

WHEN RECORDED RETURN TO:

Sunrise 3, LLC  
1099 W. South Jordan Parkway  
South Jordan, Utah 84095

091-5752874

**AMENDMENT TO DECLARATION OF EASEMENTS  
AND RESTRICTIVE COVENANTS**

THIS AMENDMENT TO DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS (the "**Amendment**") is entered into as of the \_\_\_ day of March, 2017, by SUNRISE 3, LLC, a Utah limited liability company ("**Sunrise 3**"), and by Tanuki Investments, LLC, a Utah limited liability company ("**Tanuki**"). Sunrise 3 and Tanuki are sometimes referred to herein individually as a "**Party**" and collectively as the "**Parties**." For the limited purposes of Section 2 below only, WFR 3, LLC, a Utah limited liability ("**WFR 3**") and the Utah Department of Transportation ("**UDOT**") also acknowledge and ratify this Amendment.

**RECITALS**

A. Sunrise 3 is the owner of certain real property located in the City of Saratoga Springs, Utah, more particularly described on Exhibit A attached hereto (the "**Sunrise 3 Property**").

B. Tanuki is the owner of certain real property located in the City of Saratoga Springs, Utah, more particularly described on Exhibit B attached hereto (the "**Tanuki Property**").

C. Sunrise 3 and Collins Brothers Oil Company ("**Collins**"), as predecessor in interest to Tanuki, previously entered into a certain Declaration of Easements and Restrictive Covenants, dated December 31, 2012, and recorded with the Utah County Recorder on December 31, 2014 as Entry No. 115824:2012 (the "**Declaration**").

D. In May 2015, WFR 3 sold and conveyed a certain portion of property to the UDOT, which property is more particularly described as Exhibit C attached hereto (the "**2015 UDOT Property**"). UDOT requested that WFR 3 execute an amendment to the Declaration prior to such conveyance, releasing the UDOT Property from the Declaration, and upon information and belief, WFR 3 executed an amendment confirming such release, but, upon information and belief, such amendment was inadvertently never recorded.

E. Pursuant to the terms of this Amendment, Sunrise 3 and Tanuki (as successor in interest to Collins), desire to amend the Declaration by releasing an additional portion of the

Declaration Sunrise 3 Property from the Declaration. This property is to be conveyed to UDOT, and is more particularly described on Exhibit D attached hereto (the “**2017 UDOT Property**”).

### AMENDMENT

For good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Sunrise 3 and Tanuki hereby agree as follows:

1. Termination as to 2017 UDOT Property. The Declaration is hereby terminated, cancelled and released for all purposes, insofar as the Declaration relates to the 2017 UDOT Property; provided, however, that the Declaration remains in full force and effect with respect to all other property covered by the Declaration other than the 2017 UDOT Property and the 2015 UDOT Property. The Parties do hereby release each of the other Parties and their successors in interest and assigns from any claims, liabilities or amounts owing which arise under or relate to the Declaration, insofar as it applies to the 2017 UDOT Property.

2. Ratification of Termination as to 2015 UDOT Property. This Amendment hereby further ratifies and confirms the termination, cancellation and release, for all purposes, of the Declaration with respect to the 2015 UDOT Property, and any claims, liabilities or amounts owing which arise under or relate to the Declaration, insofar as it applies to the 2015 UDOT Property. WFR 3 and UDOT each execute this Amendment for the purpose of acknowledging and ratifying the same.

3. Miscellaneous. This Amendment constitutes the entire agreement between the Parties hereto with respect to the subject matter contained herein, and there are no covenants, terms, or conditions, express or implied, other than as set forth or referred to herein. This Amendment supersedes all prior agreements between the Parties hereto relating to all or part of the subject matter herein. No representations, oral or written, modifying or contradicting the terms of this Amendment have been made by any party except as contained herein. This Amendment shall bind every person having any fee, leasehold or other interest therein, and shall inure to the benefit of the Parties and their respective successors and assigns.

*[Signatures Begin on Next Page.]*

IN WITNESS WHEREOF, this Amendment is executed as of the date first above written.

**SUNRISE 3:**

SUNRISE 3, LLC, a Utah limited liability company

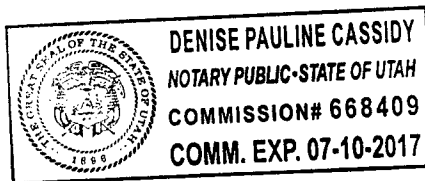
By: Sunrise 3 Managers, LLC, a Utah limited liability company, its Manager

By: \_\_\_\_\_  
Name: Nathan D. Shipp  
Its: Manager

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

On the 14 day of March, 2017, personally appeared before me Nathan D. Shipp, who being by me duly sworn did say that he is a Manager of Sunrise 3 Managers, LLC, a Utah limited liability company, the Manager of Sunrise 3, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

*Denise Pauline Cassidy*  
Notary Public



TANUKI:

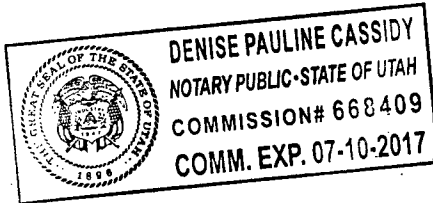
TANUKI INVESTMENTS, LLC, a Utah  
limited liability company

By: \_\_\_\_\_  
Name: Nathan D. Shipp  
Its: Manager

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

On the 14 day of March, 2017, personally appeared before me Nathan D. Shipp, who  
being by me duly sworn did say that he is a Manager of Tanuki Investments, LLC, a Utah limited  
liability company, and that the within and foregoing instrument was signed on behalf of said  
limited liability company.

*Denise Pauline Cassidy*  
Notary Public



**ACKNOWLEDGED FOR PURPOSES OF SECTION 2 ONLY:**

**WFR 3:**

WFR 3, LLC, a Utah limited liability company

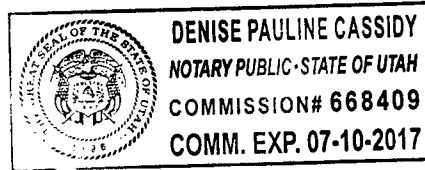
By: Sunrise 3 Managers, LLC, a Utah limited liability company, its Manager

By: \_\_\_\_\_  
Name: Nathan D. Shipp  
Its: Manager

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

On the 14 day of May, 2015, personally appeared before me Nathan D. Shipp, who being by me duly sworn did say that he is a Manager of Sunrise 3 Managers, LLC, a Utah limited liability company, the Manager of WFR 3, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

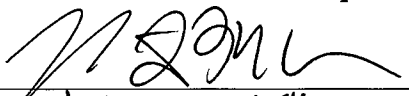
*Denise Pauline Cassidy*  
Notary Public



**ACKNOWLEDGED FOR PURPOSES OF SECTION 2 ONLY:**

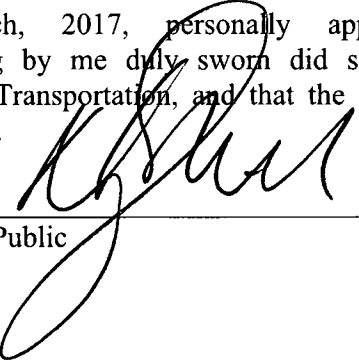
**UDOT:**

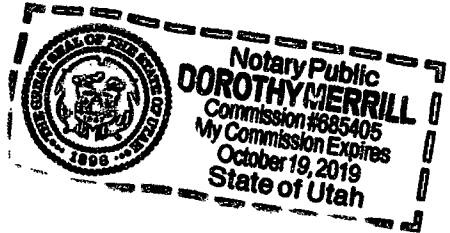
UTAH DEPARTMENT OF TRANSPORTATION

By:   
Name: Lyle D. McMillan  
Title: Authorized Signer

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

On the 14<sup>th</sup> day of March, 2017, personally appeared before me Lyle D. McMillan, who being by me duly sworn did say that (s)he is the Authorized Signer of Utah Department of Transportation, and that the within and foregoing instrument was signed on behalf of said party.

  
\_\_\_\_\_  
Notary Public



**EXHIBIT A  
TO  
AGREEMENT**

**SUNRISE 3 PROPERTY**

Land situated in Utah County, State of Utah, and more particularly described as follows:

**Serial Number: 58:021:0176**

COM N 89 DEG 52' 5" W 656.17 FT FR S 1/4 COR. SEC. 10, T5S, R1W, SLB&M.; ALONG A CURVE TO L (CHORD BEARS: N 8 DEG 21' 36" W 267.53 FT, RADIUS = 1800 FT); N 12 DEG 37' 19" W 764.34 FT; N 14 DEG 45' 59" W 361.44 FT; ALONG A CURVE TO L (CHORD BEARS: N 17 DEG 44' 37" W 353.79 FT, RADIUS = 3400 FT); ALONG A CURVE TO R (CHORD BEARS: N 14 DEG 50' 8" W 425.8 FT, RADIUS = 2074.5 FT); N 8 DEG 56' 42" W 494.69 FT; ALONG A CURVE TO R (CHORD BEARS: N 0 DEG 8' 50" E 1678.98 FT, RADIUS = 5312.5 FT); N 9 DEG 14' 21" E 197.23 FT; ALONG A CURVE TO R (CHORD BEARS: N 19 DEG 38' 51" E 1445.28 FT, RADIUS = 4000 FT); N 30 DEG 3' 20" E 320.3 FT; ALONG A CURVE TO L (CHORD BEARS: N 13 DEG 3' 36" E 634.29 FT, RADIUS = 1085 FT); N 3 DEG 56' 9" W 560.76 FT; ALONG A CURVE TO R (CHORD BEARS: N 6 DEG 36' 32" E 450 FT, RADIUS = 1229.5 FT); N 17 DEG 9' 12" E 330.78 FT; N 15 DEG 24' 52" E 391.36 FT; N 19 DEG 43' 22" E 600.87 FT; ALONG A CURVE TO R (CHORD BEARS: N 20 DEG 20' 12" E 21.43 FT, RADIUS = 1000 FT); S 0 DEG 17' 28" W 1029.39 FT; N 89 DEG 53' 57" E 324.86 FT; S 19 DEG 39' 26" W 3443.18 FT; ALONG A CURVE TO L (CHORD BEARS: S 2 DEG 20' 29" W 2563.24 FT, RADIUS = 4306 FT); S 14 DEG 58' 27" E 2257.64 FT; N 89 DEG 52' 5" W 298.98 FT TO BEG. AREA 59.268 AC.

**Serial Number: 58:021:0143**

COM AT N 1/4 COR. SEC. 10, T5S, R1W, SLB&M.; S 0 DEG 11' 28" W 3195.99 FT; N 89 DEG 59' 50" W 183.82 FT; S 0 DEG 14' 38" W 552.89 FT; S 55 DEG 5' 46" W 333.18 FT; N 19 DEG 5' 14" W 322.71 FT; ALONG A CURVE TO R (CHORD BEARS: N 14 DEG 1' 7" W 520.81 FT, RADIUS = 2947.5 FT); N 8 DEG 57' 0" W 435.06 FT; ALONG A CURVE TO R (CHORD BEARS: N 2 DEG 18' 42" W 926.56 FT, RADIUS = 4007.5 FT); S 85 DEG 40' 23" E 10 FT; ALONG A CURVE TO R (CHORD BEARS: N 7 DEG 40' 50" E 467.69 FT, RADIUS = 3997.5 FT); N 78 DEG 57' 57" W 10 FT; ALONG A CURVE TO R (CHORD BEARS: N 15 DEG 24' 0" E 610.16 FT, RADIUS = 4007.5 FT); N 19 DEG 46' 28" E 752.16 FT; S 0 DEG 10' 2" W 18.97 FT; E 200 FT; N 200 FT; W 130.63 FT; ALONG A CURVE TO R (CHORD BEARS: N 25 DEG 53' 51" E 168.24 FT, RADIUS = 1980 FT); N 28 DEG 19' 57" E 262.4 FT; ALONG A CURVE TO L (CHORD BEARS: N 26 DEG 10' 22" E 302.98 FT, RADIUS = 4020 FT); S 65 DEG 59' 12" E 20 FT; N 24 DEG 0' 48" E 1019.26 FT; N 65 DEG 59' 12" W 20 FT; N 24 DEG 0' 48" E 82.82 FT; ALONG A CURVE TO R (CHORD BEARS: N 59 DEG 10' 33" E 863.27 FT, RADIUS = 919.94 FT); S 85 DEG 39' 42" E 483.47 FT; ALONG A CURVE TO L (CHORD BEARS: N 85 DEG 58' 15" E 801.09 FT, RADIUS = 2752.5 FT); N 77 DEG 36' 17" E 127.39 FT; S 0 DEG 4' 56" E 974.23 FT; N 89 DEG 59' 59" W 392.49 FT; S 26 DEG 29' 58" W 441.07 FT; N 89 DEG 57' 54" W 2.21 FT; S 26 DEG 34' 0" W 312.35 FT; S 41 DEG 28' 30" E 2.55 FT; S 26 DEG 29' 58" W 734.5 FT; S 89 DEG 36' 52" W 1345.99 FT; N 9 DEG 35' 1" E 216.53 FT; W 315.47 FT; S 3 DEG 19' 17" E 215.67 FT TO BEG. AREA 157.137 AC.

**Serial Number: 58:022:0123**

COM AT SW COR. SEC. 10, T5S, R1W, SLB&M.; N 0 DEG 20' 22" E 917.42 FT; N 33 DEG 40' 0" E 444 FT; S 70 DEG 47' 1" E 67.6 FT; N 19 DEG 12' 59" E 20 FT; N 70 DEG 47' 0" W 62.4 FT; N 33 DEG 40' 1" E 17.7 FT; N

83 DEG 47' 39" E 199.18 FT; ALONG A CURVE TO R (CHORD BEARS: S 69 DEG 47' 59" E 615.44 FT, RADIUS = 691.5 FT); S 43 DEG 24' 56" E 763.69 FT; ALONG A CURVE TO R (CHORD BEARS: S 29 DEG 14' 28" E 337.58 FT, RADIUS = 691.07 FT); S 15 DEG 9' 0" E 292.68 FT; N 89 DEG 52' 30" W 1814.73 FT TO BEG. AREA 42.256 AC. ALSO COM N 1372.97 FT & E 308.93 FT FR SW COR. SEC. 10, T5S, R1W, SLB&M.; N 33 DEG 40' 0" E 20.76 FT; N 4 DEG 46' 0" E 950.34 FT; N 89 DEG 40' 27" E 1047.84 FT; S 8 DEG 57' 0" E 242.12 FT; ALONG A CURVE TO L (CHORD BEARS: S 14 DEG 50' 26" E 425.8 FT, RADIUS = 2074.5 FT); ALONG A CURVE TO R (CHORD BEARS: S 17 DEG 44' 55" E 353.79 FT, RADIUS = 3400 FT); S 14 DEG 45' 59" E 361.44 FT; S 12 DEG 37' 37" E 764.34 FT; ALONG A CURVE TO R (CHORD BEARS: S 8 DEG 22' 2" E 267.39 FT, RADIUS = 1800 FT); N 89 DEG 52' 30" W 133.16 FT; N 15 DEG 9' 0" W 306.38 FT; ALONG A CURVE TO L (CHORD BEARS: N 29 DEG 16' 30" W 362.04 FT, RADIUS = 742.12 FT); N 43 DEG 24' 0" W 763.69 FT; ALONG A CURVE TO L (CHORD BEARS: N 69 DEG 49' 0" W 660.02 FT, RADIUS = 741.73 FT); S 83 DEG 46' 0" W 157.45 FT TO BEG. AREA 38.712 AC. TOTAL AREA 80.968 AC.



**EXHIBIT B  
TO  
AGREEMENT**

**TANUKI PROPERTY**

Land situated in Utah County, State of Utah, and more particularly described as follows:

**Serial No. 58:021:0152**

COM S 0 DEG 11' 2" W 2969.72 FT & W 1216.19 FT FR N 1/4 COR. SEC. 10, T5S, R1W, SLB&M.; S 89 DEG 40' 27" W 1047.25 FT; N 5 DEG 3' 4" E 3003.51 FT; N 86 DEG 49' 38" E 31.29 FT; N 4 DEG 46' 0" E 591.88 FT; S 85 DEG 19' 19" E 380.16 FT; N 4 DEG 57' 34" E 199.94 FT; N 85 DEG 6' 52" W 200.2 FT; S 5 DEG 6' 14" W 200.66 FT; N 85 DEG 19' 19" W 179.45 FT; N 4 DEG 46' 0" E 3400.15 FT; N 89 DEG 52' 42" E 1632.85 FT; S 0 DEG 17' 28" W 304.24 FT; ALONG A CURVE TO L (CHORD BEARS: S 20 DEG 20' 12" W 21.43 FT, RADIUS = 1000 FT); S 19 DEG 43' 22" W 600.87 FT; S 15 DEG 24' 52" W 391.36 FT; S 17 DEG 9' 12" W 330.78 FT; ALONG A CURVE TO L (CHORD BEARS: S 6 DEG 36' 32" W 450 FT, RADIUS = 1229.5 FT); S 3 DEG 56' 9" E 560.76 FT; ALONG A CURVE TO R (CHORD BEARS: S 13 DEG 3' 36" W 634.29 FT, RADIUS = 1085 FT); S 30 DEG 3' 20" W 320.3 FT; ALONG A CURVE TO L (CHORD BEARS: S 19 DEG 38' 51" W 1445.28 FT, RADIUS = 4000 FT); S 9 DEG 14' 21" W 197.23 FT; ALONG A CURVE TO L (CHORD BEARS: S 0 DEG 8' 50" W 1678.98 FT, RADIUS = 5312.5 FT); S 8 DEG 56' 42" E 252.73 FT TO BEG. AREA 187.469 AC.

**EXHIBIT C  
TO  
AGREEMENT**

**2015 UDOT PROPERTY**

Land situated in Utah County, State of Utah, and more particularly described as follows:

A PARCEL OF LAND IN FEE FOR A HIGHWAY KNOWN AS PROJECT NO. SP-0182(1)0, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 WEST AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT, WHICH POINT IS 5113.57 FEET SOUTH 00°11'02" WEST (SOUTH 00°11'28" WEST BY RECORD) ALONG THE QUARTER SECTION LINE FROM THE NORTH QUARTER CORNER OF SAID SECTION 10, WHICH POINT IS ALSO 377.38 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE RIGHT OF WAY CONTROL LINE OPPOSITE APPROXIMATE ENGINEER STATION 562+73.40; AND RUNNING THENCE SOUTH 00°11'02" WEST (SOUTH 00°11'28" WEST BY RECORD) 205.33 FEET ALONG THE QUARTER SECTION LINE TO THE SOUTHEAST CORNER OF SAID ENTIRE TRACT AT THE SOUTH QUARTER CORNER OF SAID SECTION 10; THENCE NORTH 89°52'05" WEST (NORTH 89°52'02" WEST BY RECORD) 357.19 FEET ALONG THE SOUTHERLY BOUNDARY LINE AND THE QUARTER SECTION LINE TO THE SOUTHWEST CORNER OF SAID ENTIRE TRACT; THENCE NORTH 14°58'27" WEST 2257.64 FEET TO THE BEGINNING OF A 4306.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY 2602.68 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS NORTH 02°20'29" EAST FOR A DISTANCE OF 2563.24 FEET); THENCE NORTH 19°39'26" EAST 3443.18 FEET TO THE NORTHERLY BOUNDARY LINE AND THE EAST-WEST QUARTER SECTION LINE; THENCE NORTH 89°53'57" EAST (NORTH 89°53'51" EAST BY RECORD) 2363.53 FEET ALONG SAID QUARTER SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 3; THENCE SOUTH 00°05'03" EAST (SOUTH 00°05'10" EAST BY RECORD) 302.46 FEET ALONG THE EASTERLY BOUNDARY LINE AND THE EASTERLY SECTION LINE TO A POINT 264.78 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE 2100 NORTH STREET RIGHT OF WAY CONTROL LINE OPPOSITE ENGINEER STATION 76+66.80; THENCE SOUTH 77°36'20" WEST 298.94 FEET TO THE BEGINNING OF A 1,500.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 438.11 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 85°58'23" WEST FOR A DISTANCE OF 436.55 FEET); THENCE NORTH 85°39'35" WEST 665.48 FEET TO THE BEGINNING OF A 750.00-FOOT RADIUS CURVE TO THE LEFT AT A POINT 309.29 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 62+75.77; THENCE SOUTHWESTERLY 974.95 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 57°06'01" WEST FOR A DISTANCE OF 907.74 FEET) TO A POINT OF REVERSE CURVATURE WITH A RADIUS OF 8,140.00 FEET; THENCE SOUTHWESTERLY 1433.58 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 24°54'20" WEST FOR A DISTANCE OF 1431.73 FEET) TO A POINT OF REVERSE CURVATURE

WITH A RADIUS OF 3,000.00 FEET; THENCE SOUTHWESTERLY 409.38 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 26°02'30" WEST FOR A DISTANCE OF 409.06 FEET) TO THE WESTERLY BOUNDARY LINE OF THAT CERTAIN PARCEL CONVEYED TO THE CITY OF SARATOGA SPRINGS BY QUIT CLAIM DEED RECORDED AS ENTRY NO. 3238:2014 IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID WESTERLY BOUNDARY LINE THE FOLLOWING SEVEN (7) COURSES: (1) SOUTH 57°47'12" WEST 19.57 FEET; THENCE (2) SOUTH 48°30'04" WEST 19.49 FEET; THENCE (3) SOUTH 37°28'54" WEST 20.32 FEET; THENCE (4) SOUTH 24°08'37" WEST 30.20 FEET; THENCE (5) SOUTH 09°30'34" WEST 20.23 FEET; THENCE (6) SOUTH 05°22'50" EAST 29.35 FEET; THENCE (7) SOUTH 18°26'38" EAST 18.67 FEET; THENCE SOUTH 19°04'13" WEST 469.36 FEET; THENCE SOUTH 19°46'28" WEST 327.16 FEET TO THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE ALONG SAID EASTERLY BOUNDARY LINE THE FOLLOWING EIGHT (8) COURSES: THENCE (1) SOUTHERLY 610.75 FEET ALONG THE ARC OF A 4,007.50-FOOT RADIUS CURVE TO THE LEFT (NOTE: CHORD TO SAID CURVE BEARS SOUTH 15°24'00" WEST FOR A DISTANCE OF 610.16 FEET); THENCE (2) SOUTH 78°57'57" EAST 10.00 FEET TO THE BEGINNING OF A 3,997.50-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE (3) SOUTHERLY 467.96 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 07°40'50" WEST FOR A DISTANCE OF 467.69 FEET); THENCE (4) NORTH 85°40'23" WEST 10.00 FEET TO THE BEGINNING OF A 4,007.50-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE (5) SOUTHERLY 928.63 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 02°18'42" EAST FOR A DISTANCE OF 926.55 FEET); THENCE (6) SOUTH 08°57'00" EAST 435.06 FEET TO THE BEGINNING OF A 2,947.50-FOOT RADIUS CURVE TO THE LEFT; THENCE (7) SOUTHERLY 521.49 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 14°01'07" EAST FOR A DISTANCE OF 520.81 FEET); THENCE (8) SOUTH 19°05'14" EAST 322.71 FEET; THENCE NORTH 55°05'46" EAST 38.72 FEET ALONG A NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 15°19'39" EAST 567.54 FEET TO THE BEGINNING OF A 1937.50-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 326.07 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 20°08'56" EAST FOR A DISTANCE OF 325.68 FEET); THENCE SOUTH 24°58'12" EAST 309.29 FEET TO THE BEGINNING OF A 2062.50 FOOT-RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 68.66 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD TO SAID CURVE BEARS SOUTH 24°00'59" EAST FOR A DISTANCE OF 68.66 FEET) TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

**EXHIBIT D  
TO  
AGREEMENT**

**2017 UDOT PROPERTY**

Land situated in Utah County, State of Utah, and more particularly described as follows:

A PARCEL OF LAND IN FEE FOR A HIGHWAY KNOWN AS PROJECT NO. SP-0182(1)0, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID ENTIRE TRACT, WHICH CORNER IS 656.17 FEET NORTH 89°52'05" WEST (NORTH 89°52'02" WEST BY RECORD) ALONG THE SECTION LINE FROM THE SOUTH QUARTER CORNER OF SAID SECTION 10 (SAID SOUTH QUARTER CORNER IS SOUTH 00°11'02" WEST 5318.90 FEET FROM THE NORTH QUARTER CORNER OF SECTION 10), SAID CORNER IS ALSO 309.64 FEET PERPENDICULARLY SOUTHWESTERLY FROM THE RIGHT OF WAY CONTROL LINE OPPOSITE APPROXIMATE ENGINEER STATION 562+42.08; AND RUNNING THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT THE FOLLOWING THREE (3) COURSES: (1) NORTHERLY 267.78 FEET (268.03 FEET BY RECORD) ALONG THE ARC OF A 1800-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (NOTE: CHORD TO SAID CURVE BEARS NORTH 08°21'36" WEST FOR A DISTANCE OF 267.53 FEET (NORTH 08°21'22" WEST 267.78 FEET BY RECORD)); THENCE (2) NORTH 12°37'19" WEST 764.34 FEET; THENCE (3) NORTH 14°45'41" WEST 316.80 FEET TO A POINT 254.38 FEET PERPENDICULARLY DISTANT SOUTHWESTERLY FROM SAID RIGHT-OF-WAY CONTROL LINE OPPOSITE ENGINEER STATION 575+88.69; THENCE NORTH 75°01'30" EAST 225.29 FEET TO THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 14°58'27" EAST 1424.17 FEET ALONG SAID EASTERLY BOUNDARY LINE TO THE SOUTHEAST CORNER OF SAID ENTIRE TRACT; THENCE NORTH 89°52'05" WEST (NORTH 89°52'02" WEST BY RECORD) 298.98 FEET ALONG THE SOUTHERLY BOUNDARY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

(NOTE: ROTATE ALL BEARINGS IN THE ABOVE DESCRIPTION'S 0°00'07" COUNTERCLOCKWISE TO OBTAIN HIGHWAY BEARINGS.)