

AFTER RECORDING RETURN TO:  
Thomas K. Checketts  
Kirton McConkie  
50 East South Temple, Suite 400  
Salt Lake City, Utah 84111

11869567  
6/20/2014 3:55:00 PM \$24.00  
Book - 10239 Pg - 9218-9223  
Gary W. Ott  
Recorder, Salt Lake County, UT  
KIRTON & MCCONKIE  
BY: eCASH, DEPUTY - EF 6 P.

Tax Parcel Nos.: 07-35-100-007, 07-35-100-008, 07-35-252-004,  
07-35-252-005, 07-35-400-004, 07-35-400-005, 07-35-400-007,  
07-35-426-001, and 07-35-426-002

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Space Above for Recorder's Use Only

## QUITCLAIM DEED OF SURFACE WATER RIGHTS

THIS QUITCLAIM DEED OF SURFACE WATER RIGHTS is by and between **SUBURBAN LAND RESERVE, INC.**, a Utah corporation, successor-in-interest to Zions Securities Corporation, with its principal office at 79 South Main, Suite 500, Salt Lake City, Utah 84111 ("Grantor"), and **BRIGHTON AND NORTH POINT IRRIGATION COMPANY**, a Utah corporation, whose principal office is located at 4189 N. Golden Garden Drive, Erda, UT 84074 ("Grantee").

### RECITALS

A. Grantor is the "Declarant" in that certain Amended and Restated Declaration of Easements, Covenants and Restrictions for Bonneville Center dated January 29, 1997, and recorded February 11, 1997, as Entry No. 6570367, in the Official Records of the Salt Lake County Recorder, as may have been amended (the "Declaration").

B. Grantor reserved for the use of Grantor and its successors and assigns, all of the surface rights located on that portion of the Brighton and North Point Canal (the "Canal") which is located upon the property described on Exhibit A attached hereto (the "Property") and incorporated herein by reference.

C. Grantor desires to release and assign to Grantee all of its rights in and to the surface use of the water in the Canal, that were reserved pursuant to the Declaration, and Grantee agrees to accept said assignment.

NOW THEREFORE, Grantor and Grantee, for good and valuable consideration, hereby agree as follows:

Grantor in its status as a Declarant hereby quitclaims, without warranty unto Grantee, all of its rights for the use and control of the surface of the water in the Canal which rights were previously reserved unto Grantor in Section 5.6 of the Declaration.

*[Signatures begin on following page]*

4840-5715-4072.1

SIGNATURE PAGE  
TO  
QUITCLAIM DEED OF SURFACE WATER RIGHTS

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 11<sup>th</sup> day of February, 2014.

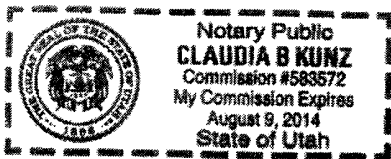
GRANTOR: SUBURBAN LAND RESERVE, INC.,  
a Utah corporation

By: *Steve Romney*  
Steve Romney  
President and CO

STATE OF UTAH )  
:ss  
COUNTY OF SALT LAKE )

On this 11<sup>th</sup> day of February, 2014, personally appeared before me Steve Romney, known or satisfactorily proved to me to be the President and CEO of Suburban Land Reserve, Inc. a Utah corporation, who acknowledged to me that he signed the foregoing instrument as President and CEO of said corporation.

*Claudia B. Kunz*  
Notary Public for Utah



[Acceptance by City on following page]

SIGNATURE PAGE  
TO  
QUITCLAIM DEED OF SURFACE WATER RIGHTS

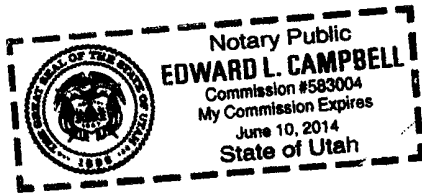
Grantee by its signature hereon, hereby accepts all of Grantor's rights in the the Surface Rights.

GRANTEE: BRIGHTON AND NORTH POINT IRRIGATION COMPANY, a Utah corporation

By: *Elliott F. Christensen*  
Name: *Elliott F. Christensen*  
Its: *President*

STATE OF UTAH )  
:SS  
COUNTY OF SALT LAKE )

On this 19 day of February, 2014, personally appeared before me *Elliott F. Christensen*, known or satisfactorily proved to me to be the *President* of BRIGHTON AND NORTH POINT IRRIGATION COMPANY, a Utah corporation, who acknowledged to me that he signed the foregoing instrument as *President*.



*[Signature]*  
Notary Public for Utah

**Exhibit "A"**  
to  
**Quitclaim Deed of Surface Rights**

That certain real property located in Salt Lake County, State of Utah, described as follows:

Property "A" (BDC Property)

Parcel 1 (Easterly of Apollo Road):

Part of the Southwest Quarter of Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at the intersection of the South line of Amelia Earhart Drive with the West line of 5600 West Street which point is 60.13 feet South 00°02'12" West along the monument line of said 5600 West Street and 110.00 feet North 89°57'48" West from the centerline monument marking the intersection of said monument line of 5600 West Street and the monument line of Amelia Earhart Drive (the basis of bearing being North 89°58'28" East 2581.73 feet along the Section line between the Salt Lake County Monuments found marking the North Quarter corner and the Northeast corner of said Section 35), and running thence South 00°02'12" West 680.03 feet along said West line of 5600 West Street; thence South 02°33' 10" West 680.13 feet along said line to the Northerly right-of-way line of Interstate 80; thence along said Northerly right-of-way line the following five courses: South 82°12'46" West 242.86 feet; and South 73°18'21" West 276.67 feet; and South 65°05'01" West 295.34 feet; and South 75°44'02" West 626.42 feet; and South 87°36'53" West 215.13 feet to the Easterly line of the Interstate 80 frontage road (Apollo Road); thence along said line the following five courses: North 58°45'43" East 1178.16 feet to the point of curvature with a 333.00 foot radius curve to the left; and Northeasterly 344.52 feet along the arc of said curve through a central angle of 59°16'39"; and North 00°30'56" West 388.64 feet to the point of curvature with a 717.00 foot radius curve to the right; and Northerly 202.44 feet along the arc of said curve through a central angle of 16°10'37"; and North 15°39'41" East 273.12 feet to the point of curvature with a 30.00 foot radius curve to the right; thence Northeasterly 44.53 feet along the arc of said curve through a central angle of 85°02'57", to said South line of Amelia Earhart Drive and a point of reverse curvature with a 700.00 foot radius curve to the left; thence Easterly 131.25 feet along said South line of Amelia Earhart Drive and along the arc of said curve through a central angle of 10°44'36"; thence North 89°58'02" East 196.83 feet along said South line to the point of beginning.

Parcel 2 (Westerly of Apollo Road):

Beginning at the intersection of the centerline of the Salt Lake, Garfield & Western Railroad easement and the West line of John Glenn Road (6070 West), which point is 490.27 feet South 89°58'51" West along the Section line and 1388.86 feet South 00°02'54" West from the North Quarter corner of Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian (the basis of bearing being North 89°58'28" East 2581.73 feet along the Section line between the Salt Lake County Monuments found marking the North Quarter corner and the Northeast corner of

said Section 35), and running thence South 00°02'54" West 524.37 feet along said West line of John Glenn Road to the Southwest corner of Salt Lake International Center Plat 6, as recorded in the Office of the Salt Lake County Recorder; thence South 89°57'06" East 66.09 feet to a point of non-tangency with a 30.00 foot radius curve to the right (radius point bears South 89°57'06" East); thence Northeasterly 47.09 feet along the arc of said curve through a central angle of 89°55'51" (chord bears North 45°00'49" East 42.40 feet), to the Southerly line of Amelia Earhart Drive; thence along said line for the following three courses: North 89°58'45" East 1164.19 feet to the point of curvature with a 910.00 foot radius curve to the right; and Southeasterly 714.45 feet along the arc of said curve through a central angle of 44°59'01"; and South 41°54'50" East 85.16 feet to the point of curvature with a 30.00 foot radius curve to the right; thence Southerly 45.49 feet along the arc of said curve through a central angle of 86°52'36"; thence South 45°04'33" East 66.00 feet to the point of non-tangency with a 30.00 foot radius curve to the right (radius point bears South 45°02'14" East); thence Easterly 47.12 feet along the arc of said curve through a central angle of 90°00'00" (chord bears North 89°57'46" East 42.43 feet), to said Southerly line of Amelia Earhart Drive; thence South 45°02'14" East 296.91 feet along said line to the point of curvature with a 700.00 foot radius curve to the right; thence Southeasterly 297.50 feet along said line and along the arc of said curve through a central angle of 24°21'03", to the point of reverse curvature with a 30.00 foot radius curve to the right; thence Southeasterly 44.53 feet along the arc of said curve through a central angle of 85°02'57", to the Westerly line of the I-80 frontage road (Apollo Road); thence along said line the following seven courses: South 15°39'41" West 273.12 feet to the point of curvature with a 783.00 foot radius curve to the left; and Southerly 221.07 feet along the arc of said curve through a central angle of 16°10'37"; and South 00°30'56" East 388.64 feet to the point of curvature with a 267.00 foot radius curve to the right; and Southwesterly 276.23 feet along the arc of said curve through a central angle of 59°16'39"; and South 58°45'43" West 972.83 feet; and South 72°23'41" West 6.00 feet to a point of non-tangency with a 945.34 foot radius curve to the right (radius point bears North 27°35'14" West); thence Southwesterly 441.32 feet along the arc of said curve through a central angle of 26°44'51" (chord bears South 75°47'12" West 437.32 feet) to the Northerly right-of-way line of Interstate 80; thence along said line the following seven courses: South 89°09'38" West 436.09 feet to the point of curvature with an 1876.92 foot radius curve to the right; and Westerly 449.31 feet along the arc of said curve through a central angle of 13°42'57"; and North 70°34'18" West 174.71 feet; and North 76°45'11" West 41.44 feet; and North 73°19'11" West 123.37 feet; and North 86°38'17" West 343.65 feet; and South 89°58'07" West 362.55 feet to the centerline of said Salt Lake, Garfield & Western Railroad easement; thence North 00°05'35" West 617.97 feet along said line; thence South 61°51'57" East 26.02 feet; thence South 79°05'24" East 27.57 feet to the Easterly line of said Salt Lake, Garfield & Western Railroad easement; thence North 00°05'35" West 1760.25 feet along said line to the point of curvature with a 530.00 foot radius curve to the right; thence Northeasterly 507.86 feet along said line and along the arc of said curve through a central angle of 54°54'07"; thence North 00°02'41" West 59.89 feet to the centerline of said Salt Lake, Garfield & Western Railroad easement and a point of non-tangency on a 580.00 foot radius curve to the right (radius point bears South 31°47'03" East); thence Northeasterly 319.58 feet along the arc of said curve and said centerline through a central angle of 31°34'13" (chord bears North 74°00'03" East 315.56 feet); thence North 89°47'10" East 234.42 feet along said centerline to the point of beginning.

Contains 181.808 acres, more or less.

Property "B" (Property Reserve, Inc. Property)

Part of the Northwest Quarter of Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point on the West line of John Glenn Road (6070 West), which point is 490.27 feet South 89°58'51" West along the Section line and 66.00 feet South 00°02'54" West from the North Quarter corner of Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian (the basis of bearing being North 89°58'28" East 2581.73 feet along the Section line between the Salt Lake County Monuments found marking the North Quarter corner and the Northeast corner of said Section 35), and running thence South 00°02'54" West 1322.86 feet along said West line of John Glenn Road to the centerline of the Salt Lake, Garfield & Western Railroad right of way; thence South 89°47'10" West 234.42 feet along said centerline to the point of curvature with a 580.00 foot radius curve to the left; thence Southwesterly 319.58 feet along the arc of said curve and said centerline through a central angle of 31°34'13" to the West line of the Little Goggin Drain Easement; thence North 00°02'41" West 1410.52 feet along said line; thence North 89°58'51" East 539.97 feet to the point of beginning.

Contains 16.570 acres, more or less.

The above-referenced legal descriptions include, among other property, Bonneville Center Plat A and Amended Lots 3 and 4 Bonneville Center Plat A according to the plats thereof on file with the Salt Lake County Recorder's Office.