boundary of the right of way were a continuous line, i.e., without regard to so-called "notching" or "notch-outs," as shown on the "Val Maps" as defined in that certain Purchase and Sale Agreement dated January 17, 2002, by and between Grantor and Grantee, as amended by First Amendment to Purchase and Sale Agreement dated as of September 19, 2002.

**FURTHER EXCEPTING** therefrom all that part of the East Half of the Northeast Quarter of Section 12 Township 2S Range 1W (E1/2 NE1/4 S12 T2S R1W) lying easterly of a line that is parallel with and 50 feet distant easterly as measured at right angles from the center line of the main track of said subdivision as originally constructed and operated.

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE  
March 10, 2002 T.D.A.

Segment 3.4c

## Salt Lake County, Utah

That portion of the Bingham Industrial Lead of the Union Pacific Railroad Company (formerly the Denver & Rio Grand Railroad Company), that lies between the northerly right of way line as now located and a line drawn 35 feet distant southerly as measured at right angles and/or radially from said northerly right of way line, said strip extends westerly from said industrial lead mile post 0.00, to a line drawn at right angles to the center line of the main line track at said railroad subdivision mile post 6.60, said strip of land being situate in over and across the following legal subdivisions of Salt Lake Country, Utah:

Subdivision	Section	Township	Range	Meridian
S 1/2 NW1/4	25	2S	1W	Salt Lake
S 1/2 NE1/4	26	2S	1W	Salt Lake
NW 1/4 SE1/4	26	2S	1W	Salt Lake
E 1/2 SW1/4	26	2S	1W	Salt Lake
N 1/2 NW1/4	35	2S	1W	Salt Lake
NE 1/4	34	2S	1W	Salt Lake
S1/2 NW 1/4	34	2S	1W	Salt Lake
NW 1/4 SW1/4	34	2S	1W	Salt Lake
SE 1/4	33	2S	1W	Salt Lake
SW 1/4	33	2S	1W	Salt Lake
SE 1/4 SE1/4	32	2S	1W	Salt Lake
N 1/2 NE1/4	5	3S	1W	Salt Lake
NW1/4	5	3S	1W	Salt Lake
S 1/2 NE1/4	6	3S	1W	Salt Lake
N1/2 SE1/4	6	3S	1W	Salt Lake
SW1/4	6	3S	1W	Salt Lake
SE1/4 SE1/4	1	3S	2W	Salt Lake
NE1/4	12	3S	2W	Salt Lake
S1/2 NW1/4	12	3S	2W	Salt Lake

Provided, however, that subject to the exception(s) from this quitclaim described below, the portion of the right of way quitclaimed hereby shall comprise not less than the northerly 30.00 feet of said portion of said right of way.

**EXCEPTING** from the portion of the right of way quitclaimed hereby any portion thereof that lies between the southerly right of way line and a line drawn parallel and/or concentric with and 30 feet distant northerly from such southerly right of way line.

Grantor and Grantee acknowledge that it is their intent that the widths of the portions of the right of way referred to in the two immediately preceding paragraphs shall be measured as if each outer boundary of the right of way were a continuous line, i.e., without regard to so-called "notching" or "notch-outs," as shown on the "Val Maps" as defined in that certain Purchase and Sale Agreement dated January 17, 2002, by and between Grantor and Grantee, as amended by First Amendment to Purchase and Sale Agreement dated as of September 19, 2002.

Union Pacific Railroad Co.  
 Real Estate Department  
 Omaha, NE.  
 September 10 2002 T.D.A.  
 Segment 3.4f

Salt Lake Co. Exh. 1  
 Page 14 of 23

## Salt Lake County, Utah

### BECK STREET NORTH PARCELS

#### RECORD DESCRIPTION PARCEL 1: Ⓞ .

A parcel of land situate in the Northwest Quarter of the Northeast Quarter of Section 14. and the West Half of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 11, Township 1 North, Range 1 West. Salt Lake Base and Meridian. The boundaries of said land are described as follows:

Beginning at a point in the Easterly Right of Way Line of the Oregon Short Line Railroad Company, which point is 200.00 feet distant Easterly, measured at right angles, from the centerline of the Easterly or Westbound main track of said railroad at Railroad Survey Station 1701+46.17, said station being 367.1 feet Easterly along the North line of said Section 14 and 559.27 feet Southerly, measured along said center line of the Westbound main track from the North Quarter Corner of said Section 14; thence Easterly along a line parallel to the North line of said Section 14, 316.6 feet, more or less, to a point on the Westerly no-access and right of way line of Highway known as Project 1-15-7; thence North 02°51' East 336.56 feet to a point of tangency with a 1238.42 foot radius curve to the left at a point 512.45 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1697+91.75; thence Northerly 323.37 feet along the arc of said 1238.42 foot radius curve to a point 468.14 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1694+72.36; thence North 12°07' West 655.61 feet to a point of tangency with a 2060.10 foot radius curve to the right at a point 294.30 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1688+40.22; thence Northeasterly 1255.77 feet along the arc of said 2060.10 foot radius curve to a point 338.98 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1676+05.54; thence North 22°47' East 344.21 feet to a point 454.01 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1672+81.12; thence North 11°00' East 395.26 feet to a point 507.15 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1668+89.45, said point being 113.66 feet radially distant Southeasterly from the center line of the Northbound lane of Highway known as Project No. 1-215-9 at Highway Engineer Station 958+52.58, thence Westerly 64.12 feet, along a straight line, to a point 443.09 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1668+89.98, which said point is 80.00 feet radially distant Southeasterly from said center line of said Northbound lane, of said highway at Highway Engineer Station 958+00; thence Southwesterly 111.35 feet, along a straight line, to a point 373.80 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1669+77.07, which said point is 120.00 feet radially distant Southeasterly from said center line of the Northbound lane of said highway at Highway Engineer Station 957+00; thence Westerly 310.43 feet along the arc of a 2666.48 foot radius curve to the right to a point 90.00 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1671+18.16, said point being 120.00 feet radially distant Southerly from said center line of said Northbound lane of said highway at Highway Engineer Station 954+03.54 (Note: Tangent to said 2666.48 foot radius curve at its point of beginning bears South 64°12'35" West); thence Westerly 40.38 feet, along a straight line to a point on the Easterly right of way line of said railroad which point is 50.00 feet distant Easterly, measured at right angles, from said center line of the Westbound main track at Railroad Survey Station 1671+23.7; thence Southerly 2463.20 feet along said Easterly right of way line of the railroad to the South line of said Section 11 at Railroad Survey Station 1695+86.9; thence Easterly 150.00 feet along said Section Line to a point 200.00 feet distant Easterly, measured at right angles,

from said center line of the Westbound main track; thence Southerly 570.34 feet along a line parallel with said center line of the Westbound main track to the point of beginning.

**RECORD DESCRIPTION PARCEL 2:**

A parcel of land situate in Lot 3 at the West Half of the Northeast Quarter of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of sold parcel of land are described as follows:

Beginning at a point in the Easterly right of way line of the Oregon Short Line Railroad Company, which point is 200.00 feet distant Easterly, measured at right angles from the center line of the Easterly or Westbound main track of said railroad at Railroad Survey Station 1724+12.6, said station being 367.1 feet Easterly along the North Line of said Section 14 and 2825.7 feet Southerly, measured along said center line of the Westbound main track from the North Quarter Corner of said Section 14; thence Easterly along a line parallel to the North line of said Section 14, 113.0, more or less, to a point in the Northwesterly no-access and right of way line of Highway known as Project No. 1-15-7; thence North 31°07' East 168.00 feet, more or less to a point of tangency with a 1159.74 foot radius curve to the left at a point 392.03 feet distant Easterly, measured at right angles from the center line of the Easterly or Westbound main track of said railroad at Railroad Survey Station 1722+57.72; thence Northeasterly and Northerly 572.24 feet along the arc of said 1159.74 foot radius curve to a point 526.37 feet distant Easterly, measured at right angles from the center line of the Easterly or Westbound main track of said railroad at Railroad Survey Station 1717+07.43; thence North 2°51' East 144.02 feet to a point on the North Boundary line of Salt Lake County which point is 526 feet distant Easterly along said county line from said center line of the Westbound main track at Railroad Survey Station 1715+93.7; thence North 2°51' East 1435.15 feet; thence Westerly along a line parallel to the North Line of said Section 14, 316.6 feet, more or less, to a point in the Easterly right of way line of said Railroad Company, which point is 200.00 feet distant Easterly, measured at right angles from the center line of the Easterly or Westbound main track of said railroad at Railroad Survey Station 1701+46.17; thence Southerly 2266.43 feet, more or less, along said Easterly right of way line of said Railroad to the point of beginning.

**NEW DESCRIPTION PARCEL 3:**     

Beginning at a point on the North Line of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point being South 89°57'13" East along said North Line 416.07 feet from the North Quarter Corner of said Section 14, said North Quarter Corner being North 89°53'48" East 2641.00 feet from the Northwest Corner of said Section 14 (Basis of Bearing being North 18°28'33" East from said Northwest Corner to Radar), said point of beginning also being 50.00 feet perpendicularly distant from the centerline of the Easterly or Westbound main track; and running thence South 89°57'13" East 150.23 feet along said North Line of said Section 14; thence South 03°14'38" West 2836.87 parallel with and 200.00 feet perpendicularly distant from said Easterly or Westbound main track; thence North 86°45'22" West 150.00 feet to a point which is 50.00 feet perpendicularly distant from said centerline of the Easterly or Westbound main track; thence parallel with and 50.00 feet perpendicularly distant from said centerline of the Easterly or Westbound main track North 03°14'38" East 2828.49 feet to the point of beginning.

Containing 9.75 acres, more or less.

**BECK STREET SOUTH PARCEL DESCRIPTION:**

Beginning at a point which is South 177.11 feet and East 182.36 feet from the Center of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian. said Center of Section 14 being North 89°53'48" East 2641.00 feet and South 00°0'45" East 2643.05 feet from the Northwest Corner of said Section 14 (Basis of Bearing Being North 18°28'33" East from said Northwest Corner of Section 14 to Radar); and running thence South 86°45'22" East 223.20 feet; thence South 89°57'13" East 114.81 feet to a point which is 1.0 feet perpendicularly distant Westerly from an existing chain link fence; thence parallel with and 1.0 foot perpendicularly distant Westerly from said existing chain link fence for the following sixteen (16) courses: 1) South 31°07'05" West 454.42 feet; 2) South 09°20'57" West 180.32

feet; 3) South 04°15'53" West 181.35 feet; 4) South 03°13'00" West 129.00 feet; 5) South 02°49'20" West 182.40 feet; 6) South 03°27'08" West 469.29 feet; 7) South 01°25'33" West 311.13 feet; 8) South 05°47'55" East 73.92 feet; 9) South 04°54'11" East 159.46 feet; 10) South 05°10'18" East 290.56 feet; 11) South 05°03'00" East 511.18 feet; 12) South 04°53'51" East 278.29 feet; 13) South 04°53'38" East 181.00 feet; 14) South 05°29'41" East 104.45 feet; 15) South 03°57'00" East 468.22 feet; 16) South 01°46'10" East 116.46 feet to a point on the existing fence; thence along said existing fence the following four (4) courses: 1) South 07°05'42" West 262.56 feet; 2) South 06°26'14" West 212.10 feet; 3) South 06°46'31" West 229.53 feet; 4) South 06°44'50" West 342.38 feet to a point on the North Line of Eighteenth Street; thence North 89°51'34" West along said North Line 231.78 feet; thence North 01°39'07" East; thence North 88°20'53" West 17.43 feet; thence South 01°39'07" West 42.34 feet to said North Line of Eighteenth Street; thence North 89°51'34" West along said North Line 13.86 feet; thence North 01°37'03" East 2759.53 feet to a point of curvature of a 12224.35 foot radius curve to the right, the center of which bears South 88°22'57" East; thence Northeasterly along the arc of said curve 347.03 feet through a central angle of 01°37'36"; thence North 03°14'39" East 87.65 feet; thence North 02°49'25" East 311.75 feet to a point which is 10.00 feet perpendicularly distant Westerly from the center line of an existing railroad track; thence parallel with and 10.00 feet perpendicularly distant Westerly from said centerline North 03°14'39" East 1564.16 feet to the point of beginning.

Excepting therefrom all that part of the Southwest Quarter of Section Fourteen, Township 1 North, Range 1 West (SW1/4 S14 T1N R1W), Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is East 61.84 feet and South 5178.36 feet from the center of said Section Fourteen, being North 89°53'02" East 2641.00 feet and South 00°01'30" East 2643.05 feet from the Northwest Corner of said Section 14 (Bases of bearings Being North 18°27'47" East from the Northwest Corner of said Section 14 to Radar); and running thence South 00°07'40" West 64.60 feet to the north line of 1800 North Street; thence North 89°52'20" West along said north line 23.49 feet; thence North 00°07'40" East 64.60 feet; thence South 89°52'20" East 23.49 feet to the point of beginning.

Also excepting therefrom the most westerly 73.00 feet from said Beck Street South parcel.

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 10, 2002

(Beck Street North and South Facility)

**TAX PARCEL NUMBER:** Railroad Property Not  
Assessed by Salt Lake County

**LEGAL DESCRIPTION OF PROPERTY:**

Beginning at a point which is East 3218.65 feet and South 10673.20 feet from the Center of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said Center of Section 14 being North 89°53'02" East 2641.00 feet and South 00°01'30" East 2643.05 feet from the Northwest Corner of said Section 14 (Basis of Bearing Being North 18°27'47" East from said Northwest Corner of Section 14 to Radar) said point also being 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad Track; and running thence parallel with and 10.00 feet perpendicularly distant from the centerline of said Railroad Track the following eight (8) courses:; 1) thence South 66°11'26" East 363.97 feet to a point of curvature of a 782.00 foot radius curve to the right, the center of which bears South 23°48'34" West; 2) thence Southeasterly along the arc of said curve 786.79 feet through a central angle of 57°38'48" to a point of compound curvature of 983.16 foot radius curve to the right, the center of which bears South 81°27'22" West; 3) thence Southerly along the arc of said curve 144.90 feet through a central angle of 08°26'40"; 4) thence South 00°05'57" East 985.88 feet; 5) thence South 00°09'25" East 312.13 feet; 6) thence South 01°54'53" East 370.88 feet; 7) thence South 04°45'35" East 136.18 feet; 8) thence South 02°00'12" East 286.52 feet; thence North 08°39'19" West 511.04 feet; thence North 06°31'20" West 338.30 feet; thence North 17°12'07" West 308.07 feet to a point on the arc of a 893.00 foot radius curve to the left, the center of which bears South 72°47'53" West, said point also being 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad Track; thence parallel with and 10.00 feet perpendicularly distant from the centerline of said Railroad Track the following five (5) courses: 1) thence Northwesterly along the arc of said curve 102.78 feet through a central angle of 06°35'41"; 2) thence North 23°47'48" West 981.93 feet; 3) thence North 21°58'29" West 105.06 feet to a point of curvature of a 634.00 foot radius curve to the right, the center of which bears North 68°01'31" East; 4) thence Northwesterly along the arc of said curve 109.20 feet through a central angle of 09°52'07"; 5) thence North 12°06'22" West 133.60 feet; thence South 78°21'39" West 52.25 feet; thence North 11°51'10" West 124.21 feet; thence North 78°21'39" East 52.32 feet to a point which is 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad Track; thence parallel with and 10.00 feet perpendicularly distant from the centerline of said Railroad Track the following two (2) courses:; 1) thence North 11°33'43" West 98.32 feet to a point of curvature of a 547.34 foot radius curve to the left, the center of which bears South 78°26'17" West; 2) thence Northwesterly along the arc of said curve 263.22 feet through a central angle of 27°33'14"; thence North 41°04'58" East 86.47 feet to the point of beginning.

Containing 20.46 acres more or less.



## Salt Lake County, Utah

### WATER TREATMENT FACILITY DESCRIPTION:

A parcel of land located in Block 136, Plot A, Salt Lake City Survey and more particularly described as follows:

Beginning at a point which is South 89°58'40" West 146.43 feet and North 852.26 feet from a Salt Lake City Monument in the intersection of 500 North and 500 West Streets (Basis of Bearing Being North 89°58'40" East 798.14 feet between said Salt Lake City Monument at 500 North and 500 West Streets and a Salt Lake City Monument at the intersection of 500 North and 400 West Streets); and running thence North 22°11'45" West 710.55 feet; thence South 30°28'29" East 480.07 feet; thence South 27°10'34" East 45.62 feet; thence South 10°18'03" East 68.32 feet; thence South 22°30'05" East 123.85 feet; thence South 68°26'00" West 59.67 feet to the point of beginning.

Containing 31,395 sq.ft. or 0.72 acres.

Together with the following described easement:

An 12.00 foot wide easement lying 9.0 feet each side of the centerline more particularly described as follows:

Beginning at a point which is North 00°00'31" West 25.96 feet from a Salt Lake City Monument in the intersection of 500 North and 500 West Streets (Basis of Bearing Being North 89°58'40" East 798.14 feet between said Salt Lake City Monument at 500 North and 500 West Streets and a Salt Lake City Monument at the intersection of 500 North and 400 West Streets); and running thence North 03°21'43" West 315.69; thence North 00°12'04" West 109.79 feet; thence North 03°54'24" West 160.19 feet; thence North 12°07'04" West 133.46 feet; thence North 08°42'41" West 102.70 feet; thence North 43°39'58" West 38.51 feet to the point of terminus.

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 10, 2002

(Waste Water Treatment Facility)

**Salt Lake County, Utah**

**EASEMENT DESCRIPTION:**

A 20.00 foot wide easement beginning on the westerly right of way line of the Provo Subdivision of the Union Pacific Railroad Company, at mile post 729.29 of said railroad subdivision,

... THENCE NORTH 5°20'28" EAST 299.72 FEET; THENCE NORTH 5°33'14" EAST 170.11 FEET; THENCE 200.27 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 7649.50 FEET AND A CHORD BEARING NORTH 6°43'43" EAST 200.26 FEET; THENCE NORTH 7°54'13" EAST 170.11 FEET; THENCE NORTH 8°6'58" EAST 1121.31 FEET; THENCE NORTH 7°54'14" EAST 169.89 FEET; THENCE 199.74 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 7629.50 FEET AND A CHORD BEARING NORTH 6°43'43" EAST 199.74 FEET; THENCE NORTH 5°33'13" EAST 6.91 FEET; THENCE SOUTH 83°31'8" EAST 20.00 FEET; THENCE SOUTH 5°33'14" 6.73 FEET; THENCE 200.27 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 7649.50 FEET AND A CHORD BEARING SOUTH 6°43'43" WEST 200.26 FEET; THENCE SOUTH 7°54'13" WEST 170.11 FEET; THENCE SOUTH 8°6'58" WEST 1121.31 FEET; THENCE SOUTH 7°54'14" 169.89 FEET; THENCE 199.74 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 7629.50 FEET AND A CHORD BEARING SOUTH 6°43'43" WEST 199.74 FEET; THENCE SOUTH 5°33'13" WEST 169.89 FEET; THENCE SOUTH 5°20'28" WEST 299.66 FEET; THENCE NORTH 84°49'35" WEST 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 46756.22 SQ. FT. OR 1.07 ACRES

Union Pacific Railroad Co.  
Real Estate Department  
Omaha, NE.  
September 10, 2002 T.D.A.

(Provo Sub. Flyover)

A 10' foot wide track easement lying 5' feet each side of the centerline of an existing railroad track more particularly described as follows:

Beginning at a point on the centerline of an existing railroad track said point being East 2840.41 feet and South 10443.30 feet and South  $31^{\circ}41'15''$  East 33.10 feet from the Center of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian; said Center of Section 14 being North  $89^{\circ}53'02''$  East 2641.00 feet and South  $00^{\circ}01'30''$  East 2643.05 feet from the Northwest Corner of said Section 14 (Basis of Bearing Being North  $18^{\circ}27'47''$  East from said Northwest Corner of Section 14 to Radar) and running thence along said centerline of said existing railroad track the following three (3) courses: thence 1) South  $52^{\circ}51'00''$  East 160.34 feet to a point of curvature of a 2394.55 foot radius curve to the right, the center of which bears South  $37^{\circ}09'00''$  West; thence 2) Southeasterly along the arc of said curve 147.68 feet through a central angle of  $03^{\circ}32'01''$  to a point of compound curvature of a 557.34 foot radius curve to the right, the center of which bears South  $40^{\circ}41'01''$  West; thence 3) Southeasterly along the arc of said curve 97.50 feet through a central angle of  $10^{\circ}01'24''$  to the point of terminus.

Tax Parcel Number: Railroad Property Not  
Assessed by Salt Lake County

## Salt Lake County, Utah

A portion of the West Half of Section 25, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and described as follows:

Beginning at a point South 04°35'38" East 2588.03 feet from the Southeast Corner of Section 23, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point also being on the arc of a non-tangent point of curvature of a 1510.27 foot radius curve to the left, the center of which bears North 39°41'23" East, said point of beginning also being 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad Track; and running thence parallel with and 10.00 feet perpendicularly distant from the centerline of said Railroad Track the following two (2) courses: 1) thence Southeasterly along the arc of said curve 418.60 feet through a central angle of 15°52'49"; 2) thence South 66°11'26" East 25.61 feet; thence South 41°04'58" West 86.47 feet to a point of curvature of a 547.34 foot radius curve to the left, the center of which bears South 50°53'04" West and said point also being 10.00 feet perpendicularly distant Westerly from the centerline of a Railroad Track; thence parallel with and 10.00 feet perpendicularly distant from the centerline of said Railroad Track the following three (3) courses; 1) Northwesterly along the arc of said curve 97.45 feet through a central angle of 10°12'03" to a point of compound curvature of a 2384.55 foot radius curve to the left, the center of which bears South 40°41'01" West; 2) Northwesterly along the arc of said curve 147.06 feet through a central angle of 03°32'01"; 3) North 52°51'00" West 134.51 feet; thence North 31°41'15" West 60.80 feet to the point of beginning.

Basis of Bearing: North 89°46'13" West 2658.57 feet from the Southeast Corner to the South Quarter Corner of said Section 23.

## Salt Lake County, Utah

A portion of the Utah Transit Authority Right of Way, said Right of Way as defined in that certain Quitclaim Deed recorded September 20, 2002, as Entry 8360002, Book 8651, beginning at Page 3988, said portion being a strip of land adjoining the Westerly Line of said Right of Way, being situate in the Southeast Quarter of Section 14, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and described as follows:

**Basis of Bearing:**

All bearings and distances contained herein, are expressed as grid bearings and ground distances based on the following defined coordinate projection:

System Projection	Transverse Mercator
System Datum	NAD – 1983/1994 (Federal Base Network – 2000 Adjustment)
System Elevation	4400 Feet Above Mean Sea Level (NAVD 88)
Origin Latitude	39°45'00.00" North
Origin Longitude	111°52'30.00" West
Scale Factor	1.000205271907
False Northing	75,000.00
False Easting	75,000.00

Beginning at a point on said Westerly Line, said point being North 89°52'31" West 2484.70 feet along the Section Line and North 00°00'00" East 938.33 feet from the Southeast Corner of said Section 14 (said Southeast Corner position computed from field surveyed positions of the South Quarter Corner and the North Quarter Corner of said Section 14, and data shown on the Salt Lake County Surveyor's Section Corner Tie Sheet for said Section 14, dated April 1, 1999); thence Northerly 933.31 feet along said Westerly Line; thence South 01°54'59" West 26.39 feet; thence 220.66 feet along the arc of a curve to the right with a radius of 11,450.00 feet, through a central angle of 01°06'15" (long chord = South 02°34'03" West 220.66 feet); thence South 03°13'07" West 47.48 feet; thence South 03°20'15" West 47.48 feet; thence South 03°21'26" West 306.56 feet; thence South 03°22'37" West 47.48 feet; thence South 03°29'45" West 47.48 feet; thence 122.47 feet along the arc of a curve to the right with a radius of 11,450.00 feet, through a central angle of 00°36'46" (long chord = South 03°54'05" West 122.47 feet); thence South 04°18'24" West 47.48 feet; thence South 04°25'32" West 19.87 feet to the Point of Beginning. Contains 2348 square feet or 0.0539 acres.