

WHEN RECORDED, MAIL TO:

George D. Melling, Jr.  
FABIAN & CLENDENIN,  
A Professional Corporation  
800 Continental Bank Building  
Salt Lake City, Utah 84101

1550  
FEB 8 1 43 PM '84  
REC'D BY  
George D. Melling, Jr.  
FABIAN & CLENDENIN  
Professional Corp  
800 Continental Bank

KATHIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

SPECIAL WARRANTY DEED

3902917

Richard K. Dillard, as trustee, but not individually, of the marital trust and of the descendants portion trust, both trusts under the will of Rich Whitmore, deceased, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEYS and WARRANTS against all claims by, through or under Grantor, to WHITMORE OXYGEN COMPANY, a Utah corporation, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, the following described tracts of land and easements in Salt Lake County, State of Utah, to wit:

(1) Beginning at a point which is South 65°41' East 1479.3 feet, more or less, from the West quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 6°56' West 180.00 feet; thence South 83°04' East 225.0 feet; thence North 6°56' East 180.00 feet; thence North 83°04' West 225.0 feet to the point of beginning.

(2) Beginning at a point which is South 66°08' West 1411.9 feet, more or less, from the east quarter corner of Section 7, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence West 190.52 feet; thence South 56.59 feet; thence South 65°31' East 95.0 feet; thence South 82°19' East 105.0 feet; thence North 110.0 feet to the point of beginning.

(3) Beginning at a point which is South 32°31' West 892.6 feet, more or less, from the east quarter corner of said Section 7, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 82°15' West 120.47 feet to a rock wall; thence North 76°20' West along said wall, 99.36 feet; thence South 7°29' East 110.00 feet' more or less, to the center of Little Cottonwood Creek; thence South 74°15' East along said centerline 66.0 feet; thence North 86°10' East along said centerline 78.0 feet; thence North 78°09' East along said centerline 74.87 feet; thence North 7°29' West 100.0 feet to the point of beginning.

Together with a 20 foot pipe line easement for an existing waterline, said easement being 10 feet each side of the following described centerline;

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Beginning at an existing water junction box and running thence North 90.0 feet more or less, to the south line of the Whitmore Property; including rights of way to repair or otherwise maintain said water line and to insure the Owner's full use, occupation or enjoyment of this easement.

Also the full use and benefits of said water line as it proceeds from the same junction box; along the road easement from the Main Plant on the Little Cottonwood Creek to the Old Pavilion.

(4) Beginning at a point which is South  $56^{\circ}49'$  West 1174.2 feet, more or less, from the center of said Section 8, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence West 125.0 feet; thence South 150.0 feet; thence East 125.0 feet; thence North 150.0 feet to the point of beginning.

(5) Beginning at a point on the southerly right-of-way line of State Highway 210, on the arc of a curve to the right, having a radius of 733.0 feet and whose radius point bears North  $37^{\circ}52'10''$  West 733.0 feet; said point being South  $52^{\circ}38'$  West 1019.6 feet more or less, from the east quarter corner of said Section 8, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence Southwesterly along said right-of-way and on the arc of said curve, a length of 203.9 feet; thence South  $19^{\circ}39'$  East 181.35 feet to a point in the centerline of an existing 10 foot dirt road; thence North  $84^{\circ}18'$  West along said centerline 71.70 feet; thence North  $53^{\circ}18'$  East along said centerline, 136.41; thence North  $19^{\circ}39'$  West 194.79 feet to the point of beginning.

Together with a 20 foot pipeline easement for an existing waterline said easement being 10 feet each side of the following described centerline:

Beginning at the Southwest corner of the plant building where said pipe exits the plant, thence running South  $68^{\circ}18'$  West 104.9 feet; thence North  $18^{\circ}42'$  West 30.0 feet, more or less, to the South line of State Highway 210; including rights-of-way to repair or otherwise maintain said waterline and to insure the full use, occupation or enjoyment of this easement.

(6) Beginning at a point which is South  $70^{\circ}30'$  East 2233.9 feet more or less, from the West one quarter corner of said Section 9, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 200.0 feet; thence East 170.0 feet; thence North 200.00 feet; thence West 170.0 feet to the point of beginning.

(7) A tract of land 20 feet wide containing an existing 24" pipe line extending from the Main Power Plant on Little Cottonwood Creek to the Upper Power Plant on Little

Cottonwood Creek situated in the Southeast quarter of Section 7, and the South half of Section 8, Township 3 South, Range 2 East, Salt Lake Base and Meridian, said parcel being 20 feet wide, 10 feet each side of the following described centerline:

Beginning at a point where the existing pipe exits the Main Power Plant; said point being South 31°00' West 956.1 feet more or less from the east one quarter corner of said Section 7, Township 3 South, Range 2 East, Salt Lake Base and Meridian and running thence North 82°31' East 40.0 feet; thence North 70°59' East 569.4 feet; thence North 85°55' East 331.4 feet; thence North 86°46' East 227.1 feet; thence South 81°40' East 150.0 feet; thence North 84°19' East 141.4 feet; thence South 85°50' East 80.6 feet; thence South 81°23' East 72.8 feet; thence North 87°40' East 113.7 feet; thence South 89°46' East 75.6 feet; thence South 76°18' East 77.5 feet; thence South 80°31' East 85.3 feet; thence South 84°09' East 59.4 feet; thence North 83°44' East 157.4 feet; thence South 78°29' East 40.8 feet; thence South 70°04' East 576.0 feet; thence North 82°29' East 28.7 feet; thence North 70°04' East 305.4 feet; thence North 59°04' East 159.3 feet; thence North 65°13' East 253.1 feet; thence North 82°08' East 65.7 feet; thence South 77°40' East 222.7 feet; thence South 64°07' East 156.5 feet; thence South 44°52' East 517.6 feet; thence South 65°20' East 39.2 feet; thence South 83°48' East 184.3 feet; thence North 71°07' East 448.9 feet; thence North 59°33' East 90.4 feet to a point where the pipe enters the tail race at the Upper Power Plant.

Together with all rights of ingress and egress to improve or otherwise maintain said pipeline.

(8) A tract of land 20 feet wide containing an existing 24" pipe line extending from the Upper Little Cottonwood Creek Diversion Dam to the Upper Little Cottonwood Creek Power Plant situated in the Southwest quarter of Section 9 and the Southeast quarter of Section 8, Township 3 South, Range 2 East, Salt Lake Base and Meridian, said tract of land being 10 feet each side of the following described centerline:

Beginning at a point where the existing pipe exits the present dam site; said point being South 68°34' East 2307.01 feet more or less from the West one quarter corner of said Section 9, Township 3 South, Range 2 East, Salt Lake Base and Meridian and running thence South 79°08' West 185.4 feet; thence North 89°30' West 57.8 feet; thence North 57°33' West 122.9 feet; thence North 76°32' West 206.3 feet; thence North 86°41' West 108.1 feet; thence North 80°10' West 90.3 feet; thence North 61°59' West 206.9 feet; thence North 86°55' West 749.7 feet; thence South 75°23' West 333.6 feet; thence North 72°56' West 154.9 feet; thence North 56°37' West 103.7 feet; thence North 80°39' West 157.7 feet; thence North 74°32' West 215.9 feet; thence North 89°13' West 151.3 feet; thence South 65°11' West 20.8 feet; thence South 57°32' West 197.5 feet; thence

South 50°45' West 103.3 feet; thence South 62°27' West 10.1 feet to a point where the pipe enters the existing Power Plant.

Together with all rights of ingress and egress to improve or otherwise maintain said pipeline and roadway to insure owners enjoyment of said facilities.

(9) A tract of land 20 feet wide for an existing 10 foot dirt roadway to the existing facilities of the Little Cottonwood Creek Diversion Area situated in the South half of Section 7, and the South half of Section 8, Township 3 South, Range 2 East, Salt Lake Base and Meridian, said tract of land being 10 feet each side of the following described centerline:

Beginning at a point on the south edge of State Highway 210 in the Southwest quarter of said Section 7, said point being South 47°03' East 442.9 feet more or less, from the West quarter corner of said Section 7, Township 3 South, Range 2 East, Salt Lake Base and Meridian, and running thence South 57°42' East 264.1 feet; thence South 75°14' East 859.9 feet; thence South 87°27' East 244.1 feet; thence North 68°27' East 460.9 feet; thence South 66°05' East 583.7 feet; thence 83°31' East 614.7 feet; thence North 79°59' East 116.6 feet; thence South 85°45' East 364.0 feet; thence South 73°20' East 216.1 feet; thence South 87°54' East 136.1 feet more or less, to the intersection of the existing asphalt road to the Wasatch Resort Subdivision; and also beginning at the intersection of an existing 10.0 foot dirt roadway and the existing asphalt road to the Wasatch Resort Subdivision and being West of the Main Power Plant, said point being South 62°27' West 1487.2 feet more or less, from the east quarter corner of said Section 7, and running thence South 82°19' East 630.2 feet to a point at the Main Power Plant on Little Cottonwood Creek; thence South 87°10' East 202.9 feet; thence North 70°25' East 528.3 feet; thence North 49°49' East 120.8 feet; thence South 76°35' East 328.3 feet; thence South 86°39' East 275.3 feet; thence South 5°30' East 135.0 feet; thence South 84°28' East 315.0 feet; thence North 82°56' East 85.9 feet; thence South 64°47' East 209.0 feet; thence North 89°12' East 229.2 feet; thence South 67°13' East 252.9 feet; thence North 86°29' East 237.9 feet to a point at the Old Pavilion; thence North 60°37' East 123.1 feet; thence North 86°46' East 117.4 feet; thence North 54°52' East 241.7 feet; thence North 69°22' East 163.0 feet; thence North 59°20' East 262.7 feet; thence South 82°11' East 279.6 feet; thence South 56°54' East 263.5 feet; thence South 44°15' East 464.4 feet; thence South 78°20' East 306.7 feet; thence North 79°15' East 125.4 feet; thence North 47°39' East 212.9 feet; thence North 84°18' East 131.6 feet; thence North 53°18' East 309.5 feet to a point at the intersection of said road; thence North 77°10' West 102.6 feet; thence South 62°02' West 84.1 feet to point on the South bank of Little Cottonwood Creek, at the Upper Cottonwood Creek Power Plant.

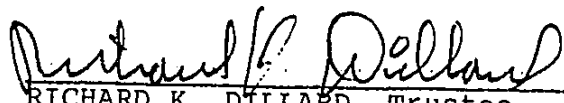
Together with a blanket easement to cover that loop line road at the old Pavilion; and right of access, to and from, and the complete enjoyment and use of two (2) springs in the area of the old Pavilion; all situated in the Northeast quarter, Southwest quarter of said Section 8.

Together with a blanket easement to assure rights-of-way, over, through and accross those roadways not covered by metes and bound survey; located in the area of the Main Power Plant necessary to the use or maintenance of all those utilities which emanate from, or are otherwise connected with the proper performance of the Main Power Plant; all situated in the Northeast quarter, Southeast quarter of said Section 7.

(10) A tract of land 20 feet wide containing an existing roadway to facilities of the Upper Little Cottonwood Creek Diversion Dam situated in the Southwest quarter of Section 9, Township 3 South, Range 2 East, Salt Lake Base and Meridian, said easement being 10 feet each side of the following described centerline:

Beginning at a point on the South edge of State Highway 210, said point being South 73°49' East 1887.4 feet more or less, from the West one quarter Corner of said Section 9, Township 3 South, Range 2 East, Salt Lake Base and Meridian; thence running South 48°10' East 94.5 feet; thence South 82°31' East 134.2 feet; thence South 44°59' East 25.0 feet; thence South 22°59' East 25.0 feet; thence South 28°33' West 25.0 feet; thence South 50°07' West 25.0 feet; thence South 59°27' West 25.0 feet; thence South 62°52' West 25.0 feet; thence South 44°36' West 43.8 feet; thence South 30°28' East 81.0 feet; thence South 85°26' East 167.8 feet to a point at the existing dam site.

IN WITNESS WHEREOF, the Grantor has executed this deed this 7th day of FEBRUARY, 1984.



RICHARD K. DILLARD, Trustee  
U/W of Rich Whitmore, Deceased

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

On the 7th day of FEBRUARY, 1984, personally appeared before me Richard K. Dillard, in his capacity as Trustee U/W of Rich

Whtimore, Deceased, who being by me duly sworn did say that he executed the foregoing instrument.

*George J. Miller*  
NOTARY PUBLIC  
Residing at: *Salt Lake City, Utah*

My Commission Expires:

*AUGUST 20, 1984*

NO NOTARY SEAL