

Ent: 395026 - Pg 1 of 15  
Date: 1/31/2014 4:11:00 PM  
Fee: \$53.00  
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 South 4650 West  
Salt lake City, Utah 84104  
Attn: Randolph G. Abood

Tax Parcel Nos. See Exhibit A

*Space above for County Recorder's Use*

### EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (the "Agreement") is made effective this 31<sup>st</sup> day of January, 2014, by and between PETERSON INDUSTRIAL PROPERTIES, LLC, a Utah limited liability company ("Grantor"), and NINIGRET DEPOT, L.C., a Utah limited liability company ("Grantee") (Grantor and Grantee are sometimes referred to herein collectively as the "Parties" and individually as a "Party"), with reference to the following:

A. Grantor and Grantee are parties to that certain Real Estate Purchase Agreement and Escrow Instructions, dated July 12, 2013 (the "Purchase Agreement"), regarding certain real properties situated in Tooele County, State of Utah.

B. Pursuant to the Purchase Agreement, Grantor is acquiring from Grantee certain real property located in Tooele County, Utah (the "Grantor Property"), more particularly described in Exhibit B attached hereto and incorporated herein by this reference.

C. Grantee owns that certain real property located near the Grantor Property, as described in Exhibit C, attached hereto and incorporated herein by this reference (the "Grantee Property").

D. Pursuant to the Purchase Agreement, Grantor has agreed to grant and convey to Grantee blanket perpetual, nonexclusive easements on the Grantor Property for the purposes described below, all in accordance with and subject to the terms and conditions of this Agreement.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and consideration of which are hereby acknowledged, the Parties agree as follows:

1. Grant of Easement. Grantor hereby grants to Grantee, its successors and assigns, for the benefit of the Grantee Property, a blanket perpetual, nonexclusive easement ("Easement") on, over, across, and through the Grantor Property to construct, design, install, access, use, maintain, operate, repair, replace, inspect, protect, change, or enlarge rail lines, utilities, storm drains, sewer lines, access roads, and other infrastructure necessary or desirable for the development of the Grantee Property (collectively, the "Improvements"), including an easement to use and extend existing rail lines, utility lines, sewer and storm drain lines and access roads already located on the Grantor Property. Any new Improvements shall be designed and installed to minimize the impact upon the Grantor Property and shall comply with existing regulations and laws.

2. Reservation by Grantor. Grantor hereby reserves the right to use the Grantor Property for any use not inconsistent with Grantee's permitted use of the Grantor Property

3. Condition of the Easement Property. Grantee accepts the Grantor Property and all aspects thereof in "AS IS", "WHERE IS" condition, without warranties, either express or implied, "with all faults", including but not limited to both latent and patent defects. Grantee hereby waives all warranties, express or implied, regarding the title, condition and use of the Grantor Property.

4. Covenants Run with the Land. The Easement, and the rights and obligations granted or created hereby are appurtenances to the Grantee Property and all such easements, rights or obligations may be transferred and assigned by Grantee without the consent of the Grantor. The Easement (a) shall constitute covenants running with the Grantor Property; and (b) shall inure to the benefit of and be binding upon the Parties hereto and their respective heirs, successors and assigns as to their respective property.

5. Duration. The duration of the Easement shall be perpetual.

6. Attorneys' Fees. In the event it becomes necessary for any Party hereto to employ an attorney in order for such Party to enforce its rights hereunder, either with or without litigation, the non-prevailing Party of such controversy shall pay to the prevailing Party reasonable attorneys' fees and, in addition, such costs and expenses as are incurred by the prevailing Party in enforcing its rights hereunder.

7. Counterparts. This Agreement may be executed in any number of counterparts, provided each counterpart is identical in its terms. Each such counterpart, when executed and delivered will be deemed to be an original, and all such counterparts shall be deemed to constitute one and the same instrument. For convenience in recording, signature pages from multiple counterparts may be detached from their counterparts and attached to a single counterpart to be recorded.

*[signatures and acknowledgements are on the following pages]*



Grantee:

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

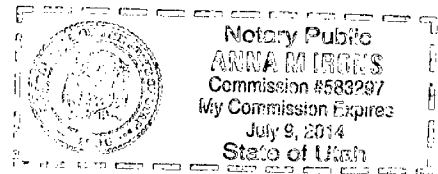
STATE OF UTAH )  
 )  
COUNTY OF SALT LAKE )

On JANUARY 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)



**EXHIBIT A  
TO  
EASEMENT AGREEMENT**

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(TAX PARCEL NOS.)

Tax Parcel No. for Grantor Property: 18-034-0-003A

Tax Parcel Nos. for Grantee Property: 16-005-0-0102, 16-005-0-0104, 17-063-0-3101, 17-063-0-3102, 17-064-0-3201, 17-064-0-3202, 17-065-0-3301, 17-066-0-3401, 17-039-0-3802, 02-017-0071, Part of 02-132-0-0030, and Part of 02-017-0-0071

**EXHIBIT B  
TO  
EASEMENT AGREEMENT**

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(DESCRIPTION OF GRANTOR PROPERTY)

The real property referenced in the foregoing instrument as the "Grantor Property" is located in Tooele County, Utah and is more particularly described as:

LOT 3, UTAH INDUSTRIAL DEPOT MASTER SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

LESS AND EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE RECORDED PLAT OF BUILDING 619 MINOR SUBDIVISION FINAL PLAT RECORDED OCTOBER 7, 2013 AS ENTRY NO. 390257 OF OFFICIAL RECORDS.

Tax ID No. 18-034-0-003A.

**EXHIBIT C  
TO  
EASEMENT AGREEMENT**

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(DESCRIPTION OF GRANTEE PROPERTY)

The real property referenced in the foregoing instrument as the "Grantee Property" is located in Tooele County, Utah and is more particularly described as:

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:

LOT 3802, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 38, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

17-039-0-3802

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°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°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°26'53" WEST 279.52 FEET TO 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°33'07" EAST, THROUGH A CENTRAL ANGLE OF 19°19'00", A DISTANCE OF 660.82 FEET;

(3) SOUTH 12°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°26'33" WEST 144.01 FEET; THENCE NORTH 08°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°40'19" WEST, THROUGH A CENTRAL ANGLE OF 75°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°07'28" EAST, THROUGH A CENTRAL ANGLE OF 03°34'59", A DISTANCE OF 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, THE CENTER OF WHICH BEARS SOUTH 29°34'31" WEST, THROUGH A CENTRAL ANGLE OF 90°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°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°29'05" EAST, THROUGH A CENTRAL ANGLE OF 89°48'25", A DISTANCE OF 78.37 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 SIX (6) COURSES:

(1) 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, 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