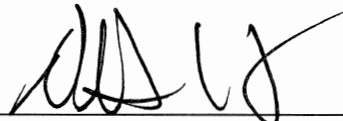


FEBRUARY 28, 2011

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON FEBRUARY 28, 2011, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE ADMINISTRATION, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECAME EFFECTIVE AT 6:00 P.M. ON FEBRUARY 28, 2011.

THESE MINUTES INCLUDE ADMINISTRATION ACTIONS AS LISTED ON PAGE 1; SURFACE ACTIONS AS LISTED ON PAGES 2 TO 8; DEVELOPMENT ACTIONS AS LISTED ON PAGES 9 TO 15; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 16.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND MAY BE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, MARCH 14, 2011. APPEALS NOT FILED BY THAT TIME WILL NOT BE ACCEPTED AND THE MATTERS WILL BE CONSIDERED UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR  
SCHOOL AND INSTITUTIONAL  
TRUST LANDS ADMINISTRATION



LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

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ADMINISTRATION ACTIONS

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**NOTICE OF SURVEY AND NEW LEGAL DESCRIPTION (BOUNDARY CHANGE; TOWNSHIP 20 SOUTH, RANGE 25 EAST, SLB&M, SECTION 13 – ALL OWNERSHIP LEVELS)**

The following lands were received in Reservoirs Clear List No. 13, dated June 2, 1903. These lands were identified as Parcel #117 in the Recreational Land Exchange.

<u>Township 20 South, Range 25 East, SLB&amp;M</u>	Grand County
Section 13: Lots 1, 2, NE¼, E½NW¼	250.11 acres

While preparing land descriptions for the Recreational Land Exchange, it was found that the description for Parcel #117 needed to be changed, due to the shift in the Colorado River boundaries. A new survey of the property within Section 13 was performed by Martin A. Morrison of Alliance Engineering on July 31, 2010, and recorded in the office of the Grand County Recorder on August 3, 2010, as Grand County Surveyor Map 8-3-10. The Bureau of Land Management accepted this plat on January 31, 2011. This survey changes the ownership of trust lands in Section 13 to read as follows:

A parcel of land located in the North Half of Section 13, Township 20 South, Range 25 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the Northeast Corner of Section 13, Township 20 South, Range 25 East, Salt Lake Base and Meridian; and running thence along the east line of Section 13, South 2652.01 feet to the East Quarter Corner of Section 13; thence along the center of section line South 89°57'21" West 4414.58 feet to the special meander corner at the intersection with the 1963 meander line; thence North 87°00'44" West 2249.00 feet on a partition line to the special meander corner at the high water mark of the Colorado River; thence along the high water mark of the Colorado River the following five (5) courses: 1) North 18°02'50" West 625.04 feet; 2) thence North 13°51'50" East 431.46 feet; 3) thence North 26°00'02" East 422.43 feet; 4) thence North 51°37'54" East 1226.12 feet; 5) thence North 55°03'58" East 659.79 feet to the meander corner on the North line of Section 13; thence on a partition line along the North line of Section 13 North 89°54'38" East 1044.00 feet to the 1963 meander corner of Sections 12 and 13; thence along the North line of Section 13 North 89°54'38" East 1390.16 feet to the North Quarter Corner of Section 13; thence along the North line of Section 13 North 89°56'32" East 2629.21 feet to the point of beginning.

Containing 383.36 acres, more or less.

As this survey affects all estates owned by the Trust Lands Administration, all ownership records for the surface and mineral estates should be updated.

*This item was submitted by Ms. Diane Durrant for record-keeping purposes.*

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**SURFACE ACTIONS**

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**RIGHTS OF ENTRY**

**RIGHT OF ENTRY NO. 5560 (APPROVAL)**

The Trust Lands Administration has received a right of entry permit application from Beaver Creek Lodge, Inc., Attn. Bryan Lundahl, P. O. Box 545, Providence, Utah 84332, to conduct guided snowmobile tours and guided horseback riding tours on the following trust lands:

<u>Township 14 North, Range 4 East, SLB&amp;M</u>	<u>Acres</u>
Section 5: SW <sup>1</sup> / <sub>4</sub>	(160.00 ac.)
Section 6: Lots 6, 7, E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> , SE <sup>1</sup> / <sub>4</sub>	(315.32 ac.)
Section 7: NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> , NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> , E <sup>1</sup> / <sub>2</sub> E <sup>1</sup> / <sub>2</sub>	(240.00 ac.)
Section 8: All	(640.00 ac.)

County: Cache

Acres: 1,355.32

Fund: School

The purpose of the permit is to occupy the above described trust land for the non-exclusive and temporary use of guided horseback riding tours during the summer period, and guided snowmobiling tours during the winter period, as provided for by provisions and terms of the proposed Right of Entry Permit. The area used lies between the permittee's private land and the U.S. Forest lands that border the trust lands.

The permit shall have a one-year term, with an effective commencement date of December 1, 2010, and an expiration date of November 30, 2011. The charge for this temporary use is a \$50.00 application fee, a \$50.00 processing charge, and a \$200.00 beginning rental (initial minimum rental charge), plus revenue sharing. Additional rental shall be paid by a revenue share amount of three percent (3%) of the gross revenue receipts from horseback riding tours and snowmobile tours, and shall be reported and paid in arrears, on or before December 1, 2011.

The permittee is a Utah Corporation, in good standing with the State of Utah and has provided proof of insurance coverage required by the permit. The permittee has a previous record of satisfactory performance with the Forest Service and the State.

Upon recommendation of Mr. Gary Bagley, the Director approved Right of Entry Permit No. 5560 as described above.

**EASEMENTS**

**EASEMENT NO. 1559 (APPROVAL)**

**APPLICANT'S NAME AND ADDRESS:**

Rocky Mountain Power, a Division of PacifiCorp  
1407 West North Temple, Suite 110  
Salt Lake City, UT 84116

**LEGAL DESCRIPTION:**

Township 17 South, Range 1 West, SLB&M  
Section 16: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$  (Within)

A 30 foot wide easement, whose centerline is more particularly described as follows:

Beginning at a point on the North Section Line of Section 16, Township 17 South, Range 1 West, Salt Lake Base and Meridian, said point being 455.10 feet West of the Northeast Section Corner of Section 16, whose northern line bears S 89°00'46" W and is the basis of bearing, thence S 61°47'50" W 122.81 feet; thence S 60°04'53" W 258.80 feet to the start of a left hand curve; thence along said curve whose chord bears S 48°38'37" W, whose radius is 3000.47 feet, and whose arc length is 701.08 feet to a point of reverse curvature to the right; thence along said right hand curve whose chord bears S 45°01'37" W, whose radius is 2900.22 feet, and whose arc length is 311.50 feet to a point of reverse curvature to the left; thence along said left hand curve, whose chord bears S 48°23'20" W, whose radius is 25,364.24 feet, and whose arc length is 252.49 feet to a point of reverse curvature to the right; thence along said right hand curve, whose chord bears S 55°44'19" W, and whose radius is 1135.09 feet, and whose arc length is 279.91 feet; thence S 69°35'29" W 427.34 feet; thence S 65°49'00" W 341.05 feet; thence S 64°35'29" W 472.19 feet; thence S 64°53'39" W 245.65 feet; thence S 71°22'34" W 340.79 feet; thence S 69°57'39" W 234.46 feet to the beginning of a right hand curve; thence along said right hand curve, whose chord bears S 87°49'14" W, whose radius is 558.23 feet, and whose arc length is 374.30 feet; thence N 68°41'03" W 240.20 feet; thence N 63°10'45" W 325.15 feet to the start of a right hand curve; thence along said right hand curve, whose chord bears N 51°17'00" W, whose radius is 1990.77 feet, and whose arc length is 617.55 feet to an intersection point along the West Section Line of Section 16, said point being 37.13 feet North up the West Section Line from an existing one sixteenth corner. Total length of said centerline is 5545.28 feet.

The easement administrator has had this legal description reviewed by the GIS Group.

COUNTY: Sanpete

ACRES: 3.82

FUND: School

**PROPOSED ACTION:**

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain a 7.2 kV buried power line. The power line will provide electrical service to private property located near Yuba Lake. The easement corridor is approximately 5545.28 feet long and 30 feet wide, containing 3.82 acres. The requested term of the easement is 30 years, with an expiration date of February 28, 2041.

**RELEVANT FACTUAL BACKGROUND:**

The subject easement application was received on March 24, 2010. It was submitted for Agency review on April 20, 2010, and was accepted by the Director on May 4, 2010.

The proposed buried 7.2 kV power line will provide electrical service to private property located to the West of said Section 16.

The project area has been surveyed for cultural resources by Bennett Management Services (U-09-BT-0082s).

**EASEMENT NO. 1559 (APPROVAL) (CONTINUED)****EVALUATION OF FACTS:**

The proposed easement is exempt from review by the Resource Development Coordinating Committee ("RDCC") because it lies within an existing road and utility corridor which was previously reviewed by the RDCC.

The Agency's Archaeology staff has reviewed the cultural resources survey. No eligible sites were identified; therefore cultural resource clearance has been granted for the project with a finding of "No Historic Properties Affected."

Upon recommendation of Mr. Andy Bedingfield, the Director approved the applicant's request for Easement No. 1559. The term of the easement is 30 years, beginning March 1, 2011, and expiring February 28, 2041. The application fee of \$750.00 and the easement rental of \$4,033.07 have been submitted. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

**EASEMENT NO. 1565 (CORRECTION OF DIRECTOR'S MINUTES DATED SEPTEMBER 13, 2010)**

On the Director's Minutes of September 13, 2010, the Director approved Easement No. 1565 for an existing overhead 14.4 kV power line to *Hill Air Force Base*, 75 CEG/CEAAR, 5713 Lahm Lane, Building 593 N, Hill AFB, UT 84056. At the request of the applicant, the Grantee of the easement should be changed to be **United States Air Force**, 75 CEG/CEAAR, 5713 Lahm Lane, Bldg. 593 N, Hill AFB, UT 84056. Tooele County. School Fund.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the correction to the Director's Minutes dated September 13, 2010.

**SPECIAL USE LEASE AGREEMENTS****SPECIAL USE LEASE APPLICATION NO. 1702 (REJECTION)****APPLICANT'S NAME AND ADDRESS:**

Atlas Tower, LLC  
283 Columbine St., Suite 33  
Denver, CO 80206

**LEGAL DESCRIPTION:**

The proposed site is located inside the City of St. George boundaries, within the SE¼NE¼ of Section 15, Township 43 South, Range 15 West, SLB&M, in Washington County, Utah. The estimated GPS coordinates for the site are: 113° 30'54.641" W, 37°2'45.88" N. The approximate size of the communication site is anticipated to be 70 to 80 feet long and 35 to 45 feet wide. The site fits between the large rock outcroppings along the ridge and encompasses a minimal amount of acreage, the exact amount yet to be determined.

**PROPOSED ACTION:**

Reject the above-referenced special use lease application ("SULA 1702") for a small acreage communications site.

**RELEVANT FACTUAL BACKGROUND:**

Pursuant to R850-140-400, the Agency solicited proposals from interested communication tower companies and cellular telephone companies to build a communication and cellular tower site near the St. George Airport. The applicant and another company submitted applications for a telecommunications special use lease.

**SPECIAL USE LEASE APPLICATION NO. 1702 (REJECTION) (CONTINUED)**

The Agency met with both applicants on site and heard general proposals from each. Both applicants responded timely with a general lease and bid proposal. Both applications contained similar proposals for constructing and operating the tower, and both applicants met the Agency's criteria under R850-140-400(3)(a) for prior experience in this area and ability to develop the property as proposed. However, the financial consideration of the proposal submitted by the applicant was substantially less than the other application the Agency received. As a result, it is not in the best interest of the Trust Beneficiaries to select the applicant's proposal.

**EVALUATION OF FACTS:**

The Agency's Surface Group, in coordination with the Development Group, has determined that the proposed communication site is the highest and best use for this small property and will benefit the remainder of the trust lands in the vicinity. In evaluating the two proposals submitted, the Agency applied the criteria listed in R850-140-400(3). Since both applicants and their specific proposals were similar and satisfied the Agency's rules, the Agency's decision to reject the foregoing application is based upon the fact that the revenue bid portion of the proposal submitted by the applicant for SULA 1702 was not the highest bid.

The proposed action is part of a minor development transaction under R850-140-500(1)(a). Therefore, the rejection of the application can be approved by the Director. The recommendation for approval of the selected applicant shall be submitted in a separate action and requires notice to the Board of Trustees. The Agency's Legal staff reviewed this issue prior to submission of this action. Staff will follow-up this Minute Entry with a letter to the applicant containing notice of the rejection.

This action does not warrant the time and expense necessary to complete a full narrative Record of Decision. Therefore, this summary will constitute the Record of Decision. Washington County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director rejected the application for SULA 1702.

**SPECIAL USE LEASE AGREEMENT NO. 984 (3-YEAR REVIEW)**

SULA 984 is a commercial special use lease agreement issued to the Best Friends Animal Sanctuary, 5001 Angel Canyon Drive, Kanab, UT 84741. The lease parcel is located in Kane County. School fund.

**1. ANNUAL BASE RENTAL:**

The 3-year lease rental review date for this commercial lease is March 1, 2011. The authorized use of the subject parcel is for overnight cabin rentals.

**CPI Based Review**

After a preliminary analysis pursuant to Board policy, the value of the subject property has been estimated to be approximately \$4,000.00/acre, with a total value of \$640,000.00.

Based on this analysis, it has been determined that an appraisal is not warranted and, therefore, it is recommended that the CPI index be used to adjust the annual rental, which will be increased from \$28,800.00 per year to \$29,550.00 per year, effective March 1, 2011. A certified notice was sent informing the lessee of this action. No response has been received from the lessee.

Annual Base Rental: \$29,550.00.00

Acres in lease: 160.00

Rental per acre: \$184.68

**SPECIAL USE LEASE AGREEMENT NO. 984 (3-YEAR REVIEW) (CONTINUED)**

2. **DUE DILIGENCE AND PROPER USE:**  
The development allowed by the lease has occurred. It is recommended that the lease be kept in force.
3. **PROPER USE:**  
The leased premises are being used in accordance with the lease agreement.
4. **ADEQUATE INSURANCE AND BOND COVERAGE:**  
Lessee has provided proof of adequate insurance coverage. The lease allows the lessor to require a bond at any time, or to provide additional bonding as may be in the best interest of the Agency. A performance and reclamation bond in the amount of \$30,000.00 is currently in place, and upon consultation with the Agency's Environmental Compliance Manager, it has been determined that it is adequate for the current risks associated with the current uses.
5. **WATER RIGHTS AND WELLS:**  
There are no Trust-owned water rights associated with this lease.
6. **ENVIRONMENTAL COMPLIANCE:**  
This lease was inspected and reviewed for environmental compliance on December 8, 2010, and has been rated as low-risk. There is no evidence of underground or above-ground petroleum storage tanks, stained soil, 55-gallon drums/containers of any size, unauthorized uses, or solid waste on the premises. The property is well kept and the buildings are in excellent repair. The Environmental Site Inspection Form is in the file.
7. **GIS REVIEW:**  
The lease administrator has had the legal description of this lease reviewed by the GIS Group.
8. **NEXT ASSESSMENT DATE:**  
The next assessment date will be March 1, 2014.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the 3-year review for SULA 984.

**SPECIAL USE LEASE AGREEMENT NO. 1452 (5-YEAR REVIEW)**

SULA 1452 is an industrial special use lease in the name of Bill Barrett Corporation, c/o Vicki L. Wambolt, 1099 18<sup>th</sup> Street, Suite 2300, Denver, Colorado 80202. The lease site is located in Carbon County. School Fund.

1. **ANNUAL BASE RENTAL:**  
The 5-year lease rental review date for this industrial lease is April 1, 2011. The authorized use of the subject parcel is the construction, operation, and maintenance of a well pad site for the Peter's Point Federal #4-12D-13-16 Well.

**CPI Based Review**

After a preliminary analysis pursuant to Board policy, the value of the subject property has been estimated to be approximately \$500.00/acre, with a total value of \$1,377.50.

**SPECIAL USE LEASE AGREEMENT NO. 1452 (5-YEAR REVIEW) (CONTINUED)**

Based on this analysis, it has been determined that an appraisal is not warranted and, therefore, it is recommended that the CPI index be used to adjust the annual rental, which will be increased from \$7,500.00 per year to \$8,160.00 per year, effective April 1, 2011. A certified notice was sent informing the lessee of this action. No response has been received from the lessee.

Annual Base Rental: \$8,160.00

Acres in lease: 2.755

Rental per acre: \$2,961.89

2. **DUE DILIGENCE AND PROPER USE:**

The development allowed by the lease has occurred. It is recommended that the lease be kept in force.

3. **PROPER USE:**

The leased premises are being used in accordance with the lease agreement.

4. **ADEQUATE INSURANCE AND BOND COVERAGE:**

The lessee has provided proof of adequate insurance coverage. The lease allows for a bond to be required or increased at any time during the term of the lease at the discretion of the Agency. A performance and reclamation bond in the amount of \$5,000.00 is currently in place.

5. **WATER RIGHTS AND WELLS:**

There are no Trust-owned water rights associated with this lease. There is a producing gas well on the site, the Peter's Point Federal #4-12D-13-16 Well, which is authorized by the lease agreement.

6. **ENVIRONMENTAL COMPLIANCE:**

This lease was inspected and reviewed for environmental compliance on February 3, 2011, and has been rated as medium-risk. There is an above-ground blow-down tank and an above-ground produced water storage tank on the site. All tanks appear to be in good working order and have proper secondary containment in place. There is no evidence of underground petroleum storage tanks, 55-gallon drums/containers of any size, unauthorized uses, or solid waste on the premises. The site appears clean and orderly and hazardous materials, if any, are kept in an enclosed area with secondary containment. The Environmental Site Inspection Form is in the file.

7. **GIS REVIEW:**

The lease administrator has had the legal description of this lease reviewed by the GIS Group.

8. **NEXT ASSESSMENT DATE:**

The next assessment date will be April 1, 2016.

Upon recommendation of Mr. Chris Fausett, the Director approved the 5-year review for SULA 1452.

**SPECIAL USE LEASE AGREEMENT NO. 1125 (RECLAMATION BOND – EXTENSION)**

Financial Guarantee Bond No. 8216-05-86 was approved on the Director's Minutes dated March 16, 2009, for Cellular Inc. Network Corp., c/o Commnet Cellular, dba Verizon Wireless, Attn. Network Real Estate, 180 Washington Valley Road, Bedminster, NJ 07921. The bond had an expiration date of February 11, 2011. The bonding company, Federal Insurance Company, has submitted a Continuation Certificate for Indefinite Term Surety Bond, to begin on February 11, 2011, and ending only with the cancellation of said bond or other legal termination thereof. Millard County School Fund.

Upon recommendation of Ms. Linda Bianchi, the Director accepted the extension to Financial Guarantee Bond No. 8216-05-86 for SULA 1125.

**TIMBER SALES****TA 853 (RESULTS OF REQUEST FOR PROPOSALS)**

On January 26, 2011, a request for proposals on TA 853 (Otter Creek) was sent to entities on the Agency's Timber Sale Mailing List who are located in Northern Utah and Southern Idaho. The deadline for submitting proposals was on or before 6:00 P.M. on February 10, 2011. Two proposals were received prior to the deadline. However, neither the proposal submitted by Thompson Logging, P.O. Box 363, Kamas, UT 84036, nor the proposal by Jensen Lumber Company, 20335 U.S. Highway 89, Ovid, Idaho 83254, met the undisclosed minimum acceptable price per ton and, therefore, neither proposal is deemed acceptable. All deposits will be returned and TA 853 will be reoffered at a later date.

Upon recommendation of Mr. Richard Wilcox, the Director ratified the decision to not accept either proposal for TA 853.

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**DEVELOPMENT ACTIONS**

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**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND PATENT ISSUED FOR:

SUBD 8.0 Canyon Ridge Planned Unit Development Phase 4

This transaction has been executed pursuant to Development Lease DEVL 710.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 1, Township 36.0 S, Range 11.0 W, SLBM

**PURCHASER:**

NS CANYON RIDGE  
6336 PERSHING DRIVE  
OMAHA, NE 68110

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 14	26344-8-14	02/15/11	19895-8-14	03/30/06	\$46,254.34	\$0.00	0.69	SCH	1

The above legal description has been reviewed by the GIS Group.

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the Subdivision.

*This item was submitted for record-keeping purposes by Ms. Andrea James.*

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND PATENT ISSUED FOR:

SUBD 14.0 Casitas At Hidden Valley 2<sup>nd</sup> Amended and Extended.

This transaction has been executed pursuant to Development Lease DEVL 754.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 7, Township 43.0 S, Range 15.0 W, SLBM

Section 18, Township 43.0 S, Range 15.0 W, SLBM

PURCHASER:

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 68	26419-14-68	02/10/11	19990-14-68	01/31/07	\$12,898.00	\$0.00	0.04	SCH	18

The legal description of the lot described above has been reviewed by the GIS Group.

LIST MINERAL RESERVATIONS:

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the Subdivision.

*This item was submitted for record-keeping purposes by Ms. Andrea James.*

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND PATENT ISSUED FOR:

SUBD 15.0 Estates at Hidden Valley Phase 2

This transaction has been executed pursuant to Development Lease DEVL 754.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 18, Township 43.0 S, Range 15.0 W, SLBM

PURCHASER:

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 75	26441-15-75	02/11/11	20034-15-75	01/11/08	\$22,621.88	\$0.00	0.14	SCH	18

The legal description of the lot described above has been reviewed by the GIS Group.

LIST MINERAL RESERVATIONS:

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the Subdivision.

*This item was submitted for record-keeping purposes by Ms. Andrea James.*

**DEVELOPMENT SALE - THE NATURE CONSERVANCY (PS 8460)**

THE FOLLOWING SALE IS SUBMITTED FOR APPROVAL:

CERTIFICATE OF SALE NO.: 26501  
PATENT NO.: 20155  
PROJECT: South Block Plant Preserves  
PROJECT MANAGER: Doug Buchi  
PROJECT CODE: SOBLK 005 00  
FUND: School  
SALE PRICE: \$860,000.00  
BOARD APPROVAL: November 18, 2010

BUYER:

THE NATURE CONSERVANCY  
559 East South Temple  
Salt Lake City, Utah 84102

TRANSACTIONAL CONTEXT:

The Trust Lands Administration (the "Trust") plans to sell the below-described, unimproved land parcel in the White Dome area of St. George with the understanding that the property will serve as a neighborhood nature preserve with pedestrian-only recreation possibilities for the surrounding community and trust lands, which the Trust eventually intends to develop. The Nature Conservancy ("TNC") intends to purchase the parcel to use in order to preserve, in part, endangered flora, including the Dwarf Bear Poppy, and TNC will manage the property as a unit in conjunction with other like lands it has acquired, or may acquire, in the vicinity and adjacent to the purchased parcel.

TNC agrees to a perpetual easement to the Trust across the property for use as a single track, natural surface trail for pedestrian use only. Both the Trust and TNC will work together to develop and maintain the property to achieve their respective goals for the responsible growth and management of the land. The Trust will arrange for, and install, trail systems to serve as aesthetic and natural amenities, and TNC will cover any maintenance costs and, subject to availability of funding, the cost of benches, shade structures and educational signage, which will enhance the quality and value of the neighboring development.

LEGAL DESCRIPTION OF SALE PARCEL:

Township 43 South, Range 15 West, SLB&M  
Sections 28, 29, & 33: (Within)

PARCEL 4 - 296.864 ACRES (NOT INCLUDING TANK SITE)

BEGINNING AT A POINT S1°11'28"W, 646.76 FEET ALONG THE SECTION LINE AND EAST 354.32 FEET FROM THE NORTHWEST CORNER OF SECTION 28, T43S, R15W, SLB&M, RUNNING THENCE N69°27'26"E, 385.32 FEET; THENCE S64°48'53"E, 2109.16 FEET; THENCE S11°08'18"E, 3500.00 FEET; THENCE S70°32'00"W, 700.00 FEET; THENCE S75°32'00"W, 300.00 FEET; THENCE N81°32'00"W, 252.00 FEET; THENCE S79°25'00"W, 350.00 FEET; THENCE S47°42'00"W, 200.00 FEET; THENCE S67°35'00"W, 320.00 FEET; THENCE S45°24'00"W, 125.00 FEET; THENCE S87°24'00"W, 350.00 FEET; THENCE N41°37'00"W, 300.00 FEET; THENCE S89°29'18"W, 381.75 FEET TO A POINT ON THE EASTERLY BOUNDARY OF LAND OWNED BY "THE NATURE CONSERVANCY" AS DESCRIBED IN DOCUMENT NO. 20090007814 OF THE RECORDS OF THE WASHINGTON COUNTY RECORDER; THENCE N36°56'49"W, 2598.12 FEET ALONG SAID EASTERLY BOUNDARY; THENCE S88°49'33"E, 1568.14 FEET; THENCE N1°12'29"E, 2627.53 FEET TO THE POINT OF BEGINNING. CONTAINING 298.873 ACRES, MORE OR LESS.

**DEVELOPMENT SALE - THE NATURE CONSERVANCY (PS 8460) (CONTINUED)**

Less and excepting a parcel previously conveyed to St. George City, more particularly described as follows:

A 250.00 foot by 350.00 foot square Water Tank Site more particularly described as follows: Beginning at a point which is North 01°10'27" East 1823.85 feet along the East section line and North 90°00'00" West 337.66 feet from the Southeast Corner of Section 29, Township 43 South, Range 15 West, Salt Lake Base and Meridian, and running thence South 53°47'22" West 350.00 feet; thence North 36°12'38" West 250.00 feet; thence North 53°47'22" East 350.00 feet; thence South 36°12'38" East 250.00 feet to the point of beginning. Contains 2.01 acres, more or less.

The project manager has had this legal description reviewed by the GIS Group.

NUMBER OF ACRES BY COUNTY: 296.86 acres - Washington County

NUMBER OF ACRES BY FUND: 296.86 acres - School

**MINERAL RESERVATIONS:**

Excepting and reserving to the State for the benefit of the State and its successors in interest, assigns, permittees, licensees and lessees from time to time, all coal, oil and gas and other mineral deposits, along with the right for the State or such other authorized persons or entities to prospect for, mine, and remove such deposits.

**SURFACE RESERVATIONS:**

Excepting and reserving to the State of Utah, by and through the School and Institutional Trust Lands Administration, and its successors in interest, assigns, permittees, licensees and lessees in perpetuity, for the benefit of the general public, a trail easement generally depicted as "Hiking Trails" in Exhibit B, located in the file, and incorporated by reference (the "Trail Easement"), which Trail Easement shall be ten (10) feet in width, shall encompass a single track, natural surface trail, and shall be for pedestrian use only, and subject to the conditions in that certain Certificate of Sale No. 25601 regarding said trail; also,

Subject to a reversionary interest held by the State of Utah as follows: In the event that the State of Utah, by and through the School and Institutional Trust Lands Administration or its successor agency, pursuant to above described mineral reservation, shall exercise the right to permit its successors in interest, assigns, permittees, licensees or lessees to prospect for, mine or remove any mineral deposits in such a manner as to defeat the ecological purposes for which the Purchaser is acquiring the property herein; or if for any other reason the ecological purposes put forth in that certain Certificate of Sale No. 26501 for which The Nature Conservancy is acquiring the property cease to exist; then, at written election of The Nature Conservancy, or its successor or assign, title to and ownership and possession of the property shall revert to the State of Utah, by and through the School and Institutional Trust Lands Administration or its successor agency; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

MINERAL LEASES CANCELED: None

SURFACE LEASES CANCELED: None

Upon recommendation of Ms. Andrea James, the Director approved the above transaction.

**AGREEMENT TO PARTIAL RELEASE OF DEED RESTRICTIONS IN EXCHANGE PATENT NO. 19848**

FINAL MINUTE ENTRY TO REFLECT THE PARTIAL RELEASE OF DEED RESTRICTIONS TO 14.264 ACRE PORTION OF THE PROPERTY DESCRIBED IN EXCHANGE PATENT NO. 19848, MORE PARTICULARLY DESCRIBED BELOW UNDER LEGAL DESCRIPTION.

Also see the Director's Minutes of February 17 and February 3, 2006.

PATENT NUMBER:	19848
PATENT DATE:	January 31, 2006
AGREEMENT/CERTIFICATE NO.:	25839
AGREEMENT/CERTIFICATE DATE:	January 30, 2006
DEVL NO.:	9
PROJECT MANAGER:	Kyle Pasley
PROJECT CODE:	WMSPG 000 00
PROJECT:	Warm Springs
FUND:	School
COUNTY:	Washington
ORIGINAL PROCEEDS RECEIVED:	\$351,000.00
DEED RELEASE FEES RECEIVED:	\$9,174.00
TOTAL PROCEEDS RECEIVED:	\$360,174.00

**LESSEE:**

Warm Springs Holdings, L.L.C.  
64 East 6400 South, Suite 100  
Salt Lake City, UT 84107

**DESCRIPTION OF TRANSACTION:**

Upon payment of the Release Fee (\$9,174.00), which the Trust Lands Administration has received, it will provide Warm Springs Holdings with a fully-executed, recordable document, releasing the deed restrictions in Exchange Patent No. 19848 that require: (a) all engineered slopes on the northern boundary of the Warm Springs Holdings Property to be constructed in substantial conformity with the design specifications set forth in the Settlement Agreement and the Exchange Patent; (b) the construction of a privacy fence along the northern boundary of the Affordable Housing Property at the time of seeking subdivision approval for such land; and (c) the construction of a sixty-six foot (66') wide road located on the eastern boundary of the Warm Springs Holdings Property, along with the obligation to pay one-half of the actual costs incurred in the construction. Warm Springs Holdings is responsible for recording the Release at the office of the Washington County Recorder, and for paying the associated costs.

**LEGAL DESCRIPTION OF PROPERTY RELEASED FROM DEED RESTRICTIONS:**

Township 42 South, Range 15 West, SLB&M  
Section 11: More specifically described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 18 OF NEW WARM SPRINGS SUBDIVISION PHASE 1 LOCATED IN SECTION 11, TOWNSHIP 42 SOUTH, RANG E 15 WEST, SALT LAKE BASE AND MERIDIAN, AS RECORDED IN THE WASHINGTON COUNTY RECORDER'S OFFICE AND RUNNING ALONG SAID BOUNDARY FOR THE FOLLOWING FIVE COURSES: N 01°11'40" W 100.0 FEET; THENCE N 34°49'26" E 61.82 FEET; THENCE N 01°11'40" W 79.39 FEET; THENCE N 01°02'49" E 68.05 FEET; THENCE N 03°17'49" E 1028 .16 FEET AND THE EXTENSION THEREOF TO A POINT ON THE CENTER SECTION LINE; THENCE N 88°48'14" E 444.03 FEET ALONG THE CENTER SECTION LINE; THENCE S 01°11'46" E 100.00 FEET; THENCE S 37°29'11" W 64.05 FEET; THENCE S 01°16'38" E

**AGREEMENT TO PARTIAL RELEASE OF DEED RESTRICTIONS IN EXCHANGE PATENT NO. 19848  
(CONTINUED)**

200.00 FEET; THENCE S 35°11 '22" E 60.31 FEET; THENCE S 01°11'46" E 220.00 FEET; THENCE S 14°31' 19" W 51. 94 FEET; THENCE S 01°11'46 E 107.93 FEET; THENCE S 88°48'14" W 15.82 FEET; THENCE S 01°11'40 E 107.93 FEET; THENCE S 19°35'27" W 53.48 FEET; THENCE S 01°11'40" E 236.54 FEET; THENCE S 42°06'10" E 66.16 FEET; THENCE S 01°11'40" E 100.00 FEET; THENCE S 88°48'20" W 552.00 FEET TO THE POINT OF THE BEGINNING.

CONTAINING 14.264 ACRES, MORE OR LESS.

The above legal description has been reviewed by the GIS Group.

ACREAGE BY COUNTY: 14.264 - Washington

ACREAGE BY FUND: 14.264 - School

**DEED RESTRICTIONS WHICH STILL APPLY TO ABOVE NOTED PROPERTY:**

Subject to and upon the terms and conditions of the SULA 512 Termination Agreement, the Subject Property shall be physically burdened on the eastern boundary with one (1) linear foot of a sixty-six (66) foot roadway to be constructed and with the obligation to pay one-half the actual costs incurred in the construction of this same sixty-six foot wide road located on the eastern boundary of the Subject Property, as described and depicted in the SULA 512 Termination Agreement and Exhibits "3" and "4", located in the file. This covenant shall run with and burden the land and be enforceable by the Trust Lands Administration, its successors and assigns; also,

Subject to and upon the terms and conditions of the SULA 512 Termination Agreement, the use of the Subject Property is restricted such that it may be developed solely for residential multi-family or single family use. Any other use of the Subject Property is prohibited. However, this restriction is modified as to a three-acre parcel located in the Southeast Corner of the Subject Property, as described and depicted in the SULA 512 Termination Agreement and Exhibits "5" and "6", located in the file (the "Commercial Parcel"). The Commercial Parcel may be used for either additional residential development or for commercial development, including by way of illustration, to include a retail center, hotel, restaurant, small office building, service station, convenience store, or similar facilities. The covenants of this paragraph shall run with and burden the land and be enforceable by the Trust Lands Administration, its successors and assigns; also,

Subject to and upon the terms and conditions of the SULA 512 Termination Agreement, all engineered slopes on the northern boundary of the Subject Property must be constructed in substantial conformity with the design specifications described in the SULA 512 Termination Agreement and depicted in Exhibit "7", located in the file. Further, the subject property is burdened with the obligation to construct a privacy fence along its northern boundary at the time of seeking subdivision approval for the subject land, in substantial conformity with the design specifications described in the SULA 512 Termination Agreement and as depicted in Exhibit "8", located in the file. The covenants of this paragraph shall run with and burden the land and be enforceable by the Trust Lands Administration, its successors and assigns.

Upon recommendation of Ms. Andrea James, the Director approved the Release of Deed Restrictions Agreement for Exchange Patent No. 19848.

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**ACTIONS CONTAINING FEE WAIVERS**

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**NONE**