

Ent: 395017 - Pg 1 of 25
Date: 1/31/2014 4:11:00 PM
Fee: \$144.00
Filed By: eCASH
Jerry M. Houghton, Recorder
Tooele County Corporation
For: First American NCS - South Temple

When Recorded Return to:

Ninigret Depot, L.C.
1700 S 4650 W
Salt Lake City, UT 84104
Attn: Randolph G. Abood

Affecting Parcel Nos. See Exhibit 1, attached hereto

**AMENDMENT NO. 2 TO DECLARATION
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
UTAH INDUSTRIAL DEPOT**

THIS AMENDMENT NO. 2 TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR UTAH INDUSTRIAL DEPOT is made this 31st day of January, 2014 (the "**Effective Date**"), by UTAH INDUSTRIAL DEPOT OWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "**Association**") and NINIGRET DEPOT, L.C., a Utah limited liability company ("**Declarant**") in contemplation of the following facts and circumstances:

A. The Association is a nonprofit corporation established to manage an industrial park known as the Utah Industrial Depot and may from time to time be referred to herein as the "Project" or "Property", located in Tooele County, State of Utah, and more particularly described on Exhibit 2 which is attached hereto and incorporated herein by this reference.

B. The Property is encumbered by a Declaration of Covenants, Conditions, Restrictions and Easements for Utah Industrial Depot recorded as Entry No. 138824, Book 0593, Page 0776, in the Official Records of Tooele County, Utah, as amended by Amendment No. 1 to Declaration of Covenants, Conditions, Restrictions and Easements for Utah Industrial Depot, recorded as Entry No. 380135, in the Official Records of Tooele County, Utah (as such may be amended, collectively, the "**Declaration**").

C. Pursuant to Section 12.2 of the Declaration, the Declaration may be amended by the affirmative vote of a majority of the total votes of the Owners. A vote of the Owners was properly taken on January 30, 2014 and this Amendment was approved by a majority of the total votes for the Association in the accordance with Section 6.3 of this Declaration.

D. The Declarant is the holder of the majority votes of the Association and joins in the execution of this Amendment as the majority vote holder.

E. The Declarant is also the owner of a portion of the Withdrawn Parcels (as defined below) and joins in the execution of this Amendment as such.

F. NINIGRET STORAGE, L.C., a Utah limited liability company, and Red Gate Properties, L.L.C., a Utah limited liability company, are also the owners of a portion of the Withdrawn Parcels (as defined below) and join in the execution of this Amendment as such.

NOW, THEREFORE, the Declaration is hereby amended as follows.

1. **Amendment to Definition of Property and Exhibit A.** Notwithstanding anything set forth in the Declaration to the contrary, the Declaration is hereby amended to provide that from and after the Effective Date, that, for all purposes under the Declaration: (i) the "Property" as defined under the Declaration shall be redefined to exclude that certain real property described on Exhibit 3, attached hereto (the "**Excluded Property**"); (ii) Exhibit A to the Declaration shall be amended to exclude the Excluded Property; and (iii) all references in the Declaration to the "Property" shall refer to the description of the real property set forth on Exhibit A to the Declaration, less and excepting the Excluded Property, and the definition of Property under the Declaration shall in no way include the real property described on Exhibit 3, attached hereto. The effect and intent of the foregoing is that the Excluded Property is no longer encumbered by, subject or annexable to, the Declaration and the Declaration is amended such that the Excluded Property, from the Effective Date, is no longer encumbered by, subject or annexable to, the Declaration.

2. **Modification of Site Plan.** The Site Plan for Utah Industrial Depot is hereby amended to be that certain Site Plan shown on Exhibit D-2, attached hereto.

3. **Enforcement.** Section 2.5 of the Declaration is hereby deleted in its entirety and replaced with the following:

Unless otherwise specifically set forth herein, Declarant, the Association, any Owner, any Occupant, any Mortgagee, or any owner of the Excluded Property, shall have the right to enforce, by any proceeding at law or in equity, all easements, covenants, conditions, restrictions, liens, charges, rights and/or duties now or hereafter imposed by the provisions of this Declaration. Failure of Declarant, the Association, any Owner, any Occupant, any Mortgagee, any owner of the Excluded Property, or any other specified party to enforce any easement, covenant, condition, restriction, lien, charge, right and/or duty contained herein on any one or more occasion shall not be deemed a waiver of the right to do so on any subsequent occasion.

4. **Miscellaneous.** The recitals are hereby incorporated into this Amendment. All capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the Declaration. Except as provided herein, the terms and conditions of the Declaration shall remain the same and in full force and effect.

EXECUTED to be effective the day same shall be recorded in the office of the Tooele County Recorder, State of Utah.

Declarant and Owner
of the Excluded Property:

NINIGRET DEPOT, L.C.,
a Utah limited liability company

By: The Ninigret Group, L.C.,
a Utah limit liability company
Its: Manager

By: Randolph G Abood
Randolph G Abood, Manager

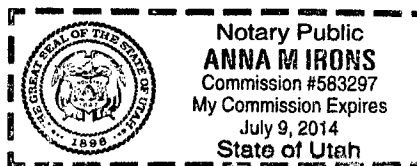
STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On JAN 30, 2014, before me, ANNA M. IRONS, a Notary Public, personally appeared Randolph G. Abood, 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 UTAH that the foregoing paragraph is true and correct.


WITNESS my hand and official seal.


Signature Anna M Irons (Seal)



Owner
of the Excluded Property:

Red Gate Properties, L.L.C., a Utah limited
liability company

By: 
Christopher L. Corroon, Member

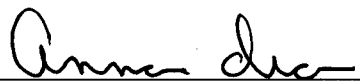
By: 
Peter M. Corroon, as Trustee of the Peter
Corroon Trust, executed the 26th day of
January 2001, or the successor Trustee
thereof, Member

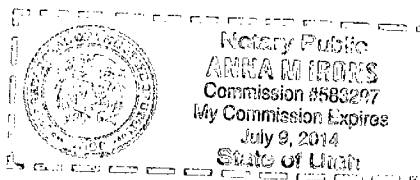
STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On JAN 30, 2014, before me, ANNA M. IRONS, a Notary Public,
personally appeared Christopher L. Corroon, 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 UTAH that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



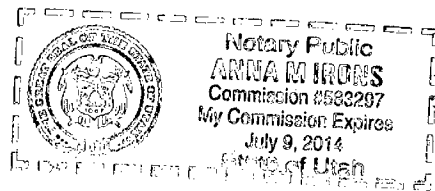
STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On JAN 30, 2013, before me, ANNA M. IRONS, a Notary Public, personally appeared Peter Corroon, 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 UTAH that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Anna Irons (Seal)



Owner
of the Excluded Property::

NINIGRET STORAGE, L.C.,
a Utah limited liability company

By: NP VII, L.C.,
Its: Member

By: The Ninigret Group, L.C.,
a Utah limit liability company
Its: Manager

By: *Randolph G Abood*
Randolph G Abood, Manager

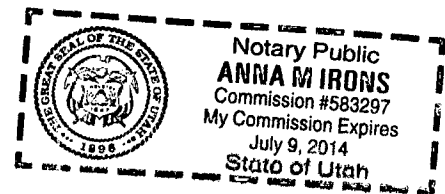
STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On JAN 30, 2014, before me, ANNA M. IRONS, a Notary Public, personally appeared Randolph G. Abood, 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 UTAH that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Anna M Irons* (Seal)



STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On JAN before me, Anna Irons,
personally appeared Peter M. Carlson personally known to me (or 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.

WHEREAS my hand and official seal.

Anna Irons
(Signature of Notary Public)

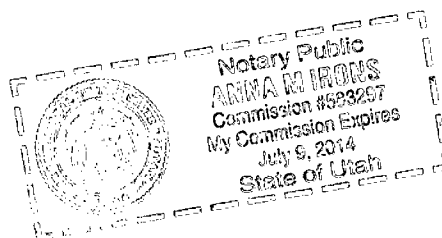


Exhibit "1"
Tax Parcel Nos.

01-073-0-0070	02-134-0-0006	16-088-0-0901	17-075-0-4003
01-132-0-0030	02-134-0-0010	16-089-0-1201	17-092-0-3001
02-017-0-0009	02-137-0-0002	17-009-0-1302	17-092-0-3002
02-017-0-0011	03-036-0-0025	17-009-0-1303	17-092-0-3003
02-017-0-0013	15-018-0-0001	17-009-0-1304	17-092-0-3004
02-017-0-0014	15-018-0-0002	17-009-0-1305	17-092-0-3005
02-017-0-0020	15-028-0-0201	17-037-0-1701	18-013-0-801A
02-017-0-0022	15-062-0-0001	17-039-0-3801	18-034-0-0001
02-017-0-0027	15-062-0-0002	17-039-0-3802	18-034-0-0002
02-017-0-0046	15-062-0-0003	17-044-0-1803	18-034-0-0003
02-017-0-0050	15-075-0-0002	17-044-0-1804	18-055-0-0001
02-017-0-0069	15-075-0-0004	17-063-0-3101	02-017-0-00R4
02-017-0-0071	16-003-0-0001	17-063-0-3102	02-018-0-0017
02-017-0-0072	16-004-0-0001	17-064-0-3201	16-002-0-0001
02-017-0-0073	16-004-0-0002	17-064-0-3202	16-088-0-0902
02-017-0-0074	16-005-0-0100	17-065-0-3301	10-029-F-0005
02-017-0-0075	16-005-0-0101	17-066-0-3401	17-009-0-000A
02-017-0-0078	16-005-0-0102	17-067-0-3501	
02-018-0-0013	16-005-0-0103	17-067-0-3502	
02-132-0-0019	16-005-0-0104	17-069-0-3601	
02-132-0-0029	16-021-0-0001	17-070-0-3701	
02-132-0-0030	16-035-0-1001	17-070-0-3702	
02-134-0-0002	16-071-0-1401	17-075-0-4002	

Exhibit "2"
Legal Description of Project

New Parcel 1

Beginning at a point which lies South 00°05'22" East 1792.32 feet along the East section line of Section 31, and West 1320.48 feet from the Northeast corner of Section 31, Township 3 South, Range 4 West, Salt Lake Base & Meridian; and traversing thence South 74°42'50" West 1171.10 feet; thence South 74°22'01" West 238.07 feet; thence North 15°24'57" West 227.67 feet to the beginning of a 727.65-foot radius curve to the left; thence Northwesterly 343.14 feet along the arc of said curve through a central angle of 27°01'09"; thence North 42°26'33" West 648.93 feet; thence North 29°32'58" East 6159.36 feet; thence South 12°07'53" West 1552.76 feet; thence North 89°40'19" West 75.00 feet; thence South 12°07'41" West 1364.40 feet; thence North 89°40'19" West 332.50 feet; thence South 00°05'18" East 531.80 feet; thence North 89°40'19" West 610.00 feet; thence South 00°05'18" East 1600.00 feet; thence South 89°40'19" East 610.00 feet; thence South 00°04'42" East 999.74 feet to the point of beginning.

contains 4,990,754 sf or 114.57 acres more or less

Exhibit "2"
Legal Description of Project - Continued
Depot Associates
New Parcel 2

Beginning at a point which lies South 00°05'16" East 1104.40 feet along the East section line of Section 30, and West 295.44 feet from the Northeast corner of Section 30, Township 3 South, Range 4 West, Salt Lake Base & Meridian; and traversing thence North 70°31'18" West 136.15 feet; thence South 19°28'42" West 92.19 feet to the beginning of a 452.00-foot radius curve to the right; thence Southwesterly 790.60 feet along the arc of said curve through a central angle of 100°13'00"; thence North 60°18'17" West 585.03 feet to the beginning of a 25.00-foot radius curve to the right; thence Northwesterly 39.19 feet along the arc of said curve through a central angle of 89°49'12"; thence North 29°30'55" East 1294.85 feet; thence North 60°29'05" West 66.00 feet to the beginning of a 25.00-foot radius curve to the right whose center bears North 60°29'05" West; thence Southwesterly 39.19 feet along the arc of said curve through a central angle of 89°48'26"; thence North 60°40'39" West 530.55 feet to the beginning of a 572.00-foot radius curve to the right; thence Northwesterly 590.05 feet along the arc of said curve through a central angle of 59°06'14" to the point of reverse curvature of a 528.00-foot radius curve to the left; thence Northwesterly 150.29 feet along the arc of said curve through a central angle of 16°18'29" to the point of compound curvature of a 1213.00-foot radius curve to the left; thence Northwesterly 705.39 feet along the arc of said curve through a central angle of 33°19'09" to the point of compound curvature of a 428.00 foot radius curve to the left; thence Northwesterly 42.92 feet along the arc of said curve through a central angle of 05°44'43" to the point of reverse curvature of a 25.00-foot radius curve to the right; thence Northwesterly 37.70 feet along the arc of said curve through a central angle of 86°24'17"; thence North 29°27'30" East 662.44 feet to the beginning of a 572.00-foot radius curve to the right; thence Northeasterly 282.09 feet along the arc of said curve through a central angle of 28°15'24"; thence North 57°42'54" East 21.79 feet to a point on the South right-of-way line of State Highway 112; thence South 32°17'06" East 309.76 feet along said right-of-way line to the beginning of a 1673.21-foot radius curve to the left; thence Southeasterly 398.14 feet along the arc of said curve and right-of-way line through a central angle of 13°38'00"; thence South 45°55'06" East 1975.48 feet along said right-of-way line to the beginning of a 1066.20-foot radius curve to the right; thence Southeasterly 179.34 feet along the arc of said curve and right-of-way line through a central angle of 09°38'15"; thence leaving said right-of-way line South 31°26'53" West 217.90 feet to the beginning of a 1960.08 foot radius curve to the left; thence Southwesterly 660.83 feet along the arc of said curve through a central angle of 19°19'01"; thence South 12°07'53" West 641.04 feet to the point of beginning.

contains 4,284,195 sf or 98.35 acres more or less

Exhibit "2"
Legal Description of Project - Continued
Depot Associates
New Parcel 3

Beginning at a point which lies North 00°08'52" West 12.47 feet along the East section line of Section 25, and West 1007.25 feet from the Southeast corner of Section 25, Township 3 South, Range 5 West, Salt Lake Base & Meridian; and traversing thence North 24°35'35" West 838.52 feet; thence North 61°02'23" West 713.92 feet; thence South 86°26'34" West 727.47 feet; thence South 67°10'25" West 226.76 feet; thence North 29°12'46" East 1877.84 feet; thence North 13°27'30" West 172.80 feet; thence North 05°10'15" West 98.74 feet; thence North 01°15'19" West 52.83 feet; thence North 20°42'18" East 61.03 feet; thence North 25°48'03" East 182.76 feet; thence North 16°46'11" East 48.45 feet; thence North 01°18'12" West 85.08 feet; thence North 17°22'17" West 84.66 feet; thence North 23°45'37" West 84.08 feet; thence North 33°20'52" West 131.09 feet; thence North 07°42'17" West 227.74 feet; thence North 07°34'55" East 119.34 feet; thence North 07°50'36" West 156.30 feet; thence North 23°59'49" East 447.85 feet; thence North 29°37'32" East 4166.08 feet; thence South 60°25'47" East 775.60 feet; thence North 29°25'41" East 598.60 feet; thence South 60°30'50" East 885.77 feet; thence North 40°42'50" East 715.13 feet; thence North 39°51'42" East 695.27 feet to a point on the South right-of-way line of State Highway 112; thence South 32°17'06" East 1311.77 feet along said right-of-way line; thence leaving said right-of-way line South 57°42'54" West 21.79 feet to the beginning of a 628.00-foot radius curve to the left; thence Southwesterly 301.15 feet along the arc of said curve through a central angle of 27°28'31"; thence North 60°02'31" West 145.61 feet; thence South 29°19'15" West 471.20 feet; thence South 60°32'30" East 144.41 feet; thence South 29°27'30" West 200.19 feet to the beginning of a 25.00 foot radius curve to the right; thence Southwesterly 39.27 feet along the arc of said curve through a central angle of 90°00'00"; thence North 60°32'30" West 929.86 feet; thence South 29°27'30" West 732.97 feet; thence South 60°33'45" East 954.86 feet; thence South 29°27'30" West 1407.12 feet to the beginning of a 2028.00-foot radius curve to the left; thence Southwesterly 48.37 feet along the arc of said curve through a central angle of 01°21'59"; thence South 28°05'31" West 252.30 feet to the beginning of a 1972.00-foot radius curve to the right; thence Southwesterly 47.03 feet along the arc of said curve through a central angle of 01°21'59"; thence South 29°27'30" West 939.07 feet to the beginning of a 828.00-foot radius curve to the left; thence Southwesterly 239.03 feet along the arc of said curve through a central angle of 16°32'25" to the point of reverse curvature of a 772.00-foot radius curve to the right; thence Southwesterly 223.24 feet along the arc of said curve through a central angle of 16°34'05"; thence South 29°29'11" West 117.47 feet; thence North 60°29'52" West 1122.18 feet; thence South 29°19'59" West 1479.07 feet; thence South 60°27'14" East 729.30 feet; thence North 34°36'27" East 7.93 feet; thence South 60°28'52" East 207.92 feet; thence North 72°31'59" East 106.06 feet; thence South 60°05'53" East 19.18 feet; thence South 29°30'21" West 2564.73 feet to the point of beginning.

contains 20,442,101 sf or 469.29 acres more or less

Exhibit "2"
Legal Description of Project - Continued
Depot Associates
Core Section

Beginning at a point which lies South 00°05'22" East 1169.30 feet along the East section line of Section 31, and West 3341.32 feet from the Northeast corner of Section 31, Township 3 South, Range 4 West, Salt Lake Base & Meridian; and traversing thence North 42°26'33" West 453.38 feet to the beginning of a 655.55-foot radius curve to the left; thence northwesterly 209.87 feet along the arc of said curve through a central angle of 18°20'33"; thence North 60°46'16" West 682.39 feet; thence North 60°59'01" West 70.17 feet; thence North 09°14'27" East 59.19 feet; thence North 78°09'15" West 16.22 feet; thence North 25°17'08" West 33.77 feet; thence North 60°58'42" West 106.05 feet; thence North 60°30'03" West 158.59 feet; thence North 46° 55'17" East 4.75 feet; thence North 60°08'03" West 48.65 feet; thence South 24°53'00" West 25.46 feet; thence South 26°11'08" West 391.44 feet; thence South 69°30'00" West 25.69 feet; thence South 73°48'04" West 29.45 feet; thence South 70°39'41" West 336.67 feet; thence South 5°08'15" West 112.34 feet; thence South 64°32'49" West 427.42 feet; thence North 60°42'54" West 235.64 feet; thence North 58°24'17" West 544.52 feet; thence North 18°41'56" East 400.85 feet; thence North 24°35'35" West 102.73 feet; thence North 29°30'21" East 2564.73 feet; thence North 60°05'53" West 19.18 feet; thence South 72°31'59" West 106.06 feet; thence North 60°28'52" West 207.92 feet ; thence South 34°36'27" West 7.93 feet; thence North 60°27'14" West 729.30 feet; thence North 29°19'59" East 1479.07 feet; thence South 60°29'52" East 1122.18 feet; thence North 29°29'11" East 117.47 feet to the beginning of a 772.00-foot radius curve to the left; thence Northeasterly 223.24 feet along the arc of said curve through a central angle of 16°34'05" to the point of reverse curvature of a 828.00-foot radius curve to the right; thence Northeasterly 239.03 feet along the arc of said curve through a central angle of 16°32'25"; thence North 29°27'30" East 939.07 feet to the beginning of a 1972.00-foot radius curve to the left; thence Northeasterly 47.03 feet along the arc of said curve through a central angle of 01°21'59"; thence North 28°05'31" East 252.30 feet to the beginning of a 2028.00-foot radius curve to the right; thence Northeasterly 48.37 feet along the arc of said curve through a central angle of 01°21'59"; thence North 29°27'30" East 1407.12 feet; thence North 60°33'45" West 954.86 feet; thence North 29°27'30" East 732.97 feet; thence South 60°32'30" East 929.86 feet to the beginning of a 25.00-foot radius curve to the left; thence Northeasterly 39.27 feet along the arc of said curve through a central angle of 90°00'00"; thence North 29°27'30" East 200.19 feet; thence North 60°32'03" West 144.41 feet; thence North 29°19'15" East 471.20 feet; thence South 60°02'31" East 145.61 feet to the beginning of a 628.00-foot radius curve to the right whose center bears South 59°45'37" East; thence Northeasterly 301.15 feet along the arc of said curve through a central angle of 27°28'31"; thence North 57°42'54" East 21.79 feet to a point on the South right of way line of State Highway 112; thence South 32°17'06" East 56.00 feet along said right of way line; thence leaving said right of way line South 57°42'54" West 21.79 feet to the beginning of a 572.00-foot radius curve to the left; thence Southwesterly 282.09 feet along the arc of said curve through a central angle of 28°15'24"; thence South 29°27'30" West 662.44 feet to the beginning of a 25.00-foot radius curve to the left; thence Southeasterly 37.70 feet along the arc of said curve through a central angle of 86°24'17" to the point of reverse curvature of a 428.00-foot radius curve to the right; thence southeasterly 42.92 feet along the arc of said curve through a central angle of 05°44'43" to the point of compound curvature of a 1213.00-foot radius curve to the right; thence Southeasterly 705.39 feet along the arc of said curve through a central angle of 33°19'09" to the point of

compound curvature of a 528.00-foot radius curve to the left; thence Southeasterly 150.29 feet along the arc of said curve through a central angle of $16^{\circ}18'29''$ to the point of reverse curvature of a 572.00-foot radius curve to the left; thence Northwesterly 590.05 feet along the arc of said curve through a central angle of $59^{\circ}06'14''$; thence South $60^{\circ}40'39''$ East 530.55 feet to the beginning of a 25.00-foot radius curve to the left; thence Northeasterly 39.19 feet along the arc of said curve through a central angle of $89^{\circ}48'26''$; thence South $60^{\circ}29'05''$ East 66.00 feet; thence South $29^{\circ}30'55''$ West 1294.85 feet to the beginning of a 25.00-foot radius curve to the left; thence Southeasterly 39.19 feet along the arc of said curve through a central angle of $89^{\circ}49'12''$; thence South $60^{\circ}18'17''$ East 585.03 feet to the beginning of a 452.00-foot radius curve to the left; thence Northeasterly 790.60 feet along the arc of said curve through a central angle of $100^{\circ}13'00''$; thence North $19^{\circ}28'42''$ East 92.19 feet; thence South $70^{\circ}31'18''$ East 136.15 feet; thence South $29^{\circ}32'58''$ West 6159.36 feet to the point of beginning.

contains: 23,527,186 sf or 540.11 acres more or less

Exhibit "3"
Legal Description of the Excluded Property

That certain real property located in Tooele County, Utah, specifically described as follows:

PARCEL 1:

LOTS 102, AND 104 UTAH INDUSTRIAL DEPOT SUBDIVISION NO.1 –AMENDED (MINOR SUBDIVISION), ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH. 16-005-0-0102, 16-005-0-0104

PARCEL 2:

LOTS 3101, 3102, UTAH INDUSTRIAL DEPOT SUBDIVISION MINOR NO. 31, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH. 17-063-0-3101, 17-063-0-3102

PARCEL 3:

LOTS 3201, AND 3202, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 32, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH. 17-064-0-3201, 17-064-0-3202

PARCEL 4:

LOT 3301, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 33, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH. 17-065-0-3301

PARCEL 5:

LOT 3401, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 34, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH. 17-066-0-3401

PARCEL 6:

Intentionally Deleted.

PARCEL 7:

A PARCEL OF LAND BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, THE NORTHEAST QUARTER OF SECTION 30, THE NORTHWEST QUARTER OF SECTION 29, AND THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF UTAH AVENUE AND THE QUARTER SECTION LINE COMMON TO SAID SECTIONS 19 AND 20 SAID POINT BEING NORTH $00^{\circ}04'29''$ WEST 595.40 FEET ALONG SAID SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 30; AND RUNNING THENCE ALONG SAID SOUTH RIGHT-OF-WAY SOUTH $45^{\circ}58'53''$ EAST 322.21 FEET TO THE EAST BOUNDARY LINE OF THE PARCEL OWNED BY DEPOT ASSOCIATES LLC (ENTRY NO. 125079) AND RUNNING ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES:

(1) SOUTH $31^{\circ}26'53''$ WEST 279.52 FEET TO A POINT ON A POINT ON A CURVE TO THE LEFT;

(2) ALONG SAID ARC HAVING A RADIUS OF 1960.08 FEET, THE CENTER OF WHICH BEARS SOUTH $58^{\circ}33'07''$ EAST, THROUGH A CENTRAL ANGLE OF $19^{\circ}19'00''$, A DISTANCE OF 660.82 FEET;

(3) SOUTH $12^{\circ}07'54''$ WEST 981.36 FEET TO NORTHEAST CORNER OF UID MINOR SUB NO. 13 LOT 1301 (ENTRY NO. 316649); THENCE ALONG THE NORTHERN BOUNDARY OF SAID PARCEL NORTH $60^{\circ}26'33''$ WEST 144.01 FEET; THENCE NORTH $08^{\circ}23'33''$ WEST 45.56 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG THE ARC HAVING A RADIUS OF 508.00 FEET, THE CENTER OF WHICH BEARS NORTH $49^{\circ}40'19''$ WEST, THROUGH A CENTRAL ANGLE OF $75^{\circ}47'47''$, A DISTANCE OF 672.03 FEET TO A POINT ON THE NORTHERN BOUNDARY OF FELDSPAR MINOR SUBDIVISION, LOT 1 (ENTRY NO. 264355) SAID POINT ALSO BEING ON A CURVE TO THE RIGHT; THENCE ALONG SAID NORTHERN PROPERTY LINE THE FOLLOWING THREE (3) COURSES:

(1) ALONG SAID ARC HAVING A RADIUS OF 406.84 FEET, THE CENTER OF WHICH BEARS NORTH $26^{\circ}07'28''$ EAST, THROUGH A CENTRAL ANGLE OF $03^{\circ}34'59''$, A DISTANCE OF 25.44 FEET;

(2) NORTH $60^{\circ}17'34''$ WEST 584.69 FEET TO A POINT ON A CURVE TO THE LEFT;

(3) ALONG SAID ARC HAVING A RADIUS OF 25.05 FEET, THE CENTER OF WHICH BEARS SOUTH $29^{\circ}34'31''$ WEST, THROUGH A CENTRAL ANGLE OF $90^{\circ}03'36''$, A DISTANCE OF 39.37 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF GARNET STREET (ENTRY NO. 308583); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

(1) NORTH $29^{\circ}30'55''$ EAST 1261.28 FEET TO A POINT ON A CURVE TO THE RIGHT;

(2) ALONG SAID ARC HAVING A RADIUS OF 50.00 FEET, THE CENTER OF WHICH BEARS SOUTH $60^{\circ}29'05''$ EAST, THROUGH A CENTRAL ANGLE OF $89^{\circ}48'25''$, A DISTANCE OF 78.37 FEET;

(3) NORTH $60^{\circ}32'15''$ WEST 49.83 FEET; THENCE NORTH $29^{\circ}30'55''$ EAST 84.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF JAMES WAY (ENTRY NO. 313010); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING SIX (6) COURSES:

(1) NORTH $60^{\circ}32'15''$ WEST 596.03 FEET TO A POINT ON A CURVE TO THE RIGHT

(2) NORTHERLY ALONG SAID ARC HAVING A RADIUS OF 583.93 FEET, THE CENTER OF WHICH BEARS NORTH 29°27'45" EAST, THROUGH A CENTRAL ANGLE OF 58°06'53", A DISTANCE OF 592.28 FEET TO A POINT ON A REVERSE CURVE TO THE LEFT

(3) WESTERLY ALONG SAID ARC HAVING A RADIUS OF 550.00 FEET, THE CENTER OF WHICH BEARS SOUTH 87°34'38" WEST, THROUGH A CENTRAL ANGLE OF 11°52'37", A DISTANCE OF 114.01 FEET TO A POINT ON A CURVE TO THE LEFT

(4) WESTERLY ALONG SAID ARC HAVING A RADIUS OF 1142.00 FEET, THE CENTER OF WHICH BEARS SOUTH 75°42'01" WEST, THROUGH A CENTRAL ANGLE OF 37°36'35", A DISTANCE OF 749.62 FEET TO A POINT ON A CURVE TO THE LEFT

(5) WESTERLY ALONG SAID ARC HAVING A RADIUS OF 466.90 FEET, THE CENTER OF WHICH BEARS SOUTH 38°05'26" WEST, THROUGH A CENTRAL ANGLE OF 02°57'52", A DISTANCE OF 24.16 FEET TO A POINT ON A REVERSE CURVE TO THE RIGHT

(6) NORTHERLY ALONG SAID ARC HAVING A RADIUS OF 50.00 FEET, THE CENTER OF WHICH BEARS NORTH 35°07'34" EAST, THROUGH A CENTRAL ANGLE OF 84°22'30", A DISTANCE OF 73.63 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF LODESTONE WAY (ENTRY NO. 312875); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

(1) NORTH 29°30'04" EAST 625.43 FEET TO A POINT ON A CURVE TO THE RIGHT

(2) NORTHERLY ALONG SAID ARC HAVING A RADIUS OF 508.00 FEET, THE CENTER OF WHICH BEARS SOUTH 60°30'21" EAST, THROUGH A CENTRAL ANGLE OF 28°12'19", A DISTANCE OF 250.07 FEET

(3) NORTH 57°42'23" EAST 10.30 FEET TO A POINT ON A CURVE TO THE RIGHT

(4) NORTHERLY ALONG SAID ARC HAVING A RADIUS OF 65.00 FEET, THE CENTER OF WHICH BEARS SOUTH 32°17'37" EAST, THROUGH A CENTRAL ANGLE OF 76°15'06", A DISTANCE OF 86.50 FEET TO A POINT ON UTAH AVENUE SOUTH RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

(1) SOUTH 32°17'53" EAST 192.44 FEET (225.57 FEET) TO A POINT ON A CURVE TO THE LEFT

(2) EASTERLY ALONG SAID ARC HAVING A RADIUS OF 5821.98 FEET (1700.00 FEET), THE CENTER OF WHICH BEARS NORTH 53°10'51" EAST (NORTH 57°42'07" EAST), THROUGH A CENTRAL ANGLE OF 4°37'53" (13°41'00"), A DISTANCE OF 470.61 (405.99 FEET)

(3) SOUTH 45°58'53" EAST 454.64 FEET (487.43 FEET) TO A POINT 83.00 FEET PERPENDICULARLY DISTANT SOUTHWESTERN FROM A STATE ROAD RIGHT-OF-WAY MARKER ON THE NORTHERLY SIDE OF UTAH AVENUE

(4) SOUTH 45°58'53" EAST 1332.86 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING PROPERTY DEEDED TO JADE STREET ENTERPRISES:

(PROPOSED PARCEL A, UTAH INDUSTRIAL DEPOT MINER SUBDIVISION NO. 39) A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 30, AND THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 4 WEST,

SALT LAKE BASE AND MERIDIAN, AND A PART OF LOT 3701, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 37, LOCATED WITHIN THE UTAH INDUSTRIAL DEPOT, COUNTY OF TOOELE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO.: 37, RECORDED AS ENTRY NO.: 342708, ON FILE WITH THE TOOELE COUNTY RECORDERS OFFICE, SAID POINT BEING SOUTH 89° 43' 08" WEST, ALONG THE QUARTER SECTION LINE, 519.89 FEET, AND SOUTH 0° 16' 52" EAST, PERPENDICULAR TO SAID QUARTER SECTION LINE, 1372.46 FEET, FROM THE FOUND TOOELE COUNTY DEPENDANT RESURVEY MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 30; AND RUNNING THENCE SOUTH 36° 41' 48" WEST, ALONG SAID EAST LINE, 23.82 FEET; THENCE NORTH 60° 30' 30" WEST, 31.37 FEET, TO THE WEST LINE OF AFORESAID UTAH INDUSTRIAL DEPOT SUBDIVISION NO.: 37; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SUBDIVISION AND THE ARC OF A 508.06 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 8°19'21", A DISTANCE OF 73.80 FEET, THE LONG CHORD OF WHICH BEARS NORTH 45°21'39" EAST, 73.74 FEET, TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 436.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°37'30", A DISTANCE OF 96.15 FEET, THE LONG CHORD OF WHICH BEARS NORTH 13°49'49" EAST, 95.95 FEET; THENCE NORTH 07° 33' 13" EAST, 353.28, TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 483.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 12°12'40", A DISTANCE 103.05 FEET, THE LONG CHORD OF WHICH BEARS NORTH 13°39'33" EAST, 102.85 FEET; NORTH 19° 45' 52" EAST, 271.67 FEET; THENCE NORTH 16° 04' 27" EAST 272.44 FEET, TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 350.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 58°23'03", A DISTANCE OF 356.45 FEET, THE LONG CHORD OF WHICH BEARS NORTH 13°07'04" WEST, A DISTANCE OF 341.42 FEET; THENCE NORTH 42° 18' 36" WEST, 346.03 FEET; THENCE NORTH 45° 53' 02" WEST, 755.21 FEET, TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 441.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 78°09'23", A DISTANCE OF 602.25 FEET, THE LONG CHORD OF WHICH BEARS NORTH 84°57'43" WEST, 556.63 FEET; THENCE SOUTH 55° 57' 35" WEST, 180.00 FEET, TO A POINT OF CURVATURE AND THE EASTERLY LINE OF JAMES WAY; THENCE NORTHERLY ALONG THE ARC OF 583.93 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 38°48'54", A DISTANCE OF 38.88 FEET, THE LONG CHORD OF WHICH BEARS NORTH 4°19'49" WEST, 38.87 FEET, TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A 550.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°09'04", A DISTANCE OF 1.45 FEET, THE LONG CHORD OF WHICH BEARS NORTH 2°29'55" WEST, 1.45 FEET; THENCE NORTH 55° 57' 35 EAST, 159.97 FEET, TO A POINT OF CURVATURE; THENCE EASTERLY ALONG THE ARC OF A 476.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 78°09'23", A DISTANCE OF 649.99 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 84°57'43" EAST, 600.75 FEET; THENCE

SOUTH 45° 53' 02" EAST, 755.21 FEET; THENCE SOUTH 51° 52' 51" EAST, 193.27 FEET, TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 31°08'49", A DISTANCE OF 271.81 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 36°18'26" EAST, 268.48 FEET; THENCE SOUTH 20° 44' 02" EAST, 165.82 FEET; THENCE SOUTH 05° 06' 35" WEST, 115.19 FEET, TO THE WESTERLY LINE OF EMERALD ROAD, A PRIVATE ROADWAY; THENCE SOUTHERLY ALONG THE ARC OF A 2026.08 FOOT RADIUS CURVE TO THE LEFT AND SAID WESTERLY LINE OF EMERALD ROAD, THROUGH A CENTRAL ANGLE OF 3°38'18", A DISTANCE OF 128.65 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 16°20'39" WEST, 128.63 FEET; THENCE SOUTH 19° 45' 52" WEST, 447.55 FEET, TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A 427.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°12'40", A DISTANCE OF 91.00 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 13°39'33" WEST, 90.83 FEET; THENCE SOUTH 07° 33' 13" WEST, 353.25 FEET, TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 493.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 17°01'39", A DISTANCE OF 146.51 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 16°02'02" WEST, 145.97 FEET, TO THE NORTHERLY LINE OF THE MOUNTAIN STATE ASPHALT PROPERTY; THENCE NORTH 60° 26' 12" WEST, ALONG SAID NORTH LINE 30.99 FEET, TO THE NORTHWESTERLY CORNER OF AFORESAID UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION 37; THENCE SOUTH 68° 27' 17" WEST, ALONG THE WESTERLY LINE OF SAID SUBDIVISION, 24.30 FEET, TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING PROPERTY DEEDED TO PETERSON INDUSTRIAL PROPERTIES, LLC, a Utah limited liability company:

LEGAL DESCRIPTION FOR FUTURE LOT 3902:

A PARCEL OF LAND BEING LOCATED IN THE SOUTH HALF OF SECTION 19, THE EAST HALF OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE EAST LINE OF THE INDUSTRIAL DEPOT SAID POINT BEING SOUTH 0°04'57" EAST 278.82 FEET ALONG THE SECTION LINE, AND SOUTH 89°55'03" WEST 105.67 FEET, FROM THE NORTHEAST CORNER OF SAID SECTION 30; AND RUNNING THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1960.08 FEET, THE CENTER OF WHICH BEARS SOUTH 71°50'56" EAST, THROUGH A CENTRAL ANGLE OF 6°01'12", A DISTANCE OF 205.94 FEET; THENCE SOUTH 12°07'54" WEST 981.36 FEET TO THE NORTHEAST CORNER OF UID MINOR SUB NO. 13 LOT 1301 (ENTRY NO. 316649); THENCE ALONG THE NORTHERN BOUNDARY OF SAID LOT 1301 NORTH 60°26'33" WEST 144.01 FEET TO A POINT ON THE NORTHERLY LINE OF THE U.S. RAILROAD CLASSIFICATION YARD (ENTRY NO.: 125079); AND RUNNING THENCE ALONG THE WESTERLY LINE OF SAID RAILROAD CLASSIFICATION YARD BOUNDARY THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 68°27'17" WEST 24.31 FEET; (2) SOUTH 36°41'48" WEST 359.90 FEET; (3) SOUTH 40°29'09" WEST 410.74 FEET; (4) SOUTH

27°24'21" EAST 22.39 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, AND THE WESTERLY LINE OF UID MINOR SUBDIVISION NO.: 17 (ENTRY NO.: 334978) THE FOLLOWING FOUR (4) COURSES: (1) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1000.00 FEET, THE CENTER OF WHICH BEARS NORTH 28°14'06" WEST, THROUGH A CENTRAL ANGLE OF 06°37'35", A DISTANCE OF 115.65 FEET; (2) SOUTH 68°23'29" WEST 70.71 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; (3) ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 575.00 FEET, THE CENTER OF WHICH BEARS SOUTH 21°12'37" EAST, THROUGH A CENTRAL ANGLE OF 39°16'50", A DISTANCE OF 394.20 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 49°08'58" WEST 386.53 FEET; (4) SOUTH 29°30'33" WEST 36.77 FEET; THENCE NORTH 59°41'02" WEST, ALONG THE NORTH BOUNDARY LINE OF THE BUILDING 2004-2007 PARCEL (ENTRY NO.: 231368), 260.24 FEET, TO THE WEST LINE OF SAID PARCEL; THENCE SOUTH 29°02'16" WEST, ALONG SAID WEST LINE 308.18 FEET TO THE NORTHWEST CORNER OF BUILDING 2008, 2009, AND 2020 MINOR SUBDIVISION (ENTRY NO.: 245022); THENCE ALONG SAID SUBDIVISION THE FOLLOWING SIX (6) COURSES: (1) SOUTH 29°05'08" WEST A DISTANCE OF 430.99 FEET; (2) SOUTH 62°12'02" EAST 4.79 FEET; (3) SOUTH 29°21'09" WEST 113.90 FEET; (4) SOUTH 70°38'20" EAST 94.61 FEET, TO A POINT OF CURVATURE; (5) NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 118.00 FEET, THROUGH A CENTRAL ANGLE OF 67°24'19", A DISTANCE OF 138.82 FEET, THE LONG CHORD OF WHICH BEARS NORTH 75°39'31" EAST 130.95 FEET; (6) SOUTH 60°30'27" EAST 176.42 FEET; THENCE SOUTH 29°29'33" WEST 28.00 FEET, TO THE NORTH LINE OF THE TASZ PARCEL (ENTRY NO.: 140918 AND 156898); THENCE ALONG THE NORTH LINE OF SAID TASZ PARCELS THE FOLLOWING SEVEN (7) COURSES: (1) NORTH 60°30'27" WEST 155.79 FEET, TO A POINT OF CURVATURE; (2) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 146.00 FEET, THROUGH A CENTRAL ANGLE OF 58°23'12", A DISTANCE OF 148.78 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 80°10'04" WEST 142.43 FEET; (3) NORTH 70°38'20" WEST 104.84 FEET, TO A POINT OF CURVATURE; (4) WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 60.00 FEET, THROUGH A CENTRAL ANGLE OF 113°36'20", A DISTANCE OF 118.97 FEET, THE LONG CHORD OF WHICH BEARS NORTH 76°00'47" WEST, A DISTANCE OF 100.41 FEET, TO A POINT OF REVERSE CURVATURE; (5) WESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 51°25'43", A DISTANCE OF 22.44 FEET, THE LONG CHORD OF WHICH BEARS NORTH 44°55'28" WEST 21.69 FEET; (6) NORTH 70°38'20" WEST 384.30 FEET, TO A POINT OF CURVATURE; (7) SOUTHWESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 79°50'45", A DISTANCE OF 34.84 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 69°26'17" WEST 32.09 FEET; TO A POINT ON THE EASTERLY LINE OF GARNET STREET (ENTRY NO.: 308583); THENCE NORTH 29°30'55" EAST 107.69 FEET, TO A POINT OF CURVATURE, SAID POINT BEING ON THE SOUTHWEST BOUNDARY LINE OF THE H.E.B. AUTO PARCEL (ENTRY NO.: 140628); THENCE ALONG SAID BOUNDARY THE FOLLOWING FIVE (5) COURSES: (1) ALONG THE ARC OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 100°09'15", A DISTANCE OF 43.70 FEET, THE

LONG CHORD OF WHICH BEARS SOUTH 20°33'43" EAST, A DISTANCE OF 38.35 FEET; (2) SOUTH 70°38'20" EAST 349.30 FEET TO A POINT OF CURVATURE; (3) NORTHEASTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 107°33'30", A DISTANCE OF 46.93 FEET, THE LONG CHORD OF WHICH BEARS NORTH 55°34'55" EAST 40.34 FEET, TO A POINT OF REVERSE CURVATURE; (4) NORTHERLY ALONG THE ARC OF A 328.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°52'45", A DISTANCE OF 153.87 FEET; THE LONG CHORD OF WHICH BEARS NORTH 15°14'32" EAST, A DISTANCE OF 152.47 FEET; (5) NORTH 28°40'54" EAST 23.62 FEET TO A POINT ON THE SOUTHEAST CORNER OF THE FELDSPAR MINOR SUBDIVISION LOTS 1 AND 2 (ENTRY NO.: 264355), THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING EIGHT (8) COURSES; (1) NORTH 28°41'00" EAST 304.99 FEET TO A POINT OF CURVATURE; (2) ALONG THE ARC OF A 2526.29 FOOT NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08°02'05", A DISTANCE OF 354.27 FEET, THE LONG CHORD OF WHICH BEARS NORTH 32°41'40" EAST 353.98 FEET; (3) NORTH 36°42'37" EAST 309.36 FEET TO A POINT OF CURVATURE; (4) NORTHEASTERLY ALONG THE ARC OF A 628.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°43'55", A DISTANCE OF 293.00 FEET, THE LONG CHORD OF WHICH BEARS NORTH 50°04'35" EAST 290.35 FEET; (5) NORTH 63°26'32" EAST 212.81 FEET TO A POINT ON A CURVE TO THE LEFT; (6) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 222.00 FEET, THROUGH A CENTRAL ANGLE OF 42°19'32", A DISTANCE OF 164.00 FEET, THE LONG CHORD OF WHICH BEARS NORTH 42°16'46" EAST 160.29 FEET; (7) NORTH 21°07'00" EAST 13.98 FEET TO A POINT ON A CURVE TO THE LEFT; (8) ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 24.72 FEET, THROUGH A CENTRAL ANGLE OF 85°30'59", A DISTANCE OF 36.90 FEET, THE LONG CHORD OF WHICH BEARS NORTH 20°59'55" WEST 33.57 FEET TO A POINT ON THE NORTHERN BOUNDARY OF FELDSPAR MINOR SUBDIVISION, LOT 1 (ENTRY NO. 264355) SAID POINT ALSO BEING ON A CURVE TO THE RIGHT; THENCE ALONG SAID NORTHERN PROPERTY LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG SAID ARC HAVING A RADIUS OF 406.84 FEET, THROUGH A CENTRAL ANGLE OF 03°34'58", A DISTANCE OF 25.44 FEET, THE LONG CHORD OF WHICH BEARS NORTH 62°05'03" WEST 25.44 FEET; (2) NORTH 60°17'34" WEST 584.69 FEET TO A POINT ON A CURVE TO THE LEFT; (3) ALONG SAID ARC HAVING A RADIUS OF 25.05 FEET, THROUGH A CENTRAL ANGLE OF 90°03'36", A DISTANCE OF 39.37 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 74°33'08" WEST 35.45 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF GARNET STREET (ENTRY NO. 308583); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: (1) NORTH 29°30'55" EAST 1261.28 FEET TO A POINT ON A CURVE TO THE RIGHT; (2) ALONG SAID ARC HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 89°48'19", A DISTANCE OF 78.37 FEET, THE LONG CHORD OF WHICH BEARS NORTH 74°25'08" EAST 70.59 FEET; (3) NORTH 60°32'15" WEST 49.83 FEET; THENCE NORTH 29°30'55" EAST 84.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF JAMES WAY (ENTRY NO. 313010); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: NORTH 60°32'15" WEST 596.03 FEET TO A POINT ON A CURVE TO THE RIGHT (2) NORTHERLY ALONG SAID ARC HAVING A RADIUS OF 583.93 FEET, THROUGH A

CENTRAL ANGLE OF 58°06'53", A DISTANCE OF 592.28 FEET, THE LONG CHORD OF WHICH BEARS NORTH 31°28'49" WEST 567.21 FEET TO A POINT ON A REVERSE CURVE TO THE LEFT (3) WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 0°09'04", A DISTANCE OF 1.45 FEET, THE LONG CHORD OF WHICH BEARS NORTH 02°29'55" WEST 1.45 FEET; THENCE NORTH 55° 57' 35" EAST, 159.97 FEET, TO A POINT OF CURVATURE; THENCE EASTERLY ALONG THE ARC OF A 476.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 78°09'24", A DISTANCE OF 649.99 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 84°57'43" EAST, 600.75 FEET; THENCE SOUTH 45° 53' 02" EAST, 755.21 FEET; THENCE SOUTH 51° 52' 51" EAST, 193.27 FEET, TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 31°08'49", A DISTANCE OF 271.81 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 36°18'26" EAST, 268.47 FEET; THENCE SOUTH 20° 44' 02" EAST, 165.82 FEET; THENCE SOUTH 05° 06' 35" WEST, 115.19 FEET; THENCE SOUTH 71°28'39" EAST 66.00 FEET TO THE POINT OF BEGINNING.

LESS & EXCEPTING THEREFROM:

THAT PORTION DEEDED TO JADE STREET ENTERPRISES, LLC BY SPECIAL WARRANTY DEED RECORDED SEPTEMBER 12, 2011 AS ENTRY NO. 360002.

ALSO LESS & EXCEPTING THEREFROM:

THAT PORTION DEEDED TO FRED SWEDIN, TRUSTEE OF THE REVOCABLE TRUST AGREEMENT OF FRED SWEDIN DATED APRIL 1, 1992 BY SPECIAL WARRANTY DEED RECORDED SEPTEMBER 11, 2003 AS ENTRY NO. 209941 AND ON MARCH 12, 2013 AS ENTRY NO. 381604.

ALSO LESS AND EXCEPTING THEREFROM:

ALL OF UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 37, RECORDED JUNE 8, 2010 AS ENTRY NO. 342708

02-017-0071 and Part of 02-132-0-0030

PARCEL 8:

A PARCEL OF LAND BEING LOCATED IN SECTION 19, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT NORTH 55°06'44" WEST A DISTANCE OF 2917.58 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 19, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF JAMES WAY (ENTRY NO. 313010); AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY NORTH 60°33'32" WEST 1982.82 FEET TO A

POINT ON THE EAST RIGHT OF WAY LINE OF INDUSTRIAL LOOP ROAD (ENTRY NO. 219594) SAID POINT BEING ON A CURVE TO THE RIGHT, THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING TWO (2) CALLS:

1. ALONG THE ARC HAVING A RADIUS OF 50.00 FEET, THE CENTER OF WHICH BEARS NORTH 29°27'45" EAST, THROUGH A CENTRAL ANGLE OF 89°59'13", A DISTANCE OF 78.53, THE LONG CHORD OF WHICH BEARS NORTH 15°33'55" WEST A DISTANCE OF 70.70 FEET

2. NORTH 29°25'41" EAST 162.89 FEET TO A POINT ON THE NORTHWEST U.I.D. BOUNDARY LINE (ENTRY NO. 125079); THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING THREE (3) CALLS:

1. SOUTH 60°30'50" EAST 760.77 FEET

2. NORTH 40°42'50" EAST 715.13 FEET

3. NORTH 39°51'42" EAST 715.74 FEET (699.38 FEET) MORE OR LESS, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF UTAH AVENUE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING CALLS:

1. SOUTH 32°17'53" EAST 112.61 FEET (SOUTH 32°02'25" EAST 97.51 FEET)

2. NORTH 89°55'36" EAST 23.64 FEET (42.56 FEET)

3. SOUTH 32°17'53" EAST 1130.22 FEET

TO A POINT ON A CURVE TO THE RIGHT, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF LODESTONE WAY (ENTRY NO. 312875) THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) CALLS:

1. ALONG THE ARC HAVING A RADIUS OF 65.00 FEET, THE CENTER OF WHICH BEARS SOUTH 71°30'51" WEST, THROUGH A CENTRAL ANGLE OF 76°11'24", A DISTANCE OF 86.44 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 19°36'33" WEST A DISTANCE OF 80.21 FEET

2. SOUTH 57°42'23" WEST 10.30 FEET TO A POINT ON A CURVE TO THE LEFT

3. ALONG THE ARC HAVING A RADIUS OF 592.00 FOOT, THE CENTER OF WHICH BEARS SOUTH 32°17'37" EAST THROUGH A CENTRAL ANGLE OF 28°12'19", A DISTANCE OF 291.43 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 43°36'14" WEST A DISTANCE OF 288.49 FEET.

4. SOUTH 29°30'04" WEST 622.96 FEET; TO A POINT ON A CURVE TO THE RIGHT, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF THE AFORESAID JAMES WAY THENCE ALONG THE ARC HAVING A RADIUS OF 50.00 FOOT, THE CENTER OF WHICH BEARS NORTH 60°29'56" WEST THROUGH A CENTRAL ANGLE OF 89°56'24", A DISTANCE OF 78.49 FEET THE LONG CHORD OF WHICH BEARS SOUTH 74°28'16" WEST A DISTANCE OF 70.67 FEET TO THE POINT OF BEGINNING.

Part of 02-017-0-0071

Parcel 9:

LOT 101 UTAH INDUSTRIAL DEPOT SUBDIVISION NO.1 –AMENDED (MINOR SUBDIVISION), ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

16-005-0-0101

Parcel 10:

LOT 4001, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 40, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

17-075-0-4003

Exhibit "D-2"
New Site Plan of the Project

See the Following Page

