

WHEN RECORDED MAIL TO:

Gardner-Plumb, LC and  
Equestrian Partners, LLC  
Attn: Christian Gardner  
201 South Main Street, Ste 2000  
Salt Lake City, UT 84111

File No.: 149979-DMP

ENT 206304:2021 PG 1 of 19

**Andrea Allen**  
**Utah County Recorder**

2021 Dec 13 04:52 PM FEE 40.00 BY SW  
RECORDED FOR Cottonwood Title Insurance Agency, Inc.  
ELECTRONICALLY RECORDED

## **MEMORANDUM OF THE COMMERCIAL RIGHT OF FIRST REFUSAL**

In Reference to Tax ID Number(s):

11-029-0054, 11-015-0007, 11-028-0018

WHEN RECORDED MAIL TO:

Gardner-Plumb, L.C.  
201 South Main Street, Suite 2000  
Salt Lake City, Utah 84111  
Attn: President

Above space for recorder's use

**MEMORANDUM OF THE COMMERCIAL RIGHT OF FIRST REFUSAL**

THIS MEMORANDUM OF THE COMMERCIAL RIGHT OF FIRST REFUSAL (this "**Memorandum**") is made as of December 10, 2021, between GARDNER-PLUMB, L.C., a Utah limited liability company, and EQUESTRIAN PARTNERS, LLC, a Utah limited liability company (collectively, "**Gardner**"), and D.R. HORTON, INC., a Delaware corporation ("**Horton**"), who agree as follows:

**RECITALS**

A. Horton is the owner of approximately 1200 acres of real property situated in Utah County (the "**County**"), Utah, which real property is more particularly described in **Exhibit 1** (the "**Property**").

B. Gardner and Horton have entered into that certain Real Estate Contract dated November 2, 2020 (as amended, the "**Contract**"), pursuant to which Horton has granted to Gardner a right of first refusal (the "**Commercial Right of First Refusal**") to purchase a portion of the Property, upon and subject to the provisions and conditions set forth in the Contract. The Contract is incorporated in this Memorandum by this reference.

**AGREEMENT**

1. Horton hereby confirms that Horton has granted to Gardner the Commercial Right of First Refusal to purchase from Horton any portion of the Property that Horton intends to develop or sell to an unrelated third party for a Commercial Use, upon and subject to the provisions and conditions set forth in the Contract, as the same may be amended from time to time.

2. This Memorandum is being recorded to provide notice to any and all persons or entities claiming or asserting an interest in the Property of the rights and obligations of the parties to the Contract and is not intended to modify or change the provisions of the Contract. To the extent of any inconsistency between the Contract and this Memorandum, the Contract shall control.

3. This Memorandum shall inure to the benefit of and shall be binding upon Gardner and Horton and their respective successors and assigns.

*(Signatures follow)*



**GARDNER:**

**GARDNER-PLUMB, L.C.,**  
a Utah limited liability company,

By: Walter J Plumb  
Signed on 2021/12/10 14:20:13 -0500  
Name: Walter J. Plumb  
Title: Manager

Date of Execution: December 10, 2021

**EQUESTRIAN PARTNERS, LLC,**  
a Utah limited liability company,

By: Walter J Plumb  
Signed on 2021/12/10 14:20:13 -0500  
Name: Walter J. Plumb, IV  
Title: Manager

Date of Execution: December 10, 2021

**HORTON:**

**D.R. HORTON, INC.,**  
a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date of Execution: December \_\_\_\_, 2021

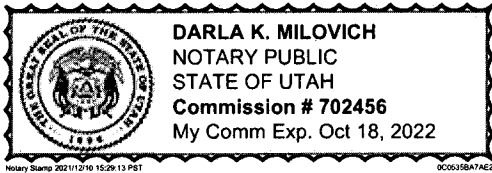
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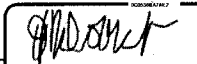
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STATE OF UTAH )  
 : SS.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 10th day of December, 2021, by Walter J. Plumb in such person's capacity as the Manager of Gardner-Plumb, L.C., a Utah limited liability company. This act was performed via remote online audio-visual communication.

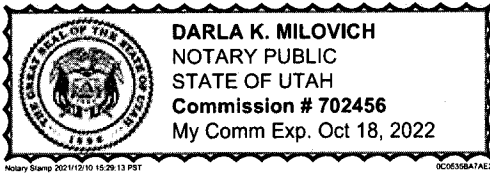


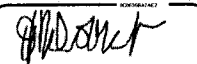
  
NOTARY PUBLIC

Notarial act performed by audio-visual communication

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

The foregoing instrument was acknowledged before me this 10th day of December, 2021, by Walter J. Plumb, IV in such person's capacity as the Manager of Equestrian Partners, LLC, a Utah limited liability company. This act was performed via remote online audio-visual communication.



  
NOTARY PUBLIC

Notarial act performed by audio-visual communication

STATE OF UTAH )  
 : SS.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_ day of December, 2021, by \_\_\_\_\_ as the \_\_\_\_\_ of D.R. HORTON, INC., a Delaware corporation.

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



**EXHIBIT 1  
TO THE MEMORANDUM OF THE COMMERCIAL RIGHT OF FIRST  
REFUSAL**

**LEGAL DESCRIPTION OF THE PROPERTY**

**PARCEL 1:**

A portion of Sections 21, 22, 27, 28, 29, 32 and 33 of Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at a point located N89°52'57"E along the Section Line 49.96 feet and North 49.77 feet from the Northwest Corner of Section 27, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N89°51'23"W 1562.01 feet; thence S0°01'55"E 1759.85 feet; thence S76°05'04"W 1180.91 feet; thence S0°01'36"E 665.73 feet; thence N89°50'24"W 863.82 feet; thence South 3642.93 feet to the northerly right-of-way line of SR-92; thence along said right-of-way line the following twelve (12) courses: N81°39'47"W 810.94 feet; thence along the arc of a 9520.00 foot radius curve to the left 967.46 feet through a central angle of 5°49'21" (chord: N84°34'28"W 967.04 feet); thence N0°04'53"W 50.05 feet; thence northwesterly along the arc of a 9570.00 foot radius non-tangent curve to the left (radius bears: S2°30'03"W) 24.77 feet through a central angle of 0°08'54" (chord: N87°34'24"W 24.77 feet); thence S0°04'53"E 50.05 feet; thence northwesterly along the arc of a 9520.00 foot radius non-tangent curve to the left (radius bears: S2°22'18"W) 42.75 feet through a central angle of 0°15'26" (chord: N87°45'25"W 42.75 feet); thence N87°53'08"W 626.36 feet; thence S82°17'02"W 408.22 feet; thence S81°45'11"W 256.74 feet; thence S79°17'40"W 151.11 feet; thence S83°06'31"W 292.19 feet; thence N89°59'58"W 243.99 feet to the easterly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following ten (10) courses: N0°05'57"W 325.72 feet; thence along the arc of a 69.50 foot radius curve to the right 109.17 feet through a central angle of 90°00'00" (chord: N44°54'03"E 98.29 feet); thence N0°05'57"W 70.00 feet; thence S89°54'03"W 49.50 feet; thence along the arc of a 31.00 foot radius curve to the right 48.69 feet through a central angle of 90°00'00" (chord: N45°05'57"W 43.84 feet); thence N0°05'57"W 402.21 feet; thence along the arc of a 585.00 foot radius curve to the right 103.39 feet through a central angle of 10°07'34" (chord: N4°57'50"E 103.25 feet); thence along the arc of a 31.00 foot radius curve to the right 52.34 feet through a central angle of 96°43'51" (chord: N58°23'32"E 46.34 feet); thence S73°14'32"E 1.57 feet; thence N16°45'28"E 80.00 feet to the south line of PLAT "A", ASD NORTHEAST SCHOOL subdivision; thence along the boundary of said subdivision the following thirteen (13) courses: S73°14'32"E 286.36 feet; thence along the arc of a 960.00 foot radius curve to the left 273.02 feet through a central angle of 16°17'40" (chord: S81°23'22"E 272.10 feet); thence S89°32'12"E 1355.56 feet; thence along the arc of a 31.00 foot radius curve to the left 48.69 feet through a central angle of 90°00'00" (chord: N45°27'48"E 43.84 feet); thence N0°27'48"E 750.07 feet; thence along the arc of a 31.00 foot radius curve to the left 48.69 feet through a central angle of 90°00'00"

EXHIBIT 1-1

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(chord: N44°32'12"W 43.84 feet); thence N89°32'12"W 356.39 feet; thence along the arc of a 1035.00 foot radius curve to the right 507.70 feet through a central angle of 28°06'20" (chord: N75°29'02"W 502.63 feet); thence N61°25'52"W 147.92 feet; thence northeasterly along the arc of a 947.00 foot radius non-tangent curve to the left (radius bears: N59°19'38"W) 34.93 feet through a central angle of 2°06'48" (chord: N29°36'58"E 34.93 feet); thence N30°09'35"E 74.52 feet; thence northeasterly along the arc of a 952.00 foot radius non-tangent curve to the left (radius bears: N65°55'42"W) 170.44 feet through a central angle of 10°15'28" (chord: N18°56'34"E 170.21 feet); thence S89°53'58"W 423.26 feet to the east line of PHASE 1, CANYON HILLS subdivision; thence N0°03'21"W along the east line of PHASES 1, 3 AND 8, CANYON HILLS subdivision 1356.75 feet to the northeast corner of PHASE 8, CANYON HILLS subdivision; thence along that real property described in Deed Entry No. 18109:1996 in the official records of the Utah County Recorder the following two (2) courses: N0°03'09"W 1304.41 feet (monumented with a found rebar and cap set in concrete); thence N89°50'54"E 1332.52 feet to the west line of Section 28, T4S, R1E, SLB&M; thence N0°10'43"E along the Section Line 1325.48 feet to the Northwest Corner of said Section 28; thence N0°13'47"E along the Section Line 2640.10 feet to the West 1/4 Corner of Section 21, T4S, R1E, SLB&M; thence N0°13'28"E along the Section Line 1346.52 feet to the south line of that Record of Survey prepared by Stantec Engineering on file in the office of the Utah County Surveyor as Survey No. 12-154; thence N89°59'41"E along said survey line 3420.94 feet to a found rebar and cap set in concrete monument; thence S0°00'19"E along said survey line and in part along the west line of MAPLE HOLLOW 10, 11, & 13 AT SUNCREST subdivision 715.98 feet; thence along the southerly line of MAPLE HOLLOW 10, 11, & 13 AT SUNCREST subdivision the following two (2) courses: N89°59'41"E 2900.00 feet; thence N73°56'41"E 899.58 feet to a found rebar and cap set in concrete monument, said point being the northwest corner of the Alpine Joint Venture LTD property as defined by that Record of Survey prepared by Wilding Engineering on file in the office of the Utah County Surveyor as Survey No. 16-134 (said point being monumented with a found rebar and cap set in concrete); thence along said survey line the following three (3) courses: S19°19'38"E 3047.04 feet to a found brass cap stamped "M17" set in concrete; thence N61°40'44"E 697.56 feet; thence N65°46'11"E 502.33 feet to the East Line of the Southwest Quarter of the Southeast Quarter of Section 22, T4S, R1E, SLB&M; thence S0°10'29"W along said East Line (40 Acre Line) 1181.60 feet to the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 27, T4S, R1E, SLB&M; thence S0°06'11"W along the East Line of said Northwest Quarter (40 Acre Line) 1328.11 feet to the north line of PHASE 7, DRY CREEK HIGHLANDS subdivision; thence along the boundary of PHASES 7, 8 & 6, DRY CREEK HIGHLANDS subdivisions the following two (2) courses: S89°49'52"W 1322.57 feet; thence S0°02'55"W 828.20 feet to the north line of that real property described in Deed Entry No. 21542:2004 in the official records of the Utah County Recorder; thence along said real property the following two (2) courses: N89°59'48"W 421.32 feet; thence S45°00'12"W 307.69 feet; thence N36°48'06"W 1807.67 feet; thence S77°12'44"W 895.54 feet; thence N0°02'25"W 1170.16 feet to the point of beginning.

## EXHIBIT 1-2

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LESS AND EXCEPTING FROM THEREFROM a parcel of land, situate in the Northwest quarter of Section 33, Township 4 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel are described as follows:

Beginning at a point which is North 89°58'12" West 2087.22 feet along the section line and South 508.13 feet from the North quarter corner of said Section 33 and running thence South 258.84 feet to the Northerly line of a 50-foot wide UDOT public utility easement to the beginning of a non-tangential curve to the left with a radius of 9570.00 feet; thence along the arc of said curve 185.77 feet through a central angle of 01°06'44" with a chord bearing North 84°47'56" West 185.77 feet; thence North 242.00 feet; thence East 185.00 feet to the point of beginning.

(NOTE: Rotate the bearings in the above description 00°0'12" clockwise to match the bearings on this survey)

ALSO LESS AND EXCEPTING FROM THEREFROM a parcel of land, situate in the Northwest quarter of Section 33, Township 4 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel are described as follows:

Beginning at a point located North 89°51'24" West 3765.00 feet along the South line of Section 21 from the section corner common to Sections 21, 22, 27 and 28, Township 4 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 00°08'36" East 1170.00 feet; thence South 89°51'24" East 375.00 feet; thence South 00°08'36" West 1170.00 feet to the South line of said Section 21; thence North 89°51'24" West 375.00 feet along said South line of Section 21 to the point of beginning.

(NOTE: Rotate the bearings in the above description 00°6'51" counterclockwise to match the bearings on this survey)

ALSO LESS AND EXCEPTING THEREFROM that portion of said parcel lying within the bounds of the Traverse Terrace Drive, Center Street and 3950 North Street Road Dedication Plat as recorded December 15, 2020 as Entry No. 199673:2020 of official records.

ALSO LESS AND EXCEPTING THEREFROM a parcel of land located in Sections 28, 29, 32 and 33 of Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at a point on the east line of Traverse Terrace Drive, Center Street, and 3950 North Street Road Dedication Plat, said point being located N00°04'17"W along the Section Line 906.43 feet and East 69.42 feet from the Southeast Corner of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence S89°32'12"E 416.94 feet; thence along the arc of a curve to the left 231.75 feet with a radius of 350.00 feet through a central angle of 37°56'15" chord: N71°29'40"E 227.54 feet; thence N52°31'33"E 83.81 feet; thence along the arc of

## EXHIBIT 1-3

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a curve to the right 229.03 feet with a radius of 350.00 feet through a central angle of  $37^{\circ}29'35''$ , chord:  $N71^{\circ}16'20''E$  224.97 feet; thence  $S89^{\circ}58'53''E$  810.37 feet; thence South 1691.76 feet; thence  $N89^{\circ}59'48''W$  1222.31 feet; thence  $N00^{\circ}00'12''E$  85.00 feet; thence  $N89^{\circ}59'48''W$  185.00 feet; thence  $S00^{\circ}00'12''W$  242.00 feet; thence  $N86^{\circ}04'30''W$  305.26 feet; thence  $S00^{\circ}27'48''W$  51.15 feet along the northerly right-of-way line of SR-92; thence along said right-of-way line the following five (5) courses: along the arc of a non-tangent curve to the left 52.86 feet with a radius of 9520.00 feet through a central angle of  $00^{\circ}19'05''$ , chord:  $N87^{\circ}19'36''W$  52.86 feet; thence  $N00^{\circ}04'53''W$  50.05 feet; thence  $N87^{\circ}34'24''W$  24.77 feet; thence  $S00^{\circ}04'53''E$  50.05 feet; thence along the arc of a non-tangent curve to the left 26.44 feet with a radius of 9520.00 feet through a central angle of  $00^{\circ}09'33''$ , chord:  $N87^{\circ}42'28''W$  26.44 feet; thence  $N00^{\circ}27'48''E$  52.87 feet; thence  $N87^{\circ}58'14''W$  644.17 feet; thence  $S82^{\circ}03'40''W$  427.60 feet; thence  $S87^{\circ}23'39''W$  234.14 feet; thence  $N87^{\circ}27'39''W$  683.60 feet to the easterly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following eight (8) courses: thence  $N00^{\circ}05'57''W$  158.42 feet; thence along the arc of a curve to the right 109.17 feet with a radius of 69.50 feet through a central angle of  $90^{\circ}00'00''$ , chord:  $N44^{\circ}54'03''E$  98.29 feet; thence  $N00^{\circ}05'57''W$  70.00 feet; thence  $S89^{\circ}54'03''W$  49.50 feet; thence along the arc of a curve to the right 48.69 feet with a radius of 31.00 feet through a central angle of  $90^{\circ}00'00''$ , chord:  $N45^{\circ}05'57''W$  43.84 feet; thence  $N00^{\circ}05'57''W$  402.21 feet; thence along the arc of a curve to the right 103.39 feet with a radius of 585.00 feet through a central angle of  $10^{\circ}07'34''$ , chord:  $N04^{\circ}57'50''E$  103.25 feet; thence along the arc of a curve to the right 52.34 feet with a radius of 31.00 feet through a central angle of  $96^{\circ}43'51''$ , chord:  $N58^{\circ}23'33''E$  46.34 feet; thence  $S73^{\circ}14'32''E$  287.93 feet, the previous course being in part along the south line of Traverse Terrace Drive, Center Street, and 3950 North Street Road Dedication Plat; thence continuing along the boundary of said road dedication plat the following three (3) courses: along the arc of a curve to the left 295.77 feet with a radius of 1040.00 feet through a central angle of  $16^{\circ}17'40''$ , chord:  $S81^{\circ}23'22''E$  294.77 feet; thence  $S89^{\circ}32'12''E$  1466.56 feet; thence  $N00^{\circ}27'48''E$  927.07 feet to the point of beginning.

#### PARCEL 2:

A portion of the Southeast quarter of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at the intersection of the Westerly right-of-way line of 500 West Street and the East line of PHASE 3 CROSSING AT TRAVERSE subdivision, said point being located North  $89^{\circ}57'02''$  East along the Section line 584.81 feet and North 232.58 feet from the South quarter corner of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North  $00^{\circ}04'28''$  West along the East line of said subdivision 1094.46 feet to the South line of PHASE 1, CANYON HILLS subdivision; thence North  $89^{\circ}51'04''$  East along said South line 14.02 feet to the West right-of-way line of Canyon Hills Road according to the official plat thereof; thence along said right-of-way the following three (3) courses: South

#### EXHIBIT 1-4

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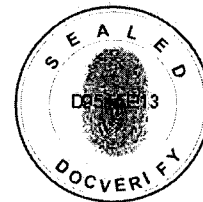


00°05'40" East 220.54 feet; thence along the arc of a 541.00 foot radius curve to the left 289.48 feet through a central angle of 30°39'29" (chord: South 15°25'24" East 286.04 feet); thence South 30°45'09" East 305.78 feet to the Westerly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following three (3) courses: along the arc of a 31.00 foot radius curve to the right 45.48 feet through a central angle of 84°03'44" (chord: South 11°16'43" West 41.51 feet); thence along the arc of a 665.00 foot radius curve to the left 355.26 feet through a central angle of 30°36'31" (chord: South 38°00'19" West 351.05 feet); thence along the arc of a 31.00 foot radius curve to the right 28.85 feet through a central angle of 53°19'42" (chord: South 49°21'54" West 27.82 feet) to the point of beginning.

## EXHIBIT 1-5

4882-3332-6086.v2





**correct Memorandum of Commercial ROFR Micron - 2 004.pdf**

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**E-Signature Summary**

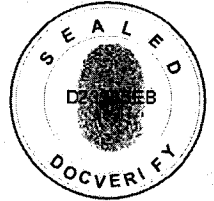
**E-Signature 1: Walter J Plumb (WJP)**  
December 10, 2021 14:29:13 -8:00 [A1C68637AC76] [172.224.246.45]  
walter@gardnercompany.net (Principal) (Personally Known)

**E-Signature Notary: Darla K Milovich (DKM)**  
December 10, 2021 14:29:13 -8:00 [0C0535BA7AE2] [155.190.3.6]  
darla@cottonwoodtitle.com  
I, Darla K Milovich, did witness the participants named above electronically sign this document.



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**Memorandum of ROFR Micron - 2.pdf**

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**E-Signature Summary**

**E-Signature 1: Walter J Plumb (WJP)**  
 December 10, 2021 14:29:14 -8:00 [45AE8A624297] [172.224.246.45]  
 walter@gardnercompany.net (Principal) (Personally Known)

**E-Signature Notary: Darla K Milovich (DKM)**  
 December 10, 2021 14:29:14 -8:00 [6BCC311C5360] [155.190.3.6]  
 darla@cottonwoodtitle.com  
 I, Darla K Milovich, did witness the participants named above electronically sign this document.



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WHEN RECORDED MAIL TO:

Gardner-Plumb, L.C.  
201 South Main Street, Suite 2000  
Salt Lake City, Utah 84111  
Attn: President

Above space for recorder's use

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*(Signatures follow)*

**GARDNER:**

**GARDNER-PLUMB, L.C.,**  
a Utah limited liability company,

By: \_\_\_\_\_

Name: Walter J. Plumb

Title: Manager

Date of Execution: December 10, 2021

**EQUESTRIAN PARTNERS, LLC,**  
a Utah limited liability company,

By: \_\_\_\_\_

Name: Walter J. Plumb, IV

Title: Manager

Date of Execution: December 10, 2021

**HORTON:**

**D.R. HORTON, INC.,**  
a Delaware corporation

By: \_\_\_\_\_

Name: Jonathan S. Thornley

Title: Division CFO

Date of Execution: December 13, 2021

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

The foregoing instrument was acknowledged before me this 10th day of December, 2021, by Walter J. Plumb in such person's capacity as the Manager of Gardner-Plumb, L.C., a Utah limited liability company. This act was performed via remote online audio-visual communication.

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

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

The foregoing instrument was acknowledged before me this 10th day of December, 2021, by Walter J. Plumb, IV in such person's capacity as the Manager of Equestrian Partners, LLC, a Utah limited liability company. This act was performed via remote online audio-visual communication.

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

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

The foregoing instrument was acknowledged before me this 13 day of December, 2021, by Jonathan S. Thornley as the Division CFO of D.R. HORTON, INC., a Delaware corporation.

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



**EXHIBIT 1  
TO THE MEMORANDUM OF THE COMMERCIAL RIGHT OF FIRST  
REFUSAL**

**LEGAL DESCRIPTION OF THE PROPERTY**

**PARCEL 1:**

A portion of Sections 21, 22, 27, 28, 29, 32 and 33 of Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at a point located N89°52'57"E along the Section Line 49.96 feet and North 49.77 feet from the Northwest Corner of Section 27, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N89°51'23"W 1562.01 feet; thence S0°01'55"E 1759.85 feet; thence S76°05'04"W 1180.91 feet; thence S0°01'36"E 665.73 feet; thence N89°50'24"W 863.82 feet; thence South 3642.93 feet to the northerly right-of-way line of SR-92; thence along said right-of-way line the following twelve (12) courses: N81°39'47"W 810.94 feet; thence along the arc of a 9520.00 foot radius curve to the left 967.46 feet through a central angle of 5°49'21" (chord: N84°34'28"W 967.04 feet); thence N0°04'53"W 50.05 feet; thence northwesterly along the arc of a 9570.00 foot radius non-tangent curve to the left (radius bears: S2°30'03"W) 24.77 feet through a central angle of 0°08'54" (chord: N87°34'24"W 24.77 feet); thence S0°04'53"E 50.05 feet; thence northwesterly along the arc of a 9520.00 foot radius non-tangent curve to the left (radius bears: S2°22'18"W) 42.75 feet through a central angle of 0°15'26" (chord: N87°45'25"W 42.75 feet); thence N87°53'08"W 626.36 feet; thence S82°17'02"W 408.22 feet; thence S81°45'11"W 256.74 feet; thence S79°17'40"W 151.11 feet; thence S83°06'31"W 292.19 feet; thence N89°59'58"W 243.99 feet to the easterly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following ten (10) courses: N0°05'57"W 325.72 feet; thence along the arc of a 69.50 foot radius curve to the right 109.17 feet through a central angle of 90°00'00" (chord: N44°54'03"E 98.29 feet); thence N0°05'57"W 70.00 feet; thence S89°54'03"W 49.50 feet; thence along the arc of a 31.00 foot radius curve to the right 48.69 feet through a central angle of 90°00'00" (chord: N45°05'57"W 43.84 feet); thence N0°05'57"W 402.21 feet; thence along the arc of a 585.00 foot radius curve to the right 103.39 feet through a central angle of 10°07'34" (chord: N4°57'50"E 103.25 feet); thence along the arc of a 31.00 foot radius curve to the right 52.34 feet through a central angle of 96°43'51" (chord: N58°23'32"E 46.34 feet); thence S73°14'32"E 1.57 feet; thence N16°45'28"E 80.00 feet to the south line of PLAT "A", ASD NORTHEAST SCHOOL subdivision; thence along the boundary of said subdivision the following thirteen (13) courses: S73°14'32"E 286.36 feet; thence along the arc of a 960.00 foot radius curve to the left 273.02 feet through a central angle of 16°17'40" (chord: S81°23'22"E 272.10 feet); thence S89°32'12"E 1355.56 feet; thence along the arc of a 31.00 foot radius curve to the left 48.69 feet through a central angle of 90°00'00" (chord: N45°27'48"E 43.84 feet); thence N0°27'48"E 750.07 feet; thence along the arc of a 31.00 foot radius curve to the left 48.69 feet through a central angle of 90°00'00"

EXHIBIT 1-1

(chord: N44°32'12"W 43.84 feet); thence N89°32'12"W 356.39 feet; thence along the arc of a 1035.00 foot radius curve to the right 507.70 feet through a central angle of 28°06'20" (chord: N75°29'02"W 502.63 feet); thence N61°25'52"W 147.92 feet; thence northeasterly along the arc of a 947.00 foot radius non-tangent curve to the left (radius bears: N59°19'38"W) 34.93 feet through a central angle of 2°06'48" (chord: N29°36'58"E 34.93 feet); thence N30°09'35"E 74.52 feet; thence northeasterly along the arc of a 952.00 foot radius non-tangent curve to the left (radius bears: N65°55'42"W) 170.44 feet through a central angle of 10°15'28" (chord: N18°56'34"E 170.21 feet); thence S89°53'58"W 423.26 feet to the east line of PHASE 1, CANYON HILLS subdivision; thence N0°03'21"W along the east line of PHASES 1, 3 AND 8, CANYON HILLS subdivision 1356.75 feet to the northeast corner of PHASE 8, CANYON HILLS subdivision; thence along that real property described in Deed Entry No. 18109:1996 in the official records of the Utah County Recorder the following two (2) courses: N0°03'09"W 1304.41 feet (monumented with a found rebar and cap set in concrete); thence N89°50'54"E 1332.52 feet to the west line of Section 28, T4S, R1E, SLB&M; thence N0°10'43"E along the Section Line 1325.48 feet to the Northwest Corner of said Section 28; thence N0°13'47"E along the Section Line 2640.10 feet to the West 1/4 Corner of Section 21, T4S, R1E, SLB&M; thence N0°13'28"E along the Section Line 1346.52 feet to the south line of that Record of Survey prepared by Stantec Engineering on file in the office of the Utah County Surveyor as Survey No. 12-154; thence N89°59'41"E along said survey line 3420.94 feet to a found rebar and cap set in concrete monument; thence S0°00'19"E along said survey line and in part along the west line of MAPLE HOLLOW 10, 11, & 13 AT SUNCREST subdivision 715.98 feet; thence along the southerly line of MAPLE HOLLOW 10, 11, & 13 AT SUNCREST subdivision the following two (2) courses: N89°59'41"E 2900.00 feet; thence N73°56'41"E 899.58 feet to a found rebar and cap set in concrete monument, said point being the northwest corner of the Alpine Joint Venture LTD property as defined by that Record of Survey prepared by Wilding Engineering on file in the office of the Utah County Surveyor as Survey No. 16-134 (said point being monumented with a found rebar and cap set in concrete); thence along said survey line the following three (3) courses: S19°19'38"E 3047.04 feet to a found brass cap stamped "M17" set in concrete; thence N61°40'44"E 697.56 feet; thence N65°46'11"E 502.33 feet to the East Line of the Southwest Quarter of the Southeast Quarter of Section 22, T4S, R1E, SLB&M; thence S0°10'29"W along said East Line (40 Acre Line) 1181.60 feet to the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 27, T4S, R1E, SLB&M; thence S0°06'11"W along the East Line of said Northwest Quarter (40 Acre Line) 1328.11 feet to the north line of PHASE 7, DRY CREEK HIGHLANDS subdivision; thence along the boundary of PHASES 7, 8 & 6, DRY CREEK HIGHLANDS subdivisions the following two (2) courses: S89°49'52"W 1322.57 feet; thence S0°02'55"W 828.20 feet to the north line of that real property described in Deed Entry No. 21542:2004 in the official records of the Utah County Recorder; thence along said real property the following two (2) courses: N89°59'48"W 421.32 feet; thence S45°00'12"W 307.69 feet; thence N36°48'06"W 1807.67 feet; thence S77°12'44"W 895.54 feet; thence N0°02'25"W 1170.16 feet to the point of beginning.

## EXHIBIT 1-2



LESS AND EXCEPTING FROM THEREFROM a parcel of land, situate in the Northwest quarter of Section 33, Township 4 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel are described as follows:

Beginning at a point which is North  $89^{\circ}58'12''$  West 2087.22 feet along the section line and South 508.13 feet from the North quarter corner of said Section 33 and running thence South 258.84 feet to the Northerly line of a 50-foot wide UDOT public utility easement to the beginning of a non-tangential curve to the left with a radius of 9570.00 feet; thence along the arc of said curve 185.77 feet through a central angle of  $01^{\circ}06'44''$  with a chord bearing North  $84^{\circ}47'56''$  West 185.77 feet; thence North 242.00 feet; thence East 185.00 feet to the point of beginning.

(NOTE: Rotate the bearings in the above description  $00^{\circ}0'12''$  clockwise to match the bearings on this survey)

ALSO LESS AND EXCEPTING FROM THEREFROM a parcel of land, situate in the Northwest quarter of Section 33, Township 4 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel are described as follows:

Beginning at a point located North  $89^{\circ}51'24''$  West 3765.00 feet along the South line of Section 21 from the section corner common to Sections 21, 22, 27 and 28, Township 4 South, Range 1 East, Salt Lake Base and Meridian; and running thence North  $00^{\circ}08'36''$  East 1170.00 feet; thence South  $89^{\circ}51'24''$  East 375.00 feet; thence South  $00^{\circ}08'36''$  West 1170.00 feet to the South line of said Section 21; thence North  $89^{\circ}51'24''$  West 375.00 feet along said South line of Section 21 to the point of beginning.

(NOTE: Rotate the bearings in the above description  $00^{\circ}6'51''$  counterclockwise to match the bearings on this survey)

ALSO LESS AND EXCEPTING THEREFROM that portion of said parcel lying within the bounds of the Traverse Terrace Drive, Center Street and 3950 North Street Road Dedication Plat as recorded December 15, 2020 as Entry No. 199673:2020 of official records.

ALSO LESS AND EXCEPTING THEREFROM a parcel of land located in Sections 28, 29, 32 and 33 of Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at a point on the east line of Traverse Terrace Drive, Center Street, and 3950 North Street Road Dedication Plat, said point being located  $N00^{\circ}04'17''W$  along the Section Line 906.43 feet and East 69.42 feet from the Southeast Corner of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence  $S89^{\circ}32'12''E$  416.94 feet; thence along the arc of a curve to the left 231.75 feet with a radius of 350.00 feet through a central angle of  $37^{\circ}56'15''$  chord:  $N71^{\circ}29'40''E$  227.54 feet; thence  $N52^{\circ}31'33''E$  83.81 feet; thence along the arc of

a curve to the right 229.03 feet with a radius of 350.00 feet through a central angle of  $37^{\circ}29'35''$ , chord:  $N71^{\circ}16'20''E$  224.97 feet; thence  $S89^{\circ}58'53''E$  810.37 feet; thence South 1691.76 feet; thence  $N89^{\circ}59'48''W$  1222.31 feet; thence  $N00^{\circ}00'12''E$  85.00 feet; thence  $N89^{\circ}59'48''W$  185.00 feet; thence  $S00^{\circ}00'12''W$  242.00 feet; thence  $N86^{\circ}04'30''W$  305.26 feet; thence  $S00^{\circ}27'48''W$  51.15 feet along the northerly right-of-way line of SR-92; thence along said right-of-way line the following five (5) courses: along the arc of a non-tangent curve to the left 52.86 feet with a radius of 9520.00 feet through a central angle of  $00^{\circ}19'05''$ , chord:  $N87^{\circ}19'36''W$  52.86 feet; thence  $N00^{\circ}04'53''W$  50.05 feet; thence  $N87^{\circ}34'24''W$  24.77 feet; thence  $S00^{\circ}04'53''E$  50.05 feet; thence along the arc of a non-tangent curve to the left 26.44 feet with a radius of 9520.00 feet through a central angle of  $00^{\circ}09'33''$ , chord:  $N87^{\circ}42'28''W$  26.44 feet; thence  $N00^{\circ}27'48''E$  52.87 feet; thence  $N87^{\circ}58'14''W$  644.17 feet; thence  $S82^{\circ}03'40''W$  427.60 feet; thence  $S87^{\circ}23'39''W$  234.14 feet; thence  $N87^{\circ}27'39''W$  683.60 feet to the easterly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following eight (8) courses: thence  $N00^{\circ}05'57''W$  158.42 feet; thence along the arc of a curve to the right 109.17 feet with a radius of 69.50 feet through a central angle of  $90^{\circ}00'00''$ , chord:  $N44^{\circ}54'03''E$  98.29 feet; thence  $N00^{\circ}05'57''W$  70.00 feet; thence  $S89^{\circ}54'03''W$  49.50 feet; thence along the arc of a curve to the right 48.69 feet with a radius of 31.00 feet through a central angle of  $90^{\circ}00'00''$ , chord:  $N45^{\circ}05'57''W$  43.84 feet; thence  $N00^{\circ}05'57''W$  402.21 feet; thence along the arc of a curve to the right 103.39 feet with a radius of 585.00 feet through a central angle of  $10^{\circ}07'34''$ , chord:  $N04^{\circ}57'50''E$  103.25 feet; thence along the arc of a curve to the right 52.34 feet with a radius of 31.00 feet through a central angle of  $96^{\circ}43'51''$ , chord:  $N58^{\circ}23'33''E$  46.34 feet; thence  $S73^{\circ}14'32''E$  287.93 feet, the previous course being in part along the south line of Traverse Terrace Drive, Center Street, and 3950 North Street Road Dedication Plat; thence continuing along the boundary of said road dedication plat the following three (3) courses: along the arc of a curve to the left 295.77 feet with a radius of 1040.00 feet through a central angle of  $16^{\circ}17'40''$ , chord:  $S81^{\circ}23'22''E$  294.77 feet; thence  $S89^{\circ}32'12''E$  1466.56 feet; thence  $N00^{\circ}27'48''E$  927.07 feet to the point of beginning.

**PARCEL 2:**

A portion of the Southeast quarter of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian, described by survey as follows:

Beginning at the intersection of the Westerly right-of-way line of 500 West Street and the East line of PHASE 3 CROSSING AT TRAVERSE subdivision, said point being located North  $89^{\circ}57'02''$  East along the Section line 584.81 feet and North 232.58 feet from the South quarter corner of Section 29, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence North  $00^{\circ}04'28''$  West along the East line of said subdivision 1094.46 feet to the South line of PHASE 1, CANYON HILLS subdivision; thence North  $89^{\circ}51'04''$  East along said South line 14.02 feet to the West right-of-way line of Canyon Hills Road according to the official plat thereof; thence along said right-of-way the following three (3) courses: South

**EXHIBIT 1-4**

00°05'40" East 220.54 feet; thence along the arc of a 541.00 foot radius curve to the left 289.48 feet through a central angle of 30°39'29" (chord: South 15°25'24" East 286.04 feet); thence South 30°45'09" East 305.78 feet to the Westerly right-of-way line of 500 West Street according to the official plat thereof; thence along said right-of-way line the following three (3) courses: along the arc of a 31.00 foot radius curve to the right 45.48 feet through a central angle of 84°03'44" (chord: South 11°16'43" West 41.51 feet); thence along the arc of a 665.00 foot radius curve to the left 355.26 feet through a central angle of 30°36'31" (chord: South 38°00'19" West 351.05 feet); thence along the arc of a 31.00 foot radius curve to the right 28.85 feet through a central angle of 53°19'42" (chord: South 49°21'54" West 27.82 feet) to the point of beginning.

EXHIBIT 1-5