

ORIGINAL

After recording, mail to:

5135556

Wayne G. Petty, Esq.
MOYLE & DRAPER, P.C.
600 Deseret Plaza
No. 15 East First South
Salt Lake City, Utah 84111-1915
ATCSH-EG6180-38

NO FEE

2 of 5

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03 OCTOBER 91 04:46 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: DIANE KILPACK, DEPUTY

OPEN SPACE AGREEMENT

THIS AGREEMENT is entered into this 15th day of February, 1991, by and between ALEXANDER J. ROBINSON, an individual, CHRISTOPHER F. ROBINSON, an individual, VICTORIA A. ROBINSON, an individual, BARBARA McCULLY, aka BARBARA ROBINSON, an individual, BEAVER CREEK PARTNERSHIP, a Utah General Partnership, ARIMO CORPORATION, an Idaho Corporation qualified to do business in the State of Utah, hereinafter collectively referred to as "Robinson" and SALT LAKE CITY CORPORATION, hereinafter referred to as "City".

RECITALS:

A. Robinson has conveyed to City certain real properties within the boundaries of Salt Lake City and in the vicinity of Ensign Peak, consisting of the following:

1. A parcel, previously owned by the Board of Education of the Salt Lake City School District, hereinafter referred to as "Parcel 3" (which excludes therefrom "Parcels A and B") and described in Exhibit "A" attached hereto.

2. A parcel surrounding the summit of Ensign Peak, referred to as "Parcel 4" and described in Exhibit "A" attached hereto, subject to a Right of Way hereinafter

referred to as "Right of Way Parcel C" and described in Exhibit "A" attached hereto.

3. A parcel, located northeast of "Hogsback Peak," hereinafter referred to as "Parcel 5" and described in Exhibit "A" attached hereto, subject to a perpetual Right of Way hereinafter referred to as "Right of Way Parcel F" and described in Exhibit "A" attached hereto.

4. A parcel, located northeasterly from the LDS Chapel which is located at Greenstoke Drive and North Sandrun Road, hereinafter referred to as "Parcel Y" and described in Exhibit "A" attached hereto.

5. A parcel, located along the east side of "Hogsback Peak," hereinafter referred to as "Parcel Z" and described in Exhibit "A" attached hereto.

B. City owns "Parcel X" described in Exhibit "A" attached hereto.

C. City intends to retain and maintain the property described in the above Recitals' hereinafter collectively referred to as the "Property," without development thereof, except as provided herein.

D. Parcels 4, 5, Y and Z may be collectively referred to in this Agreement as the "Open Space Parcels."

E. Parcels 3 and X may be collectively referred to in this Agreement as the "Park Parcels."

F. City desires to construct a 5 Million Dollar underground water storage reservoir on Parcel 5. Such development

is allowable under this Agreement, subject to the provisions hereof.

G. City has agreed to develop a neighborhood "grassy" park on the Park Parcels. Such development is allowable under this Agreement, subject to the provisions hereof.

H. In consideration of an Agreement for Exchange of Real Property dated February 15, 1991 between the parties hereto, and other good and valuable consideration, the receipt of which is acknowledged by Robinson and City, the parties hereto enter into this Agreement.

AGREEMENT:

1. The Open Space Parcels are hereby made subject to the following perpetual negative easement, restrictive covenant and/or equitable servitude. It is the intention of Robinson and City that this easement, covenant and/or equitable servitude be construed in the broadest manner possible to give effect to the purpose thereof, namely, to limit the allowable uses of the Open Space Parcels, and to provide any and all remedies, whether at law or in equity, which may be available to enforce an easement, real covenant, and/or equitable servitude. The easement, covenant and/or equitable servitude affecting the Open Space Parcels described in this Agreement is as follows:

1.1 The Open Space Parcels shall be perpetually used and maintained as open space, without any improvements, buildings or structures being placed thereon, except as provided herein.

1.2 The Open Space Parcels shall be maintained and preserved in their natural state, except that the City may, if it so elects, authorize or plant upon the Open Space Parcels additional evergreen trees, or shrubs, or other plants indigenous to the northern Utah area.

1.3 The Open Space Parcels may be entered upon or crossed in case of fire, emergency or other City management need by City's police or fire department and such other police or fire personnel and vehicles and such vehicles and personnel of City's Watershed Patrol and Parks Department as City deems necessary or appropriate for protection or maintenance of the Open Space Parcels.

1.4 Notwithstanding any other provisions of this Open Space Agreement, City and Robinson agree as follows with regard to the Open Space Parcels:

1.4.1 Nature or hiking trails, and non-motorized bicycle trails (hereinafter "Trails"), including rest areas, site markers and a trailhead all as hereinafter defined, may be established and maintained, for pedestrian and non-motorized bicycle travel only, upon and across the Open Space Parcels. Rest areas established in connection with Trails upon the Open Space Parcels shall be limited to seating, shade structures not to exceed ten (10) feet in height, a map and/or feature board not to exceed twelve (12) square feet in size, a table not to exceed 42" x 96" in size, a water fountain and a wind screen, if such wind screen is constructed as part of a shade structure. All such rest areas and rest area structures shall be constructed of natural materials

(but may include concrete), finished in earth tone colors and placed in a way to blend into the natural surroundings. City shall use its best efforts to place any and all rest area improvements so that such improvements shall not be visible from areas developed as part of the Ensign Downs Master Plan-1990 approved by the Salt Lake City Planning Commission on August 2, 1990 (hereinafter the "Master Plan").

Site markers, in a non-obtrusive size, style and color consistent with mountain trail markers used by the National Forest Service, may be installed along Trails to point out natural features of interest or provide directions.

The Master Plan includes a pedestrian trailhead (hereinafter the "Trailhead") at the point where Parcel 4 fronts upon Ensign Vista Drive. City agrees, at a time to be determined by City in its discretion, to develop the Trailhead with attractive landscaping and trail facilities. All Trailhead improvements shall be in keeping with the landscaping and improvement of proximate private dwellings and yards.

1.4.2 City agrees to use reasonable efforts to reclaim, within two (2) years of the date of this Agreement, the "W" which has been burned into the vegetation on the property below and to the south of the summit of Ensign Peak, and to use reasonable efforts to prevent the use (by trespass or permission) of any portion of the Open Space Parcels for a "W" or any other letter or symbol, however arising, and to prevent any and

all efforts to establish any letter or other symbol upon the Open Space Parcels.

1.4.3 City may construct or install on Parcel 5 a five million gallon underground water storage reservoir, related underground valve boxes, pipelines, and related facilities (hereinafter the "Reservoir"). No fence shall be constructed on Parcel 5 unless City proves a compelling safety and security need and such fence has been approved by the North Cove Estates Homeowners Association prior to installation. City agrees to landscape and maintain any portion of Parcel 5 affected by construction of the Reservoir. Such landscaping shall include only plants native to the northern Utah area and may, at City's election, include lawn (but shall not include Russian olive trees and sagebrush). City agrees to landscape and maintain the frontage portion of Parcel 5 (that portion fronting upon the street to a depth equal to the distance between the street improvements and the Reservoir) with shrubs, trees, and perennial ground cover (which may include lawn but shall not include unkempt native grasses). In order to minimize the visual impact of the construction of the Reservoir, and to maintain harmony between Parcel 5 and the residential development within which Parcel 5 is located, City agrees that (a) restoration and establishment of vegetation on Parcel 5, after construction of the Reservoir, shall be consistent with the preceding provisions of this paragraph 1.4.3 and shall be in accordance with a landscaping plan

approved in writing by City and Robinson prior to the start of construction of the Reservoir, and (b) maintenance of such landscaping shall be generally consistent with the level of maintenance of landscaping on lots in the North Cove Estates Development upon which homes have been built. Robinson reserves the right to construct on Parcel 5 (a) an underground pump station and underground pipeline(s) to serve a 300,000 gallon water storage tank to be constructed by Robinson on an adjacent parcel and (b) a roadway across Parcel 5 to service said 300,000 gallon tank and an adjacent building lot.

2. The Park Parcels are hereby made subject to the following perpetual negative easement, restrictive covenant and/or equitable servitude. It is the intention of Robinson and City that this easement, covenant and/or equitable servitude be construed in the broadest manner possible to give effect to the purpose thereof, namely, to limit the allowable uses of the Park Parcels, and to provide any and all remedies, whether at law or in equity, which may be available to enforce an easement, real covenant and/or equitable servitude. The easement, covenant and/or equitable servitude affecting the Park Parcels is as follows:

2.1 The Park Parcels shall be perpetually used and maintained as a neighborhood "grassy" park (hereinafter the "Park").

2.2 City agrees, at a time to be determined by City in its discretion, to develop the Park on the Park Parcels. The Park shall be consistent with City's typical neighborhood,

"grassy" park, but shall not, in any event, include any elevated, high-intensity lighting. Amenities or uses may, at City's discretion, include security lighting, softball fields, soccer fields, unlighted tennis courts, picnic areas, playgrounds and playground equipment, restrooms, pavilions, and reasonable (but not excessive) parking facilities to serve the park, consistent with typical standards for neighborhood parks in residential areas similar to the area in which the Park Parcels are located. The parking lot for the Park may also be used by users of the Trailhead referred to in paragraph 1.4.1 of this agreement.

3. The foregoing agreements, easements, restrictive covenants and/or equitable servitudes shall run with the land and be a perpetual burden and limitation on the Open Space Parcels and on the Park Parcels, for the benefit of Robinson, their successors and assigns, and the following "Benefitted Property":

See Exhibit "B" attached hereto and incorporated herein by reference.

The easements, covenants, and/or equitable servitudes created hereby may be enforced in law or equity by Robinson, their successors and assigns, or any owner of the Benefitted Property or any part of the Benefitted Property.

4. All demands and notices to be given hereunder shall be sufficient if given in writing by registered or certified mail, postage prepaid, addressed to the respective party at its postal address or at such other address or addresses as each may hereafter designate to the other in writing. Notices by mail as provided herein shall be deemed effective and complete three days after the

time of posting and mailing in accordance herewith, and if delivered to the following address (or such other address as may be designated in writing as provided above):

City: Salt Lake City Corporation
C/O Salt Lake City Recorder
City Building
451 South State Street
Salt Lake City, Utah 84111

with reference on the envelope as follows:

Regarding Ensign Downs Open Space Agreement

with copy to:

Salt Lake City Attorney's Office
City Building
451 South State Street
Salt Lake City, Utah 84111

with reference on the envelope as follows:

Regarding Ensign Downs Open Space Agreement

with copy to:

Salt Lake City Mayor
City Building
451 South State Street
Salt Lake City, Utah 84111

with reference on the envelope as follows:

Regarding Ensign Downs Open Space Agreement

Robinson: Christopher F. Robinson
719 East Capitol Boulevard
Salt Lake City, Utah 84103

with copy to:

Arimo Corporation
139 East South Temple, Suite 310
Salt Lake City, Utah 84111

and with copy to:

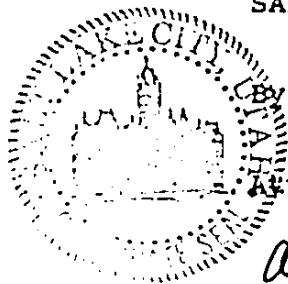
Wayne G. Petty
MOYLE & DRAPER, P.C.
600 Deseret Plaza
No. 15 East First South
Salt Lake City, Utah 84111

5. In the event of default under this Agreement, the defaulting party shall pay all costs and expenses, including reasonable attorneys' fees, incurred by the other, in enforcing this Agreement or in pursuing any remedy available at law or in equity. In any other litigation or claim between the parties arising out of this Agreement or involving any, some, or all of the properties referred to in this Agreement, the prevailing party shall be entitled to recover from the other all of the prevailing party's costs, including reasonable attorneys' fees.

6. All of the respective rights, interests, and obligations of the parties under this Agreement shall extend to and be obligatory upon the heirs, personal representatives, assigns and transferees of the respective parties.

DATED and executed at Salt Lake City, Utah, this 15th day of February, 1991.

SALT LAKE CITY CORPORATION RECORDED



By: Palmer A. de Paulis MAR 18 1991
CITY RECORDER

Attest: Patricia M. Hall
City Recorder

Alexander J. Robinson
Alexander J. Robinson

Christopher F. Robinson
Christopher F. Robinson

Victoria A. Robinson
Victoria A. Robinson

Barbara McCully aka Barbara Robinson
Barbara McCully, aka Barbara
Robinson

BEAVER CREEK PARTNERSHIP

By: Christopher F. Robinson
Christopher F. Robinson,
its General Partner

ARIMO CORPORATION

By: Christopher F. Robinson
Christopher F. Robinson,
its President

Attest: Victoria A. Robinson
Victoria A. Robinson,
Secretary

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

On the _____ day of February, 1991, personally appeared before me _____, who being by me duly sworn did say that he is the _____ of Salt Lake City Corporation and that the within and foregoing instrument was signed in behalf of said corporation.

NOTARY PUBLIC
Residing in: _____

My Commission Expires:

CALIFORNIA
STATE OF UTAH)
SAN MATEO : ss.
COUNTY OF SALT LAKE)

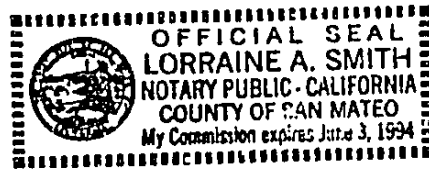
On the 19th day of February, 1991, personally appeared before me ~~Christopher F. Robinson~~ ^{aka Barbara Robinson} the signer of the within instrument who duly acknowledged to me that she executed the same.

Lorraine A. Smith
NOTARY PUBLIC
Residing in: San Mateo County

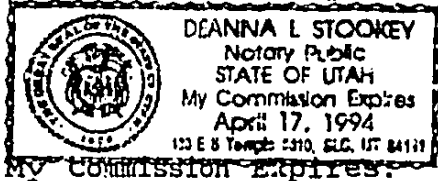
My Commission Expires:

June 3, 1994

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



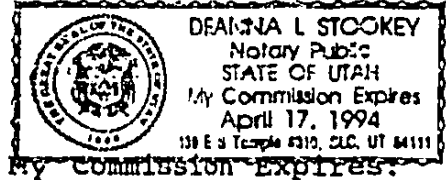
On the 15th day of February, 1991, personally appeared before me Christopher F. Robinson, the signer of the within instrument who duly acknowledged to me that he executed the same.



Deanna L. Stookey
NOTARY PUBLIC
Residing in: _____

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

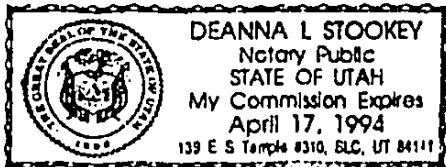
On the 15th day of February, 1991, personally appeared before me Victoria A. Robinson, the signer of the within instrument who duly acknowledged to me that she executed the same.



Deanna L. Stookey
NOTARY PUBLIC
Residing in: _____

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

On the 15th day of February, 1991, personally appeared before me ~~Barbara McGully~~, aka ~~Barbara Robinson~~, the signer of the within instrument who duly acknowledged to me that she executed the same.

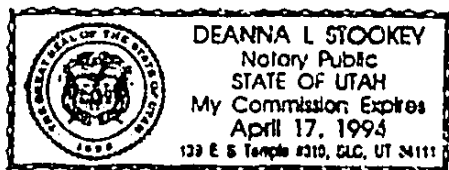


Deanna L. Stookey
NOTARY PUBLIC
Residing in: _____

My Commission Expires:

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

On the 15th day of January, 1991, personally appeared before me Christopher F. Robinson, who being by me duly sworn did say that he is a General Partner of Beaver Creek Partnership, and that the within and foregoing instrument was signed in behalf of said partnership.

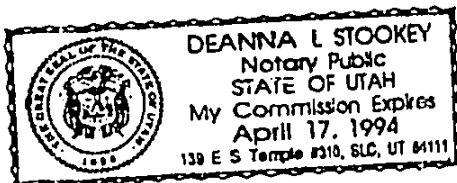


Deanna L. Stookey
NOTARY PUBLIC
Residing in: _____

My Commission Expires:

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

On the 15th day of January, 1991, personally appeared before me Christopher F. Robinson and Victoria A. Robinson, who being by me duly sworn each did say that he, the said Christopher F. Robinson is the president, and she, the said Victoria A. Robinson is the secretary of Arimo Corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said Christopher F. Robinson and Victoria A. Robinson each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.



Deanna L. Stookey
NOTARY PUBLIC
Residing in: _____

My Commission Expires:

EXHIBIT "A"
TO
OPEN SPACE AGREEMENT

Parcel 3:

Beginning North 74°54'00" West 330.00 feet and North 15°06'00" East 700.00 feet from the Northeast Corner of Lot 10, Block 2, Ensign Downs Plat "A", thence North 15°06'00" East 211.66 feet to a point (radial Bearing South 03°19'35" East) on a 975.00 foot radius curve to the right; thence Northeasterly 67.51 feet along said curve; thence South 15°06'00" West 224.86 feet; thence North 80°07'05" West 65.00 feet to the point of beginning.

ALSO:

Beginning at a point which is North 15°06'00" East 50.00 feet from the Northeasterly Corner of Lot 10, Block 2, Ensign Downs Plat "A" located in the Southwest Quarter of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; thence North 74°54'00" West 330.00 feet along the North Line of Dorchester Drive; thence North 15°06'00" East 650.00 feet; thence South 80°07'05" East 386.938 feet; thence South 43°02'02" East 100.00 feet to a point of tangency of a 676.76 foot radius curve, being on the West Line of North Sandrun Road, said tangent bears South 46°57'58" West; thence Southwesterly along the arc of said 676.76 foot radius curve to the left, a distance of 90.09 feet to a point of tangency of a compound curve, said tangent bears South 39°20'28" West; thence Southerly along the arc of a 297.889 foot radius curve to the left 446.797 feet to a point of tangency of a reverse curve, said tangent bears South 46°35'43" East; thence Southerly along the arc of a 15.377 foot radius curve to the right 23.399 feet to a point of tangency of a compound curve, said tangent bears South 40°35'28" West; thence Southwesterly along the arc of a 260.234 foot radius curve to the right 293.00 feet to the point of beginning.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

Beginning North 74°54'00" West 330.00 feet and North 15°06'00" East 700.00 feet and South 80°07'05" East 240.17 feet from the Northeast Corner of Lot 10, Block 2, Ensign Downs Plat "A", thence South 80°07'05" East 146.77 feet; thence South 43°02'02" East 100.00 feet to a point on a 676.76 foot radius curve to the left; thence Southwesterly 88.76 feet along said curve; thence North 43°02'02" West 222.90 feet to the point of beginning, described by a Special Warranty Deed recorded July 12, 1978 as entry No. 3136821 in Book 4705 at page 254, Salt Lake County Recorder's Office.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

EXHIBIT "A"
TO
OPEN SPACE AGREEMENT

Parcel A:

A portion of the west half of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at a point which is North 15°06'00" East 50.00 feet from the Northeasterly Corner of Lot 10, Block 2, Ensign Downs Plat "A" and North 74°54'00" West 330.935 feet along the north line of Dorchester Drive, said point also being West 2148.294 feet and South 3386.935 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence North 15°10'57" East 321.383 feet to a point on a 352.000 foot radius non-tangent curve to the left (center bears North 67°31'42" East and has a central angle of 09°56'10") thence along the arc of said curve 61.043 feet; thence South 32°24'28" East 160.389 feet to a point on a 228.001 foot radius curve to the right (center bears South 5°35'32" West and has a central angle of 47°30'28"); thence along the arc of said curve 189.051 feet to the north line of Dorchester Drive; thence North 74°54'00" West 233.935 feet along said north line to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

Parcel B:

A portion of the west half of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at a point which is North 74°54' West 330.000 feet and North 15°06' East 700.00 feet and North 15°10'57" East 113.311 feet from the Northeasterly Corner of Lot 10, Block 2, Ensign Downs Plat "A", said point also being South 2650.265 feet and West 1948.337 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, and running thence North 15°10'57" East 98.902 feet to a point on a 975.00 foot radius curve to the right (center bears South 03°19'35" East and has a central angle of 03°58'02"); thence along the arc of said curve 67.510 feet to a point of a 395.344 foot radius non-tangent curve to the left (center bears South 40°28'13" East and has a central angle of 06°49'05"); thence along the arc of said curve 47.044 feet; thence South 42°42'42" West 87.703 feet to the point of beginning.

EXHIBIT "A"
TO
OPEN SPACE AGREEMENT

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

EXHIBIT "A"
TO
OPEN SPACE AGREEMENT

Parcel 4:

BEGINNING at a point that is South 89°43'45" West 682.003 feet (platted West 680.272 feet) and South 00°16'15" East 1969.614 feet (platted South 1969.573 feet) and South 08°58'45" West 8.455 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, said point also being North 08°58'45" East 6.545 feet from the Southwest Corner of Lot 14, Ensign Downs Plat "H", recorded as Entry 3850819 in Book 83-9, Page 121 in the office of the Salt Lake County Recorder, said point also being on the boundary described in that certain parcel of land in Entry 4673609 in Book 6062, Pages 2079 and 2080 in the office of the Salt Lake County Recorder and running thence along said boundary South 89°51'02" West 285.00 feet; thence North 44°03'57" West 733.11 feet; thence North 32°18'47" West 889.38 feet; thence North 78°26'18" West 873.14 feet; thence South 22°34'20" West 631.627 feet; thence South 08°28'35" West 1282.342 feet; thence South 51°55'25" East 41.193 feet; thence North 63°33'06" East 182.503 feet; thence North 84°12'38" East 191.584 feet; thence South 83°10'13" East 802.000 feet; thence South 35°31'09" East 191.129 feet; thence North 42°42'42" East 10.831 feet to the point of a 451.344 foot radius curve to the right. (Bearing of the radius point bears South 47°17'18" East); thence along the arc of said curve 198.026 feet through a central angle of 25°08'18"; thence departing from said curve Due North 294.848 feet; thence North 30°00'00" East 186.077 feet; thence North 60°00'00" East 186.270 feet; thence South 66°48'50" East 1018.910 feet to the west boundary line of Lot 12, Ensign Downs Plat "H" subdivision as recorded in the Salt Lake County Recorder's office; thence along said west boundary line the following three (3) calls; North 04°23'45" East 170.678 feet; thence North 88°21'15" West 130.527 feet; thence North 08°58'45" East 134.549 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING at a point which is South 00°06'37" East 897.141 feet and South 87°30' West 36.00 feet from the Northeast corner of Section 25, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point also being 4,108.08 feet North and 1,163.29 feet West of the City Monument at 6th North Street and Cortez Street; and running thence North 87°30' East 192.96 feet; thence South 29°00'28" West 64.00 feet; thence Southeasterly along the arc of

EXHIBIT "A
TO
OPEN SPACE AGREEMENT

a curve to the left, having a radius of 100.00 feet, 157.08 feet; thence South $60^{\circ}59'32''$ East 135.00 feet; thence Southeasterly along the arc of a curve to the right, having a radius of 17.20 feet, 22.06 feet; thence Southeasterly along the arc of a curve to the left, having a radius of 150.00 feet, 274.890 feet; thence North $87^{\circ}30'$ East 17.00 feet; thence South $24^{\circ}30'$ East 35.00 feet; thence Southeasterly along the arc of a curve to the right, having a radius of 600.00 feet, 382.23 feet; thence Southwesterly along the arc of a curve to the right, having a radius of 80.00 feet, 105.42 feet; thence South $87^{\circ}30'$ West 214.10 feet; thence Northwesterly along the arc of a curve to the right, having a radius of 200.00 feet, 183.26 feet; thence Northwesterly along the arc of a curve to the right, having a radius of 500.00 feet, 327.25 feet to a point which is North $00^{\circ}06'37''$ West 1,162.80 feet and South $87^{\circ}30'$ West 51.56 feet from the Southeast corner of the Northeast Quarter of said Section 25, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence Northeasterly along the arc of a curve to the right, having a radius of 4,000.00 feet, 557.17 feet to the point of beginning.

GRANTOR HEREBY RESERVES OVER, ACROSS AND THROUGH THE ABOVE DESCRIBED PROPERTY, THE FOLLOWING DESCRIBED RIGHT OF WAY:

Right of Way Parcel C:

A right of way over and across the following:

BEGINNING at a point which is Due West 3098.236 and Due South 1488.025 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence South $06^{\circ}12'53''$ East 838.262 feet; thence South $84^{\circ}12'38''$ West 28.001 feet; thence South $63^{\circ}33'06''$ West 29.842 feet; thence North $06^{\circ}12'53''$ West 634.778 feet; thence North $08^{\circ}28'35''$ East 220.816 feet to the point of beginning.

Basis of bearing being North $89^{\circ}59'13''$ East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

EXHIBIT "A"
TO
OPEN SPACE AGREEMENT

Parcel 5:

BEGINNING at a point which is North 21.144 feet and West 214.314 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; said point being on a 518.591 foot radius curve to the left, bearing to center of curve bears South 36°30'24" East, thence 336.723 feet along the arc of said curve, through a central angle of 37°12'09"; thence North 49°30'00" West 279.928 feet; thence North 13°00'00" West 60.000 feet; thence North 25°35'03" West 207.634 feet; thence North 54°00'00" East 313.233 feet; thence South 36°30'24" East 423.353 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

GRANTOR HEREIN HEREBY RESERVES OVER, ACCROSS AND THROUGH THE ABOVE DESCRIBED PROPERTY, THE FOLLOWING DESCRIBED RIGHT OF WAY:

Right of Way Parcel F:

A right of way easement twenty feet wide, being ten feet on each side of the centerline of a roadway. The centerline of the roadway is described as follows:

BEGINNING at a point that is North 10.508 feet and West 228.188 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; said point being on a 40.00 foot radius curve to the left, bearing to center of curve bears South 41°29'31" West, thence 58.201 feet along the arc of said curve, through a central angle of 83°21'58"; to a point on a 40.000 foot radius curve to the right, bearing to center of curve bears North 41°52'27" West, thence 127.835 feet along the arc of said curve, through a central angle of 183°06'41"; thence North 51°14'15" East 11.503 feet; to a point on a 40.000 foot radius curve to the left, bearing to center of curve bears North 38°45'45" West, thence 97.328 feet along the arc of said curve, through a central angle of 139°24'44"; thence North 88°10'30" West 211.767 feet; to a point on a 75.000 foot radius curve to the left, bearing to center of curve bears South 01°49'30" West; thence 33.604 feet along the arc of said curve, through a central angle of 25°40'18"; thence South 66°09'12" West 38.415 feet; to a point on a 40.000 foot radius curve to the right, bearing to center of curve bears North 23°50'48" West, thence 110.838 feet along the arc of said curve, through a central angle of 158°45'48"; thence North 44°55'00" East 4.000 feet; thence North 44°06'10" East 14.794 feet; thence North 55°31'01" East 30.000 feet; thence North 59°56'36"

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East 58.544 feet; thence North $57^{\circ}25'42''$ East 52.330 feet; thence North $51^{\circ}22'59''$ East 62.281 feet; thence North $48^{\circ}49'09''$ East 40.192 feet to a point that is North 352.970 feet and West 459.912 feet from said North Quarter Corner of Section 30.

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Parcel Y:

BEGINNING at a point which lies on the west boundary line of Lot 12, Ensign Downs Plat "H", recorded as Entry 3850819 in Book 83-9, page 121 in the office of the Salt Lake County Recorder. Said point being South 04°23'45" West, 170.678 feet from the most northwesterly corner of said Lot 12 along said west boundary line. Said point of beginning also being Due West 577.618 feet and Due South 2287.989 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; thence from said point of beginning South 04°23'45" West 75.126 feet; thence North 75°00'00" West 306.148 feet; thence North 54°00'00" West 361.443 feet; thence North 64°00'00" West 156.853 feet; thence North 74°00'00" West 237.726 feet; thence South 60°00'00" West 130.000 feet; thence South 30°00'00" West 150.000 feet; thence South 00°00'00" West 290.000 feet to the point on a 451.344 foot radius curve to the left. Bearing to the radius point bears South 16°45'45" East; thence along the arc of said curve 42.440 feet through a central angle of 05°23'15"; thence departing said curve North 00°00'00" East 294.848 feet; thence North 30°00'00" East 186.077 feet; thence North 60°00'00" East 186.270 feet; thence South 66°48'50" East 1018.910 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

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Parcel Z:

BEGINNING at a point on the North line of that certain parcel of land described in Entry 4673609 in Book 6062, Pages 2079 and 2080 of the official records of Salt Lake County, said point also being South 89°05'39" West 728.961 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence South 89°05'39" West 256.239 feet to the true point of beginning and thence along the westerly boundary of the above mentioned parcel and the following two calls being along said boundary:

- 1) thence South 15°22'00" East 160.30 feet;
- 2) thence South 31°10'10" East 368.00 feet;

thence North 11°07'04" East 353.689 feet; thence North 44°09'00" East 96.939 feet; thence North 13°00'00" West 60.000 feet; thence South 89°05'39" West 355.200 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

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Parcel X:

A portion of the west half of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at a point which is North $74^{\circ}54'$ West 330.00 feet and North $15^{\circ}05'$ East 700.00 feet from the Northeasterly Corner of Lot 10, Block 2, Plat "A" Ensign Downs Subdivision, said point also being South 2759.621 feet and West 1978.063 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, and running thence South $15^{\circ}10'57''$ West 328.618 feet to a point on a 352.000 foot radius curve to the right (center bears North $67^{\circ}31'42''$ East and has a central angle of $65^{\circ}11'00''$); thence along the arc of said curve 400.458 feet; thence North $42^{\circ}42'42''$ East 72.396 feet; thence South $15^{\circ}10'57''$ West 113.311 feet to the point of beginning.

Basis of bearing being North $89^{\circ}59'13''$ East along the South line of Lot 1, Ensign Downs Plat "H", according the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

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BENEFITED LAND:

1. All of the lots within Ensign Downs Plats A, B, D, E, F, G, H, I, J, K, L and M, according the official plats thereof.

2. ALSO:

Parcel 1:

A portion of the west half of Section 30, Township 1 North, Range 1 East, and the east half of Section 25, Township 1 North, Range 1 West, Salt Lake Base and Meridian more particularly described as follows:

BEGINNING at a point which is North $15^{\circ}06'00''$ East 50.00 feet from the Northeasterly Corner of Lot 10, Block 2, Ensign Downs Plat "A" and North $74^{\circ}54'00''$ West 330.935 feet along the north line of Dorchester Drive, said point also being West 2148.294 feet and South 3386.935 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence North $74^{\circ}54'00''$ West 198.195 feet along the north line of Dorchester Drive to a point of tangency of a 627.14 foot radius curve to the left; thence westerly along the arc of said 627.14 foot radius curve 258.32 feet to a point of tangency of a reverse curve, said tangent bears South $81^{\circ}30'$ West; thence northwesterly along the arc of a 25.00 foot radius curve to the right 39.27 feet; thence North $08^{\circ}30'$ West 100.00 feet a point of tangency of a 420.08 foot radius curve to the left; thence northwesterly along the arc of said 420.08 foot radius curve 194.24 feet to a point of tangency of a reverse curve, said tangent bears North $34^{\circ}59'32''$ West thence northerly along the arc of a 34.43 foot radius curve to the right 51.54 feet to a point of tangency of a reverse curve, said tangent bears North $50^{\circ}45'43''$ East; thence northeasterly along the arc of a 1,433.21 foot radius curve to the left 123.70 feet; thence North $45^{\circ}50'$ East 92.385 feet (deeded 91.69 feet) to a point of tangency of a 975.00 foot radius curve to the right; thence northeasterly along the arc of said 975.00 foot radius curve 694.977 feet; thence South $15^{\circ}10'57''$ West 862.213 feet to the point of beginning.

Basis of bearing being North $89^{\circ}59'13''$ East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

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LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

Parcel X:

A portion of the west half of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at a point which is North 74°54' West 330.00 feet and North 15°06' East 700.00 feet from the Northeasterly Corner of Lot 10, Block 2, Plat "A" Ensign Downs Subdivision, said point also being South 2759.621 feet and West 1978.063 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, and running thence South 15°10'57" West 328.618 feet to a point on a 352.000 foot radius curve to the right (center bears North 67°31'42" East and has a central angle of 65°11'00"); thence along the arc of said curve 400.458 feet; thence North 42°42'42" East 72.396 feet; thence South 15°10'57" West 113.311 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

3. ALSO:

Parcel A:

A portion of the west half of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at a point which is North 15°06'00" East 50.00 feet from the Northeasterly Corner of Lot 10, Block 2, Ensign Downs Plat "A" and North 74°54'00" West 330.935 feet along the north line of Dorchester Drive, said point also being West 2148.294 feet and South 3386.935 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence North 15°10'57" East 321.383 feet to a point on a 352.000 foot radius non-tangent curve to the left (center bears North 67°31'42" East and has a central angle of 09°56'10") thence along the arc of said curve 61.043 feet; thence South 32°24'28" East 160.389 feet to a point on a 228.001 foot radius curve to the right (center bears South

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57°35'32" West and has a central angle of 47°30'28"); thence along the arc of said curve 189.051 feet to the north line of Dorchester Drive; thence North 74°54'00" West 233.935 feet along said north line to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

4. ALSO:

Parcel D:

BEGINNING at a point on a North-South line of that certain parcel of land described in entry 4673609 in book 6062, pages 2079 and 2080 of the official records of Salt Lake County, said point also being South 89°05'39" West 728.961 feet and South 02°48'52" West 474.077 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence South 27°38'32" West 221.286 feet; thence South 03°51'44" East 397.071 feet; thence South 34°21'24" East 227.875 feet to said North-South line; thence North 03°51'44" West 782.095 feet along said line to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

5. ALSO:

Parcel 2 and Parcel E (combined):

A portion of the Southeast Quarter of Section 19, Township 1 North, Range 1 East, more particularly described as follows:

BEGINNING at a point on the northerly boundary of that certain parcel of land described in entry 4673609, in book 6062, page 2580 of the official records of Salt Lake County, said point also being North 00°39'37" West 270.896 feet from the South Quarter Corner of Section 19, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence North 89°20'23" East 1616.805 feet along said Northerly boundary to the Northeast Corner of said

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parcel; thence North 10°06'06" East 492.708 feet; thence South 87°58'06" West 1709.298 feet; thence South 00°39'37" East 443.133 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

6. ALSO:

A parcel of land in the Southwest Quarter of Section 19, Township 1 North, Range 1 East, Salt Lake Base and Meridian; beginning at the South Quarter Corner of said Section 19, and running thence North 00°39'37" West 825.00 feet; thence South 89°05'39" West 950.00 feet; thence South 00°39'37" East 425.00 feet; thence South 51°58'05" East 275.00 feet; thence South 25°35'04" East 250.00 feet; thence North 89°05'39" East 630.00 feet to the point of beginning.

AND:

Parcel 103:

BEGINNING at a point South 255.557 feet and East 414.003 feet from the North Quarter corner of Section 30 in Township 1 North, Range 1 East, Salt Lake Base and Meridian, said point also being 25.00 feet North 32°22'19" East from the Southeast corner of Lot 1, Ensign Downs Plat "H", and running thence South 13°28'15" East 1.694 feet to a point on the Easterly boundary of that certain parcel of land described in Entry No. 4673609 in Book 6062, Page 2579 and 2580 of the official records of Salt Lake County and the following 4 calls being along said Easterly Boundary: 1) thence North 32°22'19" East 315.854 feet; 2) thence North 19°31'01" East 1734.94 feet; 3) thence North 29°53'21" East 819.39 feet; 4) thence North 10°06'06" East 237.12 feet; thence South 89°20'23" West 1616.81 feet (recorded as 1651.16 feet); thence South 00°39'37" East 270.90 feet (recorded as 268.61 feet) to the North Quarter Corner of said Section 30, and running thence South 89°05'39" West 985.20 feet; thence South 15°22'00" East 160.30 feet; thence South 31°10'00" East 368.00 feet; thence South 03°51'44" East 1388.86 feet to the Northerly boundary of Lot 14, Ensign Downs Plat "H" and the following 2 calls being along the Northerly and Westerly boundary of said Plat "H": 1) thence North 89°03'45" East 332.41 feet;

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2) thence North $00^{\circ}16'15''$ East 60.24 feet to the Southwest corner of Ensign Downs Plat "I" and the following 3 calls being along the Westerly and Northerly boundary of said Plat "I": 1) thence North $00^{\circ}22'31''$ East 105.40 feet; 2) thence North 318.05 feet; 3) thence North $83^{\circ}52'42''$ East 28.13 feet; thence North 190.00 feet to a point of curvature (center bears North 262.30 feet with a central angle of $50^{\circ}00'00''$); thence Northeasterly along the arc of said curve 228.92 feet; thence North $40^{\circ}00'00''$ East 186.89 feet to a point of curvature (center bears South $50^{\circ}00'00''$ East 167.94 feet with a central angle of $81^{\circ}37'00''$); thence Northeasterly along the arc of said curve 239.22 feet; thence South $58^{\circ}23'00''$ East 75.00 feet; thence South $23^{\circ}11'00''$ West 165.00 feet; thence South $25^{\circ}50'00''$ East 252.71 feet; thence South $04^{\circ}20'00''$ West 228.44 feet, to the Easternmost corner of Ensign Downs Plat "I", and the following call being on said Eastern boundary; thence South $04^{\circ}20'00''$ West 110.00 feet to the Southeast corner of Ensign Downs Plat "I", said point also being the Northeast Corner of Ensign Downs Plat "H", and the following three calls being along the Eastern boundary of said Plat "H": 1) thence South $04^{\circ}20'00''$ West 233.52 feet; 2) thence South $09^{\circ}20'00''$ West 250.00 feet; 3) thence South $20^{\circ}15'00''$ East 430.00 feet to the Point of Beginning.

Basis of Bearing being North $89^{\circ}59'13''$ East along the South line of Lot 1, Ensign Downs Plat "H", according to the official plat thereof on file and of record in the Salt Lake County Recorder's Office.

EXCEPTING FROM THE ABOVE PROPERTIES:

Parcel 5:

BEGINNING at a point which is North 21.144 feet and West 214.314 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; said point being on a 518.591 foot radius curve to the left, bearing to center of curve bears South $36^{\circ}30'24''$ East, thence 336.723 feet along the arc of said curve, through a central angle of $37^{\circ}12'09''$; thence North $49^{\circ}30'00''$ West 279.928 feet; thence North $13^{\circ}00'00''$ West 60.000 feet; thence North $25^{\circ}35'03''$ West 207.634 feet; thence North $54^{\circ}00'00''$ East 313.233 feet; thence South $36^{\circ}30'24''$ East 423.353 feet to the point of beginning.

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Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

7. ALSO:

A parcel of land situated in the North 1/2 of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

BEGINNING at a point which is South 78°45'01" West 30.587 feet and North 420.906 feet from the Northwest corner of Lot 7, ENSIGN DOWNS PLAT "H" according to the official plat thereof, recorded in the Office of the County Recorder of Salt Lake County; and running thence North 190.00 feet to a point on a 262.320 foot radius curve to the left; thence along said curve for an arc distance of 228.918 feet (chord bears North 55°00'00" East 221.723 feet); thence North 40°00'00" East 186.889 feet to a point of tangency with a 167.935 foot radius curve to the right; thence along said curve for an arc distance of 239.220 feet (chord bears North 80°48'30" East 219.501 feet); thence South 58°23'00" East 75.00 feet; thence South 23°11'00" West 165.00 feet; thence South 25°50'00" East 255.00 feet; thence South 04°36'15" West 230.00 feet; thence South 79°35'25" West 200.00 feet; thence North 14°20'00" West 269.706 feet; thence South 84°10'22" West 367.752 feet to the point of BEGINNING.

8. ALSO:

BEGINNING on the West line of East Capitol Boulevard at a point which is South 89°43'45" West 333.313 feet and South 00°16'15" East 1803.501 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian and running thence South 00°16'15" East 60.237 feet to the Northeast corner of Lot 14, ENSIGN DOWNS PLAT "H", according to the official plat thereof; thence South 89°03'45" West 353.851 feet along the North line and to the Northwest corner of said Lot 14; thence North 03°51'44" West 354.820 feet; thence North 89°43'45" East 157.961 feet; thence South 00°16'15" East 175.00 feet; thence North 89°43'45" East 220.00 feet to the West line of said road; thence South 00°16'15" East 8.80 feet; thence South 00°48'38" West 105.986 feet along said West line to the point of beginning.

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Basis of bearing is South $00^{\circ}16'15''$ East along the center line of East Capitol Boulevard of ENSIGN DOWNS PLAT "I", recorded in Book 88-1 at Page 2 of the Official Records of Salt Lake County.

9. ALSO:

Parcel 104:

BEGINNING North $00^{\circ}00'47''$ West 33.00 feet from the City Monument at 6th North and Cortez Street, said point also being 5013.45 feet South and 1533.95 feet West from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence North $89^{\circ}59'13''$ East 320.74 feet to a point on the west line of East Capitol Boulevard, as recorded in Ensign Downs Plat "A", and the following calls being along the Westerly and Southerly boundary of said Plat "A"; thence North $10^{\circ}32'07''$ West 92.02 feet to a point of curvature (center bears North $79^{\circ}27'53''$ East 288.68 feet and has a central angle of $11^{\circ}26'20''$); thence along the arc of said curve 177.42 feet; thence North $00^{\circ}54'13''$ East 130.51 feet to a point of curvature (center bears North $89^{\circ}05'47''$ West 1253.00 feet and has a central angle of $10^{\circ}00'00''$); thence along the arc of said curve 218.69 feet; thence South $81^{\circ}00'45''$ West 258.85 feet; thence North $83^{\circ}54'00''$ West 320.00 feet; thence North $47^{\circ}54'00''$ West 125.00 feet; thence North $07^{\circ}04'00''$ West 130.00 feet; thence South $56^{\circ}26'00''$ West 90.00 feet; thence North $47^{\circ}54'00''$ West 165.00 feet; thence North $30^{\circ}54'00''$ West 160.00 feet; thence North $04^{\circ}06'00''$ East 300.00 feet; thence North $15^{\circ}06'00''$ East 125.00 feet to the Southeasterly corner of Ensign Downs Plat "B", and the following calls being along the Southerly, Westerly and Northerly lines of said Plat "B"; thence North $74^{\circ}54'00''$ West 288.23 feet; thence North $89^{\circ}53'58''$ West 89.05 feet; thence South $81^{\circ}30'00''$ West 171.50 feet; thence South $68^{\circ}00'00''$ West 149.24 feet; thence North $31^{\circ}50'00''$ West 314.17 feet; thence North $62^{\circ}45'00''$ East 115.50 feet; thence North $71^{\circ}55'00''$ East 115.50 feet; thence North $81^{\circ}30'00''$ East 157.99 feet leaving the Northerly boundary of said Plat "B" to a point of curvature (center bears South $81^{\circ}30'00''$ West 420.08 feet and has a central angle of $26^{\circ}29'33''$); thence Northwesterly along the arc of said curve 194.24 feet to a point of reverse curvature (center bears North $55^{\circ}00'27''$ East 34.43 feet and has a central angle of $85^{\circ}46'08''$); thence Northeasterly along the arc of said curve 51.54 feet to a

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point of reverse curvature (center bears North 39°13'25" West 1433.21 feet and has a central angle of 04°56'35"); thence Northeasterly along the arc of said curve 123.65 feet; thence North 45°00'00" East 92.39 feet to a point of curvature (center bears South 44°10'00" East 975.00 feet and has a central angle of 40°50'25"); thence Northeasterly along the arc of said curve 694.98 feet; thence continuing Northeasterly along the arc of said curve (through a central angle of 03°58'02") 67.51 feet; thence continuing Southeasterly along the arc of said curve (through a central angle of 22°27'53") 382.28 feet; thence South 56°53'40" East 6.53 feet to a point of curvature (center bears South 23°06'20" West 163.00 feet and has a central angle of 33°53'40"); thence Southeasterly along the arc of said curve 96.43 feet to the Northwesterly corner of Ensign Downs Plat "F" and the following 5 calls being along the Northerly boundary of said Plat "F": 1) thence North 57°00'00" East 234.81 feet; 2) thence South 67°30'00" East 26.50 feet; 3) thence South 78°00'00" East 198.10 feet; 4) thence South 86°30'00" East 186.51 feet; 5) thence South 74°19'16" East 297.17 feet to the Southwest Corner of Ensign Downs Plat "H", and the following 4 calls being along the Westerly boundary of said Plat "H": 1) thence North 22°01'15" West 208.42 feet; 2) thence North 04°23'45" East 400.39 feet; 3) thence North 88°21'15" West 130.53 feet; 4) thence North 08°58'45" East 134.55 feet; thence South 89°51'02" West 285.00 feet; thence North 44°03'57" West 733.11 feet; thence North 32°18'47" West 889.38 feet; thence North 78°26'18" West 873.14 feet; thence South 47°52'45" West 1460.03 feet; thence South 13°36'56" West 266.09 feet; thence South 00°06'37" East 451.90 feet; thence North 89°59'34" West 78.81 feet; thence South 19°03'58" East 1036.72 feet; thence South 40°11'03" East 865.74 feet; thence South 38°59'23" West 502.85 feet; thence South 35°00'00" West 319.58 feet; thence South 44°52'24" East 317.80 feet; thence South 41°47'27" East 163.00 feet; thence South 30°56'27" East 180.69 feet; thence North 89°59'13" East 1665.96 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING at a point that is South 89°43'45" West 682.003 feet (platted West 680.272 feet) and South 00°16'15" East 1969.614 feet (platted South 1969.573 feet) and South 08°58'45" West 8.455 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base

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and Meridian, said point also being North 08°58'45" East 6.545 feet from the Southwest Corner of Lot 14, Ensign Downs Plat "H", recorded as Entry 3850819 in Book 83-9, Page 121 in the office of the Salt Lake County Recorder, said point also being on the boundary described in that certain parcel of land in Entry 4673609 in Book 6062, Pages 2079 and 2080 in the office of the Salt Lake County Recorder and running thence along said boundary South 89°51'02" West 285.00 feet; thence North 44°03'57" West 733.11 feet; thence North 32°18'47" West 889.38 feet; thence North 78°26'18" West 873.14 feet; thence South 22°34'20" West 631.627 feet; thence South 08°28'35" West 1282.342 feet; thence South 51°55'25" East 41.193 feet; thence North 63°33'06" East 182.503 feet; thence North 84°12'38" East 191.584 feet; thence South 83°10'13" East 802.000 feet; thence South 35°31'09" East 191.129 feet; thence North 42°42'42" East 10.831 feet to the point of a 451.344 foot radius curve to the right. (Bearing of the radius point bears South 47°17'18" East); thence along the arc of said curve 198.026 feet through a central angle of 25°08'18"; thence departing from said curve Due North 294.848 feet; thence North 30°00'00" East 186.077 feet; thence North 60°00'00" East 136.270 feet; thence South 66°48'50" East 1018.910 feet to the west boundary line of Lot 12, Ensign Downs Plat "H" subdivision as recorded in the Salt Lake County Recorder's office; thence along said west boundary line the following three (3) calls; North 04°23'45" East 170.678 feet; thence North 88°21'15" West 130.527 feet; thence North 08°58'45" East 134.549 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according to the official recorded plat thereof on file in the Salt Lake County Recorder's Office.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

Parcel Y:

BEGINNING at a point which lies on the west boundary line of Lot 12, Ensign Downs Plat "H", recorded as Entry 3850819 in Book 83-9, page 121 in the office of the Salt Lake County Recorder. Said point being South 04°23'45" West, 170.578 feet from the most northwesterly corner of said Lot 12 along said west boundary line. Said point of beginning also being Due West 577.618 feet and Due South 2287.988

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TO
OPEN SPACE AGREEMENT

feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; thence from said point of beginning South 04°23'45" West 75.126 feet; thence North 75°00'00" West 306.148 feet; thence North 54°00'00" West 361.443 feet; thence North 64°00'00" West 156.853 feet; thence North 74°00'00" West 237.725 feet; thence South 60°00'00" West 130.000 feet; thence South 30°00'00" West 150.000 feet; thence South 00°00'00" West 290.000 feet to the point on a 451.344 foot radius curve to the left. Bearing to the radius point bears South 16°45'45" East; thence along the arc of said curve 42.440 feet through a central angle of 05°23'15"; thence departing said curve North 00°00'00" East 294.848 feet; thence North 30°00'00" East 186.077 feet; thence North 60°00'00" East 186.270 feet; thence South 66°48'50" East 1018.910 feet to the point of beginning.

Basis of bearing being North 89°59'13" East along the South line of Lot 1, Ensign Downs Plat "H", according the official recorded plat thereof on file in the Salt Lake County Recorder's Office.