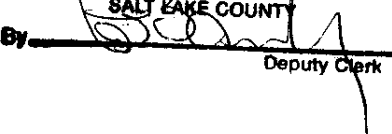


9585425
12/16/2005 01:50 PM \$0.00
Book - 9231 Pg - 3546-3560
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-DEPT OF TRANSPORTATION
BY: ZJM, DEPUTY - WI 15 P.

STEPHEN C. WARD (#3384)
Assistant Attorney General
Mark L. Shurtleff (#4666)
Attorney General
Attorneys for Plaintiff
160 East 300 South, 5th Floor
P.O. Box 140857
Salt Lake City, Utah 84114-0857
Telephone: (801) 366-0353

FILED DISTRICT COURT
Third Judicial District

NOV - 1 2005
SALT LAKE COUNTY
By  Deputy Clerk

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

UTAH DEPARTMENT OF
TRANSPORTATION,

Plaintiff,

vs.

MARIEMONT HOLDINGS, LLC; SANDY
DEVELOPMENT PARTNERS; LEHMAN
BROTHERS, INC.; NORWEST FINANCIAL
UTAH, INC. n/k/a WELLS FARGO FINAN-
CIAL UTAH, INC.; U.S. BANK NATIONAL
ASSOCIATION; and JOHN DOES 1 through 25,

Defendants.

**ORDER OF IMMEDIATE
OCCUPANCY**

Project No. *STP-0071(9)7
Parcel Nos. 49, 49:E, 51:E, 53:E, 53:2E,
56, 56:E, 56:2E, 56:3E, 56:4E and 56:5E

Civil No. 050915805

Judge Glenn Iwasaki

Plaintiff's Motion for an Order of Immediate Occupancy having been submitted to the Court for decision, together with a Memorandum and an Affidavit and no objection thereto having been filed by the Defendants and the Court having determined from the pleadings that the Plaintiff has the right of eminent domain, and that the purpose for which the premises sought by the Complaint herein to be condemned is a public purpose and that the immediate occupancy of said premises is necessary and proper,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff is hereby authorized to occupy the property of the Defendants, which is sought by this action for highway purposes, all such property interests or other rights as required by the Plaintiff are set out and described in resolution attached as Exhibit A to Plaintiff's Complaint, a copy of which is attached hereto. The Plaintiff is hereby permitted to take immediate possession of the properties of the Defendants as described in Plaintiff's Complaint and to continue possession thereof pending further hearing or trial on the issues that may be raised in this action and to do such work thereon as may be required for the purposes for which said premises are sought to be condemned.

IT IS FURTHER ORDERED that during construction of the project and pending the hearing on the issues presented, that prior to the destruction or removal of any fence on or along the property condemned, the Plaintiff shall make adequate provisions for a fence along the right-of-way so as to provide fencing protection to the properties affected hereby at least equal to that now provided for each of such properties

IT IS FURTHER ORDERED that the Plaintiff agrees that Defendants shall be granted reasonable access to property during construction. Also Plaintiff shall protect any irrigation or drain ditches that are located on the property being taken.

IT IS FURTHER ORDERED that during construction of the project and pending the hearing on the issues presented, that prior to the destruction or removal of any fence on or along the property condemned, the Plaintiff shall make adequate provisions for a fence along the right-

of-way so as to provide fencing protection to the properties affected hereby at least equal to that now provided for each of such properties.

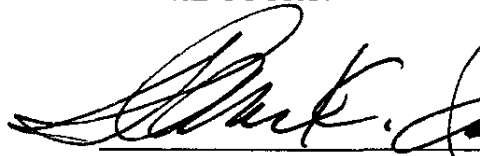
IT IS FURTHER ORDERED that pending further hearing or trial on the issues that may be presented in this action, the Defendants and their agents, servants and employees are hereby enjoined from interfering with Plaintiff's occupation of the property, or in the doing of such work thereon as may be required for the purposes for which it is sought to condemn the property as set forth in the Complaint.

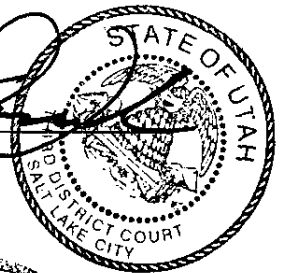
This Order shall not be effective until the Plaintiff has deposited with the Clerk of the Court, for the use and benefit of the Defendant parties in interest, the full dollar amount of Plaintiff's approved appraisal of the Defendants' property which is to be acquired in this action.

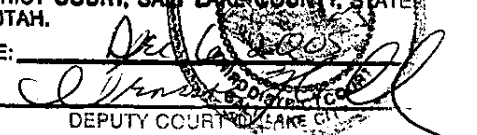
IT IS FURTHER ORDERED that on receipt of said monies, the Clerk of this Court shall remit the same to the appropriate Defendants in the percentage and portion to which each is entitled.

DATED this 1st day of Nov. ~~October~~, 2005.

BY THE COURT:


GLENN IWASAKI
District Court Judge



I CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY, STATE OF UTAH.
DATE: 11/1/05

DEPUTY COURT CLERK

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing ORDER OF IMMEDIATE OCCUPANCY was mailed, postage prepaid, on this 18 day of October, 2005, to the following:

Bryce D. Panzer
BLACKBURN & STOLL LC
Attorney for Mariemont Holdings, LLC
257 East 200 South, Suite 800
Salt Lake City, UT 84111

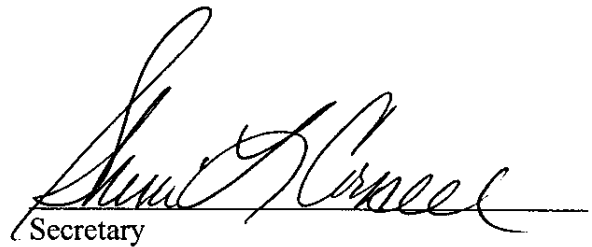

Secretary

EXHIBIT A

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. *STP-0071(9)7
SR-71 (700 East) Carnation Drive. To 9400 South

- I. The Utah Department of Transportation (UDOT) has determined:
 - A. That the public interest and necessity require the acquisition and immediate occupancy of the real property, or interest in real property, described in this Resolution;
 - B. That the real property, or interest in real property described herein, is needed for a state transportation purpose, as defined in Utah Code Ann. ' 72-5-102, and is planned and located in a manner most compatible with the greatest public good and the least private injury, in accordance with Utah Code Ann. ' 78-34-5; and
 - C. That the real property, or interest in real property included herein, is sought for the purpose of mitigating the impacts of construction, reconstruction, alteration, or maintenance on state highways, or the mitigation of impacts from public transportation projects, is subject to acquisition under S.B. 256, Transportation Amendments (2001 General Session of the Utah Legislature), UDOT having previously determined that public interest and necessity require the desired mitigation.
- II. UDOT requests that the Attorney General of Utah:
 - A. Acquire, in UDOT's name, the real property, or interest in real property, described in this Resolution, pursuant to the applicable eminent domain laws and statutes of the State of Utah;
 - B. Prosecute or undertake appropriate legal action as necessary in a court of proper jurisdiction for the purpose of acquiring the real property, or interest in real property sought by this Resolution;
 - C. Obtain an order permitting UDOT to take immediate possession and use of the real property, or interest in real property, or for incidental purposes described herein.
- III. UDOT requests that the State Finance Director:
 - A. Prepare a state warrant in the amount of the approved appraisal of each parcel of real property, or interest in real property, set forth and described in this Resolution, with the payee to be the Clerk of the District Court for the County in which the property is located, for the use and benefit of the landowners or lien holders as described in this Resolution;
 - B. Tender to the landowners a sum equal to the fair market value of the property to be acquired in exchange for rights-of-way before issuance of an Order of Immediate Occupancy.
- IV. The real property, or interest in real property which UDOT is authorizing for acquisition, is located in the Salt Lake County and described below.

HIGHWAY PROJECT NO. *STP-0071(9)7

RECORDED OWNER: Mariemont Holdings, LLC
ADDRESS: 329 West Pierpont Ave. #200
Salt Lake City, Utah 84101

PARTY IN INTEREST: Sandy Development Partners
ADDRESS: 175 S Main St #650
Salt Lake City, Utah 84111

PARTY IN INTEREST: Lehman Brothers Holdings Inc.
ADDRESS: 201 S. Main Street Suite 1800
Salt Lake City, Utah 84111

PARTY IN INTEREST: Norwest Financial Utah Inc.
ADDRESS: N/K/A Wells Fargo Financial Utah Inc.
800 Walnut Street
Des Moines, IA 50309

PARTY IN INTEREST: U.S. Bank National Association
ADDRESS: 800 Nicollet Mall
Minneapolis, MN 55402

PARTY'S IN INTEREST: TENANTS (in the event of a taking through eminent domain, or the
threat of condemnation that the tenant is not entitled to any part of
the award, nor is the tenant allowed to terminate the lease as a
result of the taking(s) unless the primary building improvements
and/or off-street parking are impacted by the acquisition(s).)
ADDRESS: 9411-9539 South 700 East
Sandy, Utah 84070

ADVERTISING DATE: 8/6/05

APPROVED APPRAISAL: \$65,500.00

Tax Id.: 28-08-101-047 (Parcel 56)
28-08-101-048 (Parcel 53)
28-08-101-049 (Parcel 51)
28-08-101-052 (Parcel 49)

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 3

HIGHWAY PROJECT NO. *STP-0071(9)7

Parcel No. 0071:49

A parcel of land in fee, being part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest boundary corner of said entire tract at a point 990.50 ft S 00°21'30"E along the section line, and 53.00 ft S 89°12'10" E, and 102.50 ft S 00°21'30" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence S 88°59'30" E 3.00 ft along a line that is coincident with the southerly line of the property conveyed to The Mariemont Corporation as recorded by deed dated January 30th, 1985, in Book 5626 on Page 70 in the office of the Salt Lake County Recorder; thence S 00°21'30" E 50.00 ft along a line that is parallel with and 56.00 ft perpendicularly distant easterly from the monument line of 700 East Street to the southerly boundary line of said entire tract; thence N 88°59'30" W 3.00 ft to the Southwest boundary corner of said entire tract; thence N 00°21'30" W 50.00 ft to the point of beginning. The above-described parcel of land contains 150 square feet or 0.003 acre.

Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

Parcel No. 0071:49:E

A non-exclusive temporary easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, for the purpose of constructing cut and/or fill slopes, driveways, and appurtenant parts thereof, to facilitate the widening of 700 East Street, known as Project No. 0071. Such construction use shall be limited to the time necessary for construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. Easement use shall not commence until notice has been given and may terminate upon notice of vacation. The boundaries of said part of an entire tract are described as follows:

Beginning in the northerly boundary line of said entire tract at a point 1093.00 ft S 00°21'30" E along the section line, and 56.00 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence S 88°59'30" E 14.96 ft along said northerly boundary line; thence S 00°21'30" E 32.45 ft; thence S 89°38'30" W 11.95 ft; thence S 00°21'30" E 17.26 ft to the southerly boundary line of said entire tract; thence N 88°59'30" W 3.00 ft along said southerly boundary line; thence N 00°21'30" W 50.00 ft along a line that is parallel with and 56.00 ft perpendicularly distant easterly from the monument line of 700 East Street to the point of beginning. The above described part of an entire tract contains 540 square feet or 0.012 acre.

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 4

HIGHWAY PROJECT NO. *STP-0071(9)7

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings:
N00°21'30" W description = N 00°06'39" W highway bearing)

After said cut and/or fill slopes, driveways and appurtenant parts thereof are constructed at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs damages or maintenance charges which may accrue against said cut and/or fill slopes, driveways and appurtenant parts thereof.

Parcel No. 0071:51:E

A perpetual easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof (including but not limited to ATMS Fiber Optic conduit, electrical service lines, and culinary water facilities), and for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof and highway appurtenances (including street lighting facilities and traffic information signs), incident to the widening of the existing 700 East Street, known as Project No. 0071. The boundaries of said part of an entire tract are described as follows:

Beginning at the Northwest boundary corner of said entire tract at a point 990.50 ft S00°21'30"E along the section line, and 53.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence S 89°12'10" E 7.00 ft along the northerly boundary line of said entire tract; thence S 00°21'30" E 102.53 ft to the southerly boundary line of said entire tract; thence N 88°59'30" W 7.00 ft along said southerly boundary to the Southwest boundary corner of said entire tract; thence N 00°21'30" W 102.50 ft along a line that is parallel with and 53.00 ft perpendicularly distant easterly from the monument line of 700 East Street to the point of beginning. The above described part of an entire tract contains 717 square feet or 0.016 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings:
N 00°21'30" W description = N 00°06'39" W highway bearing)

After said public utilities and said cut and/or fill slopes are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said public utilities and said cut and/or fill slopes and appurtenant parts thereof.

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 5

HIGHWAY PROJECT NO. *STP-0071(9)7

Parcel No. 0071:53:E

A perpetual easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof (including but not limited to ATMS Fiber Optic conduit, electrical service lines, and culinary water facilities), and for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof and highway appurtenances (including street lighting facilities and traffic information signs), incident to the widening of the existing 700 East Street, known as Project No. 0071. The boundaries of said part of an entire tract are described as follows:

Beginning at the Northwest boundary corner of said entire tract at a point 888.00 ft S 0°21'30"E along the section line, and 53.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence S 89°12'10" E 7.00 ft along the northerly boundary line of said entire tract; thence S 00°21'30" E 102.50 ft to the southerly boundary line of said entire tract; thence N 89°12'10" W 7.00 ft along said southerly boundary to the Southwest boundary corner of said entire tract; thence N 00°21'30" W 102.50 ft along a line that is parallel with and 53.00 ft perpendicularly distant easterly from the monument line of 700 East Street to the point of beginning. The above described part of an entire tract contains 717 square feet or 0.016 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30"W description = N 00°06'39" W highway bearing)

After said public utilities and said cut and/or fill slopes are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said public utilities and said cut and/or fill slopes and appurtenant parts thereof.

HIGHWAY PROJECT NO. *STP-0071(9)7

Parcel No. 0071:53:2E

A non-exclusive temporary easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, for the purpose of constructing cut and/or fill slopes, driveways, and appurtenant parts thereof, to facilitate the widening of 700 East Street, known as Project No. 0071. Such construction use shall be limited to the time necessary for construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. Easement use shall not commence until notice has been given and may terminate upon notice of vacation. The boundaries of said part of an entire tract are described as follows:

Beginning in the northerly boundary line of said entire tract at a point 888.00 ft S 00°21'30" E along the section line, and 60.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence S 89°12'10" E 4.00 ft along said northerly boundary line; thence S 00°21'30" E 38.36 ft; thence S 89°38'30" W 4.00 ft; thence N 00°21'30" W 38.44 ft to the point of beginning. The above described part of an entire tract contains 154 square feet or 0.004 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N 00°21'30" W description = N 00°06'39" W highway bearing)

After said cut and/or fill slopes, driveways and appurtenant parts thereof are constructed at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs damages or maintenance charges which may accrue against said cut and/or fill slopes, driveways and appurtenant parts thereof.

Parcel No. 0071:56

A parcel of land in fee, being part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M. The boundaries of said parcel of land are described as follows:

Beginning in the westerly boundary line of said entire tract at a point 722.54 ft S 00°21'30" E along the section line, and 53.01 ft S 89°12'10" E, from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 71.22 ft along the said westerly boundary line; thence S 89°12'10" E 3.00 ft; thence S 00°21'30" E 71.22 ft along a line that is parallel with and 56.00 ft perpendicularly distant easterly from the monument line of 700 East Street; thence N 89°12'10" W 3.00 ft to the point of beginning. The above-described parcel of land contains 214 square feet or 0.005 acre.

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 7

HIGHWAY PROJECT NO. *STP-0071(9)7

Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

Parcel No. 0071:56:E

A perpetual easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof (including but not limited to ATMS Fiber Optic conduit, electrical service lines, and culinary water facilities), and for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof and highway appurtenances (including street lighting facilities and traffic information signs), incident to the widening of the existing 700 East Street, known as Project No. 0071. The boundaries of said part of an entire tract are described as follows:

Beginning at a boundary corner of said entire tract at a point 888.00 ft S 00°21'30" E along the section line, and 53.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 165.46 ft along the westerly boundary line of the said entire tract, said westerly boundary line being parallel with and 53.00 ft perpendicularly distant easterly from the monument line of 700 East Street; thence S 89°12'10" E 7.00 ft; thence S 0°21'30" E 165.46 ft; thence N 89°12'10" W 7.00 ft to the point of beginning. The above described part of an entire tract contains 1158 square feet or 0.027 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N 00°21'30" W description = N 00°06'39" W highway bearing)

After said public utilities and said cut and/or fill slopes are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said public utilities and said cut and/or fill slopes and appurtenant parts thereof.

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 8

HIGHWAY PROJECT NO. *STP-0071(9)7

Parcel No. 0071:56:2E

A perpetual easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof (including but not limited to ATMS Fiber Optic conduit, electrical service lines, and culinary water facilities), and for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof and highway appurtenances (including street lighting facilities and traffic information signs), incident to the widening of the existing 700 East Street, known as Project No. 0071. The boundaries of said part of an entire tract are described as follows:

Beginning in the westerly boundary line of said entire tract at a point 651.31 ft S 00°21'30" E along the section line, and 53.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 240.65 ft along said westerly boundary line of the entire tract, said westerly boundary line being parallel with and 53.00 ft perpendicularly distant easterly from the monument line of 700 East Street; thence S 89°12'10" E 2.00 ft; thence S 00°21'30" E 67.64 ft; thence N 89°38'30" E 4.00 ft; thence S 00°21'30" E 38.97 ft; thence S 89°38'30" W 3.00 ft; thence S 00°21'30" E 134.06 ft; thence N 89°12'10" W 3.00 ft to the point of beginning. The above-described part of an entire tract contains 771 square feet or 0.018 acre. (Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

After said public utilities and said cut and/or fill slopes are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said public utilities and said cut and/or fill slopes and appurtenant parts thereof.

Parcel No. 0071:56:3E

A non-exclusive temporary easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, for the purpose of constructing cut and/or fill slopes, driveways, and appurtenant parts thereof, to facilitate the widening of 700 East Street, known as Project No. 0071. Such construction use shall be limited to the time necessary for construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. Easement use shall not commence until notice has been given and may terminate upon notice of vacation. The boundaries of said part of an entire tract are described as follows:

CO*7*49, 49:E, 51:E, 53:E, 53:2E 56, 56:E, 56:2E, 56:3E, 56:4E, 56:5E

Page 9

HIGHWAY PROJECT NO. *STP-0071(9)7

Beginning in the southerly boundary line of said entire tract at a point 888.00 ft S 00°21'30" E along the section line, and 60.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 7.36 ft; thence S 89°12'10" E 4.00 ft; thence S 00°21'30" E 7.36 ft to the southerly boundary line; thence N 89°12'10" W 4.00 ft to the point of beginning. The above described part of an entire tract contains 29 square feet or 0.001 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

After said cut and/or fill slopes, driveways and appurtenant parts thereof are constructed at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs damages or maintenance charges which may accrue against said cut and/or fill slopes, driveways and appurtenant parts thereof.

Parcel No. 0071:56:4E

A non-exclusive temporary easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, for the purpose of constructing cut and/or fill slopes, driveways, and appurtenant parts thereof, to facilitate the widening of 700 East Street, known as Project No. 0071. Such construction use shall be limited to the time necessary for construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. Easement use shall not commence until notice has been given and may terminate upon notice of vacation. The boundaries of said part of an entire tract are described as follows:

Beginning within the said entire tract at a point 722.54 ft S 00°21'30" E along the section line, and 56.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 90.79 ft; thence N 89°38'30" E 23.41 ft; thence S 00°21'30" E 24.62 ft; thence S 89°38'30" W 21.41 ft; thence S 00°21'30" E 66.20 ft; thence N 89°12'10" W 2.00 ft to the point of beginning. The above described part of an entire tract contains 709 square feet or 0.016 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

HIGHWAY PROJECT NO. *STP-0071(9)7

After said cut and/or fill slopes, driveways and appurtenant parts thereof are constructed at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs damages or maintenance charges which may accrue against said cut and/or fill slopes, driveways and appurtenant parts thereof.

Parcel No. 0071:56:5E

A non-exclusive temporary easement, upon part of an entire tract of property, situate in the NW¼NW¼ of Section 8, T 3 S, R 1 E, SLB&M, for the purpose of constructing cut and/or fill slopes, driveways, and appurtenant parts thereof, to facilitate the widening of 700 East Street, known as Project No. 0071. Such construction use shall be limited to the time necessary for construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. The boundaries of said part of an entire tract are described as follows:

Beginning within the said entire tract at a point 591.74 ft S 00°21'30" E along the section line, and 56.01 ft S 89°12'10" E from the Salt Lake County monument at the intersection of 9400 South and 700 East Streets, said monument is the Northwest corner of said Section 8, and said monument is also N 29°33'10" W 44.81 ft from a point recited in some deeds as being the Northwest corner of said Section 8, and running thence N 00°21'30" W 74.49 ft; thence N 89°38'30" E 6.40 ft; thence S 00°21'30" E 32.41 ft; thence N 89°38'30" E 27.46 ft; thence S 00°21'30" E 42.08 ft; thence S 89°38'30" W 33.85 ft to the point of beginning. The above described part of an entire tract contains 1632 square feet or 0.037 acre.

(Note: Rotate all bearings in the above description 0°14'51" clockwise to equal highway bearings: N00°21'30" W description = N 00°06'39" W highway bearing)

After said cut and/or fill slopes, driveways and appurtenant parts thereof are constructed at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs damages or maintenance charges which may accrue against said cut and/or fill slopes, driveways and appurtenant parts thereof.