

WHEN RECORDED RETURN TO :

Edwin C. Barnes  
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One Utah Center, Suite 1000  
201 South Main Street  
Salt Lake City, Utah 84111-2208

00426401 Bk00872 Pg00680-00695

ALAN SPRIGGS, SUMMIT COUNTY RECORDER  
1995 MAR 15 15:38 PM FEE \$69.00 BY DMG  
REQUEST: COALITION TITLE

**CLARIFYING AMENDMENT TO THE  
MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
PINEBROOK  
A MASTER PLANNED DEVELOPMENT  
SUMMIT COUNTY, UTAH**

This Clarifying Amendment is made to the March 25, 1991 Declaration of Master Covenants, Conditions and Restrictions, recorded March 26, 1991 as entry number 338119 at Book 600, Page 373-424 of the records of the Summit County Recorder, the legal description for which is attached hereto as Exhibit "A," for the purpose of clarifying the process of annexation and making possible the original declared intent of the creators of the Association that all residents and associations of residents within the original master planned boundaries of Pinebrook be allowed to enjoy the benefits and responsibilities of membership in the Association. No material change of the Declaration of Master Covenants, Conditions and Restrictions is intended and all other aspects of the Declaration, including those providing Mortgagee Protection, shall remain in full force and effect.

Paragraphs 2.6 and 2.7 of the Declaration of Master Covenants, Conditions and Restrictions are hereby amended to read as follows:


2.6 Annexation of Annexable Area. The owner or owners of any portion of the Other Property may, with Declarant's written consent so long as Declarant is a Class B Member, and thereafter with the consent of the Master Association, from time to time, annex all or any portion of the Other Property to the Project by recording a Notice of Annexation as provided in Section 2.7. Existing Developments may be from time to time annexed to the Project upon the recording of a Notice of Annexation as provided in Section 2.7 signed by the owners association for the Existing Development to be annexed together with either 1) the signatures of all owners of Units or other property within the Existing Development or, 2) reference to a agreement by the owners association of the Existing Development to collect all common, special and all other assessments for, and guaranty payment of such assessments to, the Master Association as if all its members were Members of the Master Association. Upon annexation of an Existing Development, its owners association shall have all rights and obligations of other Sub-Associations and all owners of Units within the annexed Existing Development shall become Members with all rights enjoyed by other Members. Individual owners of Units in an Existing Development that has not been annexed may cause their individual Units to be annexed by recording a Notice of Annexation covering its Unit as

provided in Section 2.7. Existing Developments and individual Units within an Existing Development may be annexed without the consent of the Master Association, the Members or the Declarant. Upon the recording of a Notice of Annexation covering any portion of the Annexable Area and containing the provisions set forth in Section 2.7, the covenants, conditions and restrictions contained in this Master Declaration shall apply to the Annexed Property and the Annexed Property shall be subject to the jurisdiction of the Master Association in the same manner as if such Annexed Property were originally covered by this Master Declaration and constituted an original portion of the Project. Thereafter, the rights, privileges, duties and liabilities of the parties to this Master Declaration with respect to the Annexed Property shall be the same as with respect to the Property, and the rights, obligations, privileges, duties and liabilities of the Owners, lessees and occupants of Units within the Annexed Property shall be the same as in the case of the Units originally covered by this Master Declaration.

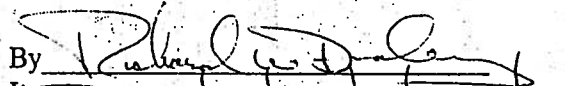
2.7 Notice of Annexation of Annexable Area. The Notice of Annexation referred to in subsection 2.6 shall contain: (i) a reference to the Master Declaration which shall state the date, and book and page of its recordation, along with any other relevant recording data; (ii) a statement that the provisions of this Master Declaration as set forth herein shall apply to the Annexed Property; (iii) an exact legal description of the Annexed Property, and (iv) either the acknowledged signature of all owners of the Annexed Property or the acknowledged signature of an authorized officer of the owners association of the Existing Development to be annexed together with reference to a written agreement by that association as provided in subsection 2.6. If the Annexed Property is Other Property, the Notice of Annexation must also contain the written and acknowledged consent of Declarant, for so long as Declarant is a Class B Member, and thereafter the written consent of the Master Association.

This Clarifying Amendment was adopted by unanimous vote of the Trustees of the Pinebrook Master Association on March 3, 1995, and shall take affect upon its being filed of record in the office of the Summit County Recorder. The Declarant, successor in interest to the original Declarant, consents to and joins in recording this Clarifying Amendment.

PINEBROOK MASTER ASSOCIATION

By   
Its President B of Dir

DECLARANT  
WILLOW RANCH DEVELOPMENT  
COMPANY

By   
Its President - declarant

STATE OF UTAH )  
 : ss.  
COUNTY OF SUMMIT )

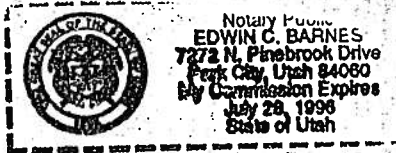
On the 3<sup>o</sup> day of MARCH, 1995, before me EDWIN C. BARNES, a notary public in and for the State of Utah, personally appeared RICHARD DUDLEY, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed the within instrument as PRESIDENT on behalf of WILLOW RANCH DEVELOPMENT COMPANY, the corporation therein named, and acknowledged to me that the corporation executed it.

My Commission Expires:

July 28, 1996

Edwin C. Barnes  
NOTARY PUBLIC - Residing at:  
Summit County, Utah

STATE OF UTAH )  
 : ss.  
COUNTY OF SUMMIT )



On the 3<sup>o</sup> day of MARCH, 1995, before me EDWIN C. BARNES, a notary public in and for the State of Utah, personally appeared RICHARD DUDLEY, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed the within instrument as Secretary on behalf of PINEBROOK MASTER ASSOCIATION, the corporation therein named, and acknowledged to me that the corporation executed it.

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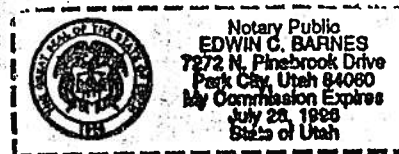


EXHIBIT "A"

PARCEL 1:

All of Lot 4, also known as the Southeast Quarter of the Southeast Quarter of Section 10, Township 1 South, Range 3 East, Salt Lake Base & Meridian.

Less and Excepting therefrom the following subdivision: Pinebrook Subdivision No. 1 Phase I Plat B; Pinebrook Subdivision No. 2 Phase I; and Pinebrook Subdivision No. 3.

Also less and excepting therefrom the following:

Beginning at a point which is West 610.53 feet and North 378.16 feet from the Southwest Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian said point also being the Northwest corner of Lot 124 of Pinebrook Subdivision No. 3 and the Easterly right-of-way line of Buckboard Drive and running thence North 28°50'00" East 100.53 feet along said right-of-way line; thence South 55°16'21" East 55.58 feet; thence South 34°43'39" West 100.00 feet to the North line of said Lot 124; thence North 55°16'21" West 45.26 feet along said North line to the point of beginning.

PARCEL 2:

The North one-half of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian.

Less and Excepting that portion lying North of the South right of way boundary line of Interstate Highway Project I-80.

ALSO Less and Excepting therefrom the following described property:

Beginning at the East Quarter corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian, said point also being on the North line of Pinebrook Subdivision No. 1 Phase I, Plat A and the North line of Pinebrook Boulevard; and running thence East 264.00 feet along the North line of said Pinebrook Boulevard to the Westerly right-of-way line of the I-80 frontage road; thence South 36°15'00" East 124.00 feet along said Westerly right-of-way to the South line of Pinebrook Boulevard; thence along the South line of Pinebrook Boulevard the following (7) courses; West 337.32 feet to a point on a 718.83 foot radius curve to the left, (radius bears South), and Southwesterly along the arc of said curve 690.03 feet, South 35°00'00" West 292.55 feet, South 37°51'58" West 100 feet to a point on a 900.00 foot radius curve to the left, (radius bears South 37°51'58" West), and Westerly along the arc of said curve 422.01 feet, North 79°00'00" West 200.00 feet and North 11°00'00" East

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35.00 feet to the Northeasterly line of property conveyed as Entry No. 260102, in Book 404, at Page 614 of official records, thence along the Northeasterly line of said property the following (5) courses; said point being on a 420.00 foot radius curve to the right, (radius bears North 11°00'00" East.), and Northwesterly along the arc of said curve 180.52 feet, South 35°37'34" West 70.00 feet to a point on a 490.00 foot radius curve to the right, (radius bears North 35°37'34" East), and Northerly along the arc of said curve 1004.24 feet to a point on a 168.41 foot radius reverse curve to the left, (radius bears North 26°56'54" West), and Northerly along the arc of said curve 281.90 feet, and North 32°51'20" West 118.78 feet to the Southerly line of property conveyed as Entry No. 243576, in Book 366, at Page 598 of official records, thence along the Southerly and Easterly line of said property the following (4) courses, South 58°19'09" East 209.80 feet, North 80°04'03" East 326.68 feet to a point on a 240.00 foot radius curve to the left, (radius bears South 78°45'12" West), and Northerly along the arc of said curve 108.35 feet to a point on a 270.00 foot radius reverse curve to the right, (radius bears North 52°53'14" East), and Northerly along the arc of said curve 254.48 feet to the Westerly right-of-way line of the I-80 frontage road; thence South 73°05'02" East 70.00 feet along said Westerly right-of-way to the Westerly line of property conveyed as Entry No. 236449, in Book 345, at Page 146 of official records; thence along the Westerly and Southerly line of said property the following (7) courses, said point being on a 200.00 foot radius curve to the left, (radius bears South 73°05'26" East), and Southerly along the arc of said curve 188.57 feet to a point on a 310.00 foot radius reverse curve to the right, (radius bears South 52°53'14" West) and Southerly along the arc of said curve 139.95 feet, South 11°14'48" East 112.00 feet to a point on a 240.00 foot radius curve to the right, (radius bears South 78°45'12" West), and Southerly along the arc of said curve 206.91 feet, South 38°09'02" West 230.96 feet, North 89°56'20" East 643.03 feet, and North 71°57'05" East 439.50 feet to the Westerly right-of-way line of the I-80 frontage road; thence South 43°05'29" East 242.41 feet along said Westerly right-of-way; thence South 84°02'49" West 200.50 feet; thence South 5°57'11" East 176.34 feet to a point on the North line of said Pinebrook Boulevard, said point also being on a 818.83 foot radius curve to the right, (radius bears South 5°07'37" East); thence along the arc of said curve 73.27 feet to the point of beginning.

LESS AND EXCEPTING therefrom the following described property:

Beginning at a point of the most Northerly point of property conveyed as Entry No. 260102, in Book 404, at Page 634 of official records, said point being North 821.84 feet and West 1620.57 feet to the East Quarter Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian; (Note: Bearing Base is South along the section line from the East Quarter Corner of said Section to the Southeast corner of said section) and running thence South 63°30'00" West 939.21 feet along the Northerly line of said property; thence North 17°40'06" West 1226.67 feet to the Southerly line of property conveyed as Entry No. 143114, in Book M-106, at Page 314 of official records; thence North 15°36'00" East 132.35 feet along the Southerly line of said

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property; thence North 79°27'05" East 360.61 feet; thence South 89°57'53" East 304.33 feet; thence South 4°58'11" West 230.87 feet; thence South 19°21'08" East 252.40 feet to the Westerly line of property conveyed as Entry No. 243576, in Book 366, at Page 598 of official records, thence along the Westerly line the following (2) courses, South 28°00'00" East 330.00 feet, and South 58°19'09" East 283.04 feet to the point of beginning.

Also less and excepting those portions deeded to Wallace A. Wright, et al, in that certain Warranty Deed recorded December 19, 1977, as Entry No. 143113, in Book M-106, at Page 312, and that certain Warranty Deed recorded December 19, 1977, as Entry No. 143114, in Book M-106, at Page 314, more particularly described as follows:

Commencing at the West quarter corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian; and running thence North 0°33' West 1741.52 feet to the South right of way line of a frontage road; thence Northeasterly 778.50 feet along the arc of a 4533.66 foot radius curve to the right, which arc is the Southerly right of way line of the frontage road; thence North 75°30' East, 150.00 feet; thence Easterly 1771.50 feet along the arc of a 3234.04 foot radius curve to the right, said arc being the South frontage road right of way line; thence South 45°36' West 1100.00 feet; thence South 450.00 feet; thence East 390.79 feet; thence South 16°21' West 433.30 feet; thence South 36°01' West, 947.40 feet; thence North 89°23' West, 163.78 feet; thence South 88°57' West, 135.07 feet; thence South 01°03' East, 79.17 feet; thence North 89°37'30" West, 89.63 feet; thence North 01°03' West, 65.00 feet; thence North 79°48' West, 482.06 feet; thence South 65°45' West, 93.86 feet; thence South 58°43' West, 67.60 feet; thence North 86°57' West, 65.03 feet; thence North 07°17' West, 108.02 feet; thence South 89°13' West, 168.59 feet; thence South 77°26' West 123.81 feet; thence South 69°46' West, 177.54 feet; thence North 0°33' West, 352.00 feet to the point of beginning.

ALSO LESS & EXCEPTING:

Commencing at a point on the East property line and the Southerly right of way line of a frontage road which point is 1860.40 feet North and 3044.55 feet East from the West quarter corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian; and running thence North 70°30' West, 460.64 feet along the Southerly frontage road right of way line; thence South 45°36' West, 1100.00 feet; thence South 450.0 feet; thence East 390.79 feet; thence North 16°21' East, 355.65 feet; thence North 45°36' East, 1009.66 feet to the point of beginning.

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ALSO less and excepting those portions deeded to W. Meeks Wirthlin Investment Company, et al, in that certain Warranty Deed recorded June 18, 1985, as Entry No. 235449, in Book 345, at Page 446, and that certain Warranty Deed recorded December 17, 1985, as Entry No. 243576, in Book 366, at Page 598, being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of the I-80 frontage road, said point being North 369.93 feet and West 57.65 feet from the East Quarter Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence South 71°57'05" West 439.50 feet; thence South 89°56'20" West 643.03 feet to a point on the Easterly line of a 70.00 foot right-of-way; thence along said right-of-way the following five courses; thence North 38°09'02" East 230.96 feet to a point on a 240.00 foot radius curve to the left (radius bears North 51°50'58" West); thence Northwesterly along the arc of said curve 206.91 feet, North 11°14'48" West 112.00 feet to a point on a 310.00 foot radius curve to the left (radius bears South 78°45'12" West); thence Northwesterly along the arc of said curve 139.95 feet to a point on a 200.00 foot radius curve to the right (radius bears North 52°53'14" East); thence Northeasterly along the arc of said curve 188.57 feet to a point on the Westerly right-of-way line of said I-80 frontage road; thence along said frontage road the following three courses, South 73°05'27" East 396.51 feet to a point on a 532.96 foot radius curve to the right (radius bears South 16°54'33" West); thence Southeasterly along the arc of said curve 279.06 feet and South 43°05'27" East 539.50 feet to the point of beginning.

ALSO LESS & EXCEPTING:

Beginning at a point on the Westerly right-of-way line of the I-80 frontage road, and the Northwest corner of a seventy foot right-of-way, said point being North 1045.42 feet and West 1106.74 feet from the East Quarter Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian; (Note: Bearing base is South along the Section line from East Quarter Corner of said Section to the Southeast corner of said Section); and running thence Southwesterly 254.57 feet along the arc of a 270.00 foot radius curve to the left, (radius bears South 73°05'27" East 270.00 feet) to a point on a 240.00 foot radius curve to the right (radius bears South 52°53'14" West); thence Southwesterly along the arc of said curve 108.35 feet; thence South 80°04'03" West 326.68 feet; thence North 58°19'09" West 610.97 feet; thence North 28°00'00" West 330.00 feet; thence North 62°00'00" East 260.00 feet; thence North 12°00'00" East 260.00 feet; thence North 50°00'00" East 220.00 feet to the Westerly right-of-way line of the I-80 frontage road; thence along said right-of-way the following four courses: thence Southwesterly 470.00 feet along the arc of a 676.20 foot radius curve to the right (radius bears South 45°05'07" West); South 5°05'27" East 24.27 feet, to a point on a 326.48 foot radius curve to the left (radius bears North 84°54'33" East) thence Southeasterly 387.47 feet along the arc of said curve and South 73°05'27" East 31.77 feet to the point of beginning.

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ALSO less and excepting the portion Deeded to McGillis Investment Company, et al, in that certain Warranty Deed recorded October 29, 1986, as Entry No. 260102, in Book 404, at Page 634, being more particularly described as follows:

Beginning at a point which is South 430.55 feet along the Section line and West 1378.83 feet from the East Quarter Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence South 11°00'00" West 85.00 feet, thence South 79°00'00" East 50.00 feet, thence South 11°00'00" West 80.00 feet to a point on a 445.00 foot radius curve to the right (radius point bears North 79°00'00" West); thence Southwesterly along the arc of said curve 407.75 feet; thence South 63°30'00" West 945.53 feet to a point on a 1500.00 foot radius curve to the left (radius point bears South 26°30'00" East); thence Southwesterly along the arc of said curve 106.73 feet; thence North 30°34'37" West 129.10 feet; thence North 52°00'00" West 465.00 feet; thence North 1°00'00" East 105.00 feet; thence North 45°17'52" East 295.13 feet; thence North 63°30'00" East 528.95 feet; thence North 21°20'06" West 71.04 feet; thence North 16°14'32" West 119.99 feet; thence North 9°50'38" West 673.55 feet; thence North 63°30'00" East 939.24 feet; thence South 58°19'09" East 118.10 feet; thence South 32°51'20" East 118.80 feet to a point on a 168.41 foot radius curve to the right (radius point bears South 57°08'40" West); thence Southerly along the arc of said curve 281.91 feet to a point on a 490.00 foot radius reverse curve to the left (radius point bears South 26°56'54" East); thence Southerly along the arc of said curve 1004.24 feet; thence North 35°37'34" East 70.00 feet to a point on a 420.00 foot radius curve to the left (radius point bears North 35°37'34" East); thence Southeasterly along the arc of said curve 180.52 feet to the point of beginning.

PARCEL 3:

All of Lot 1 and the East one-half of the Southwest quarter of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian.

Also all of the Southeast quarter of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian.

Less and excepting that portion deeded to Wallace A. Wright by that certain Warranty Deed recorded December 19, 1977, as Entry No. 143113, in Book M-106, at Page 312 and described hereinabove and less and excepting that portion deed to McGillis Investment Company, et al, in that certain Warranty Deed recorded October 29, 1986, as Entry No. 260102, in Book 404, at Page 634, and described hereinabove.

ALSO less and excepting the following subdivisions: Pinebrook Subdivision No. 1 Phase I Plat A; Pinebrook Subdivision No. 1 Phase I Plat B; Pinebrook Subdivision No. 2, Phase I; Pinebrook Subdivision No. 4; Pinebrook Subdivision No. 8; Elk Run at Pinebrook; The Ranch Condominiums Phase 1; Elk Run at Pinebrook Phase 2, Plat "A"; Elk Run at Pinebrook Phase 3, Plat A and Elk Run at Pinebrook Phase 3, Plat B.

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ALSO Less and Excepting therefrom the following described property:

Beginning at the East Quarter corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian, said point also being on the North line of Pinebrook Subdivision No. 1 Phase 1, Plat A and the North line of Pinebrook Boulevard; and running thence East 264.00 feet along the North line of said Pinebrook Boulevard to the Westerly right-of-way line of the I-80 frontage road; thence South 36°15'00" East 124.00 feet along said Westerly right-of-way to the South line of Pinebrook Boulevard; thence along the South line of Pinebrook Boulevard the following (7) courses; West 337.32 feet to a point on a 718.83 foot radius curve to the left, (radius bears South), and Southwesterly along the arc of said curve 690.03 feet, South 35°00'00" West 292.55 feet, South 37°51'58" West 100 feet to a point on a 900.00 foot radius curve to the left, (radius bears South 37°51'58" West), and Westerly along the arc of said curve 422.01 feet, North 79°00'00" West 200.00 feet and North 11°00'00" East 85.00 feet to the Northeasterly line of property conveyed as Entry No. 260102, in Book 404, at Page 614 of official records, thence along the Northeasterly line of said property the following (5) courses; said point being on a 420.00 foot radius curve to the right, (radius bears North 11°00'00" East.), and Northwesterly along the arc of said curve 180.52 feet, South 35°37'34" West 70.00 feet to a point on a 490.00 foot radius curve to the right, (radius bears North 35°37'34" East), and Northerly along the arc of said curve 1004.24 feet to a point on a 168.41 foot radius reverse curve to the left, (radius bears North 26°56'54" West), and Northerly along the arc of said curve 281.90 feet, and North 32°51'20" West 118.78 feet to the Southerly line of property conveyed as Entry No. 243576, in Book 366, at Page 598 of official records, thence along the Southerly and Easterly line of said property the following (4) courses, South 58°19'09" East 209.80 feet, North 80°04'03" East 326.68 feet to a point on a 240.00 foot radius curve to the left, (radius bears South 78°45'12" West), and Northerly along the arc of said curve 108.35 feet to a point on a 270.00 foot radius reverse curve to the right, (radius bears North 52°53'14" East), and Northerly along the arc of said curve 254.48 feet to the Westerly right-of-way line of the I-80 frontage road; thence South 73°05'02" East 70.00 feet along said Westerly right-of-way to the Westerly line of property conveyed as Entry No. 236449, in Book 345, at Page 446 of official records; thence along the Westerly and Southerly line of said property the following (7) courses, said point being on a 200.00 foot radius curve to the left, (radius bears South 73°05'26" East), and Southerly along the arc of said curve 188.57 feet to a point on a 310.00 foot radius reverse curve to the right, (radius bears South 52°53'14" West) and Southerly along the arc of said curve 139.95 feet, South 11°14'48" East 112.00 feet to a point on a 240.00 foot radius curve to the right, (radius bears South 78°45'12" West), and Southerly along the arc of said curve 206.91 feet, South 38°09'02" West 230.96 feet, North 89°56'20" East 643.03 feet, and North 71°57'05" East 439.50 feet to the Westerly right-of-way line of the I-80 frontage road; thence South 43°05'29" East 242.41 feet along said Westerly right-of-way; thence South 84°02'49" West 200.50 feet; thence South 5°57'11" East 176.34 feet to a point on the North line of said Pinebrook Boulevard, said point also being on a 818.83 foot radius curve to the right, (radius bears South 5°07'37" East); thence along the arc of said curve 73.27 feet to the point of beginning.

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ALSO less and Excepting therefrom the following described property:

Beginning at a point on the Southerly right of way line of Pinebrook Road, said point being West 447.48 feet and South 256.27 feet from the East Quarter Corner of Section 11, Township South, Range 3 East, Salt Lake Base and Meridian, said point is also on a 718.83 feet radius curve to the right (radius bears South 38°30'00" East) and running thence 112.99 feet along the arc of said curve; thence South 55°00'58" East 248.69 feet; thence South 20°00'00" West 79.47 feet; thence South 10°23'09" West 60.00 to a point on a 530.00 foot radius curve to the right (radius bears North 10°23'09" East); thence 93.05 feet along the arc of said curve; thence North 20°26'43" East 60.00 feet to a point on a 470.00 foot radius curve to the right (radius bears North 20°26'43" East); thence 234.50 feet along the arc of said curve to the point of beginning. Also known at Elk Run at Pinebrook Phase 2-B.

PARCEL 4:

Beginning at a point at the West quarter corner of Section 12, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence North along the West Section Line of Section 12, a distance of 300 feet, more or less, to the Southwesterly right of way boundary line to Interstate Highway Project I-80; thence South 43°00' East 88.00 feet along said boundary line to a point of curve; thence Southeasterly 307 feet, more or less, along a 2824.8 foot radius curve to the right to a point on the center 1/16 line of said Section 12; thence West along said 1/16 line 262 feet to the point of beginning.

PARCEL 5:

Beginning at the Southwest corner of Section 12, Township 1 South, Range 3 East, Salt Lake Base and Meridian; and running thence North 0°03'20" East 2638.45 feet, more or less, to the South boundary line of Parcel 4, hereinabove described; thence East along said South boundary line 262.00 feet, more or less, to the Westerly right of way boundary line of Interstate Highway Project I-80; thence South 35°42'54" East along said Westerly boundary line, 909.12 feet, more or less, to the most Northeasterly corner of the Larry James Kilby property, as described in Book M-82, at Page 835, of the Summit County Records; thence South 52°28' West along the Northwesterly boundary line of said Kilby Property 330.0 feet, more or less, to the most Northwesterly corner of said Kilby Property; thence South 35°42'54" East along the Southwest boundary line of said Kilby Property, 660.0 feet, more or less, to the most Southwesterly corner of said Kilby Property; thence North 52°28' East along the Southeast boundary line of said Highway Project I-80; thence South 35°42'54" East along said Westerly boundary line 304.94 feet; thence South 0°03'20" West 1034.21 feet, more or less, to the South line of Section 12; thence North 89°24'05" West 1435.83 feet, more or less, to the point of beginning, less and excepting that portion lying within the Ranch Condominiums, Phase I.

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Also less and excepting that portion lying within Pinebrook Subdivision No. 1 Phase I Plat A.

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EXHIBIT "A".

PARCEL 6:

Beginning at a point on the South line of Section 12, Township 1 South, Range 3 East, Salt Lake Base and Meridian, being South 89°24'05" East 1435.83 feet from the Southwest corner of said Section 12; thence North 00°03'20" East 1034.21 feet to the Westerly right of way line of the frontage road as shown on State Highway Project No. I-80-4 (31) 141; thence along said Westerly right of way line as follows: South 35°42'54" East 739.92 feet to a State right of way marker (Engineer's Station 200 + 24.26), said point also being a point of a 612.96 foot radius curve to the left; thence Southeasterly along the arc of said curve 106.98 feet to a point of tangency; thence South 45°52'54" East 14.92 feet to a point of a 532.96 foot radius curve to the right; thence Southeasterly along the arc of said curve 93.02 feet to a point of tangency; thence South 35°42'54" East 50.00 feet to a point of a 778.51 foot radius curve to the right; thence Southeasterly along the arc of said curve 266.485 feet to the South line of said Section 12; thence North 89°24'05" West along said South line 718.99 feet to the point of beginning.

Less and excepting that portion deeded to Park City Fire Protection District by that certain Special Warranty Deed recorded April 30, 1982, as Entry No. 190902, in Book 4-218, at Page 521, being described as follows:

Beginning at a point which lies on the West line of the West frontage road (Kilby Road) of Interstate 15, said point lies South 89°24'05" East 2154.82 feet from the Southwest corner of said Section 12 and runs thence North 89°24'05" West 179.00 feet along the South line of said Section 12; thence North 0°35'55" East 145.00 feet; thence South 89°24'05" East 118.98 feet to a point (radial South 62°19'42" West) on the West line of said frontage road; thence Southeasterly 157.20 feet along a 778.51 foot radius curve to the right to the point of beginning.

PARCEL 7A:

All of Section 14, Township 1 South, Range 3 East, Salt Lake Base and Meridian, less and excepting the following subdivisions: Pinebrook Subdivision No. 1 Phase I Plat A; Pinebrook Subdivision No. 1 Phase I Plat B; Pinebrook Subdivision No. 3; Pinebrook Subdivision No. 3A (Amended); Pinebrook Subdivision No. 3B; Pinebrook Subdivision No. 4; Pinebrook Subdivision No. 6A; Pinebrook Subdivision No. 8; and Ecker Hills of Pinebrook Plat A.

Less and Excepting therefrom the following:

Beginning at the most Northerly corner of Lot 358, Pinebrook No. 8 Subdivision, said point being West 2248.92 feet and South 1296.71 feet from the Northeast corner of Section 14, Township 1 South, Range 3 East, Salt Lake Base and Meridian, said point being on the Southerly right-of-way line of Pinebrook Road and running thence North 63°30'00" East along said Southerly right-of-way line 435.60 feet; thence South 26°30'00" East 250.00 feet; thence South 63°30'00" West 435.60 feet; thence North 26°30'00" West 250.00 feet along the Easterly line of said Lot 358 to the point of beginning.

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EXHIBIT "A"

PARCEL 8:

All of the Northeast quarter and the Southeast quarter of Section 15, Township 1 South, Range 3 East, Salt Lake Base and Meridian, lying East of the following described line:

Beginning at the Northwest corner of the Northeast quarter of the Northeast quarter of Section 15, Township 1 South, Range 3 East, Salt Lake Base and Meridian; and running thence South 400.0 feet; thence West 350.0 feet; thence South 200.0 feet; thence South 44°00' East 60.0 feet; thence South 46°00' West 510.00 feet; thence South 02°00' East 200.0 feet; thence South 31°00' East 290.0 feet; thence South 67°00' East 250.00 feet; thence South 11°00' West 300.0 feet; thence South 49°00' East 300.0 feet; thence South 12°00' East 620.0 feet; thence South 46°00' East 150.0 feet; thence South 47°00' West 680.0 feet; thence South 16°00' West 170.0 feet; thence South 05°00" East 970.0 feet; thence South 32°00' East 200.0 feet; thence South 11°00' West 700.0 feet; thence South 20°00' East 208.6 feet, more or less, to the South line of said Section 15, said point being South 89°52'54" West, along the section line, 1699.80 feet, from the Southeast corner of said Section 15.

Less and excepting the following subdivision: Pinebrook Subdivision No. 1 Phase I Plat B; Pinebrook Subdivision No. 3; and Pinebrook Subdivision No. 3A (Amended)

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EXHIBIT "A"

PARCEL 16:

Toll Canyon Property:

All of that portion of Section 15, Township 1 South, Range 3 East, Salt Lake Base and Meridian, West of the following described boundary line:

Beginning at the Northwest corner of the Northeast quarter of the Northeast quarter of Section 15, Township 1 South, Range 3 East, Salt Lake Base and Meridian; and running thence South 400.0 feet; thence West 350.0 feet; thence South 200.0 feet; thence South 44° East 60.0 feet; thence South 46° West 510.0 feet; thence South 2° East 200.0 feet; thence South 31° East 290.0 feet; thence South 67° East 250.0 feet; thence South 11° West 300.0 feet; thence South 49° East 300.0 feet; thence South 12° East 620.0 feet; thence South 46° East 150.0 feet; thence South 47° West 680.0 feet; thence South 16° West 170.0 feet; thence South 5° East 970.0 feet; thence South 32° East 200.0 feet; thence South 11° West 700.0 feet; thence South 20° East 208.6 feet, more or less, to the South line of said Section 15, said point being South 89°52'54" West along the Section Line, 1699.80 feet from the Southeast corner of said Section 15, and East of the following described boundary line.

Beginning at a point which lies S. 89° 56' 44" E. 605.72 feet along the North line of Section 15 from the North Quarter corner of Section 15, Township 1 South, Range 3 East, Salt Lake Base and Meridian and running thence S. 0° 25' 05" E. 5392.97 feet to a point on the South line of Section 15, said point also being N. 89° 52' 55" E. 607.72 feet from the South Quarter corner of Section 15.

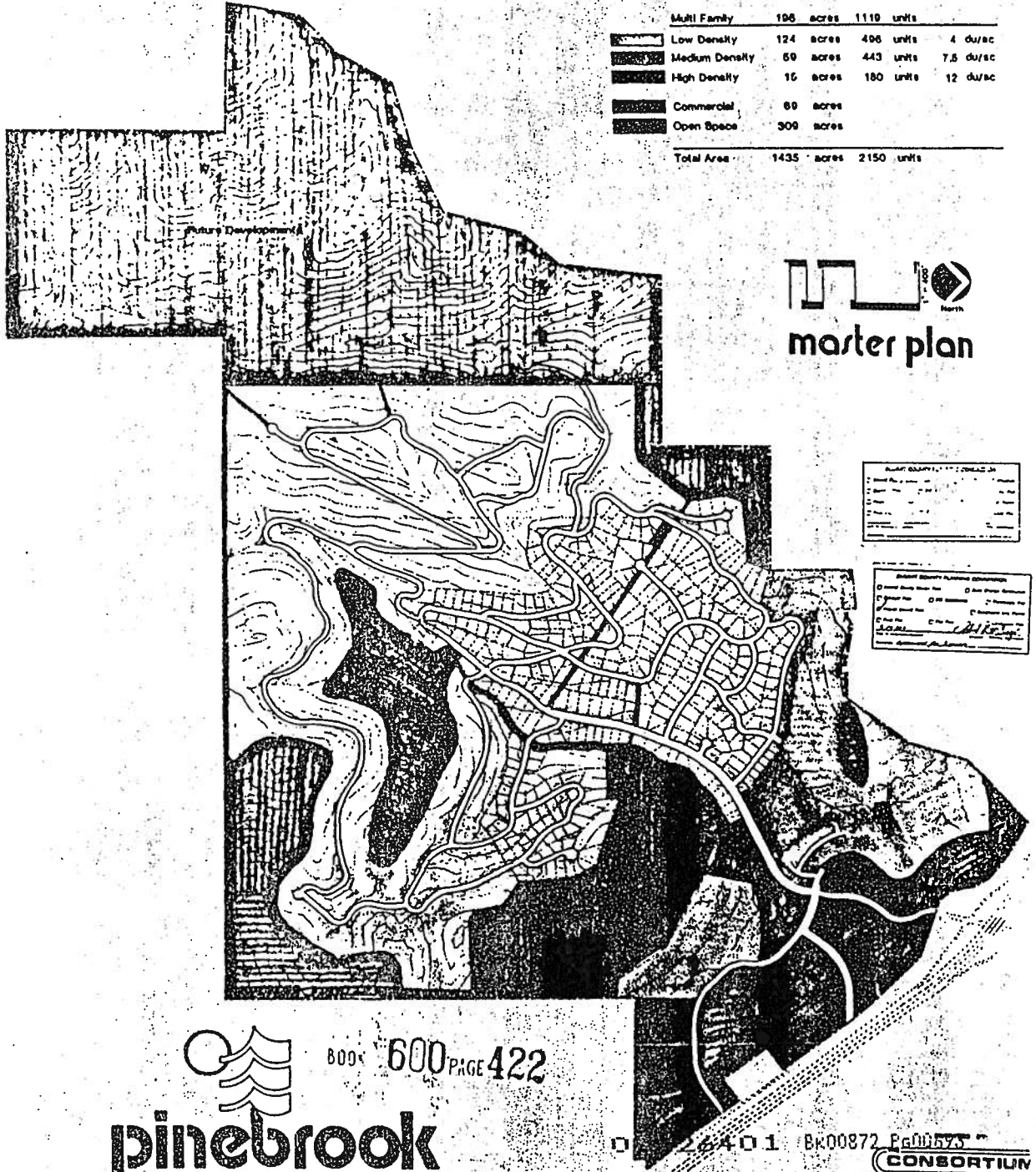
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EXHIBIT "B"

legend

Single Family	850 acres	1031 units		
Low Density	799 acres	783 units		
Medium Density	40 acres	160 units		
High Density	20 acres	108 units		
Multi Family	196 acres	1119 units		
Low Density	124 acres	496 units	4 du/ac	
Medium Density	69 acres	443 units	7.5 du/ac	
High Density	16 acres	180 units	12 du/ac	
Commercial	60 acres			
Open Space	300 acres			
<b>Total Area</b>	<b>1435 acres</b>	<b>2150 units</b>		



PROJECT SUMMARY - 11/12/2004

1. Project Name: Pinebrook  
 2. Project Location: [ ]  
 3. Project Status: [ ]  
 4. Project Type: [ ]

DESIGN STATUS - 11/12/2004

1. Concept Design: [ ]  
 2. Preliminary Design: [ ]  
 3. Final Design: [ ]  
 4. Construction Documents: [ ]


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**pinebrook**

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**CONSORTIUM**  
 COMMERCIAL, RESIDENTIAL AND PLANNING  
 801 SOUTH MAIN  
 DENVER, CO, 80202  
 303-555-0000

EXHIBIT "C"

Plat	Recording Date	Entry Number
Pinebrook Subdivision No.1; Plats A and B	06-01-1977	138160
Pinebrook Subdivision No.2; Phase 1	06-01-1977	138161
Pinebrook Subdivision No.3;	08-08-1979	158286
Pinebrook Subdivision No. 3-A Amended	04-27-1987	270422
Pinebrook Subdivision No. 3-B	12-06-1983	213820
Pinebrook Subdivison No. 4	08-08-1979	158287
Pinebrook Subdivision No. 6-A	07-02-1982	193303
Pinebrook Subdivision No. 8	05-06-1983	205407
Ecker Hill Plat A	10-18-1985	240459
Ecker Hill Plat B	10-18-1990	331719
Elk Run at Pinebrook	09-04-1987	276012
Elk Run at Pinebrook Phase IIA	10-31-1988	299425
Elk Run at Pinebrook Phase IIB	08-25-1989	312151
Elk Run at Pinebrook Phase IIIA	10-19-1990	331755
Elk Run at Pinebrook Phase IIIB	10-25-1990	331988
The Ranch Condominiums Phase 1	11-17-1983	213162
Pinebrook No.11	10-29-1986	260101
Pinebrook No. 12	08-04-1987	274873
Pinebrook No. 13	10-06-1989	313993

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EXHIBIT "C" Cont'd.

PROPOSED EAGLE RIDGE SUBDIVISION

Beginning at a point which is South 430.55 feet along the Section Line and West 1378.83 feet from the East Quarter Corner of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence S 11° 00' 00" W 85.00 feet, thence S 79° 00' 00" E 50.00 feet, thence S 11° 00' 00" W 80.00 feet to a point on a 445.00 foot radius curve to the right (radius point bears N 79° 00' 00" W) thence Southwesterly along the arc of said curve 407.75 feet; thence S 63° 30' 00" W 945.53 feet to a point on a 1500.00 foot radius curve to the left (radius point bears S 26° 30' 00" E); thence Southwesterly along the arc of said curve 106.73 feet; thence N 30° 34' 37" W 129.10 feet; thence N 52° 00' 00" W 465.00 feet; thence N 1° 00' 00" E 105.00 feet; thence N 45° 17' 52" E 295.13 feet; thence N 63° 30' 00" E 528.95 feet; thence N 21° 20' 06" W 71.04 feet; thence N 16° 14' 32" W 119.99 feet; thence N 9° 50' 38" W 673.55 feet; thence N 63° 30' 00" E 939.24 feet; thence S 58° 19' 09" E 118.10 feet; thence S 32° 51' 20" E 118.80 feet to a point on a 168.41 foot radius curve to the right (radius point bears S 57° 08' 40" W); thence Southerly along the arc of said curve 281.91 feet to a point on a 490.00 foot radius reverse curve to the left (radius point bears S 26° 56' 54" E); thence Southerly along the arc of said curve 1004.24 feet; thence N 35° 37' 34" E 70.00 feet to a point on a 420.00 foot radius curve to the left (radius point bears N 35° 37' 34" E); thence Southeasterly along the arc of said curve 180.52 feet to the point of beginning.

Excepting therefrom the three (3) official plats of the following subdivisions:

1. Pinebrook Subdivision No. 11 (Sunbrook).
2. Pinebrook Subdivision No. 12 (Sunbrook).
3. Eagle Ridge at Pinebrook, Pinebrook Subdivision No. 13.

As recorded in the County of Summit.

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