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WHEN RECORDED, RETURN TO:

Randall M. Larsen  
Gilmore & Bell, P.C.  
15 West South Temple, Suite 1450  
Salt Lake City, Utah 84101



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ANDREA ALLEN  
UTAH COUNTY RECORDER  
2024 Jan 24 03:25 PM FEE 0.00 BY KR  
RECORDED FOR EAGLE MOUNTAIN CITY

FIREFLY PUBLIC INFRASTRUCTURE DISTRICT NO. 1

FIREFLY ASSESSMENT AREA NO. 1

ASSESSMENT ORDINANCE

DATED AS OF DECEMBER 21, 2023

## ASSESSMENT ORDINANCE

WHEREAS, the Board of Trustees (the “Board”) of the Firefly Public Infrastructure District No. 1 (the “District”), adopted Resolution No. 2023-06 on December 21, 2023 (the “Authorizing Resolution”), pursuant to which the Board authorized and approved the form of this Assessment Ordinance and the form of the related designation resolution (the “Designation Resolution”); and

WHEREAS, the District, pursuant to the Assessment Area Act, Title 11 Chapter 42, Utah Code Annotated 1953, as amended (the “Act”), and pursuant to the Authorizing Resolution and the Designation Resolution, designated the Firefly Assessment Area No. 1 (the “Assessment Area”) after having obtained from the fee simple owner(s) of all the property to be assessed within the Assessment Area (the “Owners”) an executed Acknowledgement, Waiver and Consent Agreement (the “Waiver and Consent”) attached to the Designation Resolution; and

WHEREAS, the District plans to finance the costs of publicly owned infrastructure, facilities or systems as part of a residential development (the “Firefly Development”). The District plans to issue Limited Tax General Obligation Bonds (the “Limited Tax Bonds”) to finance a portion of the improvements within the Firefly Development and levy the assessments to finance the remainder of the Improvements within the Firefly Development. The District may elect in the future to issue more Limited Tax Bonds and accordingly reduce the assessments to finance the Improvements. The Board desires to assess and finance the Improvements (plus related overhead, administration, capitalized interest, reserves, permits, fees, and closing costs) benefitting the Assessment Area as follows:

-The acquisition and purchase of water shares and the construction and installation of intract public infrastructure, including roads, water improvements, sanitary sewer improvements, storm drain improvements, culinary water improvements and all related improvements (the “Subdivision Improvements”).

-The acquisition and purchase of water shares and the construction and installation of master roads, culinary water improvements, sanitary sewer improvements, and all related improvements (the “System Improvements”).

WHEREAS, the Board has (i) determined the total estimated cost of the Improvements, (ii) received an appraisal of the property to be assessed (from an appraiser who is a member of the Appraisal Institute) and addressed to the District verifying that the market value of the property, after completion of the proposed improvements, is at least three times the amount of the assessments proposed to be levied against the property to be assessed, and (iii) desires to assess the properties within the Assessment Area, and has prepared an assessment list of the assessments to be levied to finance the cost of the Improvements (the “Assessments”); and

WHEREAS, the Board hereby finds that pursuant to the Act, the Improvements constitute a publicly owned infrastructure, facility, or system that (i) the District is

authorized to provide or (ii) is necessary or convenient to enable the District to provide a service that the District is authorized to provide; and

WHEREAS, the District now desires to confirm the assessment list and to levy said Assessments in accordance with this Ordinance:

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE FIREFLY PUBLIC INFRASTRUCTURE DISTRICT NO. 1:

Section 1. Determination of Estimated Costs of the Improvements and Right of District to Levy Additional Assessments for Completion. Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to such terms in the Designation Resolution. The Board has determined that the estimated acquisition, construction and installation costs of the Improvements within the Assessment Area, including estimated overhead costs, administrative costs, costs of funding reserves, capitalized interest, and debt issuance costs, is estimated at \$65,027,616. Such amount to be levied is an estimate, as permitted under Section 11-42-401 of the Act. If the Assessments are not sufficient in amount to complete the Improvements and pay related costs as described above, the Owners shall be responsible to pay the remaining amount in order to complete the Improvements. However, the District does not guaranty such payments from the Owners. Therefore, if for any reason the Owners do not pay such remaining amount to complete the Improvements, any and all property owners within the Assessment Area shall be responsible for paying any pro-rata share of additional costs required to complete the Improvements, including, but not limited to, an additional assessment on their property without any ability to contest such assessment.

Section 2. Approval of Assessment List; Findings. The Board confirms and adopts the assessment list for the Assessment Area, a copy of which is attached hereto as Exhibit A and incorporated herein by reference (the "Assessment List"). The Board has determined that the Assessments are levied according to the benefits to be derived by each property within the Assessment Area and, in any case, the Owners have consented to such methodology as provided in Section 11-42-409(5) of the Act.

Section 3. Levy of Assessments. The Board does hereby levy an Assessment against each and every parcel of property identified in the Assessment List. Said Assessments levied upon each parcel of property therein described shall be in the amount set forth in the Assessment List. The amount of Assessments levied upon each parcel of property in the Assessment Area reflects an equitable portion of the benefit each parcel of property will receive from the Improvements and, in any case, the Owners have consented to such methodology as provided in Section 11-42-409(5) of the Act.

Section 4. Amount of Total Assessments. The Assessments do not exceed in the aggregate the sum of: (a) the estimated contract price of the Improvements (plus related capitalized soft costs); (b) the estimated acquisition price of the Improvements; (c) the reasonable cost of (i) utility services, maintenance, and operation to the extent permitted by the Act and (ii) labor, materials, or equipment supplied by the District, if any; (d) the price or estimated price of purchasing property; (e) overhead costs not to exceed fifteen

percent (15%) of the sum of (a), (b), and (c); (f) an amount for contingencies of not more than ten percent (10%) of the sum of (a) and (c); (g) estimated interest on interim warrants and bond anticipation notes issued to finance the Improvements, if any; (h) an amount sufficient to fund a reserve fund; and (i) the capitalized interest on each assessment bond.

Section 5. Method and Rate. Each of the benefited properties will be assessed within the Assessment Area initially pursuant to an equivalent residential unit (“ERU”) type method of assessment, with two classifications, as follows:

<u>Classification</u>	<u>Improvements</u>	<u>Assessment</u>	<u>Total ERUs</u>	<u>Assessment Per ERU</u>
1	Subdivision Improvements	\$26,367,248	832.69	\$31,665.14
2	System Improvements	38,660,368	927.65	41,675.60

Notwithstanding the levy of the assessments, in order to provide additional security for the payment of assessments, the District shall require that all assessments of all properties owned by the same Owner within the Assessment Area (or an affiliate of the same Owner) be aggregated as a single unified assessment against all properties owned by the same Owner within the Assessment Area (or an affiliate of the same Owner) until such Owner can demonstrate that the fair market value of (i) each parcel to be disaggregated and (ii) the remaining aggregated parcels is each greater than three times the sum of (A) the remaining unpaid Assessment on that parcel (or aggregated parcels, as applicable), plus (B) any other unpaid assessment liens or property tax liens on such parcel (or aggregated parcels, as applicable). Such fair market value to be determined in the same manner described in Section 6(d) below.

As used in this Ordinance, the term “affiliate” means with respect to any Owner, any person that controls, is controlled by or is under common control with such Owner, and the term “control” or “controlled” means the ownership of more than twenty percent (20%) of the outstanding voting ownership interests of the Owner in question or the power to direct the management of the Owner in question (subject to any required approvals for major decisions by anyone holding equity interests in the owner in question).

Section 6. Payment of Assessments.

(a) The Board hereby determines that the Improvements have a weighted average useful life of not less than forty (40) years, and has elected to have the Assessments prepaid for all residential dwellings at the time building permits are requested. The aggregate annual Assessment payments shall be in substantially equal amounts, subject, however, to adjustment as described herein. Interest on the unpaid balance of the Assessments shall accrue at the same rate or rates as shall be borne by the assessment bonds anticipated to be issued by the District for the Assessment Area (or any bonds which refund the same) (the “Assessment Bonds”), plus any third party direct out of pocket costs of the District related to the administration and collection of the Assessments. The District may outsource all or a portion of the administration services, including legal costs or consulting costs as an additional out of pocket cost, including, but not limited to,

all costs related to foreclosure (and other remedies) and amendments to this Ordinance.

(b) The District will collect the Assessments by directly billing each property owner rather than inclusion on a property tax notice. The bill for each Assessment payment shall be due March 1 of each year (approximately 30 days after sending such bill, which shall be sent on or prior to February 1 of each year, commencing February 1, 2026, due to estimated capitalized interest). However, failure to send any such bill by the scheduled date shall not impact the requirement of property owners to timely pay their Assessments on the due date thereof.

(c) All unpaid installments of an Assessment levied against any parcel of property may be paid prior to the dates on which they become due, but any such prepayment must include an additional amount equal to the interest which would accrue on the Assessment to the next succeeding date on which interest is payable on the Assessment Bonds, plus such additional amount as, in the opinion of the District Chair or designee as approved by the District (the "Chair") (with assistance from the administrator of the Assessments, if any), is necessary to assure the availability of money to pay interest on the Assessment Bonds as interest becomes due and payable, plus any premiums required to redeem the Assessment Bonds on their first available call date pursuant to the Indenture (defined herein), plus any reasonable administrative costs.

(d) The property assessed has yet to be fully subdivided as anticipated for development. The property identified on the Assessment List (whether before or after formal subdivision individually, a "Subdivision Parcel" and collectively, the "Subdivision Parcels") may hereafter be subdivided and re-subdivided, with the consent of the District (which consent shall not be unreasonably withheld). The owner of a Subdivision Parcel may make changes to that Subdivision Parcel including, without limitation, reducing or increasing the size of that Subdivision Parcel, modifying the boundary description of that Subdivision Parcel, and otherwise make changes necessary or appropriate to plat that Subdivision Parcel; provided that (i) the ERUs of that Subdivision Parcel shall not be reduced and (ii) the fair market value of that Subdivision Parcel after the applicable change is greater than three times the sum of (A) the remaining unpaid Assessment on that Subdivision Parcel, plus (B) any other unpaid assessment liens or property tax liens on such Subdivision Parcel (such fair market value to be determined using either taxable value as maintained on the tax records of Utah County, Utah (the "County") (plus the costs of the Improvements if not accounted for yet in the taxable value) or by appraised value presented by the owner of the Subdivision Parcel and determined by a certified appraiser acceptable to the District, including the costs of the Improvements and any other additions or improvements to the extent currently funded at the time of such appraisal, and meeting any other appraisal requirements of the District related to the Assessment Bonds). Provided, however, any adjustment of a parcel outside of the boundaries of the Assessment Area would require an amendment to this Ordinance to that effect, in accordance with the Act. Once a Subdivision Parcel is subdivided, the lien of the Assessment Area will be

re-allocated to or released from, as appropriate, any property located outside the subdivided portion of that Subdivision Parcel by either the District adopting an amendment to this Ordinance or by the Chair or other authorized officer of the District authorized to make such changes and record the applicable notices (within the provisions of this Ordinance) and provided the fair market value of such subdivided portion (after release of the property), is greater than three times the sum of (A) the remaining unpaid Assessment on that Subdivision Parcel, plus (B) any other unpaid assessment liens or property tax liens on that Subdivision Parcel (such fair market value to be determined using either taxable value as maintained on the tax records of the County (plus the costs of the Improvements if not accounted for yet in the taxable value) or by appraised value presented by the owner of the Subdivision Parcel and determined by a certified appraiser acceptable to the District, including the costs of the Improvements, and any other additions or improvements to the extent currently funded at the time of such appraisal, and meeting any other appraisal requirements of the District related to the Assessment Bonds).

(e) An interest in a Subdivision Parcel may be sold, transferred or exchanged to any person or entity (the "Title Owner") so long as the interest is recognized by the County and charged a distinct property tax bill by the County. A Title Owner may further subdivide or create a new Title Owner on the Subdivision Parcel and such new Subdivision Parcels are reallocated Assessments in compliance with this Ordinance. When a Title Owner of any Subdivision Parcel in the Assessment Area subdivides, re-subdivides or creates a new Title Owner, it shall allocate the responsibility to pay Assessments tied to that Subdivision Parcel among Title Owners in accordance with (i) or (ii) below. Such reallocation of Assessments must be approved by all Title Owners subject to the reallocation by execution of a form reasonably satisfactory to the Chair or other authorized officer of the District and similar in form to the Waiver and Consent, and with the consent of the Chair, which consent shall not be unreasonably withheld, conditioned or delayed, but such consent shall be limited solely to the allocation of ERUs or other assessment method to Subdivided Parcels and withheld only where the information, assumptions and/or formula described in this section create less security for the repayment of the Assessments for the District or holders of Assessment Bonds than the security contemplated in this Section 6(e). The final plat for any Subdivision Parcel recorded after the effective date of this Ordinance must include a plat note that provides the exact allocation of the Assessments among Title Owners and the Assessment List attached as Exhibit A to this Ordinance must be accordingly amended, and the Chair or other authorized officer of the District is hereby authorized to make such amendments, but may also seek the approval of the Board at his/her discretion. For any reallocation of Assessments tied to a Subdivision Parcel among Title Owners, the Title Owners may either:

(i) Reallocate in full the Assessments ascribed to that Subdivision Parcel(s) using ERUs as contemplated in this Section 6(e); or

(ii) As long as the aggregate Assessments tied to a Subdivision Parcel in the Assessment Area are allocated in full among Title Owners of that Subdivision Parcel, a Title Owner of that Subdivision Parcel may reallocate the Assessments to the interest(s) of Title Owners in such Subdivision Parcel based on either:

(A) a square foot method or a then current property fair market value method (such fair market value to be determined by such Title Owners using either taxable value as maintained on the tax records of the County or by appraised value presented by the Title Owner and determined by a certified appraiser acceptable to the District, including any appraisal requirements of the District related to the Assessment Bonds), or

(B) if the Chair reasonably determines that such reallocated assessment method selected by the Title Owners will not reasonably allocate benefit among the Title Owners in such Subdivision Parcel, any other assessment method reasonably allocating benefit as determined in the reasonable discretion of the Chair or other authorized officer of the District,

so long as, following a reallocation as described in this paragraph, the then current fair market value of each remaining interest in such Subdivision Parcel and all other affected parcels must be greater than or equal to three times the sum of (Y) the remaining unpaid Assessment applicable to that interest, plus (Z) any other unpaid assessment liens or property tax liens on that interest (fair market value to be determined by such Title Owners using either taxable value as maintained on the tax records of the County (plus the costs of the Improvements if not accounted for yet in the taxable value) or by appraised value presented by the Title Owner and determined by a certified appraiser acceptable to the District, including the costs of the Improvements and any other additions or improvements to the extent currently funded at the time of such appraisal, and meeting any other appraisal requirements of the District related to the Assessment Bonds).

(f) A release of the Assessment lien for any Subdivision Parcel will be delivered by the District for recordation with the County Recorder as soon as practicable after the Assessment balance for such subdivided parcel is paid in full. If prepayment of an Assessment prior to the Assessment payment date arises out of a need of the property owner to clear the Assessment lien from a portion (a "Release Parcel") but not all of a Subdivision Parcel, the Assessment lien on the Release Parcel shall be released by the District, as follows:

(i) The Title Owner(s) shall submit the legal description of the Release Parcel which shall include the total number of ERUs allocated to the Release Parcel pursuant to the procedure set forth in this Ordinance. If an assessment allocation method other than ERUs has been applied to a

parcel, the release procedures in this subsection (f) shall apply using the new assessment method in lieu of ERUs.

(ii) The Title Owner(s) shall prepay an Assessment applicable to the Release Parcel calculated by the Chair (with assistance from the administrator of the Assessments, if any), which Assessment shall be the product of the following: (A) the amount of the prepayment calculated pursuant to Section 6(c) herein for the entire Subdivision Parcel less any previously paid regularly scheduled Assessment payments, (B) multiplied by the percentage calculated by dividing the number of ERUs of the Release Parcel by the total number of ERUs of the entire Subdivision Parcel.

(iii) The partial release of lien upon payment of the prepayment amount determined under subsection (ii) above shall not be permitted, except as otherwise provided in this paragraph, if the fair market value of the Subdivision Parcel, after release of the Release Parcel (the “Remaining Subdivision Parcel”), is less than three times the sum of (1) the remaining unpaid Assessment on such Remaining Subdivision Parcel, plus (2) any other unpaid Assessment liens or property tax liens on the Remaining Subdivision Parcel. The fair market value of the Remaining Subdivision Parcel shall be determined using appraised value presented by the owner of the Remaining Subdivision Parcel and determined by a certified appraiser acceptable to the District, including the costs of the Improvements and any other additions or improvements to the extent currently funded at the time of such appraisal, and meeting any other appraisal requirements of the District related to the Assessment Bonds. If the Chair (with assistance from the administrator of the Assessments, if any) determines that the proposed partial release does not comply with the requirements of this paragraph, such partial release may still be permitted if the Title Owner(s) prepays a larger portion of the Assessment in order to clear the Assessment lien from the Release Parcel, all as determined by said Chair (with assistance from the administrator of the Assessments, if any).

(iv) Prepayments of Assessments shall be applied as provided in the indenture of trust and pledge under which the Assessment Bonds are issued (the “Indenture”). As prepayments are paid and applied against the payment of the Assessment applicable to the Release Parcel, the Release Parcel shall be released from the lien of the Assessment in accordance with this subsection (f), and the remaining unpaid Assessments levied against the Remaining Subdivision Parcel shall remain unaffected.

(g) When an appraisal is required under this Ordinance, the District and Title Owners may continue to utilize an appraisal previously delivered in connection with the Assessment Area so long as (i) such appraisal describes the intended use of the Subdivision Parcel and such parcel entitled for such intended use and density, (ii) the Title Owner certifies in writing that it is not aware of any facts or circumstances that would cause the relevant values contained in such



appraisal to be materially less than the market value of the Subdivision Parcel, and (iii) the District in its reasonable judgement has no reason to question such certification.

Section 7. Default in Payment.

(a) If a default occurs in the payment of any Assessment on a Subdivision Parcel when due, and such default is not cured within the period provided for in Section 7(b) herein, the Chair, on behalf of the Board, may declare the unpaid amount of such Assessment on such Subdivision Parcel to be immediately due and payable and subject to collection as provided herein. Interest shall accrue and be paid on all amounts declared to be delinquent and immediately due and payable at a rate of 10% per annum (the "Delinquent Rate"). In addition to interest charges at the Delinquent Rate, costs of collection, as approved by the Chair on behalf of the Board, including, without limitation, attorneys' fees, trustee's fees, and court costs, incurred by the District or required by law shall be charged and paid on all amounts declared to be delinquent and immediately due and payable. Until such costs of collection are recovered by the District, the District may charge such costs as an additional overhead cost against all Assessments, with a credit later upon any recovery of such costs. The District hereby waives its right to accelerate payment of the total unpaid balance of an Assessment and declare the whole of the unpaid principal and interest then due to be immediately due and payable after a default as provided in Section 11-42-505(1)(b) of the Act.

(b) Upon any default, the Chair shall give notice in writing of the default to the Title Owner(s) of the Subdivision Parcel in default as shown by the last available completed real property assessment rolls of Utah County. Notice shall be effective upon deposit of the notice in the U.S. Mail, postage prepaid, and addressed to the Title Owner(s) as shown on the last completed real property assessment rolls of the County. The notice shall provide for a period of thirty (30) days in which the Title Owner(s) shall pay the installments then due and owing, after which the Chair, on behalf of the District, may immediately sell the Subdivision Parcel pursuant to Section 11-42-502.1(2)(a)(ii)(B) and related pertinent provisions of the Act, in the manner provided for judicial foreclosures. If at the sale no person or entity shall bid and pay the District the amount due on the Assessment plus interest and costs, the Subdivision Parcel shall be deemed sold to the District for these amounts. The District shall be permitted to bid at the sale. So long as the District affirmatively elects to retain ownership of the Subdivision Parcel, it shall pay all delinquent Assessment installments and all Assessment installments that become due, including the interest on them and shall be entitled to use amounts on deposit in the Reserve Fund (as defined herein) for such purpose. The District notes it has no current intention of owning the Subdivision Parcel and will surrender the Subdivision Parcel "as is" and without guaranty or warranty to owner(s) of the Assessment Bonds in full satisfaction of all obligations to such owner(s) of the Assessment Bonds irrespective of the owner(s) of the Assessment Bonds accepting the same.

(c) The remedies provided herein for the collection of Assessments and the enforcement of liens shall be deemed and construed to be cumulative and the use of any one method or means or remedy of collection or enforcement available at law or in equity shall not deprive the District of the use of any other method or means. The amounts of accrued interest and all costs of collection, trustee's fees, attorneys' fees, and other reasonable and related costs, shall be added to the amount of the Assessment against such Subdivision Parcel up to, and including, the date of foreclosure sale.

Section 8. Remedy of Default. If prior to the final date payment may be legally made under a final sale or foreclosure of property to collect delinquent Assessments, the Title Owner(s) pays the full amount of all unpaid installments of principal and interest which are past due and delinquent with interest on such installments at the rate or rates set forth in Section 7 herein to the payment date, plus all attorneys' fees, and other costs of collection, the Assessment of said Title Owner(s) shall be restored and the default removed, and thereafter the Title Owner(s) shall have the right to make the payments in installments as if the default had not occurred. Any payment made to cure a default shall be applied first, to the payment of attorneys' fees and other costs incurred as a result of such default; second, to interest charged on past due installments, as set forth above; third, to the interest portion of all past due Assessments; and last, to the payment of outstanding principal.

Section 9. Lien of Assessment. An Assessment or any part or installment of it, any interest accruing thereon and the penalties, trustee's fees, attorneys' fees, and other costs of collection therewith shall constitute a lien against the Subdivision Parcel upon which the Assessment is levied on the effective date of this Ordinance. Said lien shall be superior to the lien of any trust deed, mortgage, mechanic's, or materialman's lien, or other encumbrance and shall be equal to and on a parity with the lien for general property taxes. The lien shall apply without interruption, change in priority, or alteration in any manner to any reduced payment obligations and shall continue until the Assessment, reduced payment obligations, and any interest, penalties, and costs on it are paid, notwithstanding any sale of the property for or on account of a delinquent general property tax, special tax, or other Assessment or the issuance of a tax deed, an assignment of interest by the County or a sheriff's certificate of sale or deed.

Section 10. Reserve Fund.

(a) The District does hereby establish a reserve fund (the "Reserve Fund") in lieu of funding a guaranty fund, as additional security for the Assessment Bonds.

(b) The Reserve Fund shall be initially funded from proceeds of the Assessment Bonds in an amount not to exceed the least of (i) ten percent (10%) of the proceeds of the Assessment Bonds determined on the basis of its initial purchase price to the public, (ii) the maximum aggregate annual debt service requirement during any bond fund year for the Assessment Bonds, and (iii) 125% of the average aggregate annual debt service requirement for the Assessment Bonds (the "Reserve Requirement"). The cost of initially funding the Reserve Fund is included in the

Assessments of the property in the Assessment Area. The Reserve Requirement shall be adjusted as property owners prepay their Assessments in full as provided in the Indenture. The moneys on deposit in the Reserve Fund, if any, shall be applied to the final Assessment payment obligation of the assessed properties and used to make the final payment on the Assessment Bonds. If the amounts on deposit in the Reserve Fund exceed the final Assessment obligation, any excess amounts shall be paid by the District to the owners whose properties were subject to the final Assessment payment obligation on a pro rata basis, as an excess Assessment payment.

(c) In the event insufficient Assessments are collected by the District to make the debt service payments on the Assessment Bonds, the District shall draw on the Reserve Fund to make up such deficiency, but shall have no obligation to replenish the Reserve Fund with its own funds.

(d) Amounts recovered by exercise of any of the remedies provided herein or otherwise from delinquent Assessments (and not needed to pay amounts coming due on the Assessment Bonds) shall be used to replenish amounts drawn from the Reserve Fund.

(e) In the event the Assessment Bonds are refunded, the Reserve Requirement may be adjusted by the District and amounts in the Reserve Fund may be applied to assist in such refunding. Any refunding of the Assessment Bonds is hereby permitted so long as the structure thereof shall not increase the total cost of the Assessments in any one year.

Section 11. Investment Earnings. Except as otherwise provided in the Indenture, all investment earnings on the Reserve Fund shall be maintained in said Fund and applied in the same manner as the other moneys on deposit therein as provided in the Indenture.

Section 12. Contestability. No Assessment shall be declared invalid or set aside, in whole or in part, in consequence of any error or irregularity which does not go to the equity or justice of the Assessment or proceeding. The Owners and any succeeding property owners (whether by sale, foreclosure, or any other property transfer of title) have waived any rights to contest this Ordinance. Any party who has not waived his or her objections to the same as provided by statute may commence a civil action in the district court with jurisdiction in the District against the District to enjoin the levy or collection of the Assessment or to set aside and declare unlawful this Ordinance.

Such action must be commenced and summons must be served on the District not later than sixty (60) days after the effective date of this Ordinance. This action shall be the exclusive remedy of any aggrieved party. No court shall entertain any complaint which the party was authorized to make by statute but did not timely make or any complaint that does not go to the equity or justice of the Assessment or proceeding.

After the expiration of the sixty (60) day period provided in this Section:

(a) The Assessment Bonds and any refunding bonds to be issued with respect to the Assessment Area and the Assessments levied in the Assessment Area shall become incontestable as to all persons who have not commenced the action and served a summons as provided for in this Section; and

(b) No suit to enjoin the issuance or payment of the Assessment Bonds or refunding assessment bonds, the levy, collection, or enforcement of the Assessments, or in any other manner attacking or questioning the legality of the Assessment Bonds or refunding assessment bonds or Assessments may be commenced, and no court shall have authority to inquire into these matters.

Section 13. Notice to Property Owners. The Owners are hereby deemed to have received notice of assessment and have waived any notice and hearing requirements under the Act. The Owners have acknowledged and agreed that this Ordinance shall become effective upon posting, as described in Section 16 below, but the Assessments shall not be levied until the administrative functions have been completed to annex the property described in Exhibit A into the District.

Section 14. All Necessary Action Approved. The officials of the District are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including the filing of a notice of assessment interest with the Utah County Recorder.

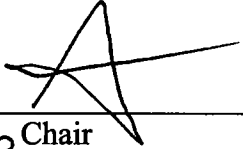
Section 15. Repeal of Conflicting Provisions; Amendment. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed. The Chair (or any assigned designee of the Chair) may make any alterations, changes or additions to this Ordinance which may be necessary to conform the same to the final terms of the Assessment Bonds, to correct errors or omissions herein, to complete the same, to remove ambiguities herefrom, or to conform the same to other provisions of this Ordinance or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States, including technical changes to the description of the boundary of the Assessment Area, so long as those changes do not change the boundaries from those depicted on the maps attached to the Designation Resolution and do not materially adversely affect the rights of the Owners hereunder without the consent of such Owners affected.

Section 16. Posting of Ordinance. This Ordinance shall be signed by the Chair and Clerk/Secretary and shall be recorded in the ordinance book kept for that purpose upon final confirmation of the property description and terms of the Assessment Area. The officials of the District are hereby authorized to make technical corrections to the legal description of the Assessment Area. Upon finalization of the legal description, copies of this Ordinance shall be posted in a public location within or near the District's boundaries that is reasonably likely to be seen by individuals who pass through or near the affected area for at least 21 days and a copy of this Ordinance shall also be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) for at least 21 days. This Ordinance shall take effect immediately upon its passage and approval and posting as required by law.



Dated as of December 28, 2023.

FIREFLY PUBLIC INFRASTRUCTURE  
DISTRICT NO. 1

By:   
Nate Shipp Chair

ATTEST:

By: \_\_\_\_\_  
Clerk/Secretary

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this December 30, 2023, by Nate Shipp, the Chair of the Board of Trustees of the Firefly Public Infrastructure District No. 1 (the "District"), who represented and acknowledged that s/he signed the same for and on behalf of the District.



*[Handwritten Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this December \_\_\_, 2023, by Jared Westhoff, the Clerk/Secretary of the Firefly Public Infrastructure District No. 1 (the "District"), who represented and acknowledged that s/he signed the same for and on behalf of the District.

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

Dated as of December 28, 2023.

FIREFLY PUBLIC INFRASTRUCTURE  
DISTRICT NO. 1

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

ATTEST:

By:   
Clerk/Secretary  
Jared Westhoff

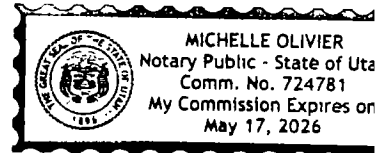
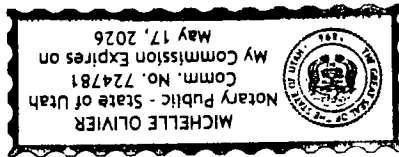


STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this December \_\_\_\_, 2023, by Nate Shipp, the Chair of the Board of Trustees of the Firefly Public Infrastructure District No. 1 (the "District"), who represented and acknowledged that s/he signed the same for and on behalf of the District.

NOTARY PUBLIC

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )



The foregoing instrument was acknowledged before me this <sup>January</sup>~~December~~ 4, 2023, by Jared Westhoff, the Clerk/Secretary of the Firefly Public Infrastructure District No. 1 (the "District"), who represented and acknowledged that s/he signed the same for and on behalf of the District.

*Michelle Olivier*  
\_\_\_\_\_  
NOTARY PUBLIC

EXHIBIT A

## ASSESSMENT LIST

Assessment Method and Amount

<b>Parcel Identification Number</b>	<b>Owner Entity</b>
59:049:0043	DAICLH, LLC
59:049:0044	Oquirrh Wood Ranch, LLC
59:049:0045	Oquirrh Wood Ranch, LLC
59:049:0018	White Hills Water Company, Inc.
59:049:0015	White Hills Water Company, Inc.
59:049:0016	White Hills Water Company, Inc.
59:052:0017	DAICLH, LLC
59:053:0047	DAICLH, LLC
59:051:0028	GSFJV, LLC
59:051:0002	GSFJV, LLC
59:049:0021	Oquirrh Wood Ranch, LLC
59:053:0019	White Hills Water Company, Inc.
59:048:0027	White Hills Water Company, Inc.
59:048:0099	DAICLH, LLC

The Assessment is levied by Equivalent Residential Unit (“ERU”) and against all of the Assessment Area as follows:

Product Type	Assessment Ordinance		ERU Table		Lot Count	
	Candlelight	OWR	Candlelight	OWR	Candlelight	OWR
Multi-Family Condo (for sale)	10,900	9,916	NA	0.35	0	278
Townhomes_3Stry Alley_15/Acre	22,890	20,825	NA	0.73	0	44
Townhomes_2Stry Alley_13.5/Acre	22,890	20,825	0.81	0.73	308	60
Townhomes_2Stry_Frnt Load 11/Acre	22,890	20,825	0.81	0.73	157	18
Townhomes_2Stry_Alley Load /Acre (Zion)	28,890	20,825	NA	0.73	0	24
Single Family_Alley Load 5.5/Acre (40' x 110')	28,340	25,783	1	0.91	81	19
Single Family_Alley load 5.3/Acre (45' x 110')	28,885	26,279	1.02	0.93	87	22
Single Family_Cottage_6.5/Acre (40' x 90')	27,250	24,791	NA	0.87	0	52
Single Family_Standard 45'_Ave 5.3/Acre (45' x 100')	28,340	25,783	1	0.91	164	226
Single Family_Standard 52'_Ave 5.3/Acre (52' x 100')	29,430	26,774	1.04	0.94	92	39
Single Family_Standard 62'_Ave 5.3/Acre (62' x 100')	30,520	27,766	1.08	0.98	77	33
Single Family_Standard 72'_Ave 5.3/Acre (72' x 100')	32,155	29,254	1.13	1.03	34	22
Single Family_.50 Acre 3.34/Acre (120' x 180')	65,400	59,499	NA	2.1	0	34
Single Family_Agriculture_.50 Acre 3.34/Acre (95 x 230)	65,400	59,499	NA	2.1	0	35
Single Family_Agriculture 1.10 Acre 3.34/Acre (130 X 385)	87,200	79,332	NA	2.8	0	37

<u>Classification</u>	<u>Improvements</u>	<u>Assessment</u>	<u>Total ERUs</u>	<u>Assessment Per ERU</u>
1	Subdivision Improvements	\$26,367,248	927.65	\$28,423.70
2	System Improvements	38,660,368	832.69	46,428.28

Legal Description

The Assessment Area is more particularly described as follows:

That certain real property located in Utah County, State of Utah and described as follows:

NPA-5

A parcel of land situate within the North Half (N-1/2) of Section 19, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Section Line common to Sections 19 & 20, said point being S 00° 30' 42" W, along the Section line, a distance of 79.55 feet from the Section Corner common to Sections 17, 18, 19, & 20, Township 6 South, Range 2 West, more or less, to the Northerly line of NPA-5; and running thence along said Northerly line the following Twenty-Four (24) courses: (1) West, a distance of 58.43 feet; (2) North, a distance of 28.50 feet; (3) West, a distance of 69.02 feet to the beginning of a curve: (4) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears N 45° 00' 00" W, a distance of 21.21 feet to a point of intersection with a non-tangential line: (5) West, a distance of 57.00 feet to the beginning of a non-tangential curve; (6) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears S 45° 00' 00" W, a distance of 21.21 feet; (7) West, a distance of 621.55 feet to the beginning of a curve; (8) along the arc of said curve turning to the right through an angle of 92° 56' 20", having a radius of 15.00 feet, and whose long chord bears N 43° 31' 50" W, a distance of 21.75 feet to a point of intersection with a non-tangential line; (9) N 87° 03' 39" W, a distance of 12.50 feet; (10) S 84° 44' 32" W, a distance of 32.34 feet; (11) N 86° 45' 40" W, a distance of 12.50 feet to the beginning of a non-tangential curve; (12) along the arc of said curve turning to the right through an angle of 86° 45' 40", having a radius of 15.00 feet, and whose long chord bears S 46° 37' 10" W, a distance of 20.61 feet; (13) West, a distance of 165.31 feet to the beginning of a curve; (14) along the arc of said curve turning to the right through an angle of 07° 47' 39", having a radius of 221.50 feet, and whose long chord bears N 86° 06' 11" W, a distance of 30.11 feet; (15) N 82° 12' 21" W, a distance of 16.02 feet to the beginning of a curve; (16) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears N 37° 12' 21" W, a distance of 21.21 feet to a point of intersection with a non-tangential line; (17) N 82° 12' 21" W, a distance of 57.00 feet; (18) S 07° 47' 39" W, a distance of 43.50 feet to the beginning of a curve; (19) along the arc of said curve turning to the right through 77° 03' 14", having a radius of 571.50 feet, and whose long chord bears S 46° 19' 16" W, a distance of 711.95 feet to the beginning of a non-tangential curve; (20) along the arc of said curve turning to the left through an angle of 25° 54' 02", having a radius of 980.00 feet, and whose long chord bears S 71° 53' 51" W, a distance of 439.25 feet; (21) S 58° 56' 50" W, a distance of 448.58 feet to the beginning of a curve; (22) along the arc of said curve turning to the right through an angle of 31° 03' 10", having a radius of 700.00 feet, and whose long chord bears S 74° 28' 25" W, a distance of 374.75 feet; (23) West,

for a distance of 594.80 feet, to a phase line; **(24)** West for a distance of 531.44 feet, to the North-South 1/16<sup>th</sup> line of the Northwest Quarter of said Section 19; thence S 0°21'12" W, along said 1/16<sup>th</sup> line, a distance of 1627.04 feet, to the Quarter Corner common to Section 19, Township 6 South, Range 2 West and Section 24, Township 6 South, Range 3 West, Salt Lake Base and Meridian; thence South 89°54'04" East, along the East-West Center Quarter Line of said Section 19, a distance of 2669.96 feet, to the North-South 1/16<sup>th</sup> line of the Northeast Quarter of said Section 19; thence N 0°22'47" E, a distance of 1334.90 feet, to the Northeast 1/16<sup>th</sup> corner; thence South 89°40'33" East, along the East-West 1/16<sup>th</sup> line, a distance of 733.66 feet, to the southerly projection of the West line of the J&J Ranch Subdivision; thence North 0°30'42" East, along the West line of said J& J Ranch Subdivision and the projection thereof, a distance of 977.96 feet, to the Northwest corner of said subdivision; thence S 89°27'13" E, along the North line of said Subdivision, a distance of 600.00 feet, to the Northeast corner of said subdivision, and the Section Line common to Sections 19 & 20; thence North 0°30'42" East, along said section line, a distance of 274.33 feet, to the point of beginning.

Contains: 5,917,975 Sq. Ft., or 135.858 Acres.

#### NPA-7

A parcel of land situate within the Southwest Quarter (SW-1/4) of section 17, and the Northwest Quarter (NW-1/4) of Section 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Easterly Right-of-Way line of S.R.-73, said point being S 2°55'59" W, along the North-South Center Quarter line of said Section 20, a distance of 2499.48 feet, and N 87°04'01" W, perpendicular to said Center Quarter line, a distance of 1074.44 feet, from the Quarter Corner common to said Sections 17 & 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence N 08° 51' 32" W, a distance of 4249.61 feet, to the Southerly Right-of-Way line of Pole Canyon Boulevard, per the Tyson Subdivision; thence along said Southerly Right-of-Way line the following Three (3) courses: **(1)** S 89° 52' 16" E, a distance of 797.11 feet to the beginning of a curve; **(2)** along the arc of said curve turning to the right through an angle of 31° 37' 21", a distance of 510.52 feet, having a radius of 925.00 feet, and whose long chord bears S 74° 03' 36" E, a distance of 504.07 feet; **(3)** S 58° 14' 55" E, a distance of 164.94 feet; thence S 31° 45' 08" W, a distance of 44.39 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 23° 26' 40", a distance of 327.35 feet, having a radius of 800.00 feet, and whose long chord bears S 43° 28' 28" W, a distance of 325.07 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 100° 07' 52", a distance of 812.64 feet, having a radius of 465.00 feet, and whose long chord bears S 05° 07' 52" W, a distance of 713.11 feet to a point of intersection with a non-tangential line; thence S 45° 03' 56" W, a distance of 95.31 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 76° 15' 43", 465.86 feet, having a radius of 350.00 feet, and whose long chord bears S 06° 56' 04" W, a distance of 432.22 feet; thence S 31° 11' 47" E, a distance of 53.06

feet; thence S 31° 11' 47" E, a distance of 114.55 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 12° 01' 49", a distance of 41.99 feet, having a radius of 200.00 feet, and whose long chord bears S 25° 10' 53" E, a distance of 41.9165 feet; S 19° 09' 58" E, a distance of 182.21 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 24° 16' 10", a distance of 338.86 feet, having a radius of 800.00 feet, and whose long chord bears S 07° 01' 53" E, a distance of 336.34 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 07° 04' 25", a distance of 98.77 feet, having a radius of 800.00 feet, and whose long chord bears S 08° 38' 24" W, a distance of 98.70 feet; thence S 12° 10' 37" W, a distance of 188.93 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 38° 38' 19", a distance of 337.19 feet, having a radius of 500.00 feet, and whose long chord bears S 07° 08' 33" E for a distance of 330.83 feet; thence S 26° 27' 42" E, a distance of 972.55 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 20° 22' 43", a distance of 177.84 feet, having a radius of 500.00 feet, and whose long chord bears S 16° 16' 21" E, a distance of 176.90 feet; thence S 06° 05' 00" E, a distance of 148.44 feet to the Southerly Right-of-Way line of proposed Tyson Parkway and the beginning of a non-tangential curve; thence along said proposed Southerly Right-of-Way line the following Two (2) Courses: (1) along the arc of said curve turning to the right through an angle of 06° 05' 00", a distance of 109.30 feet, having a radius of 1029.50 feet, and whose long chord bears S 86° 57' 30" W, a distance of 109.25 feet; (2) West, a distance of 918.84 feet to the point of beginning.

Contains: 3,719,247 Sq. Ft., or 85.382 Acres

### NPA-8

A parcel of land situate within the South Half (S-1/2) of Section 17, the Southwest Quarter (SW-1/4) of Section 16, the Northwest Quarter (NW-1/4) of Section 21, and the North Half (N1/2) of Section 20, all in Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Southerly Right-of-Way line of Pole Canyon Boulevard, per the Tyson Subdivision, said point being S 89° 29' 39" E, along the Section line common to said Sections 17 & 20, a distance of 415.11 feet and N 0° 30' 21" E, perpendicular to said section line, a distance of 1186.84 feet, from the Quarter Corner common to said Sections 17 & 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence along said Southerly Right-of-Way line the following Three (3) courses: (1) S 89° 32' 56" E, a distance of 2253.72 feet to the beginning of a curve; (2) along the arc of said curve turning to the right through an angle of 30° 28' 59", a distance of 492.13 feet, having a radius of 925.00 feet, and whose long chord bears S 74° 18' 27" E, a distance of 486.35 feet; (3) S 59° 03' 57" E, a distance of 1231.40 feet, to the Southerly Right-of-Way line of proposed Tyson Parkway; thence along said Southerly line the following Two (2) courses: (1) S 30° 56' 04" W, a distance of 241.00 feet to the beginning of a curve; (2) along the arc of said curve turning to the right through an angle of 15° 06' 41", a distance of 403.49 feet, having a radius of 1529.50 feet, and whose long chord bears S 38° 29' 25" W, a distance

of 402.23 feet to a point of intersection with the White Hills Water Company Parcel; thence along the lines of said White Hills Water Company Parcel the following Four (4) courses: (1) N 00° 37' 31" E, a distance of 166.06 feet; (2) N 89° 22' 57" W, a distance of 200.00 feet; (3) S 00° 37' 31" W, a distance of 200.00 feet; (4) S 89° 22' 57" E, a distance of 164.42 feet to aforesaid Southerly line of proposed Tyson Parkway and the beginning of a non-tangential curve; thence along said Southerly line of proposed Tyson Parkway the following along Eleven (11) courses: (1) along the arc of said curve turning to the right through an angle of 05° 54' 51", a distance of 157.87 feet, having a radius of 1529.50 feet, and whose long chord bears S 50° 50' 42" W, a distance of 157.80 feet; (2) S 53° 48' 08" W, a distance of 377.53 feet to the beginning of a curve; (3) along the arc of said curve turning to the right through an angle of 06° 25' 35", a distance of 187.70 feet, having a radius of 1673.50 feet, and whose long chord bears S 57° 00' 55" W, a distance of 187.60 feet; (4) S 60° 13' 42" W, a distance of 192.16 feet to the beginning of a curve; (5) along the arc of said curve turning to the left through an angle of 30° 45' 57", a distance of 735.91 feet, having a radius of 1370.50 feet, and whose long chord bears S 44° 50' 44" W, a distance of 727.10 feet; (6) S 29° 27' 45" W, a distance of 372.32 feet to the beginning of a curve; (7) thence along the arc of said curve turning to the right through 70° 51' 45", a distance of 1158.87 feet, having a radius of 937.00 feet, and whose long chord bears S 64° 53' 38" W, a distance of 1086.41 feet to the beginning of a reverse curve; (8) along the arc of said curve turning to the left through 23° 22' 27", a distance of 447.73 feet, having a radius of 1097.50 feet, and whose long chord bears S 88° 38' 17" W, a distance of 444.63 feet; (9) S 76° 57' 04" W, a distance of 21.35 feet to the beginning of a curve; (10) along the arc of said curve turning to the left through 22° 09' 31", a distance of 646.05 feet, having a radius of 1670.50 feet, and whose long chord bears S 65° 52' 19" W, a distance of 642.03 feet to a point of a reverse curve; (11) thence along the arc of curve turning to the right through an angle of 29° 07' 27", a distance of 523.31 feet, having a radius of 1029.50 feet, and whose long chord bears S 69° 21' 17" W, a distance of 517.6915 feet to a point of intersection with the centerline of proposed Wildwood Drive and the aforesaid Southerly line of Tyson parkway; thence along said centerline the following Fourteen (14) courses: (1) N 06° 05' 00" W for a distance of 148.44 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 20° 22' 43", a distance of 177.74 having a radius of 500.00 feet, and whose long chord bears N 16° 16' 21.0" W for a distance of 176.90 feet; (3) N 26° 27' 42" W, a distance of 972.55 feet to the beginning of a curve; (4) along the arc of said curve turning to the right through an angle of 38° 38' 19", a distance of 337.19 feet, having a radius of 500.00 feet, and whose long chord bears N 07° 08' 33" W, a distance of 330.83 feet; (5) N 12° 10' 37" E, a distance of 188.93 feet to the beginning of a curve; (6) along the arc of said curve turning to the left through 31° 20' 36", a distance of 437.63 feet, having a radius of 800.00 feet, and whose long chord bears N 03° 29' 41" W, a distance of 432.19 feet; (7) N 19° 09' 58" W, a distance of 182.21 feet to the beginning of a curve; (8) along the arc of said curve turning to the left through an angle of 12° 01' 49", a distance of 41.99 feet, having a radius of 200.00 feet, and whose long chord bears N 25° 10' 53" W, a distance of 41.92 feet; (9) N 31° 11' 47" W, a distance of 167.61 feet to the beginning of a curve; (10) along the arc of said curve turning to the right through an angle of 76° 15' 43", a distance of 465.86 feet, having a radius of 350.00 feet, and whose long chord bears N 06° 56' 04" E, a distance of 432.22 feet; (11) N 45° 03' 56" E, a distance of 95.31 feet to the beginning of a non-tangential curve; (12) along the arc of said curve



turning to the right through  $100^{\circ} 07' 52''$ , a distance of 812.64 feet, having a radius of 465.00 feet, and whose long chord bears  $N 05^{\circ} 07' 52'' E$ , a distance of 713.11 feet to the beginning of a reverse curve; (13) along the arc of said curve turning to the left through an angle of  $23^{\circ} 26' 40''$ , a distance of 327.35 feet, having a radius of 800.00 feet, and whose long chord bears  $N 43^{\circ} 28' 28'' E$ , a distance of 325.07 feet.; (14)  $N 31^{\circ} 45' 08'' E$ , a distance of 44.39 feet to the aforesaid Southerly Right-of-Way Line of Pole Canyon Boulevard, per the Tyson Subdivision; thence along said Southerly Right-of-Way Line the following two (2) courses: (1)  $S 58^{\circ} 14' 55'' E$ , a distance of 354.75 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through  $31^{\circ} 18' 01''$ , a distance of 587.27 feet, having a radius of 1075.00 feet, and whose long chord bears  $S 73^{\circ} 53' 56'' E$ , a distance of 579.99 feet to the point of beginning.

Contains: 12,521,219 Sq. Ft., or 287.448 Acres

### NPA-9

A parcel of land situate within the Southwest Quarter (SW-1/4) of Section 16, and the North half (N-1/2) of Section 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point the Southwesterly line Right-of-Way line of Pole Canyon Boulevard, per Tyson Subdivision, said point being  $N 89^{\circ} 23' 00'' W$ , along the Section Line common to said Sections 16 & 21, a distance of 1032.29 feet, and  $N 0^{\circ} 37' 00'' E$ , perpendicular to said Sections Line, a distance of 440.91 feet, from the Quarter Corner common to said Sections 16 & 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence said Right-of-Way line the following Three (3) Courses: (1)  $S 59^{\circ} 03' 57'' E$ , a distance of 731.32 feet the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of  $30^{\circ} 36' 36''$ , a distance of 574.31 feet, having a radius of 1075.00 feet, and whose long chord bears  $S 74^{\circ} 22' 15'' E$ , a distance of 567.51 feet; (3)  $S 89^{\circ} 40' 33'' E$ , a distance of 432.25 feet; thence  $S 00^{\circ} 19' 30'' W$ , a distance of 409.12 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of  $74^{\circ} 29' 58''$ , a distance of 1170.23 feet, having a radius of 900.00 feet, and whose long chord bears  $S 37^{\circ} 34' 30'' W$ , a distance of 1089.52 feet; thence  $S 74^{\circ} 49' 29'' W$ , a distance of 185.03 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of  $54^{\circ} 56' 14''$ , a distance of 383.53 feet, having a radius of 400.00 feet, and whose long chord bears  $S 47^{\circ} 21' 22'' W$ , a distance of 369.01 feet; thence  $S 19^{\circ} 53' 15'' W$ , a distance of 98.94 feet; thence  $N 70^{\circ} 06' 45'' W$ , a distance of 501.92 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of  $31^{\circ} 41' 38''$ , a distance of 331.90 feet, having a radius of 600.00 feet, and whose long chord bears  $N 54^{\circ} 15' 55'' W$ , a distance of 327.68 feet to a point of intersection with a non-tangential line; thence  $N 33^{\circ} 33' 29'' W$ , a distance of 111.09 feet, to the White Hills Water parcel; thence along the lines of said White Hills Water Parcel the following Two (2) courses: (1)  $N 00^{\circ} 37' 31'' E$ , a distance of 113.46 feet; (2)  $N 89^{\circ} 22' 57'' W$ , a distance of 77.05 feet; thence  $N 33^{\circ} 33' 29'' W$ , a distance of 31.26 feet to the

beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $27^{\circ} 40' 44''$ , a distance of 289.85 feet, having a radius of 600.00 feet, and whose long chord bears  $N 46^{\circ} 51' 00'' W$ , a distance of 287.04 feet to a point of intersection with a non-tangential line; thence  $N 60^{\circ} 06' 28'' W$ , a distance of 22.19; thence  $N 57^{\circ} 55' 54'' W$ , a distance of 61.56 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of  $24^{\circ} 59' 47''$ , a distance of 484.96 feet, having a radius of 1111.61 feet, and whose long chord bears  $N 43^{\circ} 45' 45'' W$ , a distance of 481.12 feet to a point of intersection with the Southeasterly line of proposed Tyson Parkway; thence along said Southeasterly line the following Four (4) Courses: (1)  $N 60^{\circ} 13' 42'' E$ , a distance of 65.57 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of  $06^{\circ} 25' 35''$ , a distance of 187.70 feet, having a radius of 1673.50 feet, and whose long chord bears  $N 57^{\circ} 00' 55'' E$ , a distance of 187.60 feet; (3)  $N 53^{\circ} 48' 08'' E$ , a distance of 377.53 feet to the beginning of a curve; (4) along the arc of said curve turning to the left through an angle of  $05^{\circ} 54' 51''$ , a distance of 157.87 feet, having a radius of 1529.50 feet, and whose long chord bears  $N 50^{\circ} 50' 42'' E$ , a distance of 157.80 feet to the White Hills Water Company Parcel; thence along the lines of said White Hills Water Company Parcel the following Two (2) courses: (1)  $S 89^{\circ} 22' 57'' E$ , a distance of 35.58 feet to the Southeast Corner thereof; (2)  $N 00^{\circ} 37' 31'' E$ , a distance of 33.94 feet to the Southeasterly line of aforesaid proposed Tyson Parkway; thence along said proposed Tyson Parkway the following Two (2) courses: (1) along the arc of a curve turning to the left through an angle of  $15^{\circ} 06' 41''$ , a distance of 403.39 feet, having a radius of 1529.50 feet, and whose long chord bears  $N 38^{\circ} 29' 25'' E$ , a distance of 402.23 feet; (2)  $N 30^{\circ} 56' 04'' E$ , a distance of 241.00 feet to the point of beginning.

Contains: 3,316,762 Sw. Ft. or 76.142 Acres.

DESCRIPTION OF PROPERTY WITHIN CLASSIFICATION 1

A parcel of land situate within the Northwest Quarter (NW-1/4) of Section 21, the Southwest Quarter (SW-1/4) of Section 16, the Southeast Quarter (SE-1/4) of Section 17, the South Half (S-1/2) of Section 20, and the Northwest Quarter (NW-1/4) of Section 21, all in Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah and being described as follows:

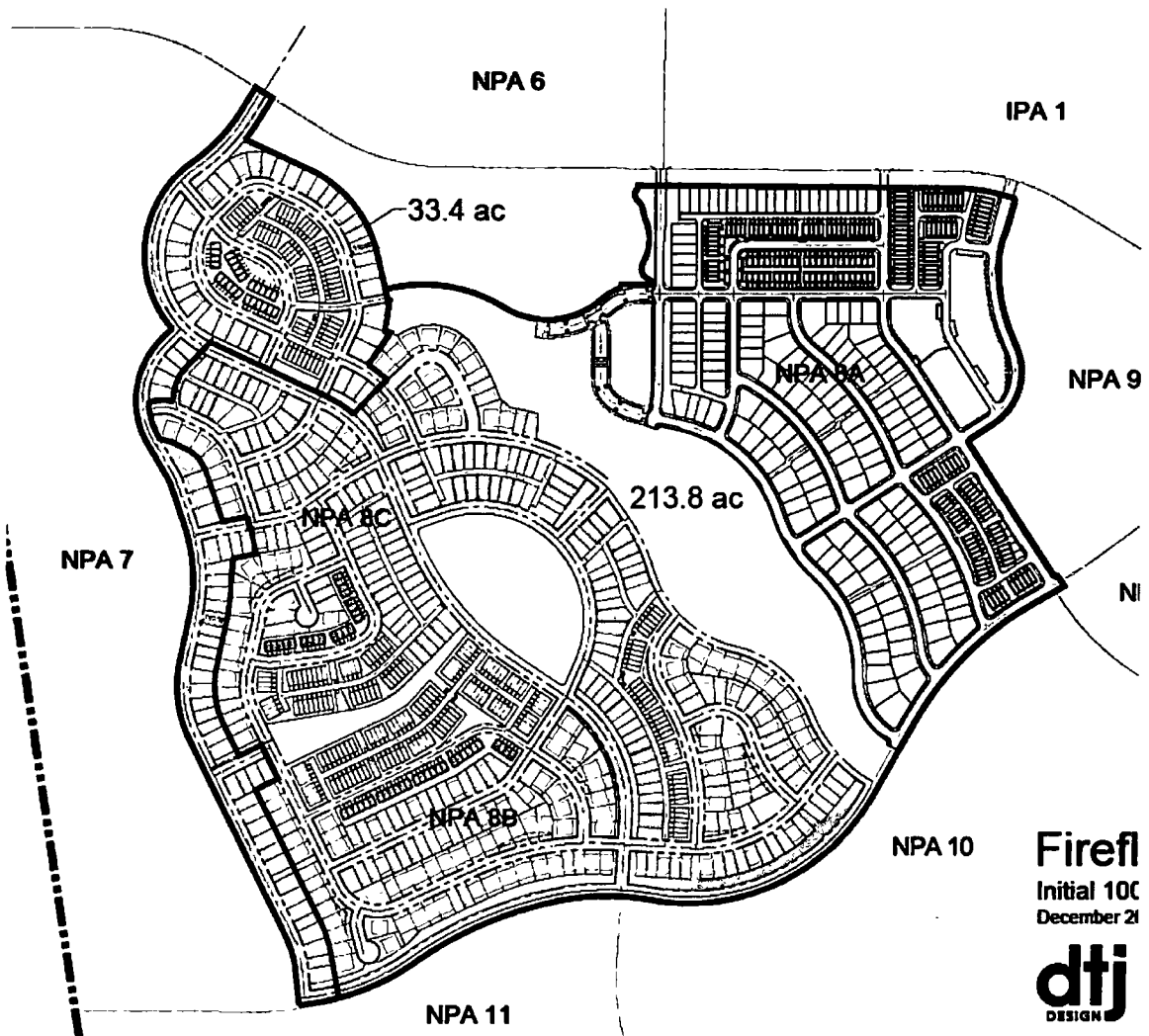
Beginning at a point in the Section line common to Sections 16 & 21, said point being S 89°23'00" E, along said Section line, a distance of 144.74 feet, from the Section Corner common to Section 16, 17, 20, & 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence S 32° 58' 10" E, a distance of 608.21 feet to the beginning of a curve; thence along the arc of said curve, turning to the left through an angle of 86° 41' 43", a distance of 22.70 feet, having a radius of 15.00 feet, and whose long chord bears S 76° 19' 02" E, a distance of 20.59 feet to a point of intersection with a non-tangential line; thence S 29° 46' 18" E, a distance of 13.50 feet; thence S 36° 47' 49" E, a distance of 32.24 feet; thence S 29° 46' 18" E, a distance of 13.50 feet, more or less, to the Southeasterly Right-of-Way line of Tyson Parkway; thence along said Southeasterly Right-of-Way line, the following Eight (8) courses: (1) S 60° 13' 42" W, a distance of 171.09 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 30° 45' 57", a distance of 735.91 feet, having a radius of 1370.50 feet, and whose long chord bears S 44° 50' 44" W, a distance of 727.10 feet to a point of intersection with a non-tangential line; (3) S 29° 36' 59" W, a distance of 372.32 feet to the beginning of a non-tangential curve; (4) along the arc of said curve turning to the right through 70° 51' 45", a distance of 1157.63 feet; having a radius of 936.00 feet, and whose long chord bears S 64° 53' 38" W, a distance of 1085.25 feet to the beginning of a non-tangential curve; (5) along the arc of said curve turning to the left through an angle of 23° 22' 26", a distance of 448.14 feet, having a radius of 1098.50 feet, and whose long chord bears S 88° 38' 17" W, a distance of 445.03 feet; (6) S 76° 57' 04" W, a distance of 21.35 feet to the beginning of a curve; (7) along the arc of said curve turning to the left through 22° 09' 31", a distance of 646.43 feet, having a radius of 1671.50 feet, and whose long chord bears S 65° 52' 19" W, a distance of 642.41 feet to the beginning of a non-tangential curve; (8) along the arc of said curve turning to the right through an angle of 20° 37' 14", a distance of 370.15 feet, having a radius of 1028.50 feet, and whose long chord bears S 65° 06' 10" W, a distance of 368.16 feet to a point of intersection with a non-tangential line; thence N 10° 28' 44" W, a distance of 172.04 feet; thence N 09° 20' 05" W, a distance of 19.04 feet; thence N 13° 47' 39" W, a distance of 36.82 feet; thence N 12° 49' 03" W, a distance of 17.00 feet; thence N 18° 18' 48" W, a distance of 46.82 feet; thence N 20° 17' 42" W, a distance of 17.02 feet; thence N 23° 17' 02" W, a distance of 36.84 feet; thence N 28° 58' 23" W, a distance of 21.36 feet; N 26° 27' 42" W, a distance of 636.28 feet; thence N 63° 32' 18" E, a distance of 110.00 feet N 26° 27' 42" W, a distance of 167.00 feet; S 63° 32' 18" W for a distance of 110.00 feet; thence N 26° 27' 42" W, a distance of 131.60 feet; thence N 26° 48' 38" W, a distance of 22.29 feet; thence N 24° 18' 53" W, a distance of 29.82 feet; thence N 20° 51' 21" W, a distance of 32.14 feet; thence N 15° 17' 05" W, a distance of 29.82 feet; N 10° 58' 16" W, a distance of 32.15 feet; N 06° 12' 59" W, a distance of 29.82 feet; thence N 01° 09' 58" W, a distance of 33.22 feet; thence N 03° 34' 05" E, a distance of 46.85 feet;

thence N 12° 00' 15" E, a distance of 60.50 feet; thence N 12° 13' 35" E, a distance of 65.81 feet; thence N 12° 13' 35" E, a distance of 65.00 feet; thence N 12° 10' 51" E, a distance of 65.00 feet; thence N 07° 18' 04" E, a distance of 73.14 feet; thence N 04° 12' 47" E, a distance of 26.03 feet; thence N 01° 36' 19" E, a distance of 46.82 feet; thence N 05° 06' 28" E, a distance of 107.18 feet; thence N 78° 08' 58" E, a distance of 100.45 feet; thence N 79° 05' 53" E, a distance of 1.87 feet; thence N 10° 32' 19" W, a distance of 110.24 feet; thence S 79° 27' 41" W, a distance of 5.53 feet, to the beginning of a non-tangential curve thence along the arc of said curve turning to the left through an angle of 03° 07' 05", a distance of 57.11 feet, having a radius of 1049.50 feet, and whose long chord bears N 14° 02' 11" W, a distance of 57.11 feet to a point of intersection with a non-tangential line; thence S 79° 27' 41" W, a distance of 109.20 feet; thence N 19° 09' 58" W, a distance of 232.28 feet; thence N 20° 45' 27" W, a distance of 14.26 feet; thence N 31° 17' 41" W, a distance of 46.82 feet; thence N 37° 42' 27" W, a distance of 11.03 feet; thence N 52° 09' 08" W, a distance of 46.82 feet; thence N 62° 14' 30" W, a distance of 13.45 feet; thence N 65° 08' 02" W, a distance of 56.82 feet; thence N 59° 50' 39" W, a distance of 15.20 feet; thence N 74° 40' 50" W, a distance of 61.45 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 30° 32' 56", a distance of 171.42 feet, having a radius of 321.50 feet, and whose long chord bears N 16° 50' 49" W, a distance of 169.39 feet to a point of intersection with a non-tangential line; thence N 83° 20' 31" E, a distance of 51.04 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 22° 21' 09", a distance of 59.88 feet, having a radius of 153.50 feet, and whose long chord bears S 85° 28' 55" E, a distance of 59.51 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 47° 07' 21", a distance of 173.95, having a radius of 211.50 feet, and whose long chord bears N 21° 30' 15" E, a distance of 169.09 feet; thence N 45° 03' 56" E, a distance of 147.42 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 01° 39' 21", a distance of 12.59 feet, having a radius of 435.50 feet, and whose long chord bears S 64° 18' 22" E, a distance of 12.59 feet; thence S 65° 08' 02" E, a distance of 557.30 feet, to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 03° 47' 12", a distance of 35.00 feet, having a radius of 529.50 feet, and whose long chord bears S 63° 14' 26" E, a distance of 34.99 feet to the White Hills Water Company parcel; thence along the lines of said White Hills Water Company Parcel the following Four (4) courses: (1) S 00° 35' 13" W, a distance of 148.07 feet; (2) S 89° 30' 09" E, a distance of 200.00 feet; (3) N 00° 35' 13" E, a distance of 200.00 feet; (4) N 89° 30' 09" W, a distance of 6.48 feet; thence N 43° 18' 50" E, a distance of 3.27 feet; thence N 46° 46' 07" E, a distance of 55.65 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 11° 34' 23", a distance of 106.75 feet, having a radius of 528.50 feet, and whose long chord bears N 52° 06' 32" W, a distance of 106.57 feet to a point of intersection with a non-tangential line; thence N 34° 48' 33" E, a distance of 170.85 feet; thence N 72° 48' 53" W, a distance of 25.87 feet; thence N 08° 28' 48" E, for a distance of 133.49 feet; thence S 78° 59' 57" W, a distance of 6.39 feet; thence N 13° 16' 19" W, a distance of 55.54 feet; thence N 76° 11' 51" E, a distance of 6.31 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 45° 11' 18", a distance of 543.37 feet, having a radius of 688.96 feet, and whose long chord bears S 81° 12' 57" E, a distance of 529.40 feet to the beginning of a non-tangential curve; thence

along the arc of said curve turning to the left through  $24^{\circ} 37' 33''$ , a distance of 157.91 having a radius of 367.41 feet, and whose long chord bears  $S 70^{\circ} 50' 47'' E$ , a distance of 156.70 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $48^{\circ} 00' 20''$ , a distance of 307.07 feet; having a radius of 366.50 feet, and whose long chord bears  $N 73^{\circ} 01' 15'' E$ , a distance of 298.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $22^{\circ} 22' 54''$ , a distance of 103.52 feet, having a radius of 265.00 feet, and whose long chord bears  $N 60^{\circ} 12' 32'' E$ , a distance of 102.86 feet to the beginning of a non-tangential curve; thence along the arc of curve turning to the left through an angle of  $161^{\circ} 23' 55''$ , a distance of 8.45 feet, having a radius of 3.00 feet, and whose long chord bears  $N 09^{\circ} 18' 01'' W$ , a distance of 5.92 feet to a point of intersection with a non-tangential line; thence North, a distance of 8.00 feet; East, a distance of 138.98 feet; thence  $N 00^{\circ} 00' 04'' E$ , a distance of 3.39 feet to the beginning of a curve; thence along the arc of said curve turning to the left through  $73^{\circ} 06' 18''$ , a distance of 22.33 feet, having a radius of 17.50 feet, and whose long chord bears  $N 36^{\circ} 33' 06'' W$ , a distance of 20.84 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $102^{\circ} 49' 18''$ , a distance of 94.22 feet, having a radius of 52.50 feet, and whose long chord bears  $N 21^{\circ} 41' 35'' W$ , a distance of 82.07 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $54^{\circ} 22' 32''$ , a distance of 198.35 feet, having a radius of 209.00 feet, and whose long chord bears  $N 02^{\circ} 31' 48'' E$ , a distance of 190.99 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $21^{\circ} 04' 47''$ , a distance of 36.79 feet, having a radius of 100.00 feet, and whose long chord bears  $N 14^{\circ} 07' 04'' W$ , a distance of 36.58 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $21^{\circ} 33' 59''$ , a distance of 18.82 feet; having a radius of 50.00 feet, and whose long chord bears  $N 14^{\circ} 21' 41'' W$ , a distance of 18.71 feet; thence  $N 25^{\circ} 08' 40'' W$ , a distance of 1.85 feet to the beginning of a curve; thence along the arc of said curve turning to the left through  $25^{\circ} 08' 11''$ , a distance of 39.48 feet, having a radius of 90.00 feet, and whose long chord bears  $N 37^{\circ} 42' 46'' W$ , a distance of 39.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $96^{\circ} 48' 53''$ , a distance of 49.00 feet, having a radius of 29.00 feet, and whose long chord bears  $N 01^{\circ} 52' 25'' W$ , a distance of 43.37 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $46^{\circ} 31' 58''$ , a distance of 14.62 feet, having a radius of 18.00 feet, and whose long chord bears  $N 23^{\circ} 16' 02'' E$ , a distance of 14.22 feet to a point of intersection with a non-tangential line; thence  $N 00^{\circ} 27' 07'' E$ , a distance of 6.28 feet; thence  $S 89^{\circ} 32' 50'' E$ , a distance of 1390.34 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of  $18^{\circ} 18' 32''$ , a distance of 295.58 feet, having a radius of 925.00 feet, and whose long chord bears  $S 80^{\circ} 32' 55'' E$ , a distance of 294.33 feet to a point of intersection with a non-tangential line; thence  $S 15^{\circ} 41' 35'' W$ , a distance of 105.35 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $01^{\circ} 28' 21''$ , a distance of 20.49 feet, having a radius of 797.29 feet, and whose long chord bears  $S 14^{\circ} 56' 15'' W$ , a distance of 20.49 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $09^{\circ} 21' 30''$ , a distance of 18.54 feet, having a radius of 113.50 feet, and whose long chord bears  $S 19^{\circ} 34' 18'' W$ , a distance of 18.52 feet to the beginning of a non-tangential curve; thence along

the arc of said curve turning to the left through an angle of 24° 24' 44", a distance of 164.68 feet, having a radius of 386.50 feet, and whose long chord bears S 12° 02' 41" W, a distance of 163.43 feet; thence S 00° 09' 40" E, a distance of 8.76 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 23° 03' 20", a distance of 310.05 feet, having a radius of 770.50 feet, and whose long chord bears S 11° 41' 20" E, a distance of 307.96 feet; thence S 23° 13' 00" E, a distance of 50.66 feet to the beginning of a curve; along the arc of said curve turning to the right through an angle of 80° 35' 36", a distance of 386.12 feet, having a radius of 274.50 feet, and whose long chord bears S 17° 04' 48" W, a distance of 355.06 feet; thence S 57° 22' 35" W, a distance of 118.75 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 90° 20' 46", a distance of 23.65 feet, having a radius of 15.00 feet, and whose long chord bears S 12° 12' 13" W, a distance of 21.28 feet; thence S 32° 58' 10" E, a distance of 74.53 feet to the point of beginning.

Contains: 9,284,252 Sq. Ft., or 213.137 Acres



DESCRIPTION OF PROPERTY WITHIN CLASSIFICATION 2NPA-5

A parcel of land situate within the North Half (N-1/2) of Section 19, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Section Line common to Sections 19 & 20, said point being S 00° 30' 42" W, along the Section line, a distance of 79.55 feet from the Section Corner common to Sections 17, 18, 19, & 20, Township 6 South, Range 2 West, more or less, to the Northerly line of NPA-5; and running thence along said Northerly line the following Twenty-Four (24) courses: (1) West, a distance of 58.43 feet; (2) North, a distance of 28.50 feet; (3) West, a distance of 69.02 feet to the beginning of a curve: (4) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears N 45° 00' 00" W, a distance of 21.21 feet to a point of intersection with a non-tangential line: (5) West, a distance of 57.00 feet to the beginning of a non-tangential curve; (6) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears S 45° 00' 00" W, a distance of 21.21 feet; (7) West, a distance of 621.55 feet to the beginning of a curve; (8) along the arc of said curve turning to the right through an angle of 92° 56' 20", having a radius of 15.00 feet, and whose long chord bears N 43° 31' 50" W, a distance of 21.75 feet to a point of intersection with a non-tangential line; (9) N 87° 03' 39" W, a distance of 12.50 feet; (10) S 84° 44' 32" W, a distance of 32.34 feet; (11) N 86° 45' 40" W, a distance of 12.50 feet to the beginning of a non-tangential curve; (12) along the arc of said curve turning to the right through an angle of 86° 45' 40", having a radius of 15.00 feet, and whose long chord bears S 46° 37' 10" W, a distance of 20.61 feet; (13) West, a distance of 165.31 feet to the beginning of a curve; (14) along the arc of said curve turning to the right through an angle of 07° 47' 39", having a radius of 221.50 feet, and whose long chord bears N 86° 06' 11" W, a distance of 30.11 feet; (15) N 82° 12' 21" W, a distance of 16.02 feet to the beginning of a curve; (16) along the arc of said curve turning to the right through an angle of 90° 00' 00", having a radius of 15.00 feet, and whose long chord bears N 37° 12' 21" W, a distance of 21.21 feet to a point of intersection with a non-tangential line; (17) N 82° 12' 21" W, a distance of 57.00 feet; (18) S 07° 47' 39" W, a distance of 43.50 feet to the beginning of a curve; (19) along the arc of said curve turning to the right through 77° 03' 14", having a radius of 571.50 feet, and whose long chord bears S 46° 19' 16" W, a distance of 711.95 feet to the beginning of a non-tangential curve; (20) along the arc of said curve turning to the left through an angle of 25° 54' 02", having a radius of 980.00 feet, and whose long chord bears S 71° 53' 51" W, a distance of 439.25 feet; (21) S 58° 56' 50" W, a distance of 448.58 feet to the beginning of a curve; (22) along the arc of said curve turning to the right through an angle of 31° 03' 10", having a radius of 700.00 feet, and whose long chord bears S 74° 28' 25" W, a distance of 374.75 feet; (23) West, for a distance of 594.80 feet, to a phase line; (24) West for a distance of 531.44 feet, to the North-South 1/16<sup>th</sup> line of the Northwest Quarter of said Section 19; thence S 0°21'12" W, along said 1/16<sup>th</sup> line, a distance of 1627.04 feet, to the Quarter Corner common to Section 19, Township 6 South, Range 2 West and Section 24, Township 6 South, Range 3 West,

Salt Lake Base and Meridian; thence South 89°54'04" East, along the East-West Center Quarter Line of said Section 19, a distance of 2669.96 feet, to the North-South 1/16<sup>th</sup> line of the Northeast Quarter of said Section 19; thence N 0°22'47" E, a distance of 1334.90 feet, to the Northeast 1/16<sup>th</sup> corner; thence South 89°40'33" East, along the East-West 1/16<sup>th</sup> line, a distance of 733.66 feet, to the southerly projection of the West line of the J&J Ranch Subdivision; thence North 0°30'42" East, along the West line of said J& J Ranch Subdivision and the projection thereof, a distance of 977.96 feet, to the Northwest corner of said subdivision; thence S 89°27'13" E, along the North line of said Subdivision, a distance of 600.00 feet, to the Northeast corner of said subdivision, and the Section Line common to Sections 19 & 20; thence North 0°30'42" East, along said section line, a distance of 274.33 feet, to the point of beginning.

Contains: 5,917,975 Sq. Ft., or 135.858 Acres.

### NPA-7

A parcel of land situate within the Southwest Quarter (SW-1/4) of section 17, and the Northwest Quarter (NW-1/4) of Section 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Easterly Right-of-Way line of S.R.-73, said point being S 2°55'59" W, along the North-South Center Quarter line of said Section 20, a distance of 2499.48 feet, and N 87°04'01" W, perpendicular to said Center Quarter line, a distance of 1074.44 feet, from the Quarter Corner common to said Sections 17 & 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence N 08° 51' 32" W, a distance of 4249.61 feet, to the Southerly Right-of-Way line of Pole Canyon Boulevard, per the Tyson Subdivision; thence along said Southerly Right-of-Way line the following Three (3) courses: (1) S 89° 52' 16" E, a distance of 797.11 feet to the beginning of a curve; (2) along the arc of said curve turning to the right through an angle of 31° 37' 21", a distance of 510.52 feet, having a radius of 925.00 feet, and whose long chord bears S 74° 03' 36" E, a distance of 504.07 feet; (3) S 58° 14' 55" E, a distance of 164.94 feet; thence S 31° 45' 08" W, a distance of 44.39 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 23° 26' 40", a distance of 327.35 feet, having a radius of 800.00 feet, and whose long chord bears S 43° 28' 28" W, a distance of 325.07 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 100° 07' 52", a distance of 812.64 feet, having a radius of 465.00 feet, and whose long chord bears S 05° 07' 52" W, a distance of 713.11 feet to a point of intersection with a non-tangential line; thence S 45° 03' 56" W, a distance of 95.31 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 76° 15' 43", 465.86 feet, having a radius of 350.00 feet, and whose long chord bears S 06° 56' 04" W, a distance of 432.22 feet; thence S 31° 11' 47" E, a distance of 53.06 feet; thence S 31° 11' 47" E, a distance of 114.55 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 12° 01' 49", a distance of 41.99 feet, having a radius of 200.00 feet, and whose long chord bears S 25° 10' 53" E, a distance of 41.9165 feet; S 19° 09' 58" E, a distance of 182.21 feet to the beginning of a



curve; thence along the arc of said curve turning to the right through  $24^{\circ} 16' 10''$ , a distance of 338.86 feet, having a radius of 800.00 feet, and whose long chord bears  $S 07^{\circ} 01' 53'' E$ , a distance of 336.34 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of  $07^{\circ} 04' 25''$ , a distance of 98.77 feet, having a radius of 800.00 feet, and whose long chord bears  $S 08^{\circ} 38' 24'' W$ , a distance of 98.70 feet; thence  $S 12^{\circ} 10' 37'' W$ , a distance of 188.93 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of  $38^{\circ} 38' 19''$ , a distance of 337.19 feet, having a radius of 500.00 feet, and whose long chord bears  $S 07^{\circ} 08' 33'' E$  for a distance of 330.83 feet; thence  $S 26^{\circ} 27' 42'' E$ , a distance of 972.55 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of  $20^{\circ} 22' 43''$ , a distance of 177.84 feet, having a radius of 500.00 feet, and whose long chord bears  $S 16^{\circ} 16' 21'' E$ , a distance of 176.90 feet; thence  $S 06^{\circ} 05' 00'' E$ , a distance of 148.44 feet to the Southerly Right-of-Way line of proposed Tyson Parkway and the beginning of a non-tangential curve; thence along said proposed Southerly Right-of-Way line the following Two (2) Courses: (1) along the arc of said curve turning to the right through an angle of  $06^{\circ} 05' 00''$ , a distance of 109.30 feet, having a radius of 1029.50 feet, and whose long chord bears  $S 86^{\circ} 57' 30'' W$ , a distance of 109.25 feet; (2) West, a distance of 918.84 feet to the point of beginning.

Contains: 3,719,247 Sq. Ft., or 85.382 Acres

#### NPA-8

A parcel of land situate within the South Half (S-1/2) of Section 17, the Southwest Quarter (SW-1/4) of Section 16, the Northwest Quarter (NW-1/4) of Section 21, and the North Half (N1/2) of Section 20, all in Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point in the Southerly Right-of-Way line of Pole Canyon Boulevard, per the Tyson Subdivision, said point being  $S 89^{\circ} 29' 39'' E$ , along the Section line common to said Sections 17 & 20, a distance of 415.11 feet and  $N 0^{\circ} 30' 21'' E$ , perpendicular to said section line, a distance of 1186.84 feet, from the Quarter Corner common to said Sections 17 & 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence along said Southerly Right-of-Way line the following Three (3) courses: (1)  $S 89^{\circ} 32' 56'' E$ , a distance of 2253.72 feet to the beginning of a curve; (2) along the arc of said curve turning to the right through an angle of  $30^{\circ} 28' 59''$ , a distance of 492.13 feet, having a radius of 925.00 feet, and whose long chord bears  $S 74^{\circ} 18' 27'' E$ , a distance of 486.35 feet; (3)  $S 59^{\circ} 03' 57'' E$ , a distance of 1231.40 feet, to the Southerly Right-of-Way line of proposed Tyson Parkway; thence along said Southerly line the following Two (2) courses: (1)  $S 30^{\circ} 56' 04'' W$ , a distance of 241.00 feet to the beginning of a curve; (2) along the arc of said curve turning to the right through an angle of  $15^{\circ} 06' 41''$ , a distance of 403.49 feet, having a radius of 1529.50 feet, and whose long chord bears  $S 38^{\circ} 29' 25'' W$ , a distance of 402.23 feet to a point of intersection with the White Hills Water Company Parcel; thence along the lines of said White Hills Water Company Parcel the following Four (4) courses: (1)  $N 00^{\circ} 37' 31'' E$ , a distance of 166.06 feet; (2)  $N 89^{\circ} 22' 57'' W$ , a distance of 200.00 feet; (3)  $S 00^{\circ} 37' 31'' W$ , a distance of 200.00 feet; (4)  $S 89^{\circ} 22' 57'' E$ , a distance of

164.42 feet to aforesaid Southerly line of proposed Tyson Parkway and the beginning of a non-tangential curve; thence along said Southerly line of proposed Tyson Parkway the following along Eleven (11) courses: (1) along the arc of said curve turning to the right through an angle of  $05^{\circ} 54' 51''$ , a distance of 157.87 feet, having a radius of 1529.50 feet, and whose long chord bears  $S 50^{\circ} 50' 42'' W$ , a distance of 157.80 feet; (2)  $S 53^{\circ} 48' 08'' W$ , a distance of 377.53 feet to the beginning of a curve; (3) along the arc of said curve turning to the right through an angle of  $06^{\circ} 25' 35''$ , a distance of 187.70 feet, having a radius of 1673.50 feet, and whose long chord bears  $S 57^{\circ} 00' 55'' W$ , a distance of 187.60 feet; (4)  $S 60^{\circ} 13' 42'' W$ , a distance of 192.16 feet to the beginning of a curve; (5) along the arc of said curve turning to the left through an angle of  $30^{\circ} 45' 57''$ , a distance of 735.91 feet, having a radius of 1370.50 feet, and whose long chord bears  $S 44^{\circ} 50' 44'' W$ , a distance of 727.10 feet; (6)  $S 29^{\circ} 27' 45'' W$ , a distance of 372.32 feet to the beginning of a curve; (7) thence along the arc of said curve turning to the right through  $70^{\circ} 51' 45''$ , a distance of 1158.87 feet, having a radius of 937.00 feet, and whose long chord bears  $S 64^{\circ} 53' 38'' W$ , a distance of 1086.41 feet to the beginning of a reverse curve; (8) along the arc of said curve turning to the left through  $23^{\circ} 22' 27''$ , a distance of 447.73 feet, having a radius of 1097.50 feet, and whose long chord bears  $S 88^{\circ} 38' 17'' W$ , a distance of 444.63 feet; (9)  $S 76^{\circ} 57' 04'' W$ , a distance of 21.35 feet to the beginning of a curve; (10) along the arc of said curve turning to the left through  $22^{\circ} 09' 31''$ , a distance of 646.05 feet, having a radius of 1670.50 feet, and whose long chord bears  $S 65^{\circ} 52' 19'' W$ , a distance of 642.03 feet to a point of a reverse curve; (11) thence along the arc of curve turning to the right through an angle of  $29^{\circ} 07' 27''$ , a distance of 523.31 feet, having a radius of 1029.50 feet, and whose long chord bears  $S 69^{\circ} 21' 17'' W$ , a distance of 517.6915 feet to a point of intersection with the centerline of proposed Wildwood Drive and the aforesaid Southerly line of Tyson parkway; thence along said centerline the following Fourteen (14) courses: (1)  $N 06^{\circ} 05' 00'' W$  for a distance of 148.44 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of  $20^{\circ} 22' 43''$ , a distance of 177.74 having a radius of 500.00 feet, and whose long chord bears  $N 16^{\circ} 16' 21.0'' W$  for a distance of 176.90 feet; (3)  $N 26^{\circ} 27' 42'' W$ , a distance of 972.55 feet to the beginning of a curve; (4) along the arc of said curve turning to the right through an angle of  $38^{\circ} 38' 19''$ , a distance of 337.19 feet, having a radius of 500.00 feet, and whose long chord bears  $N 07^{\circ} 08' 33'' W$ , a distance of 330.83 feet; (5)  $N 12^{\circ} 10' 37'' E$ , a distance of 188.93 feet to the beginning of a curve; (6) along the arc of said curve turning to the left through  $31^{\circ} 20' 36''$ , a distance of 437.63 feet, having a radius of 800.00 feet, and whose long chord bears  $N 03^{\circ} 29' 41'' W$ , a distance of 432.19 feet; (7)  $N 19^{\circ} 09' 58'' W$ , a distance of 182.21 feet to the beginning of a curve; (8) along the arc of said curve turning to the left through an angle of  $12^{\circ} 01' 49''$ , a distance of 41.99 feet, having a radius of 200.00 feet, and whose long chord bears  $N 25^{\circ} 10' 53'' W$ , a distance of 41.92 feet; (9)  $N 31^{\circ} 11' 47'' W$ , a distance of 167.61 feet to the beginning of a curve; (10) along the arc of said curve turning to the right through an angle of  $76^{\circ} 15' 43''$ , a distance of 465.86 feet, having a radius of 350.00 feet, and whose long chord bears  $N 06^{\circ} 56' 04'' E$ , a distance of 432.22 feet; (11)  $N 45^{\circ} 03' 56'' E$ , a distance of 95.31 feet to the beginning of a non-tangential curve; (12) along the arc of said curve turning to the right through  $100^{\circ} 07' 52''$ , a distance of 812.64 feet, having a radius of 465.00 feet, and whose long chord bears  $N 05^{\circ} 07' 52'' E$ , a distance of 713.11 feet to the beginning of a reverse curve; (13) along the arc of aid curve turning to the left through an angle of  $23^{\circ} 26' 40''$ , a distance of 327.35 feet, having a radius of 800.00 feet, and whose

long chord bears N 43° 28' 28" E, a distance of 325.07 feet.; (14) N 31° 45' 08" E, a distance of 44.39 feet to the aforesaid Southerly Right-of-Way Line of Pole Canyon Boulevard, per the Tyson Subdivision; thence along said Southerly Right-of-Way Line the following two (2) courses: (1) S 58° 14' 55" E, a distance of 354.75 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through 31° 18' 01", a distance of 587.27 feet, having a radius of 1075.00 feet, and whose long chord bears S 73° 53' 56" E, a distance of 579.99 feet to the point of beginning.

Contains: 12,521,219 Sq. Ft., or 287.448 Acres

### NPA-9

A parcel of land situate within the Southwest Quarter (SW-1/4) of Section 16, and the North half (N-1/2) of Section 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah, being described as follows:

Beginning at a point the Southwesterly line Right-of-Way line of Pole Canyon Boulevard, per Tyson Subdivision, said point being N 89° 23' 00" W, along the Section Line common to said Sections 16 & 21, a distance of 1032.29 feet, and N 0° 37' 00" E, perpendicular to said Sections Line, a distance of 440.91 feet, from the Quarter Corner common to said Sections 16 & 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence said Right-of-Way line the following Three (3) Courses: (1) S 59° 03' 57" E, a distance of 731.32 feet the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 30° 36' 36", a distance of 574.31 feet, having a radius of 1075.00 feet, and whose long chord bears S 74° 22' 15" E, a distance of 567.51 feet; (3) S 89° 40' 33" E, a distance of 432.25 feet; thence S 00° 19' 30" W, a distance of 409.12 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 74° 29' 58", a distance of 1170.23 feet, having a radius of 900.00 feet, and whose long chord bears S 37° 34' 30" W, a distance of 1089.52 feet; thence S 74° 49' 29" W, a distance of 185.03 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of 54° 56' 14", a distance of 383.53 feet, having a radius of 400.00 feet, and whose long chord bears S 47° 21' 22" W, a distance of 369.01 feet; thence S 19° 53' 15" W, a distance of 98.94 feet; thence N 70° 06' 45" W, a distance of 501.92 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 31° 41' 38", a distance of 331.90 feet, having a radius of 600.00 feet, and whose long chord bears N 54° 15' 55" W, a distance of 327.68 feet to a point of intersection with a non-tangential line; thence N 33° 33' 29" W, a distance of 111.09 feet, to the White Hills Water parcel; thence along the lines of said White Hills Water Parcel the following Two (2) courses: (1) N 00° 37' 31" E, a distance of 113.46 feet; (2) N 89° 22' 57" W, a distance of 77.05 feet; thence N 33° 33' 29" W, a distance of 31.26 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 27° 40' 44", a distance of 289.85 feet, having a radius of 600.00 feet, and whose long chord bears N 46° 51' 00" W, a distance of 287.04 feet to a point of intersection with a non-tangential line; thence N 60° 06' 28" W, a distance of 22.19; thence

N 57° 55' 54" W, a distance of 61.56 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 24° 59' 47", a distance of 484.96 feet, having a radius of 1111.61 feet, and whose long chord bears N 43° 45' 45" W, a distance of 481.12 feet to a point of intersection with the Southeasterly line of proposed Tyson Parkway; thence along said Southeasterly line the following Four (4) Courses: (1) N 60° 13' 42" E, a distance of 65.57 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 06° 25' 35", a distance of 187.70 feet, having a radius of 1673.50 feet, and whose long chord bears N 57° 00' 55" E, a distance of 187.60 feet; (3) N 53° 48' 08" E, a distance of 377.53 feet to the beginning of a curve; (4) along the arc of said curve turning to the left through an angle of 05° 54' 51", a distance of 157.87 feet, having a radius of 1529.50 feet, and whose long chord bears N 50° 50' 42" E, a distance of 157.80 feet to the White Hills Water Company Parcel; thence along the lines of said White Hills Water Company Parcel the following Two (2) courses: (1) S 89° 22' 57" E, a distance of 35.58 feet to the Southeast Corner thereof; (2) N 00° 37' 31" E, a distance of 33.94 feet to the Southeasterly line of aforesaid proposed Tyson Parkway; thence along said proposed Tyson Parkway the following Two (2) courses: (1) along the arc of a curve turning to the left through an angle of 15° 06' 41", a distance of 403.39 feet, having a radius of 1529.50 feet, and whose long chord bears N 38° 29' 25" E, a distance of 402.23 feet; (2) N 30° 56' 04" E, a distance of 241.00 feet to the point of beginning.

Contains: 3,316,762 Sw. Ft. or 76.142 Acres.

**LESS AND EXCEPTING:**

A parcel of land situate within the Northwest Quarter (NW-1/4) of Section 21, the Southwest Quarter (SW-1/4) of Section 16, the Southeast Quarter (SE-1/4) of Section 17, the South Half (S-1/2) of Section 20, and the Northwest Quarter (NW-1/4) of Section 21, all in Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah and being described as follows:

Beginning at a point in the Section line common to Sections 16 & 21, said point being S 89°23'00" E, along said Section line, a distance of 144.74 feet, from the Section Corner common to Section 16, 17, 20, & 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence S 32° 58' 10" E, a distance of 608.21 feet to the beginning of a curve; thence along the arc of said curve, turning to the left through an angle of 86° 41' 43", a distance of 22.70 feet, having a radius of 15.00 feet, and whose long chord bears S 76° 19' 02" E, a distance of 20.59 feet to a point of intersection with a non-tangential line; thence S 29° 46' 18" E, a distance of 13.50 feet; thence S 36° 47' 49" E, a distance of 32.24 feet; thence S 29° 46' 18" E, a distance of 13.50 feet, more or less, to the Southeasterly Right-of-Way line of Tyson Parkway; thence along said Southeasterly Right-of-Way line, the following Eight (8) courses: (1) S 60° 13' 42" W, a distance of 171.09 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 30° 45' 57", a distance of 735.91 feet, having a radius of 1370.50 feet, and whose long chord bears S 44° 50' 44" W, a distance of 727.10 feet to a point of intersection with a non-tangential line; (3) S 29° 36' 59" W, a distance of 372.32 feet to the beginning of a

non-tangential curve; (4) along the arc of said curve turning to the right through  $70^{\circ} 51' 45''$ , a distance of 1157.63 feet; having a radius of 936.00 feet, and whose long chord bears  $S 64^{\circ} 53' 38'' W$ , a distance of 1085.25 feet to the beginning of a non-tangential curve; (5) along the arc of said curve turning to the left through an angle of  $23^{\circ} 22' 26''$ , a distance of 448.14 feet, having a radius of 1098.50 feet, and whose long chord bears  $S 88^{\circ} 38' 17'' W$ , a distance of 445.03 feet; (6)  $S 76^{\circ} 57' 04'' W$ , a distance of 21.35 feet to the beginning of a curve; (7) along the arc of said curve turning to the left through  $22^{\circ} 09' 31''$ , a distance of 646.43 feet, having a radius of 1671.50 feet, and whose long chord bears  $S 65^{\circ} 52' 19'' W$ , a distance of 642.41 feet to the beginning of a non-tangential curve; (8) along the arc of said curve turning to the right through an angle of  $20^{\circ} 37' 14''$ , a distance of 370.15 feet, having a radius of 1028.50 feet, and whose long chord bears  $S 65^{\circ} 06' 10'' W$ , a distance of 368.16 feet to a point of intersection with a non-tangential line; thence  $N 10^{\circ} 28' 44'' W$ , a distance of 172.04 feet; thence  $N 09^{\circ} 20' 05'' W$ , a distance of 19.04 feet; thence  $N 13^{\circ} 47' 39'' W$ , a distance of 36.82 feet; thence  $N 12^{\circ} 49' 03'' W$ , a distance of 17.00 feet; thence  $N 18^{\circ} 18' 48'' W$ , a distance of 46.82 feet; thence  $N 20^{\circ} 17' 42'' W$ , a distance of 17.02 feet; thence  $N 23^{\circ} 17' 02'' W$ , a distance of 36.84 feet; thence  $N 28^{\circ} 58' 23'' W$ , a distance of 21.36 feet;  $N 26^{\circ} 27' 42'' W$ , a distance of 636.28 feet; thence  $N 63^{\circ} 32' 18'' E$ , a distance of 110.00 feet  $N 26^{\circ} 27' 42'' W$ , a distance of 167.00 feet;  $S 63^{\circ} 32' 18'' W$  for a distance of 110.00 feet; thence  $N 26^{\circ} 27' 42'' W$ , a distance of 131.60 feet; thence  $N 26^{\circ} 48' 38'' W$ , a distance of 22.29 feet; thence  $N 24^{\circ} 18' 53'' W$ , a distance of 29.82 feet; thence  $N 20^{\circ} 51' 21'' W$ , a distance of 32.14 feet; thence  $N 15^{\circ} 17' 05'' W$ , a distance of 29.82 feet;  $N 10^{\circ} 58' 16'' W$ , a distance of 32.15 feet;  $N 06^{\circ} 12' 59'' W$ , a distance of 29.82 feet; thence  $N 01^{\circ} 09' 58'' W$ , a distance of 33.22 feet; thence  $N 03^{\circ} 34' 05'' E$ , a distance of 46.85 feet; thence  $N 12^{\circ} 00' 15'' E$ , a distance of 60.50 feet; thence  $N 12^{\circ} 13' 35'' E$ , a distance of 65.81 feet; thence  $N 12^{\circ} 13' 35'' E$ , a distance of 65.00 feet; thence  $N 12^{\circ} 10' 51'' E$ , a distance of 65.00 feet; thence  $N 07^{\circ} 18' 04'' E$ , a distance of 73.14 feet; thence  $N 04^{\circ} 12' 47'' E$ , a distance of 26.03 feet; thence  $N 01^{\circ} 36' 19'' E$ , a distance of 46.82 feet; thence  $N 05^{\circ} 06' 28'' E$ , a distance of 107.18 feet; thence  $N 78^{\circ} 08' 58'' E$ , a distance of 100.45 feet; thence  $N 79^{\circ} 05' 53'' E$ , a distance of 1.87 feet; thence  $N 10^{\circ} 32' 19'' W$ , a distance of 110.24 feet; thence  $S 79^{\circ} 27' 41'' W$ , a distance of 5.53 feet, to the beginning of a non-tangential curve thence along the arc of said curve turning to the left through an angle of  $03^{\circ} 07' 05''$ , a distance of 57.11 feet, having a radius of 1049.50 feet, and whose long chord bears  $N 14^{\circ} 02' 11'' W$ , a distance of 57.11 feet to a point of intersection with a non-tangential line; thence  $S 79^{\circ} 27' 41'' W$ , a distance of 109.20 feet; thence  $N 19^{\circ} 09' 58'' W$ , a distance of 232.28 feet; thence  $N 20^{\circ} 45' 27'' W$ , a distance of 14.26 feet; thence  $N 31^{\circ} 17' 41'' W$ , a distance of 46.82 feet; thence  $N 37^{\circ} 42' 27'' W$ , a distance of 11.03 feet; thence  $N 52^{\circ} 09' 08'' W$ , a distance of 46.82 feet; thence  $N 62^{\circ} 14' 30'' W$ , a distance of 13.45 feet; thence  $N 65^{\circ} 08' 02'' W$ , a distance of 56.82 feet; thence  $N 59^{\circ} 50' 39'' W$ , a distance of 15.20 feet; thence  $N 74^{\circ} 40' 50'' W$ , a distance of 61.45 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of  $30^{\circ} 32' 56''$ , a distance of 171.42 feet, having a radius of 321.50 feet, and whose long chord bears  $N 16^{\circ} 50' 49'' W$ , a distance of 169.39 feet to a point of intersection with a non-tangential line; thence  $N 83^{\circ} 20' 31'' E$ , a distance of 51.04 feet to the beginning of a curve; thence along the arc of said curve turning to the right through  $22^{\circ} 21' 09''$ , a distance of 59.88 feet, having a radius of 153.50 feet, and whose long chord bears  $S 85^{\circ} 28' 55'' E$ , a distance of 59.51 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning

to the right through an angle of  $47^{\circ} 07' 21''$ , a distance of 173.95, having a radius of 211.50 feet, and whose long chord bears  $N 21^{\circ} 30' 15'' E$ , a distance of 169.09 feet; thence  $N 45^{\circ} 03' 56'' E$ , a distance of 147.42 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $01^{\circ} 39' 21''$ , a distance of 12.59 feet, having a radius of 435.50 feet, and whose long chord bears  $S 64^{\circ} 18' 22'' E$ , a distance of 12.59 feet; thence  $S 65^{\circ} 08' 02'' E$  a distance of 557.30 feet, to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of  $03^{\circ} 47' 12''$ , a distance of 35.00 feet, having a radius of 529.50 feet, and whose long chord bears  $S 63^{\circ} 14' 26'' E$  a distance of 34.99 feet to the White Hills Water Company parcel; thence along the lines of said White Hills Water Company Parcel the following Four (4) courses: (1)  $S 00^{\circ} 35' 13'' W$ , a distance of 148.07 feet; (2)  $S 89^{\circ} 30' 09'' E$ , a distance of 200.00 feet; (3)  $N 00^{\circ} 35' 13'' E$ , a distance of 200.00 feet; (4)  $N 89^{\circ} 30' 09'' W$ , a distance of 6.48 feet; thence  $N 43^{\circ} 18' 50'' E$ , a distance of 3.27 feet; thence  $N 46^{\circ} 46' 07'' E$ , a distance of 55.65 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $11^{\circ} 34' 23''$ , a distance of 106.75 feet, having a radius of 528.50 feet, and whose long chord bears  $N 52^{\circ} 06' 32'' W$ , a distance of 106.57 feet to a point of intersection with a non-tangential line; thence  $N 34^{\circ} 48' 33'' E$ , a distance of 170.85 feet; thence  $N 72^{\circ} 48' 53'' W$ , a distance of 25.87 feet; thence  $N 08^{\circ} 28' 48'' E$ , for a distance of 133.49 feet; thence  $S 78^{\circ} 59' 57'' W$ , a distance of 6.39 feet; thence  $N 13^{\circ} 16' 19'' W$ , a distance of 55.54 feet; thence  $N 76^{\circ} 11' 51'' E$ , a distance of 6.31 feet to the beginning of a curve; thence along the arc of said curve turning to the right through  $45^{\circ} 11' 18''$ , a distance of 543.37 feet, having a radius of 688.96 feet, and whose long chord bears  $S 81^{\circ} 12' 57'' E$ , a distance of 529.40 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $24^{\circ} 37' 33''$ , a distance of 157.91 having a radius of 367.41 feet, and whose long chord bears  $S 70^{\circ} 50' 47'' E$ , a distance of 156.70 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $48^{\circ} 00' 20''$ , a distance of 307.07 feet; having a radius of 366.50 feet, and whose long chord bears  $N 73^{\circ} 01' 15'' E$ , a distance of 298.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $22^{\circ} 22' 54''$ , a distance of 103.52 feet, having a radius of 265.00 feet, and whose long chord bears  $N 60^{\circ} 12' 32'' E$ , a distance of 102.86 feet to the beginning of a non-tangential curve; thence along the arc of curve turning to the left through an angle of  $161^{\circ} 23' 55''$ , a distance of 8.45 feet, having a radius of 3.00 feet, and whose long chord bears  $N 09^{\circ} 18' 01'' W$ , a distance of 5.92 feet to a point of intersection with a non-tangential line; thence North, a distance of 8.00 feet; East, a distance of 138.98 feet; thence  $N 00^{\circ} 00' 04'' E$ , a distance of 3.39 feet to the beginning of a curve; thence along the arc of said curve turning to the left through  $73^{\circ} 06' 18''$ , a distance of 22.33 feet, having a radius of 17.50 feet, and whose long chord bears  $N 36^{\circ} 33' 06'' W$ , a distance of 20.84 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $102^{\circ} 49' 18''$ , a distance of 94.22 feet, having a radius of 52.50 feet, and whose long chord bears  $N 21^{\circ} 41' 35'' W$ , a distance of 82.07 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $54^{\circ} 22' 32''$ , a distance of 198.35 feet, having a radius of 209.00 feet, and whose long chord bears  $N 02^{\circ} 31' 48'' E$ , a distance of 190.99 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $21^{\circ} 04' 47''$ , a distance of 36.79 feet, having a radius of 100.00 feet, and whose long chord bears  $N 14^{\circ} 07' 04'' W$ , a distance of 36.58 feet to the

beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $21^{\circ} 33' 59''$ , a distance of 18.82 feet; having a radius of 50.00 feet, and whose long chord bears  $N 14^{\circ} 21' 41'' W$ , a distance of 18.71 feet; thence  $N 25^{\circ} 08' 40'' W$ , a distance of 1.85 feet to the beginning of a curve; thence along the arc of said curve turning to the left through  $25^{\circ} 08' 11''$ , a distance of 39.48 feet, having a radius of 90.00 feet, and whose long chord bears  $N 37^{\circ} 42' 46'' W$ , a distance of 39.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $96^{\circ} 48' 53''$ , a distance of 49.00 feet, having a radius of 29.00 feet, and whose long chord bears  $N 01^{\circ} 52' 25'' W$ , a distance of 43.37 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $46^{\circ} 31' 58''$ , a distance of 14.62 feet, having a radius of 18.00 feet, and whose long chord bears  $N 23^{\circ} 16' 02'' E$ , a distance of 14.22 feet to a point of intersection with a non-tangential line; thence  $N 00^{\circ} 27' 07'' E$ , a distance of 6.28 feet; thence  $S 89^{\circ} 32' 50'' E$ , a distance of 1390.34 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of  $18^{\circ} 18' 32''$ , a distance of 295.58 feet, having a radius of 925.00 feet, and whose long chord bears  $S 80^{\circ} 32' 55'' E$ , a distance of 294.33 feet to a point of intersection with a non-tangential line; thence  $S 15^{\circ} 41' 35'' W$ , a distance of 105.35 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through  $01^{\circ} 28' 21''$ , a distance of 20.49 feet, having a radius of 797.29 feet, and whose long chord bears  $S 14^{\circ} 56' 15'' W$ , a distance of 20.49 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through  $09^{\circ} 21' 30''$ , a distance of 18.54 feet, having a radius of 113.50 feet, and whose long chord bears  $S 19^{\circ} 34' 18'' W$ , a distance of 18.52 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of  $24^{\circ} 24' 44''$ , a distance of 164.68 feet, having a radius of 386.50 feet, and whose long chord bears  $S 12^{\circ} 02' 41'' W$ , a distance of 163.43 feet; thence  $S 00^{\circ} 09' 40'' E$ , a distance of 8.76 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of  $23^{\circ} 03' 20''$ , a distance of 310.05 feet, having a radius of 770.50 feet, and whose long chord bears  $S 11^{\circ} 41' 20'' E$ , a distance of 307.96 feet; thence  $S 23^{\circ} 13' 00'' E$ , a distance of 50.66 feet to the beginning of a curve; along the arc of said curve turning to the right through an angle of  $80^{\circ} 35' 36''$ , a distance of 386.12 feet, having a radius of 274.50 feet, and whose long chord bears  $S 17^{\circ} 04' 48'' W$ , a distance of 355.06 feet; thence  $S 57^{\circ} 22' 35'' W$ , a distance of 118.75 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of  $90^{\circ} 20' 46''$ , a distance of 23.65 feet, having a radius of 15.00 feet, and whose long chord bears  $S 12^{\circ} 12' 13'' W$ , a distance of 21.28 feet; thence  $S 32^{\circ} 58' 10'' E$ , a distance of 74.53 feet to the point of beginning.

Contains: 9,284,252 Sq. Ft., or 213.137 Acres