

**AFTER RECORDING RETURN TO:**

BLX MWP-LON LLC  
P.O. Box 980728  
Park City, Utah 84098  
Attn: Executive Vice President

Ent 535026 Bk 1449 Pg 1 - 25  
MARCY M. MURRAY, Recorder  
WASATCH COUNTY CORPORATION  
2023 Jul 28 03:52PM Fee: \$98.00 KM  
For: High Country Title  
ELECTRONICALLY RECORDED

**TERMINATION AND WAIVER OF MODERATE INCOME HOUSING AGREEMENT  
FOR MAYFLOWER MARINA AND LAKESIDE NORTH**

THIS TERMINATION AND WAIVER OF MODERATE INCOME HOUSING AGREEMENT FOR MAYFLOWER MARINA AND LAKESIDE NORTH (hereinafter the "**Termination**") is made and entered into as of July 28, 2023 (the "**Effective Date**"), by and among MILITARY INSTALLATION DEVELOPMENT AUTHORITY, a political subdivision of the State of Utah ("**MIDA**"); STICHTING MAYFLOWER MOUNTAIN FONDS and STICHTING MAYFLOWER RECREATIONAL FONDS (collectively, "**Stichting Mayflower**"), JORDANELLE LAND INVESTORS, LLC, a Utah limited liability company ("**JLI**"), and BLX MWP-LON LLC, a Delaware limited liability company ("**BLX MWP-LON**"). MIDA, Stichting Mayflower, JLI, BLX MWP-LON may be referred to herein each as a "**Party**" or collectively as the "**Parties**".

**WITNESSETH:**

**WHEREAS**, Wasatch County, Stichting Mayflower and JLI entered into that certain Moderate Income Housing Agreement – Corrected – for Mayflower Marina and Lakeside North, with an effective date of January 26, 2018, and recorded with the Wasatch County Recorder as Entry No. 456366 on September 26, 2018, as modified by the Amendment to Moderate Income Housing Agreement for Mayflower Marina and Lakeside North, with an effective date of February 19, 2020, and recorded with the Wasatch County Recorder as Entry No. 475199 on March 3, 2020 (collectively, the "**Moderate Income Housing Agreement**") relating to the real property described on **Exhibit A** attached hereto;

**WHEREAS**, Wasatch County has assigned its interest in the Moderate Income Housing Agreement to MIDA pursuant to that certain AR East Side Interlocal Agreement with Wasatch County dated March 7, 2023;

**WHEREAS**, Mayflower Stichting has assigned its remaining interest in the Moderate Income Housing Agreement to BLX MWP-LON pursuant to that certain Assignment and Assumption Agreement – Moderate Income Housing dated effective as of the Effective Date;

**WHEREAS**, the Parties have agreed to terminate the Moderate Housing Agreement.

**AGREEMENT**

**NOW THEREFORE**, in consideration of the covenants and agreements hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **TERMINATION OF MODERATE INCOME HOUSING AGREEMENT.** Effective as of the Effective Date, the Moderate Income Housing Agreement is hereby terminated in its entirety,

and the Parties are relieved of any and all of their respective obligations arising under or in connection with the Moderate Income Housing Agreement.

2. **WAIVER AND RELEASE.** As of the Effective Date, each Party separately and individually (a) waives any and all rights and benefits it may have under the Moderate Income Housing Agreement, and (b) forever releases and discharges every other Party from all rights, duties, obligations, claims, liabilities, losses, damages, costs and expenses (including, without limitation, attorneys' fees and costs) related to, connected with or arising from the Moderate Income Housing Agreement.

3. **REPRESENTATIONS.** Each Party represents and warrants with respect to itself only, in favor of every other Party, as follows:

- a. This Termination has been duly executed by and constitutes a valid and binding obligation, enforceable in accordance with its terms, and no consent or authorization of any other person or entity is required or necessary to the execution of this Termination;
- b. No Party is a party to, subject to, or bound by, any restrictions, lease, contract, indenture, trust, agreement of any nature, mortgage, deed of trust, loan agreement, security agreement, judgment, order, writ, injunction or decrees of any court or governmental body, that prohibits, impairs or affects in any way this Termination;
- c. No Party has assigned, encumbered, pledged, hypothecated or otherwise disposed of any ownership right, title, and/or interest in the Moderate Income Housing Agreement, except to another Party;
- d. No Party has received any notice, or has any knowledge, of any claim or demand, either pending or threatened, asserted against, affecting, or involving the Moderate Income Housing Agreement;
- e. No authorization, consent, approval, license or exemption of or filing or registration with any court or governmental department, commission, board, bureau, agency or instrumentality, and no further consent or approval including, but not limited to, any consent or approval of the affiliates or partners of any Party, is necessary for the valid execution and delivery by each Party of this Termination;

4. **ENTIRETY.** This Termination and any documents executed in furtherance hereof or in conjunction herewith represent the entire agreement of the Parties with respect to the subject matter hereof.

5. **GENERAL PROVISIONS.** This Termination shall inure to the benefit of, and be binding on, each Party and their respective heirs, personal representatives, successors and assigns. Each individual executing this Termination represents and warrants that such individual has been duly authorized to execute and deliver this Termination in the capacity and for the entity set forth where he or she signs. This Termination may be executed in two or more counterparts, each of which shall be deemed to be a duplicate original, but all of which together shall constitute one and the same instrument. If any provision of this Termination is found to be unenforceable against any Party, the balance of this Termination shall still be enforceable against such Party. The recitals and exhibits to this Termination are incorporated herein.

*[Signature Pages Follow]*

ACKNOWLEDGED AND AGREED, BY EACH OF THE FOLLOWING ENTITIES FOR PURPOSES OF CONFIRMING THEIR RESPECTIVE CONSENT AND AGREEMENT TO TERMINATION OF THE MODERATE INCOME HOUSING AGREEMENT, which were signatories to the Amendment to Moderate Income Housing Agreement for Mayflower Marina and Lakeside North, with an effective date of February 19, 2020, and recorded with the Wasatch County Recorder as Entry No. 475199 on March 3, 2020:

[Signature Pages Follow]

[Signature Page to Termination of Moderate Income Housing Agreement]

IN WITNESS WHEREOF, the Parties have duly executed this Termination to be effective as of the Effective Date.

**MIDA:**

Military Installation Development Authority,  
a political subdivision of the State of Utah

*Heather Kruse*  
By: *Heather Kruse*  
Its: *Executive Director*

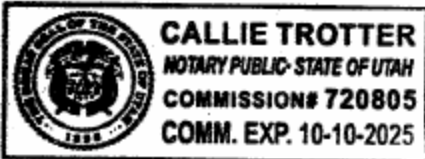
APPROVED AS TO FORM:

*J. R. [Signature]*  
MIDA legal counsel

STATE OF UTAH                     )  
  : ss  
COUNTY OF *Wasatch*            )

The foregoing instrument was acknowledged before me this *26* day of *July*, 2023, by Heather Kruse, who executed the foregoing instrument in her capacity as the MRF Project Area Director of the Military Installation Development Authority, a political subdivision of the State of Utah.

*Callie Trotter*  
NOTARY PUBLIC









AM/2023.0001.01

## LEGALIZATION

The undersigned:

Arnoud Pieter Adriaan Matthijssen, civil-law notary in Amsterdam, the Netherlands,

### HEREWITH DECLARES:

that the signature on the attached document is the original signature of:

Franciscus Daniël **Stibbe**, born in Arnhem, the Netherlands, on 22 September 1959.

The relevance of this statement is strictly limited to ascertaining the identity and signature of aforementioned person. A statement as to the contents and possible legal consequences of the attached document is therefore not given by the undersigned.

This certificate may only be relied upon on the condition that (i) the interpretation and possible liability is governed by Dutch law and (ii) disputes in this regard be submitted exclusively to the competent court in Amsterdam, the Netherlands, and (iii) a party relying on this legalization accepts and agrees that the legal relationship with Holdinga Matthijssen Kraak B.V. is subject to and also governed by the general terms and conditions of Holdinga Matthijssen Kraak B.V., which contains a limitation of liability.

Signed in Amsterdam, the Netherlands, on 14 July 2023.



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: THE NETHERLANDS  
This public document
2. has been signed by **mr. A.P.A. Matthijssen**
3. acting in the capacity of notary at Amsterdam
4. bears the seal/stamp of aforesaid notary

Certified

5. in Amsterdam
6. on 14-07-2023
7. by the registrar of the district court of Amsterdam
8. no. 16568
9. Seal/stamp:
10. Signature:

L.G. van der Horst



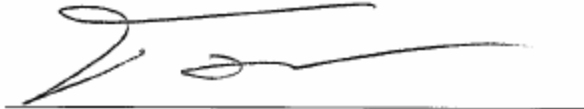
A handwritten signature in black ink, appearing to be 'L.G. van der Horst', written over a horizontal dashed line.



**STICHTING MAYFLOWER:**

Stichting Mayflower Mountain Fonds –  
a Netherlands association

By: Stichting Beheer Mayflower Project  
Its: Manager



By: Frans Stibbe  
Its: President of the Board

**STICHTING MAYFLOWER:**

Stichting Mayflower Recreational Fonds –  
a Netherlands association

By: Stichting Beheer Mayflower Project  
Its: Manager



By: Frans Stibbe  
Its: President of the Board

City of Amsterdam )  
:ss  
The Netherlands )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023, by Frans Stibbe, President of Stichting Beheer Mayflower Project, Manager of Stichting Mayflower Recreational Fonds and Stichting Mayflower Mountain Fonds.

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

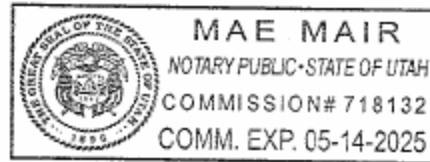
Skyridge LLC,  
a Utah limited liability company

Tyler Aldous  
By: Tyler Aldous  
Its: Manager

STATE OF UTAH            )  
  : ss  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July,  
2023, by Tyler Aldous, who executed the foregoing instrument in his/her capacity as the  
Manager of Skyridge LLC, a Utah limited liability company.

Mae Mair  
NOTARY PUBLIC



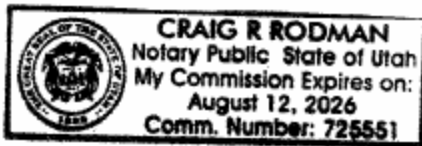
Sundance Burbidge JVI LLC, a Utah limited liability company



By: Lee Burbidge  
Its: Manager

STATE OF UTAH            )  
  : ss  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this 25 day of July, 2023, by LEE BURBIDGE, who executed the foregoing instrument in his/her capacity as the MANAGER of Sundance Burbidge JVI LLC, a Utah limited liability company.



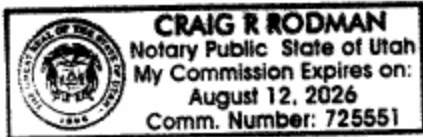
NOTARY PUBLIC

Mayflower Lakeside Townhomes South LLC,  
a Utah limited liability company

By: [Signature]  
Its: Manager

STATE OF UTAH            )  
  : ss  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this 25 day of July,  
2023, by LEE BURRIDGE, who executed the foregoing instrument in his/her capacity as the  
MANAGER of Mayflower Lakeside Townhomes South LLC, a Utah limited liability  
company.



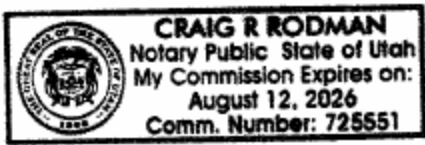
[Signature]  
NOTARY PUBLIC

Mayflower Lakeside Village LLC, a Utah limited liability company

By: LEE FURBIDGE  
Its: MANAGER

STATE OF UTAH )  
 : SS  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this 25 day of July, 2023, by LEE FURBIDGE who executed the foregoing instrument in his/her capacity as the MANAGER of Mayflower Lakeside Village LLC, a Utah limited liability company.



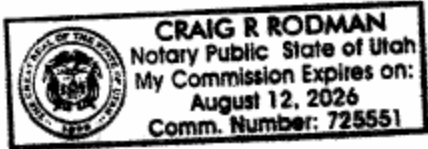
[Signature]  
NOTARY PUBLIC

Mayflower Lakeside Village South LLC, a Utah limited liability company

By: LEE BURDIDGE  
Its: MANAGER

STATE OF UTAH )  
 : ss  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this 25 day of July, 2023, by LEE BURDIDGE, who executed the foregoing instrument in his/her capacity as the MANAGER of Mayflower Lakeside Village South LLC, a Utah limited liability company.



[Signature]  
NOTARY PUBLIC

EXHIBIT A  
TO  
TERMINATION AND WAIVER OF MODERATE INCOME HOUSING AGREEMENT

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Real Property

[See attached]

**EXHIBIT A****Legal Description of Property****LAKESIDE-NORTH****Parcel 1**

The Northeast quarter; the East half of the Southeast quarter; the East half of the East half of the West half of the Southeast quarter; and the East half of the West half of the East half of the West half of the Southeast quarter of Section 12, Township 2 South Range 4 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM THE FOLLOWING:

**Exception Parcel No. 1:**

Those portions of the above described Parcel 1 lying within Summit County.

Wasatch County Tax Serial Number: OWC-0005-0.

Wasatch County Tax Parcel Number: 00-0007-1204.

**Parcel 2**

5 strips of land lying within the East half of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

- a) A strip of land 100.0 feet wide situate in the East half of Section 13, Township 2 South Range 4 East of the Salt Lake Meridian in Wasatch County, Utah, said strip being 50.0 feet on each side, measured at right angles and/or radially, from the hereinafter described centerline of abandoned main track of the Ontario Branch of the Union Pacific Railroad Company, as formerly constructed and operated, and extending in a general Southwesterly and Southeasterly direction from the East line to the South line of said Section.
- b) Two strips of land each 75.0 feet wide situate in the Southeast quarter of the Northeast quarter of Section 13, Township 2 South Range 4 East of the Salt Lake Base and Meridian in Wasatch County, Utah, said strips lying between lines 50.0 and 125.0 feet on each side, measured at right angles and/or radially, from the hereinafter described centerline of abandoned main track of the Ontario Branch of the Union Pacific Railroad Company, as formerly constructed and operated, and extending Southwesterly from a straight line drawn at right angles through said centerline at a point thereon that is 985.7 feet distant Southwesterly, measured along said centerline, from the East line of said Section to a straight line drawn radially through said centerline at a point thereon that is 1185.7 feet distant Southwesterly, measured along said centerline, from said East line of Section.
- c) Two strips of land each 125.0 feet wide situate in the South half of the Southeast quarter of Section 13, Township 2 South Range 4 East of the Salt Lake Base and Meridian in Wasatch County, Utah, said strips lying between lines 50.0 and 175.0 feet on each side, measured at right angles and/or radially, from the hereinafter described centerline of abandoned main track of the Ontario Branch of the Union Pacific Railroad Company, as formerly constructed and operated, and extending Southwesterly and Southeasterly from a straight line drawn radially through said centerline at a point thereon that is 3386.2 feet distant Southwesterly, measured along said centerline, from the East line of said Section to the South line of said Section.



Said centerline of the abandoned main track referred to above, and referenced hereafter as the **"CENTERLINE OF ABANDONED MAIN TRACK OF THE ONTARIO BRANCH OF THE UNION PACIFIC RAILROAD COMPANY, AS FORMERLY CONSTRUCTED AND OPERATED"**, is described as follows:

Commencing at a point on the West line of Section 6, Township 2 South Range 5 East, Salt Lake Base and Meridian, that is 60.6 feet distant North, measured along said West line, from the West quarter corner thereof; thence Easterly along a non-tangent curve, concave Southerly, with a radius of 573.69 feet and a line which is tangent to the beginning of said curve forms an angle of 32°36' from North to Northeast with said West line of Section, a distance of 1225.1 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 1164.4 feet to the beginning of a tangent curve concave Northeasterly, having a radius of 1432.69 feet; thence Southeasterly along said curve, a distance of 500.0 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 542.6 feet to the beginning of a tangent curve, concave Southwesterly, having a radius of 716.78 feet; thence Southeasterly along said curve, a distance of 300.8 feet to the True Point of Beginning of the centerline hereby being described; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 282.4 feet to the beginning of a tangent curve concave Northeasterly, having a radius of 955.37 feet; thence Southeasterly along said curve, a distance of 300.3 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 217.5 feet to the beginning of a tangent curve concave Southwesterly, having a radius of 716.78 feet; thence Southeasterly along said curve, a distance of 513.5 feet; thence Southerly along a straight line tangent to the end of the last described curve, a distance of 426.3 feet to the beginning of a tangent curve concave Northeasterly, having a radius of 955.37 feet; thence Southeasterly along said curve, a distance of 541.9 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 228.6 feet to the beginning of a tangent curve concave Westerly, having a radius of 573.69 feet; thence Southerly along said curve, a distance of 932.5 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 195.1 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 573.69 feet; thence Southwesterly along said curve, a distance of 475.2 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 161.8 feet to the beginning of a tangent curve concave Northwesterly, having a radius of 955.37 feet; thence Southwesterly along said curve, a distance of 357.8 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 124.6 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 955.37 feet; thence Southwesterly along said curve, a distance of 341.9 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 314.4 feet to the beginning of a tangent curve concave Northwesterly, having a radius of 819.02 feet; thence Southwesterly along said curve, a distance of 369.0 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 333.0 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 573.69 feet; thence Southwesterly along said curve, a distance of 399.5 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 79.5 feet to the beginning of a tangent curve concave Northwesterly, having a radius of 573.69 feet; thence Southwesterly along said curve, a distance of 165.6 feet to a point on the South line of Section 7, Township 2 South, Range 5 East, Salt Lake Base and Meridian, that is 1279.4 feet, more or less, distant East, measured along said South line, from the Southwest corner thereof; thence continuing Southwesterly along the remainder of said curve, a distance of 501.6 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 47.0 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 573.69 feet; thence Southwesterly along said curve, a distance of 358.7 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 212.3 feet to the beginning of a tangent curve

concave Northwesterly, having a radius of 1910.08 feet; thence Southwesterly along said curve, a distance of 416.7 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 170.7 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 1432.69 feet; thence Southwesterly along said curve, a distance of 138.8 feet to a point on the West line of Section 18, Township 2 South Range 5 East, Salt Lake Base and Meridian, that is 1324.7 feet distant South, measured along said West line, from the Northwest corner thereof; thence continuing Southwesterly along the remainder of said curve, a distance of 189.5 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 950.5 feet to the beginning of a tangent curve concave Southeasterly, having a radius of 955.37 feet; thence Southwesterly along said curve, a distance of 296.4 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 247.4 feet to the beginning of a tangent curve concave Easterly, having a radius of 955.37 feet; thence Southerly along said curve, a distance of 400.0 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 276.8 feet to the beginning of a tangent curve concave Northwesterly, having a radius of 573.69 feet; thence Southwesterly along said curve, a distance of 677.0 feet; thence Southwesterly along a straight line tangent to the end of the last described curve, a distance of 276.6 feet to the beginning of a tangent curve concave Easterly, having a radius of 573.69 feet; thence Southerly along said curve, a distance of 1151.0 feet; thence Southeasterly along a straight line tangent to the end of the last described curve, a distance of 183.8 feet to the beginning of a tangent curve concave Southwesterly, having a radius of 575.60 feet; thence Southeasterly along said curve, a distance of 169.2 feet to a point on the North line of Section 24, Township 2 South, Range 4 East, Salt Lake Base and Meridian that is 1596.3 feet Easterly, measured along said North line, from the North quarter corner of said Section; thence continuing Southeasterly along the remainder of said curve, a distance of 417.8 feet to a point beyond the strips of land hereinabove described.

Wasatch County Tax Serial Number: OWC-0010-4.

Wasatch County Tax Parcel Number: 00-0013-1453.

### Parcel 3

Those portions of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian lying West of the Westerly lines of the 5 strips of land described above as Parcel 2.

EXCEPTING THEREFROM THE FOLLOWING:

#### Exception Parcel No. 2:

All of East Park Plat No. 1, according to the official plat thereof, recorded July 28, 1966 as Entry No. 89132 in Book 55 at Page 336 of the official records in the office of the Wasatch County Recorder.

#### Exception Parcel No. 3:

All of East Park Plat II, according to the official plat thereof, recorded November 2, 1966 as Entry No. 89491 in Book 56 at Page 242 of the official records in the office of the Wasatch County Recorder.

#### Exception Parcel No. 4:

Beginning at a point which is South 88°51'36" East 697.125 feet from the Northwest corner of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian; and running thence South 02°43'57" East 926.974 feet; thence East 230.00 feet; thence North 47°50' East 600.00 feet; thence North 36°59'19" West 647.868 feet; thence North 88°51'36" West 330.0 feet to the point of beginning.

**Exception Parcel No. 5:**

Beginning at a point South 88°48' East 1570 feet and South 01°00' West 80.00 feet, from the Northwest corner of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian; running thence South 67°45' East 1043.55 feet; thence South 22°15' West 417.42 feet; thence North 67°45' West 1043.55 feet; thence North 22°15' East 417.42 feet to the point of beginning.

**Exception Parcel No. 6:**

Beginning at the Northwest corner of Lot 251, East Park, Plat II, said point also being South 88°51'36" East 1027.125 feet and South 35°59'19" East 647.868 feet from the Northwest corner of Section 13, Township 2 South Range 4 East, Salt Lake Base & Meridian; and running thence South 34°42'09" East 140.363 feet; thence South 15°00'00" West 363.00 feet; thence South 67°45' East 878.87 feet; thence North 22°30'23" East 424.92 feet; thence North 20°00' East 44.34 feet; thence North 67°45' West 1098.55 feet; thence South 36°59'19" East 65.24 feet to the point of beginning.

**Exception Parcel No. 7:**

Beginning at the Northeast corner of Lot 246, East Park, Plat II, a subdivision, a part of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian; and running thence South 25°11'51" West 204.88 feet; thence South 18°23'00" West 166.300 feet; thence South 51°54' East 105.37 feet; thence South 2°33'16" East 164.184 feet; thence North 66°14'06" East 142.90 feet; thence South 83°20' East 109.04 feet; thence North 44°29' East 161.00 feet; thence North 37°41'35" East 245.58 feet; thence North 44°29' East 110.00 feet; thence South 42°28'18" East 182.08 feet; thence North 34°04'38" East 248.00 feet; thence North 22°30'23" East 54.67 feet; thence North 67°45' West 878.87 feet; thence South 15°00' West 87.00 feet; thence South 51°30' West 100.00 feet; thence South 31°18'05" East 196.345 feet to the point of beginning.

**Exception Parcel No. 8:**

Beginning at the Northeast corner of Lot 246, East Park, Plat II, a subdivision, a part of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian; and running thence South 25°11'51" West 204.88 feet; thence South 18°23'00" West 166.300 feet; thence South 51°54' East 105.37 feet; thence South 2°33'16" East 164.184 feet; thence North 66°14'06" East 242.26 feet; thence South 83°06'27" East 109.23 feet; thence North 44°29' East 161.00 feet; thence North 37°41'35" East 245.58 feet; thence North 44°29' East 110.00 feet; thence South 40°14'19" East 190.35 feet; thence North 34°04'08" East 248.00 feet; thence North 73°19'39" West 73.69 feet; thence North 67°45' West 878.87 feet; thence South 15°00' West 87.00 feet; thence South 51°30' West 99.97 feet; thence South 31°18'50" East 196.307 feet to the point of beginning.

**Exception Parcel No. 9:**

BEGINNING at the Northeast Corner of Lot 123, East Park Plat #1, as recorded in the office of the Wasatch County Recorder, and running thence; North 65°58'06" East 100 feet, more or less, to the Northwest Corner of Lot 249, East Park Plat #2, as recorded in the office of the Wasatch County Recorder, and running thence South 30°32' East 220.00 feet thence; Westerly 99.64 feet to the Southeast Corner of the aforesaid Lot 123, thence; North 30°48' West 240.00 feet to the point of beginning.

**Exception Parcel No. 10:**

Beginning at a point which is North 66°14'06" East 100 feet from the Northeast corner of Lot 249 East Park Plat #2; thence North 66°14'16" East 52.3 feet; thence South 83°20' East 60 feet; thence South 30°32' East 220 feet, more or less, to the North line of Lot 254, East Park Plat #2, thence South 70°39'19"

West along said North line 100 feet, more or less, to a point which is South 30°32' East from the point of beginning; thence North 30°32' West 230 feet, more or less, to the point of beginning.

**Exception Parcel No. 11:**

BEGINNING at the most Northerly corner of Lot 253, East Park Plat No. 2, according to the official plat thereof, recorded November 2, 1966 as Entry No. 89492 in Book 56 at Page No. 244 of the official records in the office of the Wasatch County Recorder; and running thence North 41°13'44" West 210.00 feet; thence North 44° 29' East 110.00 feet; thence South 40°14'19" East 190.35 feet; thence South 56°56' East 474.50 feet; thence South 45°15' West 235.29 feet; thence North 41°13'44" West 443.33 feet to the point of beginning.

**Exception Parcel No. 12:**

Beginning North 34°04'38" East 110 feet from the Northerly corner of Lot 253, East Park Subdivision, Plat 2, Section 13, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 34°04'38" East 248 feet; thence South 45° East 511.87 feet; thence South 45°15' West 145.39 feet; thence North 56°56' West 474.5 feet to the place of beginning.

**Exception Parcel No. 13:**

Beginning at the Northeast corner of the South half of the Southwest quarter of the Northeast quarter of Section 13, Township 2 South Range 4 East; running thence North 168 feet; thence West 650 feet; thence South 168 feet; thence East 650 feet to the point of beginning.

**Exception Parcel No. 14:**

The South half of the Southwest quarter of the Northeast quarter of Section 13, Township 2 South Range 4 East.

**Exception Parcel No. 15:**

Beginning at the Northeast corner of Lot 256, East Park, Plat 2, Sheet 2, a recorded subdivision, being a part of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian, said point also being North 2163.47 feet and West 3690.05 feet from the Southeast corner of aforesaid Section 13; and running thence South 60°30'00" East 1855.54 feet; thence North 29°30'00" East 457.45 feet; thence North 60°30'00" West 2062.18 feet; thence South 20°57'00" East 225.00 feet; thence South 23°28'34" West 315.919 feet to the point of beginning.

**Exception Parcel No. 16:**

Beginning at the Northeast corner of Lot 256, East Park, Plat 2, Sheet 2, a recorded subdivision, being a part of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian, said point also being North 2163.47 feet and West 3690.05 feet from the Southeast corner of aforesaid Section 13; and running thence South 60°30' East 1856.21 feet; thence South 29°30' West 465.00 feet; thence North 60°30' West 938.21 feet; thence North 66°42'51" West 776.31 feet; thence North 11°58'25" East 269.934 feet; thence North 16°56'29" East 298.776 feet to the point of beginning.

**Exception Parcel No. 17:**

Beginning North 89°10'25" East 1540.84 feet from the Southwest corner of Section 13, Township 2 South Range 4 East, Salt Lake Meridian; thence North 26° West 729.12 feet; thence North 89°10'25" East 1469.51 feet; thence South 45°49'35" East 585.48 feet; thence South 00°49'35" East 246 feet; thence South 89°10'25" West 1573.37 feet to the point of beginning.

**Exception Parcel No. 18:**

Beginning North 89°10'25" East 328.20 feet from the Southwest corner of Section 13, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North 02°56'05" West 358.604 feet; thence North 72°24' East 306.231 feet, more or less, to the Westerly boundary line of East Park, Plat II, according to the official plat thereof, as recorded in the office of the Wasatch County Recorder, Wasatch County, Utah, as re-traced; thence along the subdivision boundary line the following four courses: 1) South 54° East 110 feet; 2) thence North 87°22'42" East 205.2 feet; 3) thence East 169.2 feet; 4) thence North 159.6 feet; thence leaving said subdivision boundary line North 35° East 88 feet; thence North 13°25' West 98.81 feet; thence North 80°12'06" East 95.84 feet; thence South 56°00' East 70.00 feet; thence South 83°28'48" East 170.32 feet; thence North 16°52'26" East 61.64 feet; thence South 84°47'13" East 134.39 feet; thence South 15°46'21" West 366.64 feet; thence South 26°00' East 397.80 feet; thence South 89°10'25" West 1211.68 feet, more or less, to the point of beginning.

**Exception Parcel No. 19:**

Beginning at a point on the South line of Section 13, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being North 87°23'04" East 1617.10 feet from the Southwest corner of said Section 13 (brass cap); thence North 26°00'00" West a distance of 340.416 feet; thence North 15°46'21" East a distance of 366.640 feet; thence North 84°47'13" West a distance of 134.390 feet; thence North 16°52'26" East a distance of 2.132 feet; thence North 89°10'25" East a distance of 880.956 feet; thence South 00°49'35" East a distance of 653.504 feet; thence South 87°23'04" West along said South line as shown on that certain East Park Subdivision re-tracement survey filing no. OWC-024-013-3-0541, filing date August 28, 1996, by Richard K. Johanson, a distance of 708.243 feet to the point of beginning.

**Exception Parcel No. 20:**

Beginning at a point North 87°23'04" East 1237.305 feet and North 654.688 feet from the Southwest corner of Section 13, (Brass Cap), Township 2 South Range 4 East, Salt Lake Base and Meridian; thence South 56°00'00" East, a distance of 10.718 feet; thence South 83°28'48" East, a distance of 170.320 feet; thence North 16°52'26" East, a distance of 61.640 feet; thence North 16°52'26" East, a distance of 2.132 feet; thence South 89°10'25" West, a distance of 212.551 feet; thence South 26°00'00" East, a distance of 36.301 feet to the point of beginning.

**Exception Parcel No. 21:**

Beginning North 1523.32 feet and East 427.14 feet from the Southwest corner of Section 13, Township 2 South Range 4 East, Salt Lake Base and Meridian; and running thence North 12°07' West 273.01 feet; thence South 57°19'41" East 350.32 feet; thence South 71°52' West 299.30 feet to the point of beginning.

**Exception Parcel No. 22:**

Beginning at a point on the South line of Section 13, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being North 87°23'04" East 2626.95 feet from the Southwest corner of said Section 13; and South 87°23'04" West 301.609 feet along said South line as shown on that certain East Park Subdivision re-tracement survey filing no. OWC-024-013-3-0541, filing date August 28, 1996, by Richard K. Johanson; thence along said South line of Section 13, North 87°23'04" East 301.609 feet; thence South 89°08'20" East 488.71 feet; thence North 00°49'35" West 244.483 feet; thence North 45°49'35" West 585.48 feet; thence South 89°10'25" West 376 feet; thence South 00°49'35" East 653.504 feet to the point of beginning.

Wasatch County Tax Serial Number: OWC -0010-0.

Wasatch County Tax Parcel Number: 00-0007-1253.

**Parcel 4**

A strip of land 100.0 feet wide situate in the Southeast quarter of the Northwest quarter and the Southwest quarter of Section 7, in Township 2 South Range 5 East, of the Salt Lake Meridian, in Wasatch County, Utah, said strip being 50.0 feet on each side, measured at right angles and/or radially, on each side of the hereinbefore described "**CENTERLINE OF ABANDONED MAIN TRACK OF THE ONTARIO BRANCH OF THE UNION PACIFIC RAILROAD COMPANY, AS FORMERLY CONSTRUCTED AND OPERATED**", and extending in a general Southwesterly direction from the North-South centerline of said Section 7.

Wasatch County Tax Serial Number: OWC-0075-1.

Wasatch County Tax Parcel Number: 00-0013-1487.

**Parcel 5**

All of Section 7, Township 2 South Range 5 East, Salt Lake Base and Meridian, which lies Westerly of a line which is 50 feet distant Westerly (measured radially) from the above referenced centerline.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS 4 AND 5, ALL THOSE PORTIONS LYING WITHIN THE FOLLOWING:

**Exception Parcel No. 23:**

Beginning at a point North 89°05'35" East along a section line 606.15 feet; from the Southwest corner of Section 6, Township 2 South Range 5 East, Salt Lake Base and Meridian; and running thence North 89°05'35" East along said section line 1300.00 feet; thence South 40°00' West 1325.52 feet to the boundary line of Summit County and Wasatch County; thence North 21°48' West along said boundary line 790.93 feet; thence North 30°36'30" West along said boundary line 302.63 feet to the point of beginning.

**Exception Parcel No. 24:**

Beginning at a point North 89°05'35" East along a section line 2156.48 feet from the Northwest corner of Section 7, Township 2 South Range 5 East, Salt Lake Base and Meridian; and running thence North 89°05'35" East along said Section line 349.13 feet to a point on the West right-of-way line of the Union Pacific Railroad, said point also being on a curve to the left, the radius point of which is North 53°10' East 1150.00 feet; thence Southeasterly along the arc of said curve and West right-of-way line 45.05 feet to the

point of tangency; thence South 39°04'40" East along said West right-of-way line 100.045 feet to a point of a 1000.00 foot radius curve to the right; the radius point of which is South 50°55'20" West 950.00 feet; thence Southeasterly along the arc of said curve and West right-of-way line 689.28 feet to a point of tangency; thence South 2°29'38" West along said West right-of-way line 249.835 feet to a point of a 1150.00 foot radius curve to the left, the radius point of which is South 87°30'22" East 1150.00 feet; thence Southeasterly along the arc of said curve and West right-of-way line 121.76 feet; thence West 85.14 feet; to a line of power poles; thence North 28°10' West along a line of power poles 135.68 feet; thence North 26°14' West along a line of power poles 1114.32 feet to the point of beginning.

**Exception Parcel No. 25:**

Those portions of the above described Parcel 5 lying within Summit County.

Wasatch County Tax Serial Number: OWC-0075-0.

Wasatch County Tax Parcel Number: 00-0007-2012.

**Parcel 6**

A strip of land 100.0 feet wide situate in the West half of the Northwest quarter of Section 18, all in Township 2 South Range 5 East of the Salt Lake Meridian in Wasatch County, Utah, said strip being 50.0 feet on each side, measured at right angles and/or radially, on each side of the hereinbefore described "CENTERLINE OF ABANDONED MAIN TRACK OF THE ONTARIO BRANCH OF THE UNION PACIFIC RAILROAD COMPANY, AS FORMERLY CONSTRUCTED AND OPERATED", and extending in a general Southwesterly direction from the North-South centerline of said Section 7 to the West line of said West half of the Northwest quarter of Section 18.

Wasatch County Tax Serial Number: OWC-0103-1.

Wasatch County Tax Parcel Number: 00-0013-1495.

**Parcel 7**

Those portions of Government Lot 1, Section 18, Township 2 South Range 5 East, Salt Lake Base and Meridian; lying North and West of Parcel 6 as described above.

Wasatch County Tax Serial Number: OWC-0103-0.

Wasatch County Tax Parcel Number: 00-0007-2301.

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MARINAMarina-East

Beginning at a point 810.46 feet East and 350.83 feet South from the Southwest corner of Section 19, Township 2 South, Range 5 East, Salt Lake Base and Meridian and running thence South  $32^{\circ}00'00''$  East 253.04 feet to the arc of a 440.87 foot radius curve to the left; thence along the arc of said 440.87 foot radius curve 301.63 feet (chord bears South  $51^{\circ}36'00''$  East 295.78 feet); thence South  $71^{\circ}12'00''$  East 240.23 feet to the arc of a 440.67 foot radius curve to the left; thence along the arc of said 440.67 foot radius curve 240.84 feet (chord bears South  $86^{\circ}51'00''$  East 237.86 feet); thence North  $77^{\circ}30'00''$  East 15.42 feet; thence North  $00^{\circ}29'20''$  West 443.89 feet; thence North  $89^{\circ}45'37''$  East 662.19 feet; thence North  $00^{\circ}14'23''$  West 500.33 feet; thence South  $89^{\circ}45'02''$  West 661.31 feet; thence North  $00^{\circ}18'21''$  West 1127.16 feet; thence South  $65^{\circ}02'58''$  West 351.80 feet; thence South  $71^{\circ}27'44''$  West 199.06 feet; thence South  $80^{\circ}20'58''$  West 296.83 feet; thence South  $53^{\circ}42'04''$  West 262.34 feet; thence South  $17^{\circ}06'35''$  West 47.38 feet; thence South  $04^{\circ}03'02''$  West 66.43 feet to the arc of a non-tangent 167.00 foot radius curve to the right; thence along the arc of said 167.00 foot radius curve 215.72 feet (chord bears South  $41^{\circ}16'56''$  East 201.03); thence South  $04^{\circ}16'36''$  East 71.60 feet to the arc of a 583.00 foot radius curve to the left; thence along the arc of said 583.00 foot radius curve 431.30 feet (chord bears South  $25^{\circ}28'13''$  East 421.35 feet); thence South  $46^{\circ}39'50''$  East 111.02 feet to the arc of a 167.00 foot radius curve to the right; thence along the arc of said 167.00 foot radius curve 302.59 feet (chord bears South  $05^{\circ}14'37''$  West 262.86); thence South  $57^{\circ}09'03''$  West 214.74 feet to the point of beginning.

Containing: 93.059 acres, more or less.



Marina-West

(Excluding Tailings)

Beginning at a point 570.40 feet East and 268.60 feet South from the Southwest corner of Section 19, Township 2 South, Range 5 East, Salt Lake Base and Meridian, and running thence South 32°00'00" East 524.71 feet to the arc of a 600.87 foot radius curve to the left; thence along the arc of said 600.87 foot radius curve 411.10 feet (chord bears South 51°36'01" East 403.13 feet); thence South 71°12'00" East 240.23 feet to the arc of a 600.87 foot radius curve to the left; thence along the arc of said 600.87 foot radius curve 308.89 feet (chord bears South 85°55'37" East 305.50 feet); thence North 00°12'49" West 8.29 feet; thence North 89°42'52" East 329.23 feet; thence South 00°16'20" East 500.06 feet; thence South 89°52'36" West 332.10 feet; thence South 73°00'12" West 347.00 feet; thence North 45°12'07" West 141.30 feet; thence South 89°45'08" West 621.05 feet; thence South 00°13'41" East 162.03 feet; thence North 00°11'02" East 330.72 feet; thence North 89°48'58" West 330.00 feet; thence South 00°14'57" West 103.17 feet; thence North 87°08'23" West 155.56 feet; thence North 36°22'35" West 61.67 feet; thence North 40°08'41" East 108.36 feet; thence North 62°55'55" East 92.84 feet; thence North 22°29'34" West 26.03 feet; thence North 07°12'59" East 104.01 feet; thence North 44°47'48" East 102.14 feet; thence North 74°24'25" East 61.61 feet; thence North 05°58'30" East 52.41 feet; thence North 41°12'12" East 87.26 feet; thence South 84°05'50" East 49.57 feet to the arc of a 1063.10 foot radius curve to right; thence along the arc of said 1063.10 foot radius curve 107.04 feet (chord bears North 06°23'45" East 107.00 feet); thence North 09°16'49" East 93.04 feet to the arc of a 18.00 foot radius curve to the left 27.31 feet (chord bears North 34°11'18" West 24.77 feet); thence North 77°39'25" West 246.83 feet to the arc of a 205.00 foot radius curve to the right; thence along the arc of said 205.00 foot radius curve 49.62 feet (chord bears North 70°43'21" West 49.50 feet); thence North 11°55'04" East 180.46 feet; thence North 72°58'13" East 633.20 feet to the point of beginning.

Containing 37.55 acres more or less.