

Ent: 395030 - Pg 1 of 14
Date: 1/31/2014 4:11:00 PM
Fee: \$57.00
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

AGREEMENT REGARDING RAIL USE

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

A. Peterson and Ninigret 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, Peterson is acquiring from Ninigret certain real property located in Tooele County, Utah (the "Peterson Property"), more particularly described in Exhibit B attached hereto and incorporated herein by this reference.

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

D. The Peterson Property is benefitted by a rail line that runs through, or near, the Ninigret Property (the "Rail Line").

E. Free and clear passage over the Rail Line is essential for the proper access to and from the Ninigret Property.

F. Peterson has agreed not store any rail cars on the Rail Line in order to permit unobstructed access to and from the Ninigret Property, 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. Restriction on use of Rail Line. Peterson hereby agrees to: (i) not store, leave, or otherwise use any rail cars, rail engines, or other similar rail equipment on, over, or across the Rail Line so as to prohibit, obstruct, or limit Ninigret's ingress and egress to and from the Ninigret Property.

2. Reservation by Peterson. Peterson hereby reserves the right to use the Rail Line, as heretofore used, for any use not inconsistent with prohibition stated in Section 1 above.

3. Covenants Run with the Land. The Agreement, and the restrictions and obligations granted or created hereby are appurtenances to the Ninigret Property and all such easements, rights or obligations may be transferred and assigned by Ninigret without the consent of the Peterson. This Agreement (a) shall constitute covenants running with the Peterson 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.

4. Duration. The duration of the Agreement shall be perpetual.

5. 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.

6. 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.

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Ninigret:

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

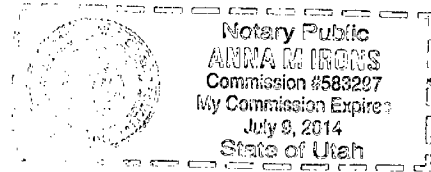
STATE OF UTAH)
)
COUNTY OF SALT LAKE)

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)



**EXHIBIT A
TO
EASEMENT AGREEMENT**

(TAX PARCEL NOS.)

Tax Parcel No. for Peterson Property: Tax ID No.'s 17-009-0-1302, 17-009-0-1303, Tax ID No. 17-044-0-1804, Tax ID No.'s 17-092-0-3001, 17-092-0-3002, 17-092-0-3003, 17-092-0-3004, Tax ID No.'s 17-067-0-3501, 17-067-0-3502, Tax ID No. 17-069-0-3601, Tax ID No. 17-070-0-3702, Tax ID No. 16-004-0-0002, Part Of Tax ID No. 02-017-0-0071, Part of Tax ID No. 02-132-0-0030, Part of Tax ID No. 18-034-0-0001, Tax ID No. 18-034-0-0002, Tax ID No. 15-075-0-0004, and Tax ID No. 15-018-0-0002

Tax Parcel Nos. for Ninigret Property: 18-034-0-0001

**EXHIBIT B
TO
EASEMENT AGREEMENT**

(DESCRIPTION OF PETERSON PROPERTY)

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

PARCEL 1:

LOTS 1302, AND 1303, UTAH INDUSTRIAL DEPOT SUBDIVISION NO. 13, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

Tax ID No.'s 17-009-0-1302, 17-009-0-1303

PARCEL 2:

LOTS 1801, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 18, 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 CONVEYED TO JADE STREET ENTERPRISES, LLC, BY SPECIAL WARRANTY DEED RECORDED SEPTEMBER 12, 2011 AS ENTRY NO. 360002, OF TOOELE COUNTY OFFICIAL RECORDS.

Tax ID No. 17-044-0-1804

PARCEL 3:

LOTS 3001A, 3002A, 3003A AND 3004A, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 30 AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

Tax ID No.'s 17-092-0-3001, 17-092-0-3002, 17-092-0-3003, 17-092-0-3004

PARCEL 4:

LOTS 3501 AND 3502, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 35, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

Tax ID No.'s 17-067-0-3501, 17-067-0-3502

PARCEL 5:

LOT 3601, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 36, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

Tax ID No. 17-069-0-3601

PARCEL 6:

LOT 3701, UTAH INDUSTRIAL DEPOT MINOR SUBDIVISION NO. 37, 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 CONVEYED TO JADE STREET ENTERPRISES, LLC, BY SPECIAL WARRANTY DEED RECORDED SEPTEMBER 12, 2011 AS ENTRY NO. 360002, OF TOOELE COUNTY OFFICIAL RECORDS.

Tax ID No. 17-070-0-3702

PARCEL 7: Intentionally Deleted

PARCEL 8:

LOT 2, FELDSPAR MINOR SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE TOOELE COUNTY RECORDER OFFICE, STATE OF UTAH.

Tax ID No. 16-004-0-0002

PARCEL 9:

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 $76^{\circ}00'47''$ 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 $51^{\circ}25'43''$, A DISTANCE OF 22.44 FEET, THE LONG CHORD OF WHICH BEARS NORTH $44^{\circ}55'28''$ WEST 21.69 FEET; (6) NORTH $70^{\circ}38'20''$ 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 $79^{\circ}50'45''$, A DISTANCE OF 34.84 FEET, THE LONG CHORD OF WHICH BEARS SOUTH $69^{\circ}26'17''$ WEST 32.09 FEET; TO A POINT ON THE EASTERLY LINE OF GARNET STREET (ENTRY NO.: 308583); THENCE NORTH $29^{\circ}30'55''$ 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 $100^{\circ}09'15''$, A DISTANCE OF 43.70 FEET, THE LONG CHORD OF WHICH BEARS SOUTH $20^{\circ}33'43''$ EAST, A DISTANCE OF 38.35 FEET; (2) SOUTH $70^{\circ}38'20''$ 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 $107^{\circ}33'30''$, A DISTANCE OF 46.93 FEET, THE LONG CHORD OF WHICH BEARS NORTH $55^{\circ}34'55''$ 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 $26^{\circ}52'45''$, A DISTANCE OF 153.87 FEET; THE LONG CHORD OF WHICH BEARS NORTH $15^{\circ}14'32''$ EAST, A DISTANCE OF 152.47 FEET; (5) NORTH $28^{\circ}40'54''$ 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 $28^{\circ}41'00''$ 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 $08^{\circ}02'05''$, A DISTANCE OF 354.27 FEET, THE LONG CHORD OF WHICH BEARS NORTH $32^{\circ}41'40''$ EAST 353.98 FEET; (3) NORTH $36^{\circ}42'37''$ 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 $26^{\circ}43'55''$, A DISTANCE OF 293.00 FEET, THE LONG CHORD OF WHICH BEARS NORTH $50^{\circ}04'35''$ EAST 290.35 FEET; (5) NORTH $63^{\circ}26'32''$ 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 $42^{\circ}19'32''$, A DISTANCE OF 164.00 FEET, THE LONG CHORD OF WHICH BEARS NORTH $42^{\circ}16'46''$ EAST 160.29 FEET; (7) NORTH $21^{\circ}07'00''$ 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 $85^{\circ}30'59''$, A DISTANCE OF 36.90 FEET, THE LONG CHORD OF WHICH BEARS NORTH $20^{\circ}59'55''$ 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 $03^{\circ}34'58''$, A DISTANCE OF 25.44 FEET, THE LONG CHORD OF WHICH BEARS NORTH $62^{\circ}05'03''$ WEST 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, 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

(PART OF Tax ID No. 02-017-0-0071 and Tax ID No. 02-132-0-0030)

PARCEL 10A:

LOT 1, 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 & EXCEPTING THEREFROM (BUILDING 669 PARCEL) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF I AVENUE, ENTRY NO. 308585; SAID POINT BEING SOUTH 47°32'45" WEST A DISTANCE OF 3208.91 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 30, RUNNING THENCE ALONG SAID I AVENUE RIGHT-OF-WAY LINE NORTH 60°23'28" WEST 203.88 FEET TO A POINT OF TANGENCY WITH A 25.00-FOOT RADIUS CURVE TO THE RIGHT THENCE NORTHERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 89°54'53., A DISTANCE OF 39.23 FEET, THE LONG CHORD OF WHICH BEARS NORTH 15°26'01" WEST, A DISTANCE OF 35.33 FEET THENCE NORTH 29°31'26" EAST 545.44 FEET TO A POINT OF TANGENCY WITH A 25.00-FOOT RADIUS CURVE TO THE RIGHT THENCE EASTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 90°06'46., A DISTANCE OF 39.32 FEET, THE LONG CHORD OF WHICH BEARS NORTH 74°34'49" EAST, A DISTANCE OF 35.39 FEET THENCE SOUTH 60°21'48" EAST 203.69 FEET TO THE WESTERLY LINE OF A RAILROAD SPUR EASEMENT, ENTRY NO. 334654; THENCE SOUTH 29°30'51" WEST 595.34 FEET ALONG SAID RAILROAD EASEMENT TO THE NORTHERLY RIGHT-OF-WAY LINE OF .I. AVENUE, ENTRY NO. 308585, AND TO THE POINT OF BEGINNING.

Tax ID No. 18-034-0-0001.

PARCEL 10B:

LOT 2, 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 & EXCEPTING THEREFROM (BUILDING 640 PARCEL) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING LOCATED IN THE NORTHWEST QUARTER 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 EASTERLY RIGHT-OF-WAY LINE OF LODESTONE WAY A PUBLIC ROAD, ENTRY NO. 312875; SAID POINT BEING SOUTH 61°43'47" WEST A DISTANCE OF 5079.65 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 30, RUNNING THENCE ALONG SAID LODESTONE RIGHT-OF-WAY LINE NORTH 29°29'11" EAST 520.04 FEET TO A POINT ON A 25.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 60°30'49" EAST, RUNNING THENCE EASTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 90°05'47., A DISTANCE OF 39.31 FEET, THE LONG CHORD OF WHICH BEARS NORTH 74°32'05" EAST, A DISTANCE OF 35.39 FEET TO A POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF "H" AVENUE A PRIVATE ROAD, ENTRY NO. 337437; THENCE SOUTH 60°25'02" EAST 216.41 FEET TO THE WESTERLY LINE OF THE .F. LINE RAILROAD SPUR EASEMENT, ENTRY NO. 334654; THENCE SOUTH 29°30'02" WEST 595.12 FEET ALONG SAID RAILROAD EASEMENT TO THE NORTHERLY RIGHT-OF-WAY LINE OF .G. AVENUE A PUBLIC ROAD, ENTRY NO. 308584; RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 60°22'55" WEST 191.42 FEET TO A POINT OF TANGENCY WITH A 50.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 89°52.06., A DISTANCE OF 78.42 FEET; THE LONG CHORD OF WHICH BEARS NORTH 15°26.52. WEST, A DISTANCE OF 70.63 FEET TO THE POINT OF BEGINNING.

Tax ID No. 18-034-0-0002.

PARCEL 10C:

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.

PARCEL 11: INTENTIONALLY DELETED

PARCEL 12:

UNIT 657-4, CONTAINED WITHIN THE 657 BUILDING CONDOMINIUM PROJECT, AS THE SAME IS IDENTIFIED IN THE CONDOMINIUM PLAT RECORDED IN TOOELE COUNTY, UTAH ON NOVEMBER 30, 2005 AS ENTRY NO: 250794 (AS SAID CONDOMINIUM PLAT SHALL HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED); AND IN THE DECLARATION OF CONDOMINIUM . 657 BUILDING CONDOMINIUM PROJECT, RECORDED ON DECEMBER 5, 2005, AS ENTRY NO. 251104, IN THE OFFICE OF THE TOOELE COUNTY RECORDER, AS SAID DECLARATION MAY HAVE BEEN HERETOFORE AMENDED OR SUPPLEMENTED.

TOGETHER WITH A 50% UNDIVIDED OWNERSHIP INTEREST IN SAID PROJECT.0S COMMON ELEMENTS THAT IS APPURTENANT TO SAID UNIT AS MORE PARTICULARLY DESCRIBED IN SAID DECLARATION.

Tax ID No. 15-075-0-0004

PARCEL 13:

BUILDING 639-UNIT 2 CONTAINED WITHIN THE 639 BUILDING CONDOMINIUM PROJECT AS THE SAME IS IDENTIFIED IN THE CONDOMINIUM PLAT RECORDED IN TOOELE COUNTY, UTAH, ON SEPTEMBER 7, 2004, AS ENTRY NO. 228740(AS SAID CONDOMINIUM PLAT SHALL HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED) AND IN THE DECLARATION OF CONDOMINIUM FOR 639 BUILDING CONDOMINIUM RECORDED IN TOOELE COUNTY, UTAH, ON SEPTEMBER 7, 2004 AS ENTRY NO. 228741, IN BOOK NO. 969 AT PAGE 91 AS SAID DECLARATION MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED:

TOGETHER WITH A 50% UNDIVIDED OWNERSHIP INTEREST IN SAID PROJECT.S COMMON ELEMENTS THAT IS APPURTENANT TO SAID UNIT AS MORE PARTICULARLY DESCRIBED IS SAID DECLARATION.

Tax ID No. 15-018-0-0002

**EXHIBIT C
TO
EASEMENT AGREEMENT**

(DESCRIPTION OF NINIGRET PROPERTY)

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

(BUILDING 669 PARCEL) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF I AVENUE, ENTRY NO. 308585; SAID POINT BEING SOUTH 47°32'45" WEST A DISTANCE OF 3208.91 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 30, RUNNING THENCE ALONG SAID I AVENUE RIGHT-OF-WAY LINE NORTH 60°23'28" WEST 203.88 FEET TO A POINT OF TANGENCY WITH A 25.00-FOOT RADIUS CURVE TO THE RIGHT THENCE NORTHERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 89°54'53., A DISTANCE OF 39.23 FEET, THE LONG CHORD OF WHICH BEARS NORTH 15°26'01" WEST, A DISTANCE OF 35.33 FEET THENCE NORTH 29°31'26" EAST 545.44 FEET TO A POINT OF TANGENCY WITH A 25.00-FOOT RADIUS CURVE TO THE RIGHT THENCE EASTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 90°06'46., A DISTANCE OF 39.32 FEET, THE LONG CHORD OF WHICH BEARS NORTH 74°34'49" EAST, A DISTANCE OF 35.39 FEET THENCE SOUTH 60°21'48" EAST 203.69 FEET TO THE WESTERLY LINE OF A RAILROAD SPUR EASEMENT, ENTRY NO. 334654; THENCE SOUTH 29°30'51" WEST 595.34 FEET ALONG SAID RAILROAD EASEMENT TO THE NORTHERLY RIGHT-OF-WAY LINE OF .I. AVENUE, ENTRY NO. 308585, AND TO THE POINT OF BEGINNING.

Tax ID No. 18-034-0-0001.