

Recorded at the request of
Kern River Gas Transmission Company

When Recorded Mail to:
Kern River Gas Transmission Company
Attn: Land Department
PO Box 71400
Salt Lake City, UT 84171-0400

E 2540284 B 5068 P 345-356
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
7/16/2010 12:42:00 PM
FEE \$61.00 Pgs: 12
DEP eCASH REC'D FOR FIRST AMERICAN TITLE

**Kern River Gas Transmission Company
EXCLUSIVE RIGHT-OF-WAY AND EASEMENT**

State of Utah

County of Davis

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **Eaglepointe Development, L.C.**, a Utah limited liability company, whose address is: c/o Sky Properties Inc., 585 West 500 South, Suite 110, Bountiful, UT 84010, and **B & E Pace Investment, LLC**, a Utah limited liability company whose address is: 4300 South Highland Drive, Salt Lake City, UT 84124, hereinafter collectively referred to as **Grantor**, for and in consideration of the sum of ten dollars and other considerations, to the Grantor in hand paid by **Kern River Gas Transmission Company**, P.O. Box 71400, Salt Lake City, Utah 84171-0400, hereinafter referred to as **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, sell and convey unto said Grantee, its successors and assigns, an exclusive right-of-way and easement to locate, survey a route, construct, entrench, maintain, protect, inspect and operate a pipeline and/or communications cable with appurtenances including but not limited to valves, metering equipment, electrical cable, cathodic equipment, underground conduit, cables, splicing boxes and roads (said pipeline, communications cable, appurtenances, valves, metering equipment, cathodic equipment, underground conduits, cables, splicing boxes, markers and roads being hereinafter sometimes collectively called the "facilities") over, under and through the hereinafter described land, approximately along the line designated by survey heretofore made or hereafter to be made by Grantee, through and over the said land on a right-of-way more specifically described as:

Those certain parcels of land situated in the North Half of the Northwest Quarter, Section 13, Township 1 North, Range 1 West, SLB&M, Davis County, Utah, more particularly described on attached five (5) Exhibits "A" and "B".

To the extent that any discrepancy exists between the legal description and survey heretofore made or hereinafter described and the actual location of the pipeline, the actual location of the pipeline shall govern, with the right-of-way and easement running parallel to and extending 25 feet on each side of the actual location of the centerline of the pipeline as it exists on Grantor's property.

This right-of-way and easement shall carry with it the right of ingress and egress to and from, and access on and along said right-of-way, with the right to use existing and future roads, for the purpose of constructing, inspecting, repairing, protecting and maintaining the facilities and the removal or replacement of same at will, either in whole or in part, and the replacement of said pipeline with either like or different size pipe. During temporary periods Grantee may use such portions of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the facilities.

TO HAVE AND TO HOLD the above described rights and easements, together with all rights necessary to operate, protect and maintain the facilities over the right-of-way hereby granted unto the said Grantee, its successors and assigns, and the Grantee may assign the rights and easement herein granted, either in whole or in part, subject to the terms of this grant, and such rights and easements shall be covenants running with the land and be binding upon Grantor, their heirs, legal representatives and successors in title.

Grantee may at any time permanently abandon said right-of-way and at its discretion may remove or abandon in place facilities constructed thereon and upon such abandonment action. Grantee may at its discretion execute and record a reconveyance and release hereof, whereupon this right-of-way and easement and all rights and privileges herein mutually granted shall be fully cancelled and terminated.

Grantee shall compensate the Grantor for damages to Grantor's growing crops, pasture, fences, livestock and other real or personal property improvements caused by the construction, maintenance, repair, replacement or removal of the facilities. Grantee shall compensate the Grantor for damages to Grantor's timber caused by the initial construction of the facilities; thereafter, Grantee shall have the right to cut and keep clear without payment of damages all trees, brush and other obstructions that may in the Grantee's opinion endanger, hinder or conflict with the construction, operation, inspection, protection, maintenance and use of said facilities.

| KRGT File# | APN #s |
|---------------|-------------|
| UT-DA-082.001 | 01-391-1608 |
| UT-DA-085.015 | 01-391-1609 |
| UT-DA-085.014 | 01-391-1604 |
| UT-DA-085.012 | 01-389-1308 |
| UT-DA-085.013 | 01-389-1322 |

Grantee further agrees that within a reasonable time following the completion of construction, Grantee shall restore said right-of-way. Restoration shall include, where necessary, final grading, reseeding and installation of erosion control measures.

Grantor reserves the right to use and enjoy said property except for the purposes herein granted, but such use shall not hinder, conflict or interfere with Grantee's surface or subsurface rights hereunder or disturb its facilities and no road, reservoir, excavation, change in surface grade, obstruction or structure shall be constructed, created or maintained on, over, along of within said right-of-way without Grantee's prior written consent.

Grantor represents and warrants that they are the owners in fee simple of the said described lands. Grantee shall have the right to discharge or redeem for Grantor, in whole or in part, any mortgage, tax or other lien on said land and thereupon be subrogated to such lien and rights incident thereto, and Grantor agrees to subordinations of any liens or mortgages as Grantee deems necessary or appropriate.

It is hereby understood that the parties securing this grant on behalf of the Grantee are without authority to make any covenant or agreement not herein expressed.

WITNESS THE EXECUTION HEREOF THE 7th DAY OF July, 2010.

GRANTOR:

Eaglepointe Development, L.C.,
a Utah limited liability company

B & E Pace Investment, LLC,
a Utah limited liability company

By: [Signature]
W. Scott Kjar, Vice President and Manager

By: [Signature]
W. Earl Pace, Manager

ACKNOWLEDGMENTS

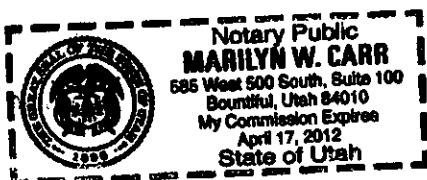
State of Utah

County of Davis

On July 7, 2010 before me, Marilyn W. Carr
Date Name and Title of Officer

Personally appeared W. Scott Kjar, on behalf of Eaglepointe Development, L.C.
Names(s) of Signer(s)

personally known to me --OR-- proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted and has said authority, executed the instrument.



WITNESS my hand and official seal.

[Signature]

State of Utah

County of Davis

On July 8, 2010 before me, Marilyn W. Carr
Date Name and Title of Officer

Personally appeared W. Earl Pace, as Manager of B & E Pace Investment, LLC
Names(s) of Signer(s)

personally known to me --OR-- proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted and has said authority, executed the instrument.



WITNESS my hand and official seal.

[Signature]

EXHIBIT "A" - PLAT

DAVIS COUNTY, UTAH
SECTION 13, T1N, R1W, SLB&M

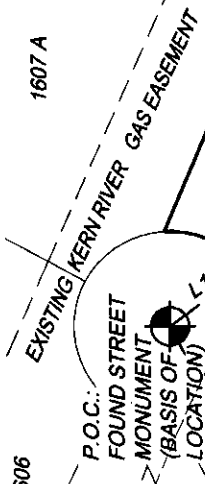
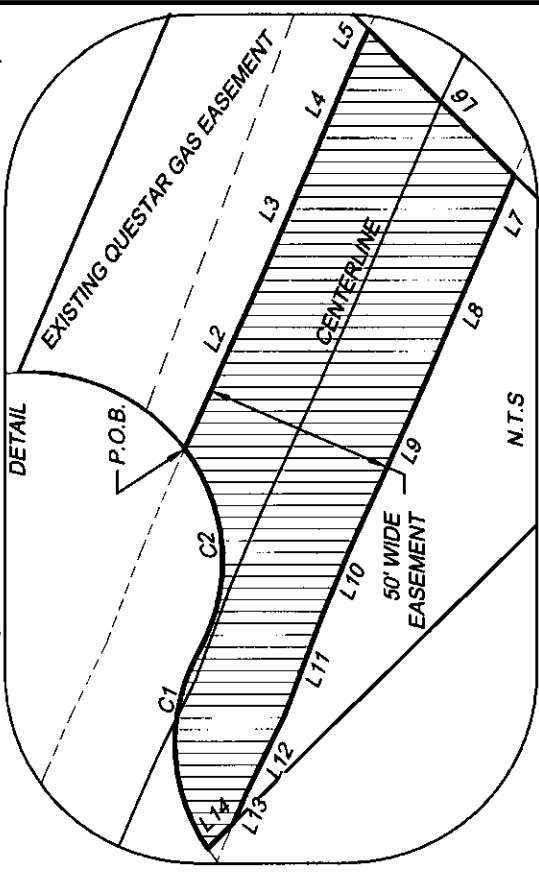
AREA OF THAT PORTION OF A 50' WIDE
PERMANENT EASEMENT ACROSS LOT 1608,
EAGLEPOINTE ESTATES PHASE 16: 7,988 SQ. FT.

| LINE TABLE | | | |
|------------|--------|-------------|--|
| LINE | LENGTH | BEARING | |
| L1 | 49.99' | S36°34'45"E | |
| L2 | 48.28' | S66°05'19"E | |
| L3 | 29.93' | S67°10'48"E | |
| L4 | 34.35' | S67°23'57"E | |
| L5 | 7.23' | S64°41'26"E | |
| L6 | 53.69' | S44°56'51"W | |
| L7 | 21.25' | N67°23'57"W | |
| L8 | 30.50' | N67°10'48"W | |
| L9 | 55.84' | N66°05'19"W | |
| L10 | 19.58' | N67°51'06"W | |
| L11 | 27.73' | N69°55'57"W | |
| L12 | 23.30' | N64°16'26"W | |
| L13 | 7.85' | N66°50'40"W | |
| L14 | 9.46' | N45°00'49"W | |

| CURVE TABLE | | | | | | |
|-------------|--------|--------|-----------|---------|-------------|--------|
| CURVE | LENGTH | RADIUS | DELTA | TANGENT | CHD DIR | CHORD |
| C1 | 54.72' | 49.99' | 62°43'13" | 30.47' | S87°23'52"W | 52.03' |
| C2 | 57.02' | 49.99' | 65°20'54" | 32.06' | N86°05'02"E | 53.98' |

UT-DA-082.001

EAGLEPOINTE DEVELOPMENT, L.C.
(EAGLEPOINTE ESTATES PHASE 16 - LOT 1608)



LEGEND
SLB&M SALT LAKE BASE & MERIDIAN
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N.T.S. NOT TO SCALE

UT-DA-081.000
B & E PAGE INVESTMENT, LLC

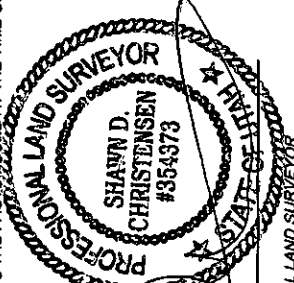
SHEET 1 OF 1

| REVISIONS | | EASEMENT PLAT | |
|-----------|----|---------------|----------|
| NO. | BY | CHKD | DATE |
| | | | 11/20/09 |

| TITLE | |
|----------|--|
| DATE | TITLE |
| 11/20/09 | PERMANENT EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C. |



Universal Pegasus
INTERNATIONAL



SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 354373

- NOTES:
- THIS EASEMENT PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ACCORDING TO INFORMATION REPORTED ON A LIMITED TITLE CERTIFICATE AND VESTING DEED DOCUMENT PROVIDED TO THE UNDERSIGNED SURVEYOR BY OTHERS.
 - ALL BEARINGS AND DISTANCES CONTAINED HEREIN ARE GRID, BASED ON THE UTAH COORDINATE SYSTEM OF 1983, UTAH CENTRAL ZONE, US SURVEY FEET, AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED BY UNIVERSAL PEGASUS INTERNATIONAL IN 2009 (COMBINED SCALE FACTOR: 0.9999815). TO OBTAIN THE ORIGINAL BEARINGS OF EAGLEPOINTE ESTATES PHASE 16, ROTATE THE BEARINGS ON THIS PLAT IN COUNTERCLOCKWISE DIRECTION 00°18'02".
 - SEE EXHIBIT "B" FOR DESCRIPTION.

I, SHAWN D. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

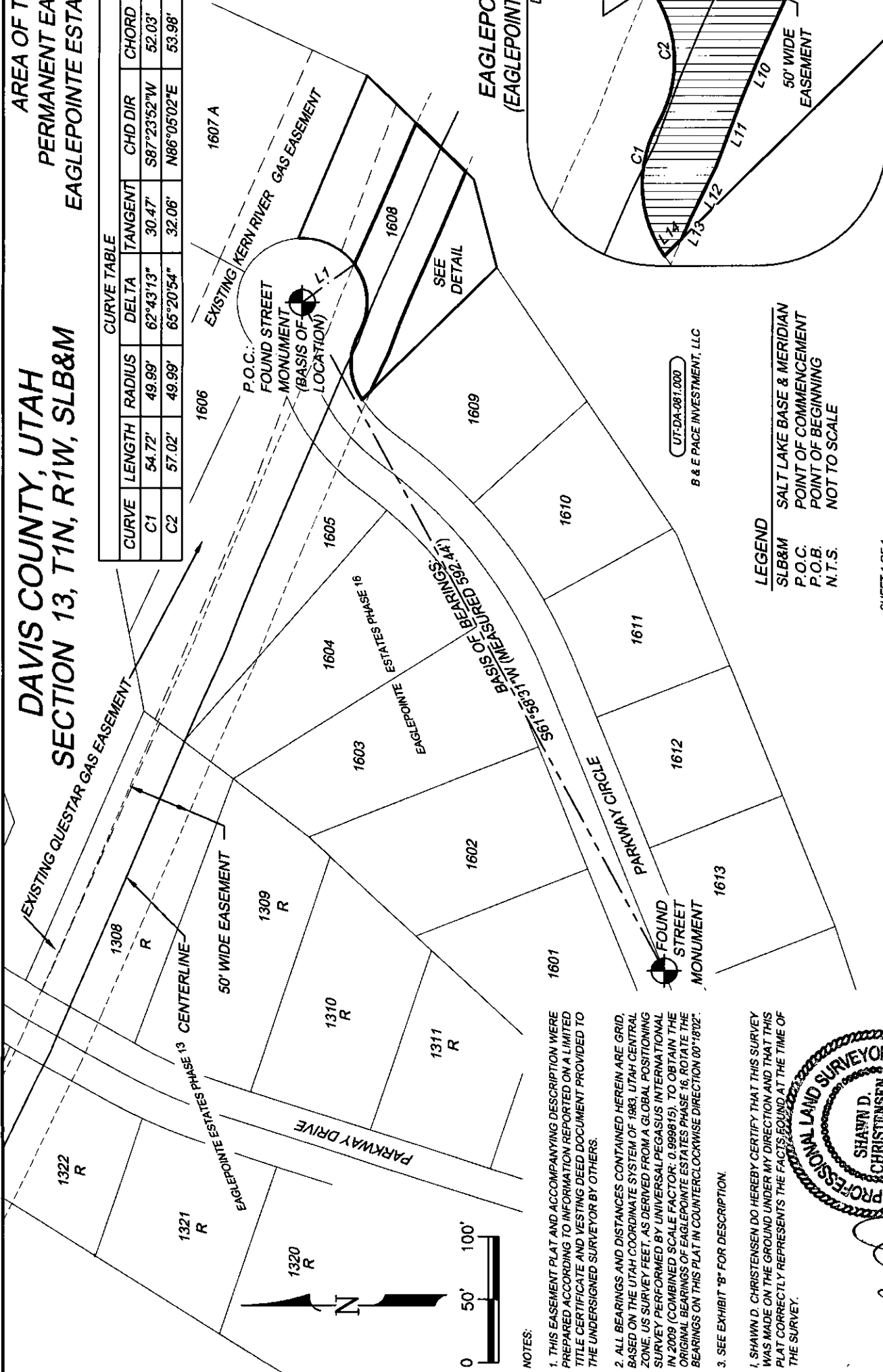
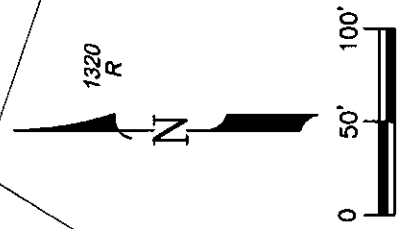


EXHIBIT "B" - DESCRIPTION

APEX EXPANSION PROJECT
KERN RIVER TRACT NO. UT-DA-082.001
EAGLEPOINTE DEVELOPMENT, L.C.
EAGLEPOINTE ESTATES PHASE 16 – LOT 1608
DAVIS COUNTY, UTAH

DESCRIPTION OF A PERMANENT EASEMENT AND
RIGHT-OF-WAY UPON THE PROPERTY OF
EAGLEPOINTE DEVELOPMENT, L.C.

Description of a permanent easement and right-of-way upon, over, under, across, and through Lot 1608, Eaglepointe Estates Subdivision, Phase 16, on file and of record in the office of the Recorder, and situated in Section 13, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, said permanent easement and right-of-way being a portion of a fifty (50) foot wide permanent easement and right-of-way and being more particularly described as follows with all bearings and distances herein being grid based upon the Utah Coordinate System of 1983, Central Zone (U.S. Survey Feet), as derived from a Global Positioning System survey performed by UniversalPegasus International in 2009 (combined scale factor: 0.999815):

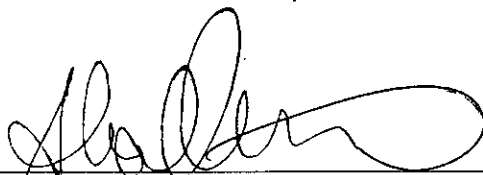
COMMENCING at a found subdivision street monument located in the center of the cul-de-sac of Parkway Circle, from said street monument a found street monument located in front of Lots 1601 and 1613 in Parkway Circle bears South 61°58'31" West 592.44 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE South 36°34'45" East 49.99 feet to a point on the northwesterly line of said Lot 1608, said point being the **TRUE POINT OF BEGINNING**;

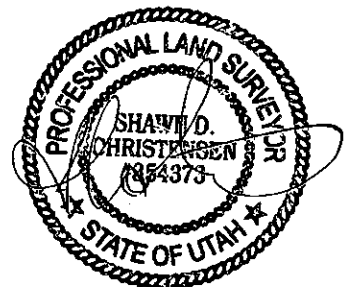
AND RUNNING THENCE the following bearings and distances:

THENCE South 66°05'19" East 48.27 feet; THENCE South 67°10'48" East 29.93 feet; THENCE South 67°23'57" East 34.35 feet; THENCE South 64°41'26" East 7.23 feet to a point on the southeasterly line of said Lot 1608; THENCE South 44°56'51" West 53.69 feet along the southeasterly line of said Lot 1608; THENCE North 67°23'57" West 21.25 feet; THENCE North 67°10'48" West 30.50 feet; THENCE North 66°05'19" West 55.84 feet; THENCE North 67°51'06" West 19.58 feet; THENCE North 69°55'57" West 27.73 feet; THENCE North 64°16'26" West 23.30 feet; THENCE North 66°50'40" West 7.85 feet to a point on the southwesterly line of said Lot 1608; THENCE North 45°00'49" West 9.46 feet to the northwest corner of said Lot 1608, said point being the beginning of a non-tangent curve to the right and concave southerly with a radius of 49.99 feet and from which a radial line bears South 33°57'44" East; THENCE along the northwesterly line of said Lot 1608 easterly 54.72 feet along the arc of said curve through a central angle of 62°43'13" (chord bears North 87°23'52" East 52.03 feet) to the beginning of a tangent curve to the left and concave northerly with a radius of 49.99 feet and from which a radial line bears North 28°45'29" East; THENCE continuing along the northwesterly line of said Lot 1608 easterly 57.02 feet along the arc of said curve through a central angle of 65°20'54" (chord bears North 86°05'02" East 53.98 feet) to the **TRUE POINT OF BEGINNING**.

CONTAINING 7,988 square feet.


Shawn D. Christensen
Professional Land Surveyor
Utah Registration No. 354373

4-7-10
Date:



SEAL

If this description and accompanying plat are not sealed with the stamped seal of the registered professional land surveyor, whose signature appears above, it should be considered as a copy and not the original.

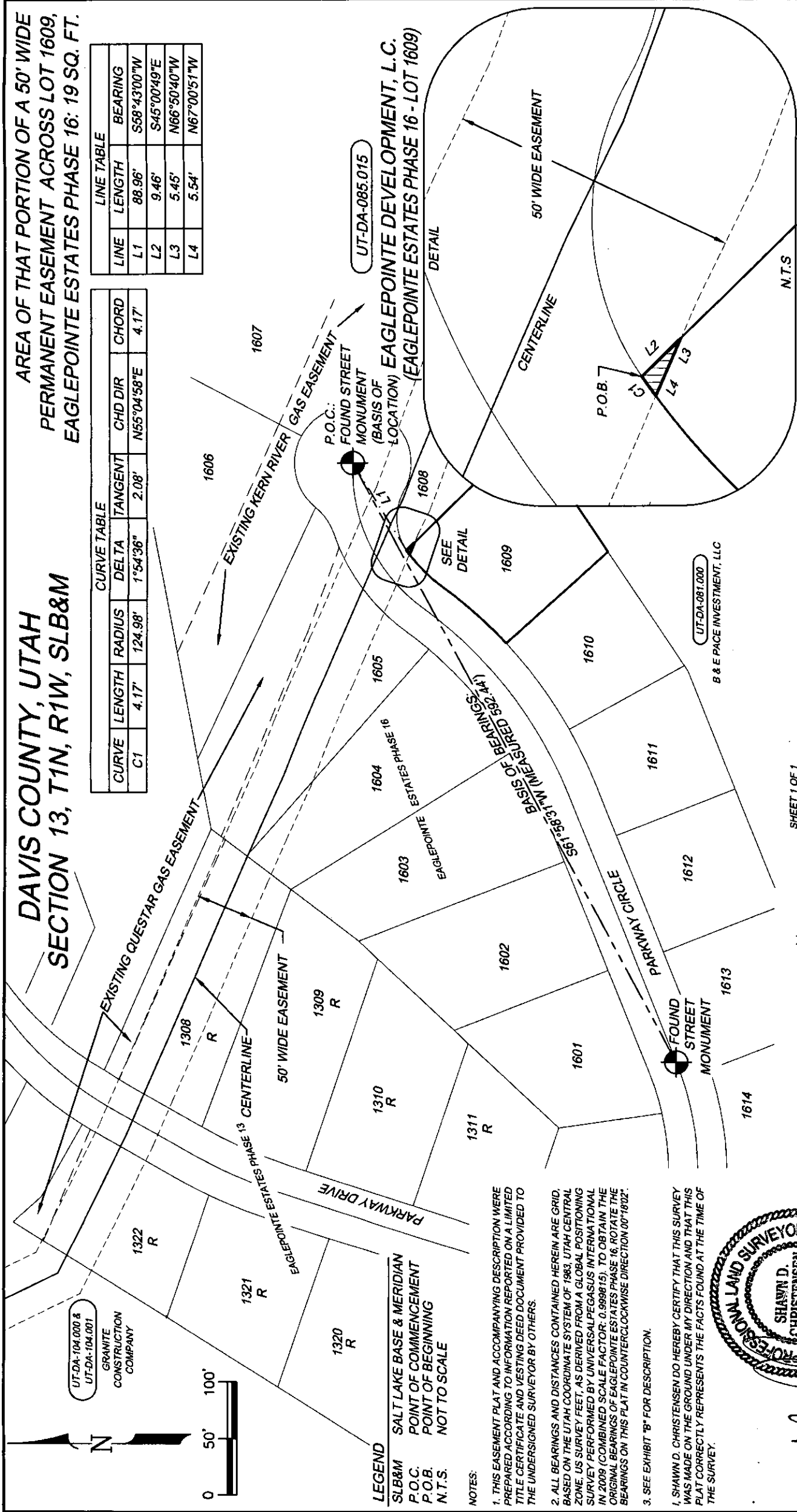
EXHIBIT "A" - PLAT

DAVIS COUNTY, UTAH
SECTION 13, T1N, R1W, SLB&M

AREA OF THAT PORTION OF A 50' WIDE
PERMANENT EASEMENT ACROSS LOT 1609,
EAGLEPOINTE ESTATES PHASE 16: 19 SQ. FT.

| LINE TABLE | | | |
|------------|--------|-------------|--|
| LINE | LENGTH | BEARING | |
| L1 | 88.96' | S58°43'00"W | |
| L2 | 9.46' | S45°00'49"E | |
| L3 | 5.45' | N66°50'40"W | |
| L4 | 5.54' | N67°00'51"W | |

| CURVE TABLE | | | | | | |
|-------------|--------|---------|----------|---------|-------------|-------|
| CURVE | LENGTH | RADIUS | DELTA | TANGENT | CHD DIR | CHORD |
| C1 | 4.17' | 124.98' | 1°54'36" | 2.08' | N55°04'58"E | 4.17' |



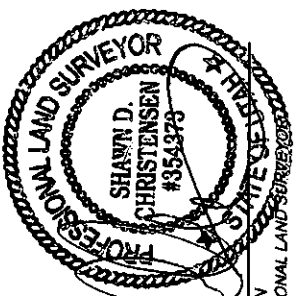
UT-DA-085.015

UT-DA-081.000
B & E PACE INVESTMENT, LLC

LEGEND
SLB&M SALT LAKE BASE & MERIDIAN
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N.T.S. NOT TO SCALE

- NOTES:**
1. THIS EASEMENT PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ACCORDING TO INFORMATION REPORTED ON A LIMITED TITLE CERTIFICATE AND VESTING DEED DOCUMENT PROVIDED TO THE UNDERSIGNED SURVEYOR BY OTHERS.
 2. ALL BEARINGS AND DISTANCES CONTAINED HEREIN ARE GRID, BASED ON THE UTAH COORDINATE SYSTEM OF 1983, UTAH CENTRAL ZONE, US SURVEY FEET, AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED BY UNIVERSAL PEGASUS INTERNATIONAL IN 2009 (COMBINED SCALE FACTOR: 0.999815). TO OBTAIN THE ORIGINAL BEARINGS OF EAGLEPOINTE ESTATES PHASE 16, ROTATE THE BEARINGS ON THIS PLAT IN COUNTERCLOCKWISE DIRECTION 00°18'02".
 3. SEE EXHIBIT "B" FOR DESCRIPTION.

I, SHAWN D. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.



SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 354379



UniversalPegasus
INTERNATIONAL

| NO. | | REVISIONS | | BY | CHKD | DATE | SCALE: | 1"=100' | DATE | EASEMENT PLAT |
|-----|--|-----------|--|----|------|------|---------------|---------|----------|--|
| | | | | | | | DRAWN: BEC | | 11/20/09 | PERMANENT EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C. |
| | | | | | | | DESIGNED: | | | |
| | | | | | | | PROJ. ENG.: | | | |
| | | | | | | | CHECKED: | | | |
| | | | | | | | APPD: | | | |
| | | | | | | | JOB NO: 15338 | | | DAVIS COUNTY, UTAH |

APEX EXPANSION
SURVEYING & MAPPING COMPANY
15338-UT-DA-085.015

EXHIBIT "B" - DESCRIPTION

APEX EXPANSION PROJECT
KERN RIVER TRACT NO. UT-DA-085.015
EAGLEPOINTE DEVELOPMENT, L.C.
EAGLEPOINTE ESTATES PHASE 16 – LOT 1609
DAVIS COUNTY, UTAH

DESCRIPTION OF A PERMANENT EASEMENT AND
RIGHT-OF-WAY UPON THE PROPERTY OF
EAGLEPOINTE DEVELOPMENT, L.C.

Description of a permanent easement and right-of-way upon, over, under, across, and through Lot 1609, Eaglepointe Estates Subdivision, Phase 16, on file and of record in the office of the Recorder, and situated in Section 13, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, said permanent easement and right-of-way being a portion of a fifty (50) foot wide permanent easement and right-of-way and being more particularly described as follows with all bearings and distances herein being grid based upon the Utah Coordinate System of 1983, Central Zone (U.S. Survey Feet), as derived from a Global Positioning System survey performed by UniversalPegasus International in 2009 (combined scale factor: 0.999815):


COMMENCING at a found subdivision street monument located in the center of the cul-de-sac of Parkway Circle, from said street monument a found street monument located in front of Lots 1601 and 1613 in Parkway Circle bears South 61°58'31" West 592.44 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE South 58°43'00" West 88.96 feet to most northerly corner of said Lot 1609, said point being the **TRUE POINT OF BEGINNING**;

AND RUNNING THENCE the following bearings and distances:

THENCE South 45°00'49" East 9.46 feet along the northeasterly line of said lot 1609; THENCE North 66°50'40" West 5.45 feet; THENCE North 67°00'51" West 5.54 to a point on the northwesterly line of said Lot 1609, said point being the beginning of a non-tangent curve to the right and concave southeasterly with a radius of 124.98 feet and from which a radial line bears South 35°52'20" East; THENCE along the northwesterly line of said Lot 1609 northeasterly 4.17 feet along the arc of said curve through a central angle of 01°54'36" (chord bears North 55°04'58" East 4.17 feet) to the **TRUE POINT OF BEGINNING**.

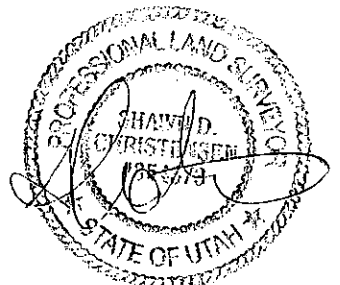
CONTAINING 19 square feet.



Shawn D. Christensen
Professional Land Surveyor
Utah Registration No. 354373

4-7-10

Date:



SEAL

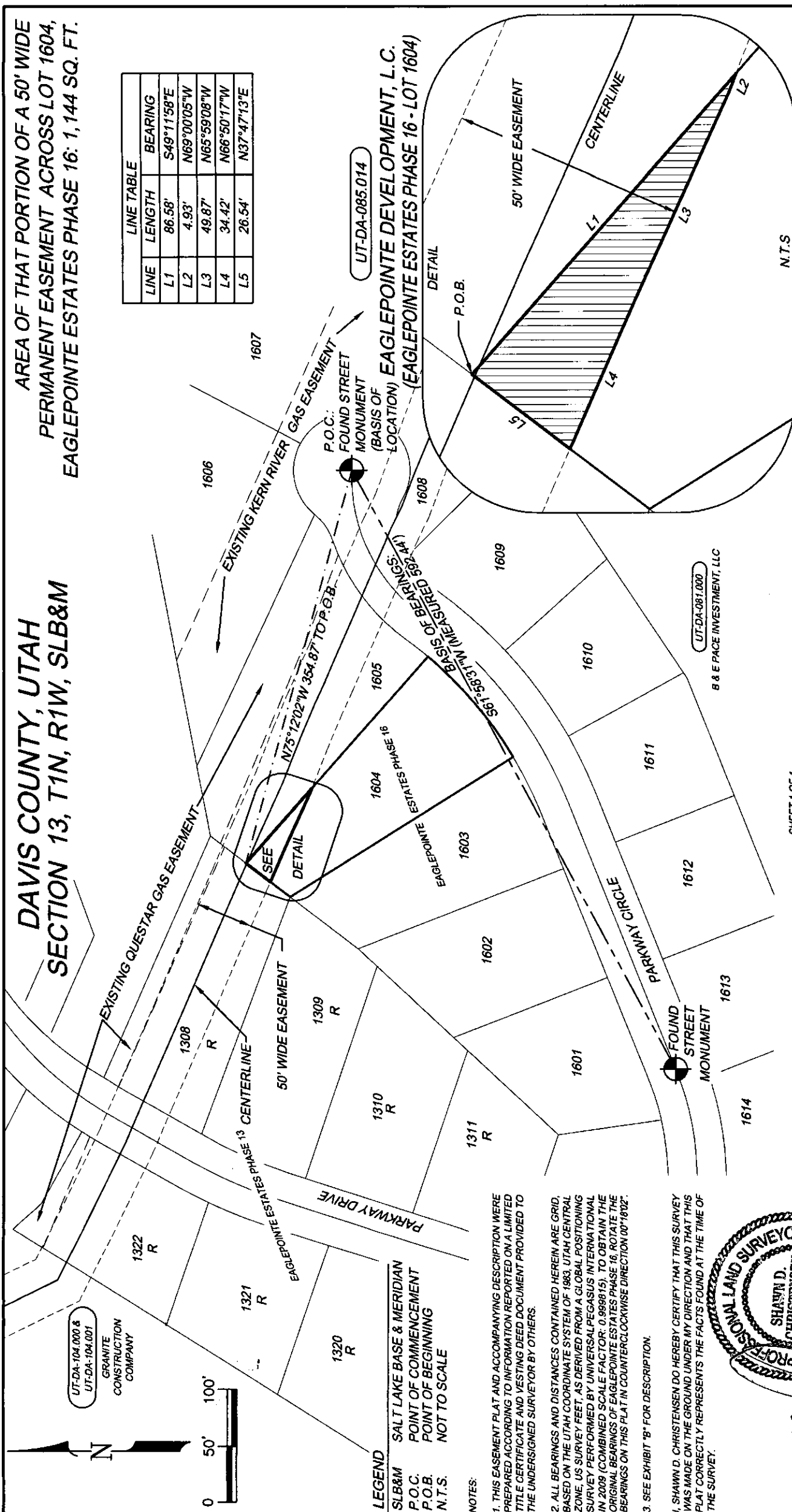
If this description and accompanying plat are not sealed with the stamped seal of the registered professional land surveyor, whose signature appears above, it should be considered as a copy and not the original.

EXHIBIT "A" - PLAT

DAVIS COUNTY, UTAH
SECTION 13, T1N, R1W, SLB&M

AREA OF THAT PORTION OF A 50' WIDE
PERMANENT EASEMENT ACROSS LOT 1604,
EAGLEPOINTE ESTATES PHASE 16: 1,144 SQ. FT.

| LINE TABLE | | |
|------------|--------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 86.58' | S49°11'58"E |
| L2 | 4.93' | N69°00'05"W |
| L3 | 49.87' | N65°59'08"W |
| L4 | 34.42' | N66°50'17"W |
| L5 | 26.54' | N37°47'13"E |



UT-DA-085.014

EAGLEPOINTE DEVELOPMENT, L.C.
(EAGLEPOINTE ESTATES PHASE 16 - LOT 1604)

N.T.S.

UT-DA-104.000 &
UT-DA-104.001
GRANITE
CONSTRUCTION
COMPANY

LEGEND
SLB&M SALT LAKE BASE & MERIDIAN
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N.T.S. NOT TO SCALE

- NOTES:**
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 3. SEE EXHIBIT "B" FOR DESCRIPTION.

I, SHAWN D. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 354373

PROFESSIONAL LAND SURVEYOR
SHAWN D. CHRISTENSEN
#354373
STATE OF UTAH

SHEET 1 OF 1

| NO. | REVISIONS | BY | CHKD | DATE | SCALE: | 1"=100' | DATE |
|-----|-----------|----|------|------|-------------|---------|----------|
| | | | | | DRAWN: BEC | | 11/20/09 |
| | | | | | DESIGNED: | | |
| | | | | | PROJ. ENG.: | | |
| | | | | | CHECKED: | | |
| | | | | | APP'D: | | |

TITLE: EASEMENT PLAT
PERMANENT EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C.

DAVIS COUNTY, UTAH

APEX EXPANSION
CENTRAL AND WESTERN DIVISION

DWG NO. 15338-UT-DA-085.014
REV.

UniversalPegasus
INTERNATIONAL

EXHIBIT "B" - DESCRIPTION

APEX EXPANSION PROJECT
KERN RIVER TRACT NO. UT-DA-085.014
EAGLEPOINTE DEVELOPMENT, L.C.
EAGLEPOINTE ESTATES PHASE 16 – LOT 1604
DAVIS COUNTY, UTAH

DESCRIPTION OF A PERMANENT EASEMENT AND
RIGHT-OF-WAY UPON THE PROPERTY OF
EAGLEPOINTE DEVELOPMENT, L.C.

Description of a permanent easement and right-of-way upon, over, under, across, and through Lot 1604, Eaglepointe Estates Subdivision, Phase 16, on file and of record in the office of the Recorder, and situated in Section 13, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, said permanent easement and right-of-way being a portion of a fifty (50) foot wide permanent easement and right-of-way and being more particularly described as follows with all bearings and distances herein being grid based upon the Utah Coordinate System of 1983, Central Zone (U.S. Survey Feet), as derived from a Global Positioning System survey performed by UniversalPegasus International in 2009 (combined scale factor: 0.999815):

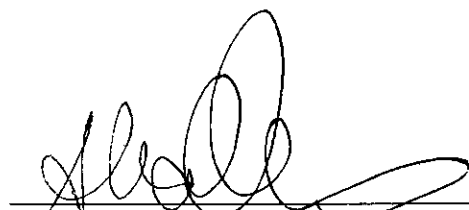
COMMENCING at a found subdivision street monument located in the center of the cul-de-sac of Parkway Circle, from said street monument a found street monument located in front of Lots 1601 and 1613 in Parkway Circle bears South 61°58'31" West 592.44 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE North 75°12'02" West 354.87 feet to most northerly corner of said Lot 1604, said point being the **TRUE POINT OF BEGINNING**;

AND RUNNING THENCE the following bearings and distances:

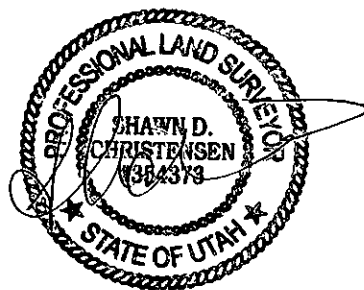
THENCE South 49°11'58" East 86.58 feet along the northeasterly line of said lot 1604; THENCE North 69°00'05" West 4.93 feet; THENCE North 65°59'08" West 49.87 feet; THENCE North 66°50'17" West 34.42 feet to a point on the northwesterly line of said Lot 1604; THENCE North 37°47'13" East 26.54 feet along the northwesterly line of said Lot 1604 to the **TRUE POINT OF BEGINNING**.

CONTAINING 1,144 square feet.



Shawn D. Christensen
Professional Land Surveyor
Utah Registration No. 354373

4-7-10
Date:



SEAL

If this description and accompanying plat are not sealed with the stamped seal of the registered professional land surveyor, whose signature appears above, it should be considered as a copy and not the original.

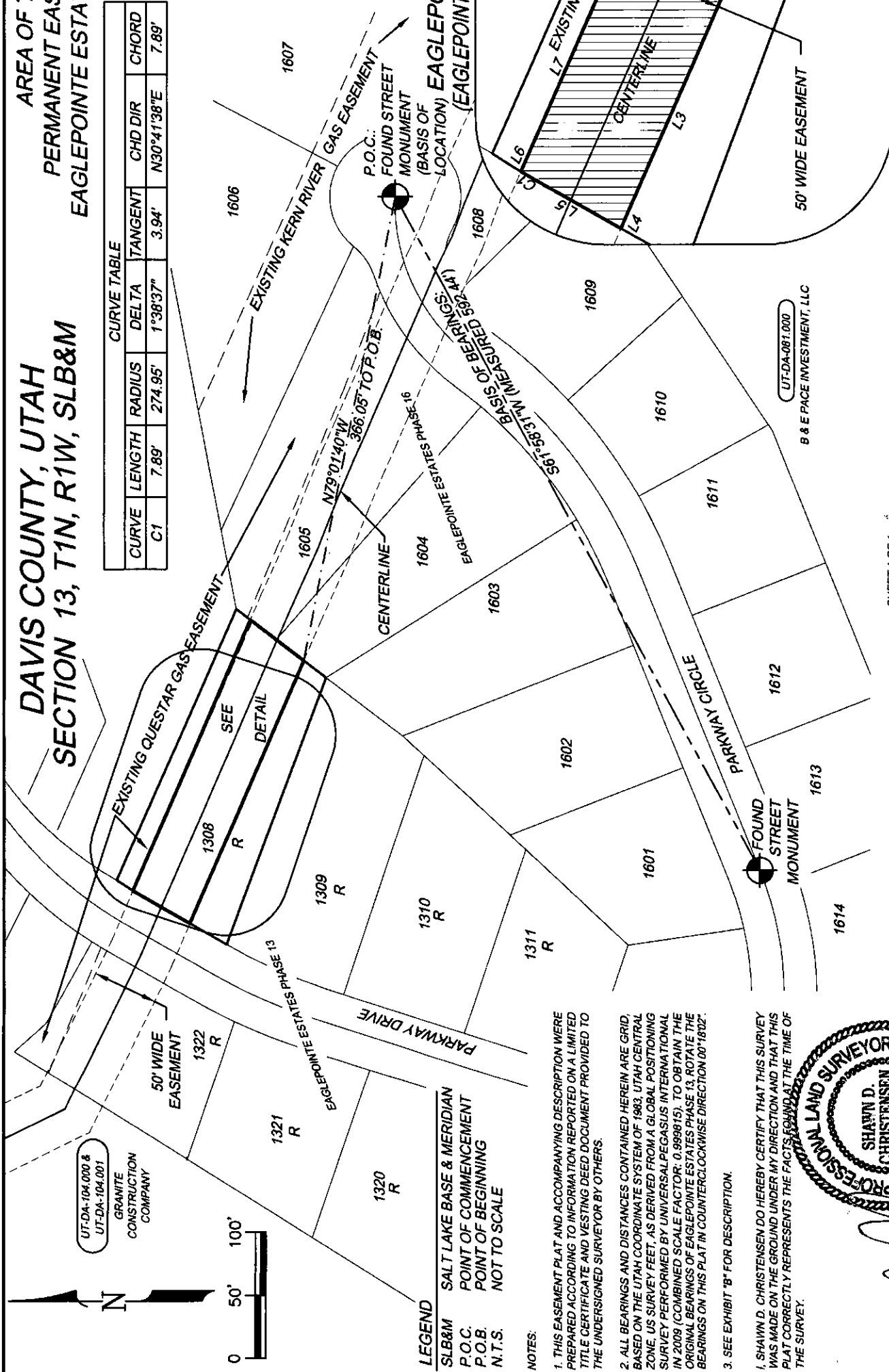
EXHIBIT "A" - PLAT

**DAVIS COUNTY, UTAH
SECTION 13, T1N, R1W, SLB&M**

**AREA OF THAT PORTION OF A 50' WIDE
PERMANENT EASEMENT ACROSS LOT 1308R,
EAGLEPOINTE ESTATES PHASE 13: 11,270 SQ. FT.**

| LINE | LENGTH | BEARING |
|------|---------|-------------|
| L1 | 9.29' | N66°50'17"W |
| L2 | 126.67' | N67°02'58"W |
| L3 | 77.81' | N66°42'30"W |
| L4 | 8.06' | N67°05'56"W |
| L5 | 42.50' | N29°52'19"E |
| L6 | 2.00' | S67°05'56"E |
| L7 | 77.84' | S66°42'30"E |
| L8 | 126.62' | S67°02'58"E |
| L9 | 22.43' | S66°50'17"E |
| L10 | 51.67' | S37°47'13"W |

| CURVE | LENGTH | RADIUS | DELTA | TANGENT | CHD DIR | CHORD |
|-------|--------|---------|----------|---------|-------------|-------|
| C1 | 7.89' | 274.95' | 1°38'37" | 3.94' | N30°41'38"E | 7.89' |



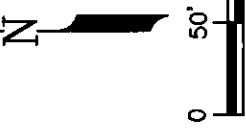
UT-DA-085.012

**EAGLEPOINTE DEVELOPMENT, L.C.
(LOCATION) EAGLEPOINTE ESTATES PHASE 13 - LOT 1308R**

DETAIL

N.T.S.

UT-DA-104.000 &
UT-DA-104.001
GRANITE
CONSTRUCTION
COMPANY

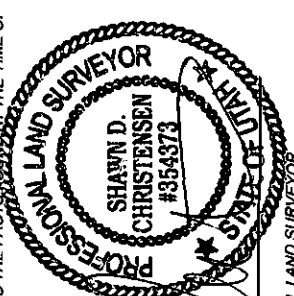


LEGEND
SLB&M SALT LAKE BASE & MERIDIAN
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N.T.S. NOT TO SCALE

NOTES:

1. THIS EASEMENT PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ACCORDING TO INFORMATION REPORTED ON A LIMITED TITLE CERTIFICATE AND VESTING DEED DOCUMENT PROVIDED TO THE UNDERSIGNED SURVEYOR BY OTHERS.
2. ALL BEARINGS AND DISTANCES CONTAINED HEREIN ARE GRID, BASED ON THE UTAH COORDINATE SYSTEM OF 1983, UTAH CENTRAL ZONE US SURVEY FEET, AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED BY UNIVERSAL PEGASUS INTERNATIONAL IN 2009 (COMBINED SCALE FACTOR: 0.999815). TO OBTAIN THE ORIGINAL BEARINGS OF EAGLEPOINTE ESTATES PHASE 13, ROTATE THE BEARINGS ON THIS PLAT IN COUNTERCLOCKWISE DIRECTION 00°18'02".
3. SEE EXHIBIT "B" FOR DESCRIPTION.

I, SHAWN D. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.



SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 954373

SHEET 1 OF 1

| NO. | REVISIONS | BY | CHKD | DATE | SCALE | 1"=100' | DATE |
|-----|----------------------------|-----|------|----------|-------------|---------|----------|
| A | REVISED PIPE LINE LOCATION | BEC | | 12/1/09 | BEC | | 11/20/09 |
| B | FOREST SERVICE REROUTE | BEC | | 12/14/09 | DESIGNED: | | |
| | | | | | PROJ. ENG.: | | |
| | | | | | CHECKED: | | |
| | | | | | APPD: | | |

TITLE: EASEMENT PLAT
PERMANENT EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C.

APEX EXPANSION
SEEN, HEARD AND TESTIFIED BY COMPANY

DWG NO. 15338-UT-DA-085.012
REV. B

UniversalPegasus
INTERNATIONAL

SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 954373

EXHIBIT "B" - DESCRIPTION

APEX EXPANSION PROJECT
KERN RIVER TRACT NO. UT-DA-085.012
EAGLEPOINTE DEVELOPMENT, L.C.
EAGLEPOINTE ESTATES PHASE 13 – LOT 1308R
DAVIS COUNTY, UTAH

DESCRIPTION OF A PERMANENT EASEMENT AND RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C.

Description of a permanent easement and right-of-way upon, over, under, across, and through Lot 1308R, Eaglepointe Estates Subdivision, Phase 13, on file and of record in the office of the Recorder, and situated in Section 13, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, said permanent easement and right-of-way being a portion of a fifty (50) foot wide permanent easement and right-of-way and being more particularly described as follows with all bearings and distances herein being grid based upon the Utah Coordinate System of 1983, Central Zone (U.S. Survey Feet), as derived from a Global Positioning System survey performed by UniversalPegasus International in 2009 (combined scale factor: 0.999815):

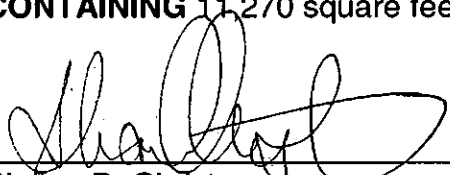
COMMENCING at a found subdivision street monument located in the center of the cul-de-sac of Parkway Circle, from said street monument a found street monument located in front of Lots 1601 and 1613, Eaglepointe Estates Subdivision, Phase 16, in Parkway Circle bears South 61°58'31" West 592.44 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE North 79°01'40" West 366.05 feet to a point on the southeasterly line of said Lot 1308R, said point being the **TRUE POINT OF BEGINNING**;

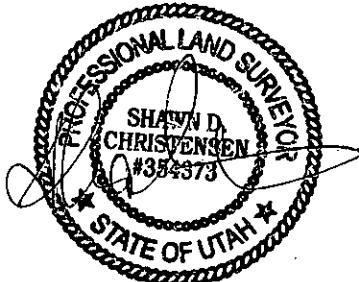
AND RUNNING THENCE the following bearings and distances:

THENCE North 66°50'17" West 9.29 feet; THENCE North 67°02'58" West 126.67 feet; THENCE North 66°42'30" West 77.81 feet; THENCE North 67°05'56" West 8.06 feet to a point on the northwesterly line of said Lot 1308R; THENCE North 29°52'19" East 42.50 feet along the northwesterly line of said Lot 1308R to the beginning of a tangent curve to the right and concave southeasterly with a radius of 274.95 feet and from which a radial line bears South 60°07'41" East; THENCE continuing along the northwesterly line of said Lot 1308R northeasterly 7.89 feet along the arc of said curve through a central angle of 01°38'37" (chord bears North 30°41'38" East 7.89 feet); THENCE South 67°05'56" East 2.00 feet; THENCE South 66°42'30" East 77.84 feet; THENCE South 67°02'58" East 126.62 feet; THENCE South 66°50'17" East 22.43 feet to a point on the southeasterly line of said Lot 1308R; THENCE South 37°47'13" West 51.67 feet along the southeasterly line of said Lot 1308R to the **TRUE POINT OF BEGINNING**.

CONTAINING 11,270 square feet.


Shawn D. Christensen
Professional Land Surveyor
Utah Registration No. 354373

4-7-10
Date:



SEAL

If this description and accompanying plat are not sealed with the stamped seal of the registered professional land surveyor, whose signature appears above, it should be considered as a copy and not the original.

EXHIBIT "A" - PLAT

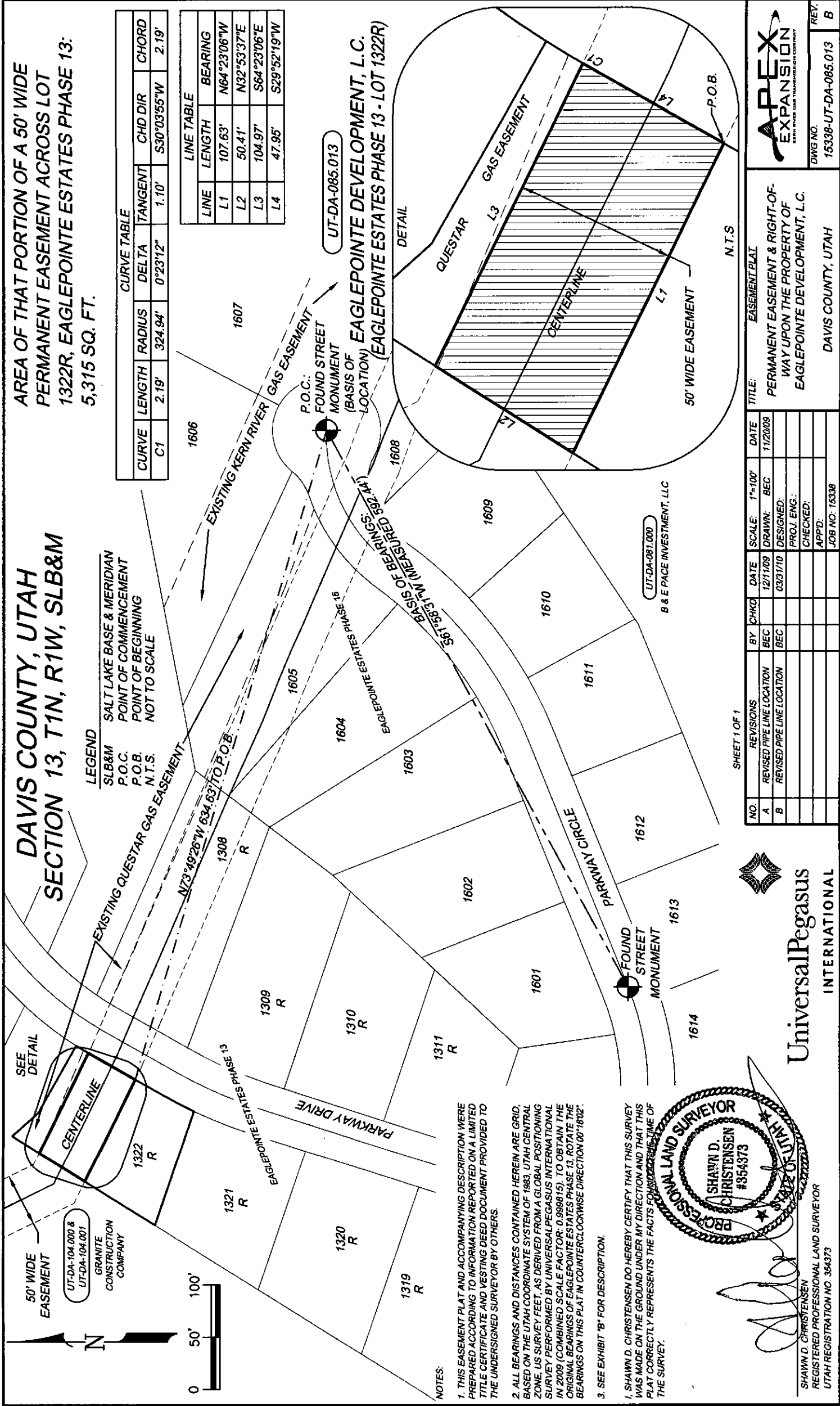
DAVIS COUNTY, UTAH
SECTION 13, T1N, R1W, SLB&M

AREA OF THAT PORTION OF A 50' WIDE
PERMANENT EASEMENT ACROSS LOT
1322R, EAGLEPOINTE ESTATES PHASE 13:
5,315 SQ. FT.

LEGEND
SLB&M SALT LAKE BASE & MERIDIAN
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N.T.S. NOT TO SCALE

| CURVE TABLE | | | | | | |
|-------------|--------|---------|----------|---------|-------------|-------|
| CURVE | LENGTH | RADIUS | DELTA | TANGENT | CHD DIR | CHORD |
| C1 | 2.19' | 324.94' | 0°23'12" | 1.10' | S30°03'55"W | 2.19' |

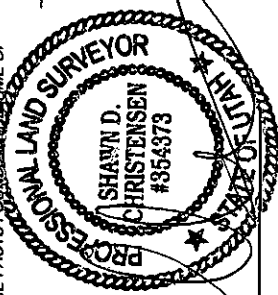
| LINE TABLE | | |
|------------|---------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 107.63' | N64°23'06"W |
| L2 | 50.41' | N32°53'37"E |
| L3 | 104.97' | S64°23'06"E |
| L4 | 47.95' | S29°52'19"W |



- NOTES:**
1. THIS EASEMENT PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ACCORDING TO INFORMATION REPORTED ON A LIMITED TITLE CERTIFICATE AND VESTING DEED DOCUMENT PROVIDED TO THE UNDERSIGNED SURVEYOR BY OTHERS.
 2. ALL BEARINGS AND DISTANCES CONTAINED HEREIN ARE GRID, BASED ON THE UTAH COORDINATE SYSTEM OF 1983, UTAH CENTRAL ZONE US SURVEY FEET, AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED BY UNIVERSALPEGASUS INTERNATIONAL IN 2009 (COMBINED SCALE FACTOR: 0.998815). TO OBTAIN THE ORIGINAL BEARINGS OF EAGLEPOINTE ESTATES PHASE 13, ROTATE THE BEARINGS ON THIS PLAT IN COUNTERCLOCKWISE DIRECTION 00°18'02".
 3. SEE EXHIBIT "B" FOR DESCRIPTION.

I, SHAWN D. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

SHAWN D. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 354373



UniversalPegasus
INTERNATIONAL

SHEET 1 OF 1

| NO. | REVISIONS | BY | CHKD | DATE | SCALE | 1"=100' | DATE |
|-----|----------------------------|-----|------|----------|-------------|---------|---------|
| A | REVISED PIPE LINE LOCATION | BEC | | 12/1/09 | BEC | | 11/2009 |
| B | REVISED PIPE LINE LOCATION | BEC | | 03/31/10 | DESIGNED: | | |
| | | | | | PROJ. ENG.: | | |
| | | | | | CHECKED: | | |
| | | | | | APPD: | | |

TITLE: EASEMENT PLAT
PERMANENT EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF EAGLEPOINTE DEVELOPMENT, L.C.

DAVIS COUNTY, UTAH

DWG NO. 15338-UT-DA-085.013



EXHIBIT "B" - DESCRIPTION

APEX EXPANSION PROJECT
KERN RIVER TRACT NO. UT-DA-085.013
EAGLEPOINTE DEVELOPMENT, L.C.
EAGLEPOINTE ESTATES PHASE 13 – LOT 1322R
DAVIS COUNTY, UTAH

DESCRIPTION OF A PERMANENT EASEMENT AND
RIGHT-OF-WAY UPON THE PROPERTY OF
EAGLEPOINTE DEVELOPMENT L.C.

Description of a permanent easement and right-of-way upon, over, under, across, and through Lot 1322R, Eaglepointe Estates Subdivision, Phase 13, on file and of record in the office of the Recorder, and situated in Section 13, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, said permanent easement and right-of-way being a portion of a fifty (50) foot wide permanent easement and right-of-way and being more particularly described as follows with all bearings and distances herein being grid based upon the Utah Coordinate System of 1983, Central Zone (U.S. Survey Feet), as derived from a Global Positioning System survey performed by UniversalPegasus International in 2009 (combined scale factor: 0.999815):

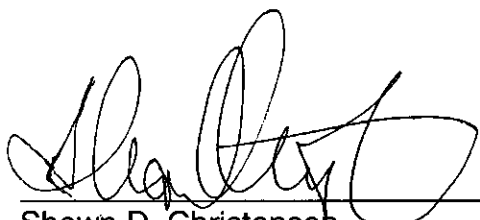
COMMENCING at a found subdivision street monument located in the center of the cul-de-sac of Parkway Circle, from said street monument a found street monument located in front of Lots 1601 and 1613, Eaglepointe Estates Subdivision, Phase 16, in Parkway Circle bears South 61°58'31" West 592.44 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE North 73°49'26" West 634.63 feet to a point on the southeasterly line of said Lot 1322R, said point being the **TRUE POINT OF BEGINNING**;

AND RUNNING THENCE the following bearings and distances:

THENCE North 64°23'06" West 107.63 feet to the northwesterly line of said Lot 1322R; THENCE North 32°53'37" East 50.41 feet along the northwesterly line of said Lot 1322R; THENCE South 64°23'06" East 104.97 feet to the southeasterly line of said Lot 1322R and the beginning of a non-tangent curve to the left and concave southeasterly with a radius of 324.94 feet and from which a radial line bears South 59°44'29" East; THENCE along the southeasterly line of said Lot 1322R southwesterly 2.19 feet along the arc of said curve through a central angle of 00°23'12" (chord bears South 30°03'55" West 2.19 feet); THENCE continuing along the southeasterly line of said Lot 1322R South 29°52'19" West 47.95 feet to the **TRUE POINT OF BEGINNING**.

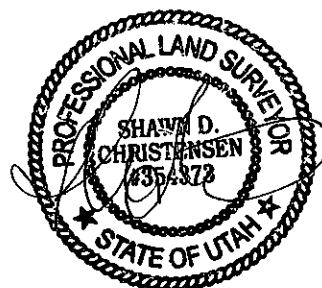
CONTAINING 5,315 square feet.



Shawn D. Christensen
Professional Land Surveyor
Utah Registration No. 354373

4-7-10

Date:



SEAL

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