

**WHEN RECORDED RETURN TO:**

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Page 1 of 5

Rhonda Francis Summit County Recorder  
12/01/2020 09:39:50 AM Fee \$40.00

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**IN THE THIRD JUDICIAL DISTRICT COURT  
SUMMIT COUNTY, STATE OF UTAH**

SUMMIT COUNTY  
Plaintiff and Petitioner,  
vs.

NATHAN A. BROCKBANK; JOSHUA J.  
ROMNEY; RB 248, LLC; NB 248, LLC;  
N. BROCKBANK INVESTMENTS, LLS;  
JIR VENTURES, LTD; WELLS FARGO  
BANK, NA; REDUS PARK CITY, LLC;  
UNITED PARK CITY MINES  
COMPANY; and JUSTIN  
LAMPROPOULOS  
Defendants and Respondents

NB 248, LLC  
Counterclaim and Third Party  
Plaintiff

vs.

SUMMIT COUNTY  
Counterclaim Defendant

and

PARK CITY MUNICIPAL CORP.  
Third Party Defendant

**LIS PENDENS**

Case No. 200500346

Judge Richard Mrazik

**COURTESY RECORDING**

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PARK CITY MUNICIPAL CORP.  
Counterclaim and Crossclaim  
Plaintiff

vs.

NB 248, LLC  
Counterclaim Defendant

NATHAN A. BROCKBANK; JOSHUA J.  
ROMNEY; RB 248, LLC; N.  
BROCKBANK INVESTMENTS, LLS; JJR  
VENTURES, LTD; WELLS FARGO  
BANK, NA; REDUS PARK CITY, LLC;  
and UNITED PARK CITY MINES  
COMPANY  
Crossclaim Defendants

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Pursuant to Utah Code section 78B-6-1303, notice is hereby given of the pendency of an action filed in the Utah State Court, Third District Court, Summit County, Utah, Civil Number 200500346 (the "Action"). In the Action, Park City has asserted claims that affect the title to, or the right of possession of, real property in Summit County, Utah, which real property includes portions of parcel numbers SS-88, SS-87, PP-28-A, SS-87-B-X, and is more particularly described in the attached Exhibit "A" (the "Property"). As part of the Action, Park City asserts: a quiet title/declaratory judgment claim seeking to confirm its conservation easement over the Property; a declaratory judgment claim seeking to confirm that obligations and restrictions arising from an existing development agreement and concerning the Property run with the land and continue to apply to the Property; a claim for enforcement of an equitable servitude that limits the use of the Property; and specific performance of an existing development agreement, including the obligation to grant a deed restriction.

Dated this 30<sup>th</sup> day of November, 2020

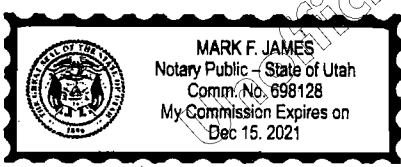
JAMES DODGE RUSSELL & STEPHENS, P.C.

By:   
\_\_\_\_\_  
Mitchell A. Stephens

*Counsel for Park City Municipal Corp.*

STATE OF UTAH                    )  
  :ss.  
COUNTY OF SALT LAKE    )

On this ~~30~~ day of November, 2020 personally appeared before me Mitchell A. Stephens, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.



  
\_\_\_\_\_  
NOTARY PUBLIC

Ex. A—Lis Pendens

UNITED PARK CITY MINES COMPANY

RICHARDSON FLATS DESCRIPTION

GENERAL DESCRIPTION

All of the property owned by United Park City Mines Company lying East of U. S Highway 40, South of Utah Highway 189, West of the Summit Wasatch County Line and North of the foothills forming the South edge of the Basin, being more particularly described as follows:

Beginning at a point lying on the center section line of Section 1, Township 2 South, Range 4 East Salt Lake Base and Meridian, said point also common with a point on the Summit and Wasatch County lines and lying South  $64^{\circ}34'17''$  East 6177.91 Feet, more or less, from the Northwest Corner of said Section 1:

Thence North  $07^{\circ}48'30''$  West 569.42 Feet more or less;

Thence North  $30^{\circ}03'00''$  East 491.00 Feet along said County Line to County Line Marker 138;

Thence North  $15^{\circ}43'00''$  West 620.95 Feet more or less to a point on the Southerly Right-of-Way line to Utah State Highway 189, said point lying on a 1,679.86 Foot radius curve to the left whose radius point bears South  $18^{\circ}25'57''$  West;

Thence along said curve, through a central angle of  $12^{\circ}57'43''$  a distance of 380.03 Feet;

Thence North  $87^{\circ}46'51''$  West 300.64 Feet;

Thence South  $88^{\circ}33'10''$  West 541.22 Feet;

Thence North  $85^{\circ}26'18''$  West 193.25 Feet;

Thence North  $78^{\circ}57'34''$  West 621.06 Feet;

Thence North  $81^{\circ}30'46''$  West 503.42 Feet;

Thence North  $76^{\circ}56'20''$  West 501.60 Feet;

Thence North  $81^{\circ}30'46''$  West 700.00 Feet;

Thence North  $71^{\circ}23'40''$  West 227.68 Feet;

Thence North  $79^{\circ}09'47''$  West 994.80 Feet;

Thence North  $66^{\circ}54'08''$  West 590.16 Feet;

Thence North  $64^{\circ}10'15''$  West 167.19 Feet;

Thence North  $89^{\circ}53'00''$  West 978.55 Feet;

Thence South  $25^{\circ}23'31''$  West 116.87 Feet to a point on the northerly section line of said section 2;

Thence South  $00^{\circ}45'29''$  West 178.58 Feet more or less along said section line to a point on the Easterly Right-of-Way line of U. S. Highway 40;

Thence South  $5^{\circ}56'20''$  West 253.60 Feet;

Thence South  $5^{\circ}56'20''$  West 205.58 Feet to a point on a 2406.48 radius curve to the left whose radius point bears South  $84^{\circ}01'04''$  East;

Thence along said curve, through a central angle of  $9^{\circ}17'52''$  a distance of 390.52 Feet;

Thence South  $3^{\circ}23'37''$  East 105.10 Feet;

Thence South  $7^{\circ}04'23''$  East 356.56 Feet more or less to a point on the northwesterly boundary of the Rails to Trails Right-of-Way;

Thence South  $7^{\circ}04'23''$  East 150.58 Feet to a point on the southeasterly boundary of said Right-of-Way;

Thence South  $7^{\circ}04'24''$  East 48.63 Feet;

Thence South  $1^{\circ}27'27''$  West 202.24 Feet;

Thence South  $40^{\circ}00'00''$  East 554.91 Feet;

Thence South  $31^{\circ}40'49''$  West 451.87 Feet;

**RICHARDSON FLAT DESCRIPTION**

Page Two

Thence South  $7^{\circ}04'23''$  East 493.36 Feet more or less to a point on the northerly edge of the County Road across Richardson Flat;

Thence South  $7^{\circ}04'19''$  East 102.54 Feet to a point on the southerly boundary of said roadway;

Thence South  $7^{\circ}04'23''$  East 573.60 Feet to a point on the northern line of the South  $1/2$  of the Southeast one quarter of said Section 2;

Thence South  $89^{\circ}57'22''$  East 1604.54 Feet more or less along said line to the east line of said Section 2;

Thence South  $00^{\circ}33'35''$  West 1326.74 Feet more or less to the Southeast Corner of said Section 2, said point also common to Sections 1, 12 and 11 of Township 2 South, Range 4 East S.L.B. & M.;

Thence South  $00^{\circ}10'48''$  West 1328.76 Feet along the east section line of said Section 11 to a point common to the center line of the Northeast one quarter of said Section 11;

Thence South  $89^{\circ}09'12''$  East 1358.31 Feet more or less along the south line of the northwest one quarter of the northwest quarter of said Section 12;

Thence North  $00^{\circ}07'55''$  East 1347.76 Feet more or less to a point on the south line of said Section 1:

Thence North  $89^{\circ}58'31''$  East 1357.10 Feet, more or less, along said south section line to the south quarter corner of said Section 1;

Thence North  $00^{\circ}00'24''$  East 2679.92 Feet more or less along the center section line of said Section 1 to the Center of said Section 1;

Thence South  $89^{\circ}30'01''$  East 2043.63 Feet more or less along the center section line of said Section 1 to the Point of Beginning;

Contains 573 acres more or less.