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RICHARD T. MAUGHAN, DAVIS CNTY RECORDER  
2003 NOV 21 9:51 AM FEE 28.00 DEP MEC  
REC'D FOR FARMINGTON CITY

**WHEN RECORDED PLEASE RETURN TO:**

Farmington City Recorder  
130 North Main Street  
P.O. Box 160  
Farmington, UT 84025

**NOTICE OF CORRECTED USE MAP AND MAINTENANCE PLAN**  
**FOR**  
**FARMINGTON RANCHES CONSERVATION SUBDIVISION**  
**CONSERVATION EASEMENT (OPEN SPACE AND FARMLAND)**

**WHEREAS**, Farmington City, a Utah municipal corporation, and VIKING REAL ESTATE, L.L.C., a Utah limited liability company, entered into that certain CONSERVATION EASEMENT (OPEN SPACE AND FARMLAND) for property located within the Farmington Ranches Conservation Subdivision, dated July 2, 2003, filed of record in the office of the Davis County Recorder on July 29, 2003, Entry No. 1893293, Book No. 3341, Page No. 1691 (the "Conservation Easement"); and

**WHEREAS**, the CONSERVATION EASEMENT, governs the preservation and protection of conservation values of certain real property containing approximately 282 acres and located in Township 3 North, Range 1 West, Salt Lake Base and Meridian, Farmington City, Davis County, State of Utah, as more fully described in **Exhibit "1,"** attached hereto and incorporated herein by this reference (the "Conservation Easement Area"); and

**WHEREAS**, subsequent to the recording of the CONSERVATION EASEMENT, it has been determined that Exhibit "B" to the CONSERVATION EASEMENT containing a Use Map for the Conservation Easement Area was erroneous and failed to show with particularity the location and designation of the trail, drainage and public utility easements as required as part of the Farmington City Council approval of the CONSERVATION EASEMENT on May 14, 2003 (the "Use Map"); and

**WHEREAS**, subsequent to the recording of the CONSERVATION EASEMENT, it has been determined that Exhibit "C" to the CONSERVATION EASEMENT containing a Maintenance Plan for the Conservation Easement Area was erroneous in its reference to the approximate acreage of the property encumbered by the CONSERVATION EASEMENT as approved by the Farmington City Council on May 14, 2003 (the "Maintenance Plan"); and

**WHEREAS**, the parties desire to correct the erroneous Use Map as set forth in Exhibit "B" of the CONSERVATION EASEMENT by substituting a corrected Use Map to assure that the trails, drainage and public utility easements are accurately designated as required as part of the Farmington City Council approval of the CONSERVATION EASEMENT on May 14, 2003, so that the intent of the parties will be accomplished; and

**WHEREAS**, the parties desire to correct the erroneous Maintenance Plan as set forth in Exhibit "C" of the CONSERVATION EASEMENT by substituting a corrected Maintenance Plan to assure that approximate acreage of property within the CONSERVATION EASEMENT is correctly referenced, as approved by the Farmington City Council on May 14, 2003, so that the intent of the parties will be accomplished;

**NOW, THEREFORE**, Farmington City and Viking Real Estate, L.L.C., hereby give notice and declare as follows:

**1. Attachment of Correct Map.** The corrected Use Map, attached hereto as **Exhibit "2,"** and incorporated herein by reference, is hereby substituted for the Use Map previously set forth in Exhibit "B" to the CONSERVATION EASEMENT, and should hereby be deemed attached and annexed to the CONSERVATION EASEMENT, which corrected Use Map correctly and properly describes the trail, drainage and public utility easements permitted and required therein in accordance with the CONSERVATION EASEMENT as approved by the Farmington City Council.

**2. Attachment of Maintenance Plan.** The corrected Maintenance Plan attached hereto as **Exhibit "3,"** and incorporated herein by reference, is hereby substituted for the Maintenance Plan previously set forth in Exhibit "C" to the CONSERVATION EASEMENT, and should hereby be deemed attached and annexed to the CONSERVATION EASEMENT, which corrected Maintenance Plan correctly and properly describes the approximate acreage of the property within the CONSERVATION EASEMENT, as approved by the Farmington City Council.

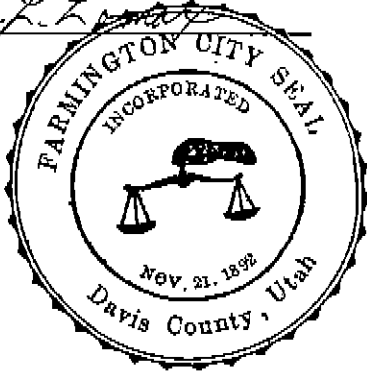
**3. Recording.** This Notice shall be recorded in the office of the Davis County Recorder, State of Utah, and the corrected Use Map and Maintenance Plan attached to this Notice shall be deemed the original and correct Use Map and Maintenance Plan attached to the CONSERVATION EASEMENT and constitute the proper Use Map and Maintenance Plan for purposes of the use and restrictions of the property in accordance with the terms and conditions of the approval of the CONSERVATION EASEMENT.

DATED this 19 day of November, 2003.

ATTEST:

**FARMINGTON CITY**

*Margy L. L...*  
City Recorder



By: *[Signature]*  
Mayor

**VIKING REAL ESTATE, L.L.C.**, a Utah  
limited liability company

By: *[Signature]*  
Its: Manager

**CITY ACKNOWLEDGMENT**

STATE OF UTAH )  
 )  
 ) :SS.  
 )  
COUNTY OF DAVIS )

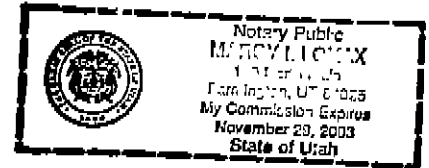
On the 19 day of November, 2003, personally appeared before me **DAVID M. CONNORS**, who being duly sworn, did say that he is the Mayor of **FARMINGTON CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said David M. Connors acknowledged to me that the City executed the same.

Margy L. Lomax  
Notary Public  
Residing at:

My Commission Expires:

11/29/03

Davis County, Utah



**VIKING ACKNOWLEDGMENT**

STATE OF UTAH )  
 )  
 ) :SS.  
 )  
COUNTY OF Davis )

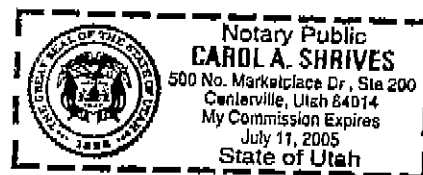
On the 27 day of October, 2003, personally appeared before me S. David Plummer who being by me duly sworn did say that she/he is the managing member of **VIKING REAL ESTATE, L.L.C.**, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization and duly acknowledged to me that said limited liability company executed the same.

Carol A. Shrives  
Notary Public

My Commission Expires:

July 11, 2005

Residing at:  
500 N. Marketplace Drive, Suite 200  
Centerville, UT 84014



E<sup>2</sup> 27

**EXHIBIT "1"**

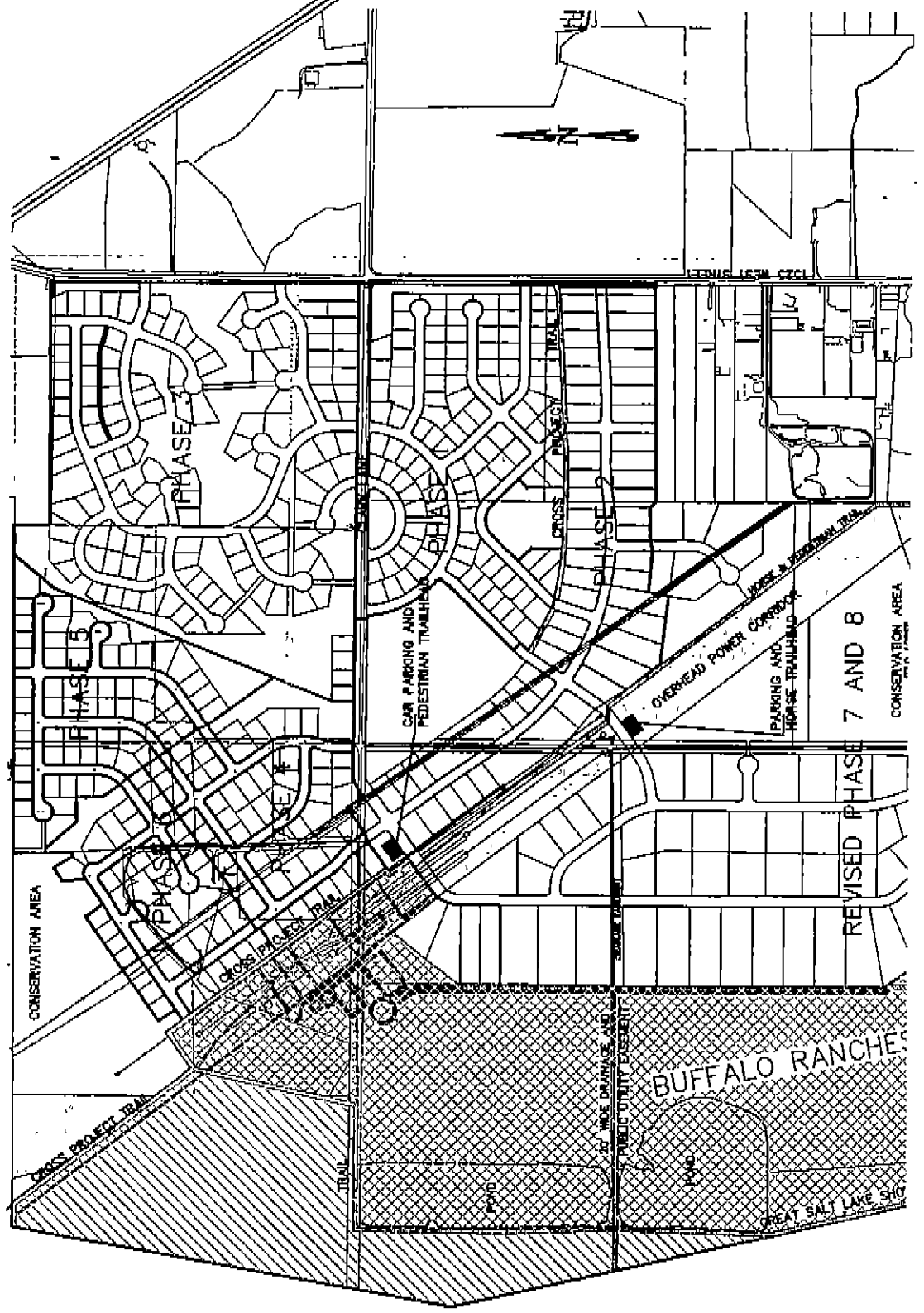
**LEGAL DESCRIPTION OF EASEMENT AREA**

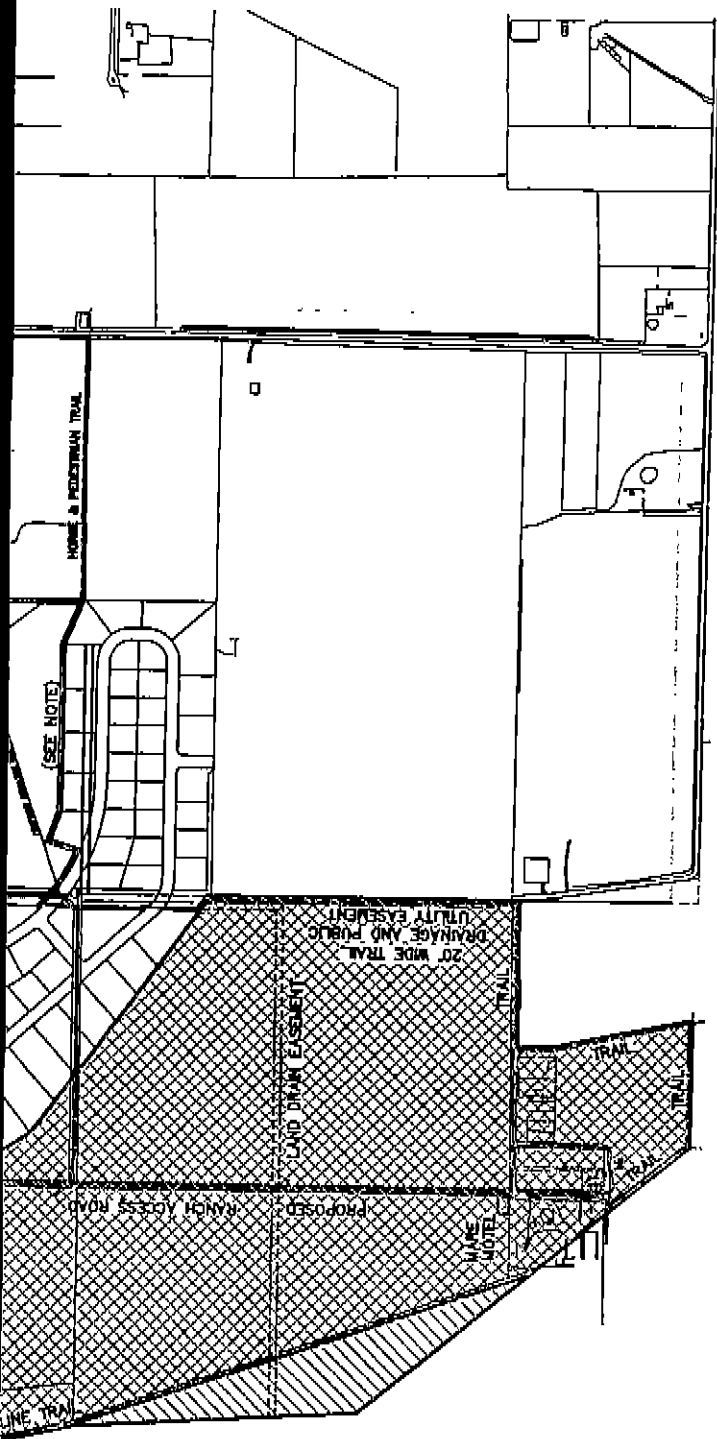
A parcel of land situate in Section 22 and Section 27, Township 3 North, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at the North Quarter corner of said Section 22, thence easterly along the north line thereof, North 89°51'14" East 126.48 feet; thence leaving said north line South 37°28'18" East 705.67 feet; thence South 37°16'21" East 442.94 feet; thence South 42°23'39" East 69.91 feet; thence North 54°46'47" East 235.47 feet; thence South 37°16'53" East 1485.80 feet; thence South 53°51'19" West 202.72 feet to the beginning of a tangent curve to the left having a radius of 200.00 feet, thence along the arc of said curve 55.62 feet, through a central angle of 15°56'07"; thence North 37°36'00" West 309.62 feet; thence South 37°55'12" West 468.27 feet; thence South 00°06'24" East 2297.94 feet; thence South 33°24'04" East 426.96 feet; thence South 53°45'04" East 1344.32 feet; thence South 00°14'54" East 1372.96 feet; thence South 89°27'22" West 658.12 feet; thence South 02°02'47" East 169.62 feet; thence South 11°52'56" East 626.17 feet; thence North 89°44'44" West 574.91 feet; thence North 39°59'49" West 1913.90 feet; thence North 03°40'22" West 1280.75 feet; thence North 12°59'23" West 2971.99 feet; thence North 09°55'45" East 2415.72 feet to the point of beginning.

The parcel of land described above contains 282.437 acres, more or less.

**EXHIBIT "2"**  
**CORRECTED USE MAP**







**NOTE:**

THE TRAIL EASEMENT THROUGH PHASE 7 AND 8 IS TEMPORARY UNTIL SUCH TIME AS PHASE 7 AND 8 ARE DEVELOPED AND THE FINAL ALIGNMENT IS MADE.

**CONSERVATION EASEMENT**

 CONSERVATION OF OPEN LAND 5(0)(0)

 AGRICULTURE USE  
 PASTURELAND  
 EXISTING AGRICULTURAL & RESIDENTIAL STRUCTURES  
 LIVESTOCK & GRAZING

5(0)(0)  
 5(0)(0)  
 5(0)(0)  
 5(0)(0)

USE MAP  
 EXHIBIT B



**FORSGREN ASSOCIATES, INC.**  
 REAL ESTATE BROKERS  
 1001 WEST 1000 SOUTH  
 SALT LAKE CITY, UTAH 84119

**BUFFALO RANCHES  
 FARMINGTON, UTAH**

DATE: 08-20-2003	BY: [Signature]
PROJECT: 1934592	DATE: 08-20-2003
APP: [Signature]	DATE: 08-20-2003



**EXHIBIT "3"**  
**CORRECTED MAINTENANCE PLAN**

**EXHIBIT "C"**

MAINTENANCE PLAN

Viking Real Estate, L.L.C. ("Viking"), Owner of approximately 286.778 acres in West Farmington City known as "Buffalo Ranch," as shown in Exhibit "A," is Grantor of this Conservation Easement which covers approximately 282.437 acres of Owner's property as shown in Exhibit "A," and shall be solely responsible for all maintenance conducted on the property covered by this Conservation Easement, which will include the following tasks:

- Irrigation;
- Weed abatement;
- Mowing of pasture lands;
- Lawn care and landscaping;
- Any other task needed to maintain pasture lands;
- Fence upkeep;
- Road upkeep;
- Building upkeep; and
- Any other task needed to maintain operations thereon.

Either Viking or Buffalo Ranch employees and/or independent contractors commissioned by Viking or Buffalo Ranch will complete and undertake the tasks listed above. Viking will be financially responsible for all maintenance.

Farmington City will remain financially responsible and chargeable for the upkeep and maintenance of all trails endowed to them by Viking via recorded easements.