

AFTER RECORDING, PLEASE RETURN TO:

Snell & Wilmer L.L.P.
15 West South Temple St., Suite 1200
Salt Lake City, UT 84101
Attention: Wade Budge

CONFIRMATION OF ASSIGNMENT OF DECLARANT RIGHTS

THIS CONFIRMATION OF ASSIGNMENT OF DECLARANT RIGHTS (the "Assignment") is executed October 26, 2015, by UNITED PARK CITY MINES COMPANY, a Delaware corporation ("UPCMC"), in favor of WELLS FARGO BANK NATIONAL ASSOCIATION, in its capacity as the administrative agent ("Administrative Agent") for the lenders ("Lenders") specified in the Loan Agreement [defined below].

RECITALS:

A. This Assignment is confirmed and executed in relation to a loan agreement, as modified or amended (the "Loan Agreement") among Talisker Finance LLC, a Utah limited liability company ("Borrower"), Administrative Agent and Lenders. Capitalized terms used but not otherwise defined herein shall have the meanings given them in the Loan Agreement.

B. Pursuant to the Loan Agreement, Lenders have extended to Borrower a secured revolving line of credit facility in the original principal amount of \$138,002,134.00, as more particularly described in the Loan Agreement (the "Loan").

C. The Loan is secured by, among other things, deed(s) of trust (the "Deeds of Trust") encumbering, among other things, certain real property located in Summit County, Utah a portion of which is subject to the Declaration [defined below] (the "Summit Property").

D. UPCMCM is the "Declarant" under that certain Certificate of Amendment and Amended and Restated Master Declaration of Covenants, Conditions and Restrictions of Empire Pass, recorded on December 14, 2004 in the Office of the County Recorder for Summit County, Utah as Entry No. 00719855, in Book 1666, at Page 1054, as amended, supplemented or modified ("Declaration"). The property to which the Declaration applies is more particularly described on Exhibit A, attached hereto.

E. Borrower defaulted on the Loan Agreement and the Lenders filed an action in Third Judicial District Court to appoint a receiver. On March 24, 2015 the Third Judicial District Court appointed Cynthia A. Nelson as the "Receiver" over certain assets as more particularly described *Order Appointing Receiver, in Wells Fargo Bank, N.A. v. Talisker Finance LLC, et al.*, Case No. 15050070 (the "Receivership Action"). The rights of the Declarant under the Declaration are included in the estate administered by the Receiver.

F. This Assignment is executed to confirm that the Declarant rights under the Declaration are part of the collateral contemplated by the Loan Agreement and to confirm the terms as to when and if the assignee will assume the rights and duties of the Declarant under the Declaration.

NOW THEREFORE, in consideration of the terms, covenants and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT:

1. **ASSIGNMENT.** Subject to satisfaction of the conditions precedent in Paragraph 3 below, UPCMC as Declarant hereby expressly assigns and delegates to Administrative Agent all of the rights, powers and duties of UPCMC as Declarant under the Declaration including, without limitation, all voting rights of Declarant thereunder and rights (if any) to appoint members of any architectural committee, with full power and authority to perform all acts of Declarant thereunder from and after the date, if ever, upon which Administrative Agent may acquire, through foreclosure of the Deeds of Trust or otherwise, the ownership interest of UPCMC in or to the Summit Property or any part thereof. The foregoing assignment and delegation is made (a) without representation or warranty of any kind as to assignability, effectiveness, or otherwise, and (b) only to the extent it can be made under the Declaration.

2. **ASSUMPTION.** Administrative Agent agrees to assume all of the rights, powers and duties of UPCMC as Declarant under the Declaration which arise from and after the date of satisfaction of the conditions precedent set forth in Paragraph 3, below. This assumption shall not have any force or effect unless and until the conditions precedent set forth in Paragraph 3 below are satisfied. Administrative Agent shall be responsible only for obligations accruing from and after the conditions precedent set forth in Paragraph 3 are satisfied.

3. **CONDITIONS PRECEDENT.** This Assignment, and the assumption of duties by Administrative Agent, shall be effective only when: (a) the fee title to the Summit Property has passed directly from UPCMC to Administrative Agent or other acquirer thereof ("Another Transferee") by deed in lieu of foreclosure, trustee's deed, sheriff's deed or by a court decree; and (b) this Assignment has been recorded by Administrative Agent against all of the property subject to the Declaration in the Official Records of the Summit County Recorder.

4. **ASSIGNMENT BY ADMINISTRATIVE AGENT.** UPCMC as Declarant acknowledges and agrees that, subject to the provisions hereof, Administrative Agent shall have the right to transfer its interest in and rights under this Assignment to any party which Administrative Agent may elect to nominate to acquire and hold title on Administrative Agent's behalf or to the successful bidder at any sale held to foreclose the Deeds of Trust.

5. **EXCULPATION.** Except as otherwise provided in Paragraph 2 above, this Assignment shall not cause Administrative Agent to be a mortgagee in possession or in any manner responsible for the performance of any acts or failure to act on the part of UPCMC as Declarant or

1209980.3

any other person or entity hereafter acting as Declarant; shall not create rights, duties or obligations in favor of any person or entity other than Administrative Agent and shall not make any such third person or entity a party to this Assignment, the Loan Agreement, or any of the Loan Documents. It is the intent of the parties hereto that this Assignment is for the sole purpose of permitting Administrative Agent to succeed to the interest of UPCMC as Declarant under the Declaration in the event of such foreclosure or other acquisition of title to the Summit Property by Administrative Agent or its successors or permitted assigns.

6. **TERMINATION.** This Assignment, and the rights of Administrative Agent hereunder, will terminate upon payment in full of the Loan by Borrower or other satisfaction of the Loan in full and the full release and reconveyance of the Deeds of Trust.

[Signature Pages to Follow]

UPCMC SIGNATURE PAGE:

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the day and year first above written.

**UNITED PARK CITY MINES COMPANY, a
Delaware corporation**

By: _____
Name: Jack Bistricek
Title: President

CANADA)

PROVINCE OF Ontario) ss:

The foregoing instrument was acknowledged before me this 29th day of October, 2015, by Jack Bistricek as President of United Park City Mines Company, a Delaware corporation, on behalf of the company.

My Commission Expires:

NOTARY PUBLIC
Residing at Toronto, Ontario

ADMINISTRATIVE AGENT SIGNATURE PAGE:

WELLS FARGO BANK NATIONAL ASSOCIATION,
as Administrative Agent

By: Robert Fryar
Robert Fryar, Senior Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Orange ss.

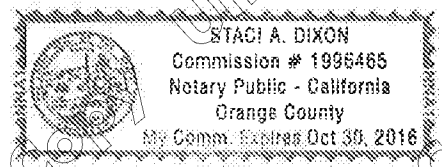
On December 2, 2015, before me, STACI A. DIXON, Notary Public, personally appeared Robert Fryar, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature: Staci A. Dixon

My commission expires Oct 30, 2016



RECEIVER SIGNATURE PAGE:

The foregoing confirmation and assignment is consented to by the court-appointed Receiver concerning certain rights which are an asset which is, or was intended to be, an asset of the Receivership Estate as defined in the Order Appointing Receiver referenced below:

By: *Cynthia Nelson*
Cynthia Nelson, court appointed Receiver, pursuant to the powers and authority granted to the Receiver by that certain Order Appointing Receiver, entered March 24, 2013, Wells Fargo Bank, N.A. v Talisker Finance, LLC, et al, Civ. No. 130500070, Third Judicial District Court, State of Utah.

STATE OF California
COUNTY OF Los Angeles

The foregoing instrument was acknowledged before me this 9th day of November, 2015, by Cynthia Nelson, court appointed Receiver.

My Commission Expires: 01.25.2018

Donna Figueroa Yblas
NOTARY PUBLIC
Residing at 6315 5th St, Los Angeles, CA 90071

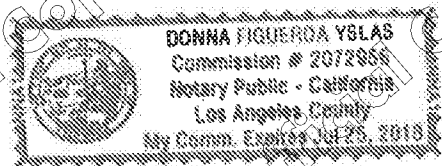


EXHIBIT A
PROPERTY DESCRIPTION

That certain real property located in Summit County, Utah, and more particularly described as follows:

LEGAL DESCRIPTION
RED CLOUD SUBDIVISION

A parcel of land located in the south half of Section 28 and the north half of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at corner No. 3 of the UNCLE CHARLES Mining Claim, Lot 448 in the Uintah Mining District and located South 88°24'56" West 8.71 feet along Section Line and South 12.40 feet from the south quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end line of the UNCLE CHARLES mining claim North 42°53'29" West 200.06 feet; thence along the westerly side line of the UNCLE CHARLES mining claim South 47°05'06" West 151.61 feet; thence North 42°54'54" West 60.00 feet; thence South 47°05'06" West 235.59 feet to a point on a curve to the right having a radius of 190.00 feet, of which the radius point bears North 42°54'54" West; thence along the arc of said curve 163.33 feet through a central angle of 49°15'33" to a point of reverse curve to the left having a radius of 140.00 feet, of which the radius point bears South 06°20'39" West; thence westerly along the arc of said curve 140.18 feet through a central angle of 57°22'03"; thence South 38°58'36" West 145.23 feet to a point on a curve to the right having a radius of 465.00 feet, of which the radius point bears North 51°01'24" West; thence along the arc of said curve 277.03 feet through a central angle of 34°08'06"; thence South 73°06'42" West 161.91 feet to a point on a curve to the left having a radius of 175.00 feet, of which the radius point bears South 16°53'18" East; thence along the arc of said curve 173.22 feet through a central angle of 56°42'44"; thence South 16°23'58" West 201.56 feet; thence South 37°34'45" East 421.42 feet to a point on the Summit-Wasatch County line; thence along the Summit-Wasatch County line the following three (3) courses: 1) South 54°41'12" West 119.26 feet; thence 2) South 88°54'12" West 344.15 feet; thence 3) North 82°53'47" West 231.41 feet to a point on a curve to the right having a radius of 1275.00 feet, of which the radius point bears North 07°06'13" East; thence along the arc of said curve 147.29 feet through a central angle of 06°37'08"; thence North 13°43'21" East 50.00 feet to a point on a non tangent curve to the right having a radius of 50.00 feet, of which the radius point bears North 13°43'21" East; thence northerly along the arc of said curve 107.22 feet through a central angle of 122°51'58"; thence North 46°35'19" East 192.32 feet to a point on a curve to the left having a radius of 625.00 feet, of which the radius point bears North 43°24'41" West; thence along the arc of said curve 394.15 feet

12/27/2013

through a central angle of 36°08'00"; thence North 10°27'20" East 165.38 feet to a point on a curve to the right having a radius of 215.00 feet, of which the radius point bears South 79°32'40" East; thence along the arc of said curve 150.27 feet through a central angle of 40°02'47" to a point of reverse curve to the left having a radius of 75.00 feet, of which the radius point bears North 39°29'33" West; thence northerly along the arc of said curve 80.07 feet through a central angle of 61°10'16"; thence North 10°40'09" West 211.51 feet; thence North 53°02'42" East 174.14 feet; thence South 83°22'14" East 72.43 feet; thence North 71°26'21" East 57.91 feet; thence North 58°22'25" East 126.67 feet; thence North 43°19'22" East 103.91 feet; thence North 88°33'34" East 698.29 feet; thence South 07°11'44" West 272.48 feet; thence North 47°05'06" East 62.37 feet; thence North 07°11'44" East 214.78 feet to a point on a curve to the left having a radius of 392.87 feet, of which the radius point bears North 82°48'16" West; thence along the arc of said curve 265.09 feet through a central angle of 38°39'37"; thence North 40°06'56" East 338.44 feet; thence North 33°54'42" East 222.11 feet; thence North 02°31'44" West 549.12 feet; thence North 02°39'14" West 518.83 feet; thence North 43°40'11" East 113.75 feet; thence North 61°14'42" East 124.74 feet; thence North 83°45'19" East 150.83 feet; thence South 67°09'50" East 93.65 feet; thence South 34°57'27" East 259.63 feet; thence South 53°11'52" East 301.16 feet; thence South 37°04'49" East 64.38 feet to a point on the westerly side line of the CLIPPER mining claim, Lot 570 in the Uintah Mining District; thence along the westerly side line of the CLIPPER mining claim South 25°25'00" West 583.88 feet; thence along the westerly side line of the CLIPPER mining claim South 36°57'00" West 854.05 feet; thence along the southerly end line of the CLIPPER mining claim South 83°00'00" East 221.10 feet; thence South 13°00'12" West 240.42 feet; thence South 20°54'24" West 205.52 feet to a point on the northerly side line of the HARWOOD mining claim, Lot 450 in the Uintah Mining District; thence along the northerly side line of the HARWOOD mining claim South 47°05'27" West 91.00 feet to the point of beginning.

DESCRIPTION CONTAINS 49.26 ACRES, MORE OR LESS.

(Legal Description of the Property)

The real property referenced in the foregoing instrument is located in Summit County, Utah and more particularly described as:

LOT A:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South $00^{\circ}30'49''$ East 1290.54 feet along Section Line and East 1179.56 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South $28^{\circ}16'22''$ West 123.87 feet; thence South $33^{\circ}36'22''$ West 308.16 feet; thence South $31^{\circ}55'31''$ West 268.90 feet; thence South $49^{\circ}28'40''$ West 216.02 feet; thence South $35^{\circ}32'55''$ West 82.21 feet; thence South $81^{\circ}28'22''$ West 79.42 feet; thence North $15^{\circ}56'43''$ East 43.24 feet to a point on a 1149.60 foot radius curve to the left of which the radius point bears North $74^{\circ}03'17''$ West; thence northerly along the arc of said curve 317.97 feet through a central angle of $13^{\circ}50'52''$ to a point on a 322.06 foot radius reverse curve to the right of which the radius point bears South $89^{\circ}54'08''$ East; thence northerly along the arc of said curve 127.20 feet through a central angle of $22^{\circ}37'44''$ to a point on a 1225.00 foot radius reverse curve to the left of which the radius point bears North $67^{\circ}16'24''$ West; thence northerly along the arc of said curve 183.80 feet through a central angle of $08^{\circ}41'23''$; thence North $14^{\circ}02'10''$ East 235.22 feet to a point on a 725.00 foot radius curve to the right of which the radius point bears South $75^{\circ}57'50''$ East; thence northerly along the arc of said curve 149.34 feet through a central angle of $11^{\circ}48'08''$; thence South $51^{\circ}01'37''$ East 132.30 feet; thence South $40^{\circ}13'27''$ East 126.16 feet to a point on a 65.00 foot radius curve to the right; thence southeasterly along the arc of said curve 83.96 feet (chord bears South $72^{\circ}19'06''$ East 72.30 feet); thence North $89^{\circ}17'00''$ East 150.96 feet to the Point of Beginning.
Containing 6.40 acres.

SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT FOR LOT 10:

A parcel of land located in the west half of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South $00^{\circ}30'49''$ East 1929.23 feet along Section Line and East 757.01 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South $44^{\circ}51'04''$ East 11.81 feet; thence South $26^{\circ}39'22''$ West 79.91 feet to a point on a 485.00 foot radius curve to the left; thence southwesterly along the arc of said curve 184.99 feet (chord bears South $37^{\circ}29'54''$ West 183.87 feet); thence South $27^{\circ}01'19''$ West 140.90 feet to a point on a 665.00 foot radius curve to the right of which the radius point bears North $62^{\circ}38'41''$ West; thence southwesterly along the arc of said curve 180.38 feet through a central angle of $13^{\circ}33'30''$; thence South $43^{\circ}34'49''$ West 132.05 feet to a point on a 321.00 foot radius curve to the left of which the radius point bears South $47^{\circ}25'11''$ East; thence southwesterly along the arc of said curve 124.56 feet through a central angle of $21^{\circ}18'11''$; thence South $21^{\circ}16'39''$ West 64.98 feet to a point on a 1599.55 foot radius curve to the left of which the radius point bears South $68^{\circ}43'21''$ East; thence southwesterly along the arc of said curve 28.55 feet through a central angle of $01^{\circ}01'22''$; thence North $15^{\circ}43'36''$ East 52.62 feet to a point on a 921.00 foot radius curve to the right of which the radius point bears South $74^{\circ}16'24''$ East; thence northerly along the arc of said curve 173.14 feet through a central angle of $10^{\circ}43'28''$; thence North $42^{\circ}34'49''$ East 139.00 feet to a point on a 635.00 foot radius curve to the left of which the radius point bears North $47^{\circ}25'11''$ West; thence northerly along the arc of said curve 172.63 feet through a central angle of $13^{\circ}33'30''$; thence North $27^{\circ}01'19''$ East 140.90 feet to a point on a 315.00 foot radius curve to the right of which the radius point bears South $62^{\circ}38'41''$ East; thence northerly along the arc of said curve 37.71 feet through a central angle of $04^{\circ}11'43''$; thence North $38^{\circ}46'57''$ West 8.62 feet; thence North $35^{\circ}32'55''$ East 82.21 feet; thence North $45^{\circ}26'40''$ East 152.33 feet to the Point of Beginning.

Containing 0.57 acres.

SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE NON-PUBLIC TRAIL ACCESS EASEMENT:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South $00^{\circ}30'49''$ East 1320.45 feet along Section Line and East 1163.20 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North $65^{\circ}30'19''$ West 49.60 feet to a point on a 30.00 foot radius curve to the left of which the radius point bears South $24^{\circ}29'41''$ West; thence westerly along the arc of said curve 39.60 feet through a central angle of $25^{\circ}12'34''$; thence South $89^{\circ}17'00''$ West 51.29 feet to a point on a 45.00 foot radius curve to the left; thence westerly along the arc of said curve 23.96 feet (chord bears North $72^{\circ}19'06''$ West 21.36 feet); thence North $40^{\circ}13'27''$ West 91.25 feet; thence

South 64°35'37" East 88.54 feet to a point on a 70.00 foot radius curve to the right; thence southwesterly along the arc of said curve 69.31 feet (chord bears South 66°39'01" East 66.31 feet) to a point on a 49.30 foot radius reverse curve to the left of which the radius point bears North 51°22'50" East; thence easterly along the arc of said curve 44.74 feet through a central angle of 52°05'42" to a point on a 100.00 foot radius reverse curve to the right of which the radius point bears South 00°42'33" East; thence easterly along the arc of said curve 44.00 feet through a central angle of 23°12'34"; thence South 63°30'18" East 50.26 feet; thence South 28°16'22" West 10.02 feet to the Point of Beginning.
Description contains 0.12 acres.

LOT B:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 863.10 feet along Section Line and East 1355.20 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on a 1183.33 foot radius curve to the left of which the radius point bears South 12°14'02" West; and running thence westerly along the arc of said curve 284.49 feet through a central angle of 13°46'30" to a point on a 375.00 foot radius compound curve to the left of which the radius point bears South 01°32'18" East; thence southwesterly along the arc of said curve 387.60 feet through a central angle of 59°13'14" to a point on a 775.00 foot radius compound curve to the left of which the radius point bears South 60°45'42" East; thence southerly along the arc of said curve 203.63 feet through a central angle of 15°12'08"; thence South 14°02'10" West 239.22 feet to a point on a 1175.00 foot radius curve to the right of which the radius point bears North 75°57'30" West; thence southerly along the arc of said curve 178.22 feet through a central angle of 08°41'25" to a point on a 372.06 foot radius reverse curve to the left of which the radius point bears South 67°16'24" East; thence southerly along the arc of said curve 146.03 feet through a central angle of 22°37'44" to a point on a 1059.60 foot radius reverse curve to the right of which the radius point bears North 89°14'08" West; thence southerly along the arc of said curve 304.14 feet through a central angle of 15°50'32"; thence South 15°56'43" West 43.26 feet; thence North 69°39'46" West 130.22 feet; thence North 20°28'14" East 296.23 feet; thence North 33°43'21" West 534.04 feet; thence North 23°58'38" East 776.89 feet; thence North 59°54'31" East 564.66 feet; thence South 86°31'59" East 351.13 feet; thence South 02°53'37" East 481.06 feet to the Point of Beginning.
Containing 16.99 acres.

LOT C:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1120.67 feet along Section Line and

East 1272.44 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 24°16'23" West 192.88 feet; thence South 89°17'00" West 150.96 feet to a point on a 45.00 foot radius curve to the left; thence northwesterly along the arc of said curve 83.94 feet (chord bears North 72°19'06" West 72.30 feet); thence North 40°13'27" West 126.16 feet; thence North 51°01'37" West 122.36 feet to the point on a 725.00 foot radius curve to the right; thence northwesterly along the arc of said curve 43.82 feet (chord bears North 27°32'19" East 43.01 feet) to a point on a 325.00 foot radius compound curve to the right of which the radius point bears South 60°45'42" East; thence northeasterly along the arc of said curve 335.92 feet through a central angle of 59°13'14" to a point on a 1133.33 foot radius compound curve to the right of which the radius point bears South 01°32'28" East; thence easterly along the arc of said curve 179.50 feet through a central angle of 09°03'53"; thence South 37°30'13" East 29.81 feet to a point on a 127.40 foot radius curve to the right of which the radius point bears South 57°29'47" West; thence westerly along the arc of said curve 118.51 feet through a central angle of 53°16'01" to a point on a 162.92 foot radius reverse curve to the left of which the radius point bears South 69°12'12" East; thence westerly along the arc of said curve of 82.15 feet through a central angle of 28°53'18" to the Point of Beginning.
Containing 1.30 acres.

SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE NON-PUBLIC TRAIL ACCESS EASEMENT:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 00°30'49" East 1326.45 feet along Section Line and East 1161.20 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 65°30'19" West 49.60 feet to a point on a 90.00 foot radius curve to the left of which the radius point bears South 24°29'41" West; thence westerly along the arc of said curve 39.60 feet through a central angle of 25°12'24"; thence South 89°17'00" West 31.29 feet to a point on a 45.00 foot radius curve to the left; thence westerly along the arc of said curve 83.94 feet (chord bears North 72°19'06" West 72.30 feet); thence North 40°13'27" West 122.21 feet; thence South 64°35'37" East 88.54 feet to a point on a 70.00 foot radius curve to the right; thence northwesterly along the arc of said curve 69.31 feet (chord bears South 66°39'01" East 66.51 feet) to a point on a 45.20 foot radius reverse curve to the left of which the radius point bears North 51°22'50" East; thence westerly along the arc of said curve 44.74 feet through a central angle of 82°05'42" to a point on a 100.00 foot radius reverse curve to the right of which the radius point bears South 00°42'33" East; thence easterly along the arc of said curve 44.00 feet through a central angle of 25°12'34"; thence South 65°30'19" East 50.26 feet; thence South 28°16'22" West 18.02 feet to the Point of Beginning.
Description contains 0.12 acres.

LOT B:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South $00^{\circ}30'49''$ East 1120.67 feet along Section Line and East 1372.44 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; said point also being on a 162.92 foot radius curve to the right of which the radius point bears North $81^{\circ}54'30''$ East; thence northerly along the arc of said curve 82.15 feet through a central angle of $28^{\circ}53'18''$ to a point on a 127.40 foot radius reverse curve to the left of which the radius point bears North $69^{\circ}12'12''$ West; thence northerly along the arc of said curve 118.51 feet through a central angle of $53^{\circ}18'01''$; thence North $32^{\circ}30'13''$ West 35.81 feet to a point on a 1133.23 foot radius curve to the right; thence easterly along the arc of said curve 190.86 feet (chord bears South $77^{\circ}39'07''$ East 190.63 feet); thence South $72^{\circ}49'39''$ East 167.71 feet to a point on a 30.00 foot radius curve to the left; thence southeasterly along the arc of said curve 70.52 feet (chord bears South $22^{\circ}58'05''$ East 64.82 feet); thence South $63^{\circ}22'22''$ East 22.27 feet; thence South $28^{\circ}09'42''$ West 133.33 feet; thence North $61^{\circ}44'30''$ West 175.20 feet; thence North $74^{\circ}14'12''$ West 43.38 feet; thence South $85^{\circ}27'32''$ West 49.33 feet; thence South $60^{\circ}08'27''$ West 68.26 feet; thence South $28^{\circ}16'22''$ West 4.54 feet to the Point of Beginning.
Containing 1.34 acres.

NORTHSIDE LOTS:

Those certain parcels of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

All of Lot B, Lot C, and Lot D of the Northside Village Subdivision II, a multifamily subdivision as shown on the Official Plat recorded on June 28, 2002, as Entry No. 623453 in the Official Records of Summit County, Utah.

Tax Serial Nos. NSVII-B, NSVII-C and NSVII-D.

CCP PARCELS:

The following parcels established by Ordinance No. 03-11, an Ordinance Approving a Four Parcel Motel and Braunds Subdivision at Flagstaff Mountain Village Park City, Utah, dated April 17, 2003, as evidenced by a Certificate of Approval dated April 17, 2003, and recorded in the Office of the Recorder of Summit County, Utah on May 1, 2003, as Entry No. 637115, in Book 1532, at Page 719.

CCP Parcel 1A:

A parcel of land located in the northeast quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°00'24" East 91.48 feet along Section Line and South 1169.39 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 09°03'33" East 188.41 feet; thence North 17°47'47" West 162.41 feet; thence North 08°48'47" West 184.89 feet; thence North 27°56'12" West 29.67 feet; thence North 62°03'48" East 22.77 feet; thence North 63°44'18" East 101.85 feet; thence North 78°18'56" East 32.40 feet; thence South 68°38'07" East 41.06 feet to a point on a 45.00 foot radius curve to the left; thence easterly along the arc of said curve 112.78 feet (chord bears South 74°09'44" East 86.92 feet) to a point on a 15.00 foot radius reverse curve to the right of which the radius point bears South 59°08'28" East; thence northeasterly along the arc of said curve 11.62 feet through a central angle of 44°23'39" to a point on a 47.00 feet radius compound curve to the right of which the radius point bears South 14°48'49" East; thence easterly along the arc of said curve 43.39 feet through a central angle of 52°53'38"; thence South 51°31'12" East 107.93 feet to a point on a 375.00 foot radius curve to the left of which the radius point bears North 38°08'48" East; thence easterly along the arc of said curve 371.95 feet through a central angle of 36°49'49" to a point on a 15.00 foot radius reverse curve to the right of which the radius point bears South 18°41'01" East; thence easterly along the arc of said curve 18.69 feet through a central angle of 71°24'14" to a point on the southerly line of the Marsac Avenue Right of Way, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; thence along the southerly line of the Marsac Avenue Right of Way the following three (3) courses: 1) South 37°16'47" East 62.90 feet to a point on a 425.00 foot radius curve to the left of which the radius point bears North 52°47'13" East; thence 2) southeasterly along the arc of said curve 110.79 feet through a central angle of 14°56'10"; thence 3) South 52°12'57" East 74.75 feet; thence South 41°23'39" West 262.38 feet; thence North 77°28'34" West 189.25 feet; thence North 86°52'45" West 198.65 feet; thence South 75°02'27" West 190.91 feet; thence South 80°22'11" West 155.52 feet to the Point of Beginning.
Description contains 7.54 acres.

CCP Parcel 1B:

A parcel of land located in the southeast quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 64.11 feet along Section Line and South 348.19 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 03°42'27" West 181.80 feet; thence North 89°36'26" East 354.76 feet to a point on the southerly line of the Marsac Avenue Right of Way, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; and on a 725.00 foot radius curve to the right; thence along the southerly line of the Marsac Avenue Right of Way the following five (5) courses: 1) southeasterly along the arc of said curve 21.36 feet (chord bears South 13°23'27" East

21.56 feet) to a point on a 425.00 foot radius reverse curve to the left of which the radius point bears North 77°27'40" East; thence 2) southeasterly along the arc of said curve 245.75 feet through a central angle of 33°07'47" to a point on a 975.00 foot radius reverse curve to the right of which the radius point bears South 44°19'52" West; thence 3) southeasterly along the arc of said curve 288.14 feet through a central angle of 16°55'57" to a point on a 375.00 foot radius reverse curve to the left of which the radius point bears North 61°15'49" East; thence 4) southeasterly along the arc of said curve 35.92 feet through a central angle of 08°32'38" thence 5) South 37°16'47" East 41.31 feet to a point on a 15.00 foot radius curve to the right of which the radius point bears South 32°43'13" West; thence southerly along the arc of said curve 29.75 feet through a central angle of 113°39'10" to a point on a 325.00 foot radius compound curve to the right of which the radius point bears North 12°37'37" West; thence westerly along the arc of said curve 293.68 feet through a central angle of 51°46'25" thence North 51°51'12" West 107.93 feet to a point on a 97.00 foot radius curve to the left of which the radius point bears South 38°08'48" West; thence northwesterly along the arc of said curve 32.19 feet through a central angle of 19°00'59"; thence North 10°03'54" West 45.64 feet; thence North 10°26'27" East 50.68 feet; thence North 46°17'15" West 180.92 feet; thence North 71°43'49" West 236.35 feet to the Point of Beginning.

Description contains 4.11 acres.

Legal Description:

A parcel of land located in the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 2021.31 feet along Section Line and South 603.08 feet from the northwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the westerly line of the Mormon Avenue Right of Way, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; and running thence North 85°30'52" East 129.46 feet; thence North 87°41'29" East 151.08 feet; thence North 56°01'04" East 195.25 feet; thence North 57°59'57" East 213.73 feet; thence South 00°37'34" East 146.76 feet; thence South 00°49'34" West 60.81 feet to a point on a 1025.00 foot radius curve to the right; thence southwesterly along the arc of said curve 300.36 feet (chord bears South 58°25'03" West 299.28 feet); thence North 20°10'16" West 50.00 feet; thence South 52°48'44" West 12.88 feet to a point on a 815.86 foot radius curve to the left of which the radius point bears South 23°11'16" East; thence southwesterly along the arc of said curve 378.29 feet through a central angle of 26°31'58" to a point on a 292.28 foot radius reverse curve to the right of which the radius point bears North 49°45'13" West; thence southwesterly along the arc of said curve 25.69 feet through a central angle of 05°02'08"; thence North 08°56'35" West 82.91 feet; thence North 63°10'40" West 94.29 feet to a point on the southerly line of the Mormon Avenue Right of Way and on a 215.00 foot radius

curve to the left; thence along the property line of the Marine Avenue Right of Way the following three (3) courses: (1) westerly along the arc of said curve 26.34 feet (chord bears North 15°18'49" East 26.33 feet); thence (2) North 11°40'12" East 109.47 feet to a point on a 509.74 foot radius curve to the right of which the radius point bears South 78°13'48" East; thence (3) westerly along the arc of said curve 268.33 feet through a central angle of 23°26'28" to the Point of Beginning.
Description contains 2.74 acres.

AFFECTS 364 PARCELS:

ALLC (ARROWLEAF) – 59 parcels

ALLC-105, ALLC-106, ALLC-107, ALLC-108, ALLC-109-1AM, ALLC-110-1AM,
ALLC-112-1AM

ALLC-201, ALLC-202, ALLC-203, ALLC-204, ALLC-205, ALLC-206, ALLC-207,
ALLC-208, ALLC-209-1AM, ALLC-210-1AM, ALLC-211-1AM, ALLC-212-1AM,
ALLC-214-1AM, ALLC-215-1AM, ALLC-216-1AM

ALLC-301, ALLC-302, ALLC-303, ALLC-304, ALLC-305, ALLC-306, ALLC-307,
ALLC-308, ALLC-309-1AM, ALLC-310-1AM, ALLC-311-1AM, ALLC-312-1AM,
ALLC-314-1AM, ALLC-315-1AM, ALLC-316-1AM

ALLC-401, ALLC-402, ALLC-403, ALLC-404, ALLC-405, ALLC-406, ALLC-407,
ALLC-408, ALLC-410-1AM, ALLC-411-1AM, ALLC-412-1AM, ALLC-414-1AM,
ALLC-415-1AM, ALLC-416-1AM

ALLC-511-1AM, ALLC-512-1AM, ALLC-514-1AM, ALLC-515-1AM, ALLC-516-1AM

ALLC-AE1, ALLC-AE2, ALLC-AE3

BEPC (BELLES AT EMPIRE PASS) – 17 parcels

BEPC-1-1AM, BEPC-2-1AM, BEPC-3, BEPC-4-3AM, BEPC-5-4AM, BEPC-6-4AM,
BEPC-7-6AM, BEPC-8-6AM, BEPC-9-2AM, BEPC-10-5AM, BEPC-11-5AM,
BEPC-12-1AM, BEPC-13, BEPC-14, BEPC-15-7AM, BEPC-16-7AM, BEPC-17-6AM

BWD (BANNER WOOD) – 6 parcels

BWD-1, BWD-2, BWD-3, BWD-4, BWD-5, BWD-6

FLAGSTAFF RESIDENCES – 38 parcels

FLGSF-101, FLGSF-102, FLGSF-103, FLGSF-104

FLGSF-201, FLGSF-202, FLGSF-203, FLGSF-204, FLGSF-207, FLGSF-208

FLGSF-301, FLGSF-302, FLGSF-303, FLGSF-304, FLGSF-305, FLGSF-306, FLGSF-307,
FLGSF-308

FLGSF-401, FLGSF-402, FLGSF-403, FLGSF-404, FLGSF-405, FLGSF-406, FLGSF-407,
FLGSF-408

FLGSF-501, FLGSF-502, FLGSF-503, FLGSF-504, FLGSF-505, FLGSF-506, FLGSF-507,
FLGSF-508

FLGSF-603, FLGSF-604, FLGSF-605, FLGSF-606

GRAND LODGE – 30 parcels

GLDG-1, GLDG-201, GLDG-202, GLDG-203, GLDG-208, GLDG-207, GLDG-301,
GLDG-302, GLDG-303, GLDG-304, GLDG-305, GLDG-306, GLDG-307, GLDG-308,
GLDG-309, GLDG-401, GLDG-402, GLDG-403, GLDG-404, GLDG-405, GLDG-406,
GLDG-407, GLDG-408, GLDG-OFFICE, GLDG-PH1, GLDG-PH2, GLDG-PH3, GLDG-PH4,
GLDG-PH5, GLDG-PH6

IWDV (IRONWOOD) – 24 parcels

IWDV-I-B-5, IWDV-I-B-6, IWDV-I-B-7, IWDV-I-B-8,

IWDV-I-C-9A-1AM, IWDV-I-C-11-1AM

IWDV-I-D-12, IWDV-I-D-14, IWDV-I-D-15

IWDV-II-A-1, IWDV-II-A-2, IWDV-II-A-3, IWDV-II-A-4

IWDV-II-E-16, IWDV-II-E-17, IWDV-II-E-18, IWDV-II-E-19, IWDV-II-EHU

IWDV-II-F-20, IWDV-II-F-21, IWDV-II-F-22

IWDV-II-G-23, IWDV-II-G-24, IWDV-II-G-25

LT (LARKSPUR) – 27 parcels

LT-1, LT-2, LT-2-10, LT-2-11, LT-2-12, LT-2-13, LT-2-14, LT-2-15, LT-3, LT-3-6, LT-3-7,
LT-3-8, LT-3-9, LT-4, LT-4-21, LT-4-22, LT-4-23, LT-4-24, LT-4-25, LT-4-26, LT-5, LT-5-27,
LT-5-28, LT-5-29, LT-5-30, LT-5-31, LT-5-32

NAKOMA – 17 parcels

NAKOMA-1-1AM, NAKOMA-2-1AM, NAKOMA-3-1AM, NAKOMA-4-1AM,
NAKOMA-5-1AM, NAKOMA-6-1AM, NAKOMA-7-1AM, NAKOMA-8-1AM,
NAKOMA-9-1AM, NAKOMA-10-1AM, NAKOMA-11-1AM, NAKOMA-12-1AM,
NAKOMA-13-1AM, NAKOMA-14-1AM, NAKOMA-15-1AM, NAKOMA-16-1AM,
NAKOMA-17-1AM

NSV (NORTHSIDE VILLAGE) – 10 parcels

NSV-1, NSV-2, NSV-3, NSV-4, NSV-5, NSV-6, NSV-7, NSV-8, NSV-9, NSV-10

OEPC (ONE EMPIRE PASS) – 28 parcels

OEPC-101, OEPC-103, OEPC-104, OEPC-105, OEPC-201, OEPC-202, OEPC-203, OEPC-204,
OEPC-205, OEPC-301, OEPC-302, OEPC-303, OEPC-304, OEPC-305, OEPC-306, OEPC-401,
OEPC-402, OEPC-403, OEPC-404, OEPC-405, OEPC-406, OEPC-502, OEPC-503, OEPC-504,
OEPC-505, OEPC-506, OEPC-603, OEPC-604

PBH (PAINTBRUSH) – 13 parcels

PBH-1-AM, PBH-2-8, PBH-2-9, PBH-2-AM, PBH-3-10, PBH-3-AM, PBH-4-AM, PBH-5-AM,
PBH-6-AM, PBH-7-AM, PBH-11-AM, PBH-12-AM, PBH-REM

RED CLOUD – 32 parcels

RCLD-1-AM, RCLD-2-AM, RCLD-3-AM, RCLD-4-AM, RCLD-5, RCLD-6, RCLD-7,
RCLD-8, RCLD-9, RCLD-10, RCLD-11, RCLD-12, RCLD-13, RCLD-14, RCLD-15,
RCLD-16, RCLD-17, RCLD-18, RCLD-19, RCLD-20, RCLD-21, RCLD-22, RCLD-23,
RCLD-24, RCLD-25, RCLD-26, RCLD-27, RCLD-28, RCLD-29, RCLD-30, RCLD-A-AM,
RCLD-B-AM

SSLC (SILVER STRIKE LODGE) – 35 parcels

SSLC-201-AM, SSLC-203-AM, SSLC-301, SSLC-302, SSLC-303, SSLC-304, SSLC-305,
SSLC-306, SSLC-307, SSLC-401, SSLC-402, SSLC-403, SSLC-404, SSLC-405, SSLC-406,
SSLC-407, SSLC-501, SSLC-502, SSLC-503, SSLC-504, SSLC-505, SSLC-506, SSLC-507,
SSLC-601, SSLC-602, SSLC-603, SSLC-604, SSLC-605, SSLC-606, SSLC-703, SSLC-704,
SSLC-705, SSLC-706, SSLC-707, SSLC-708

SHOOTING STAR – 22 parcels

SSTARL-101, SSTARL-103, SSTARL-104, SSTARL-105, SSTARL-106, SSTARL-201,
SSTARL-202, SSTARL-203, SSTARL-204, SSTARL-205, SSTARL-206, SSTARL-301,
SSTARL-302, SSTARL-303, SSTARL-304, SSTARL-305, SSTARL-306, SSTARL-403,
SSTARL-404, SSTARL-405, SSTARL-406, SSTARL-SC-1

VEMP (VILLAGE AT EMPIRE PASS) – 4 parcels

VEMP-1-1, VEMP-1-2, VEMP-1-5, VEMP-1-9-1AM

VEPWS (VILLAGE AT EMPIRE PASS WEST SIDE) – 2 parcels

VEPWS-15, VEPWS-16