## WHEN RECORDED, MAIL TO:

**Brad Stewart** Salt Lake City Public Utilities 1530 South West Temple Salt Lake City, UT 84115

Parcel I.D. # 15-16-452-021 Parcel I.D. # 15-16-452-005

## **AGREEMENT**

The undersigned, 39/42 LLC and Bandaloops LLC, the owners of Lot 27, Pioneer Square Industrial Park Plat 'B', and Lot 2, Pioneer Square Industrial Park Plat 'C', do hereby indemnify and hold harmless Salt Lake City Corporation and Salt Lake County of any liability and damages from on-site flooding from the CWA3 canal, located immediately south of the aforementioned property, which may result from the existing and proposed grades of the parking areas and structures, and do hereby waive any and all claims for damages which the undersigned may have against Salt Lake City Corporation and Salt Lake County relating to any such flooding which may result from such existing and proposed grades.

Hereby agreed to this 11th day of September, 2006 By:

Managing Member Bandaloops, LLC

39/42, LLC

Michael A. Ferro, Managing Member

STATE OF UTAH

COUNTY OF

9840825 9/11/2006 3:42:00 PM \$15.00 Book - 9349 Pg - 1741-1743 Gary W. Ott Recorder, Salt Lake County, UT **METRO NATIONAL TITLE** BY: eCASH, DEPUTY - EF 3 P.

On September 11, 2006, personally appeared before me Vasilios Priskos, Managing Member of Bandaloops LLC, who being by me duly sworn did say that he is the signer of the foregoing instrument and he duly acknowledged to me that he executed the same.

My Commission Expires:

STATE OF UTAH

COUNTY OF SACHE

1

BK 9349 PG 1741

Residing at: 5/4 & 4005

On September 11, 2006, personally appeared before me Michael Ferro, Managing Member of 39/42 LLC, who being by me duly sworn did say that he is the signer of the foregoing instrument and he duly acknowledged to me that he executed the same.

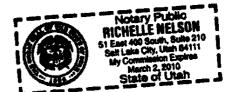
My Commission Expires:

Notary Public

Residing at: 51 & 4005

STATE OF UTAH

COUNTY OF Sulfaye



Lot 2, PIONEER SQUARE INDUSTRIAL PARK - PLAT "C" and AMENDING THE AMENDING and EXTENDING LOT 27 PIONEER SQUARE INDUSTRIAL PARK - PLAT "B", according to the Official Plat thereof, on file and of record in the Office of the Salt Lake County Recorder.

Beginning at the most Northerly corner of Lot 27, PIONEER SQUARE INDUSTRIAL PARK PLAT "B" SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Salt Lake County Recorder; thence South 37 deg. 43' East 395.00 feet along the Northeasterly line of said Lot 27 to the Northerly line of a 25 foot canal easement; thence South 52 deg. 17' West 551.39 feet along said Northerly line; thence North 37 deg. 43' West 395.00 feet; thence North 52 deg. 17' East 551.39 feet to the point of beginning.

## EXCEPT THEREFROM THE FOLLOWING:

Beginning at the most Northerly corner of Lot 27, PIONEER SQUARE INDUSTRIAL PARK PLAT "B" SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Salt Lake County Recorder; and running thence South 37 deg. 43' East 395.0 feet to the North line of a 25 foot canal easement; thence South 52 deg. 17' West 275.7 feet along said line; thence North 37 deg. 43' West 295.0 feet; thence North 52 deg. 17' East 275.7 feet to the point of beginning.

COURTESY RECORDING

This Document is being recorded solely as a courtesy and an accommodation to the parties named herein. METRO NATIONAL TITLE hereby expressly disclaims any responsibility or liability for the accuracy of the content thereof.