

When Recorded Return to:  
Kern River Gas Transmission Company  
Land and Environment Department  
P.O. Box 71400  
Salt Lake City, Utah 84171-0400

Ent 125360 # 296 P 1080  
Date: 22-MAR-2012 11:54:24AM  
Fee: \$25.00 Check  
Filed By: CB  
BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: KERN RIVER GAS TRANSMISSION COM  
PANY

**AFFIDAVIT OF RIGHT-OF-WAY AND EASEMENT CENTERLINE DESCRIPTION**

**Kern River Gas Transmission Company**, whose address is 2755 East Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121, hereinafter referred to as "Affiant", is the Grantee of an Exclusive Right-of-Way and Easement Agreement identified as follows:

Grantors: **Lazy H Ranch, LLC**  
Dated: June 22, 2010, recorded June 23, 2010, in Book 285, Page 478, in the public records of Morgan County, Utah.  
Location: Land situated in Section 5, Township 2 North, Range 3 East, SLB&M, Morgan County, Utah.

Whereas, Affiant surveyed the proposed pipeline location and easement description before construction (the "Initial Survey") and attached said survey and legal description to the Exclusive Right-of-Way and Easement Agreement described above, and,

Whereas, Affiant surveyed the actual pipeline location and easement description after construction (the "As-built Pipeline Survey").

Now therefore, for and in consideration of the mutual covenants, promises and agreements contained in said Exclusive Right-of-Way and Easement Agreement, Affiant does hereby replace and supersede the recorded Initial Survey, with the As-built Pipeline Survey, attached hereto as Exhibits "A" and "B."

To the extent that any discrepancy exists between the As-built Pipeline Survey and the actual location of the pipeline, the actual location of the pipeline shall govern, with the permanent 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 is installed on Grantor's property. In all other respects, said Exclusive Right-of-Way and Easement Agreement remains unchanged.

Executed this 7<sup>th</sup> day of March, 2012.

**Kern River Gas Transmission Company**

Chris D. Jorgensen  
By: Christopher D. Jorgensen  
Its: Attorney-in-Fact

**ACKNOWLEDGMENT—ATTORNEY-IN-FACT**

STATE OF UTAH )  
COUNTY OF SALT LAKE )

On the 9<sup>th</sup> day of March, 2012, Christopher D. Jorgensen personally appeared before me and being duly sworn, did say that he is the Attorney-in-fact for Kern River Gas Transmission Company, and that the above Affidavit of Right-of-Way and Easement Centerline Description was signed on behalf of Kern River Gas Transmission Company, and said Christopher D. Jorgensen acknowledged to me that he as such Attorney-in-fact executed the same.

Name & Title of Officer: WENDY L WHITE, Notary Public in and for the State of Utah  
Printed Name

My commission expires: 07-12-2014 Wendy L White  
Signature: Notary Public

[SEAL]



Tract	Serial	Parcel
UT-MO-012.000	01-002-056	00-0000-1659
UT-MO-013.001	01-002-056	00-0000-1659



## EXHIBIT "B" – AS-BUILT DESCRIPTION

APEX EXPANSION PROJECT  
KERN RIVER TRACT NOS. UT-MO-012.000 & UT-MO-013.001  
LAZY H RANCH LLC  
MORGAN COUNTY, UTAH

DESCRIPTION OF A FIFTY (50) FOOT WIDE  
PERMANENT EASEMENT AND RIGHT-OF-WAY UPON THE PROPERTY OF  
LAZY H RANCH LLC

**Description of a fifty (50) foot wide permanent easement and right-of-way situated in Section 5, Township 2 North, Range 3 East, Salt Lake Base and Meridian, Morgan County, Utah, said fifty (50) foot wide permanent easement and right-of-way being situated twenty five (25) feet on each side of the herein described as-built centerline, said as-built centerline 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). Combined scale factor: 0.999832;**

**DESCRIPTION NO. 1 (UT-MO-012.000):**

**COMMENCING** at a found rebar and cap survey marker set by J. Russell Manning adjacent to an original Government Land Office stone monument for the east one-quarter corner of Section 5, Township 2 North, Range 3 East, Salt Lake Base and Meridian (see filed record of survey number 449), from said east one-quarter corner a found rebar and cap survey marker set by J. Russell Manning adjacent to an original Government Land Office stone monument for the southeast corner of Section 5 bears South 00°59'23" East 2,089.22 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

**THENCE** North 00°08'06" East 851.08 feet along the section line and West 77.56 feet to a point on the westerly line of the Rose/Chard property, said point being the **TRUE POINT OF BEGINNING** of the herein described as-built centerline; from said true point of beginning a found rebar and cap survey marker set by William L. Holyoak, RLS #167461 (Mountain Engineering), in conjunction with that certain survey performed at the request of Gerald A. Rose circa November, 2003, and filed in the office of the Morgan County recorder as record of survey filing number 462, bears South 01°02'49" East 67.00 feet along the westerly line of the Rose/Chard property;

**AND RUNNING THENCE** across a portion of the above referenced tract of land the following bearings and distances:

THENCE South 32°11'34" West 18.57 feet; THENCE South 62°20'56" West 128.34 feet; THENCE North 87°53'30" West 35.35 feet; THENCE North 60°13'12" West 49.20 feet; THENCE North 48°05'40" West 231.81 feet; THENCE North 55°40'32" West 129.67 feet; THENCE North 70°49'25" West 382.47 feet; THENCE North 72°10'07" West 289.33 feet; THENCE North 80°26'43" West 518.44 feet; THENCE South 55°34'36" West 80.26 feet; THENCE North 83°57'58" West 169.90 feet; THENCE North 88°13'51" West 177.99 feet; THENCE South 80°49'11" West 183.40 feet; THENCE South 72°15'09" West 174.63 feet; THENCE South 62°24'37" West 279.63 feet; THENCE South 70°57'19" West 113.95 feet; THENCE North 80°20'36" West 134.69 feet; THENCE North 73°54'51" West 40.02 feet to a point on the easterly line of the Young Automotive Group Inc. property, **AND TERMINATING.**

From said point of termination the original Government Land Office stone monument for the southwest corner of said Section 5 bears South 01°16'45" East 3,384.38 feet along the easterly line of said Young Automotive Group, Inc. property to the section line and South 86°04'44" West 2,171.95 feet along the section line. The right-of-way boundary lines of said fifty (50) foot wide permanent easement and right-of-way shall be shortened and lengthened at their extremities so as to conform to the property lines of

APEX EXPANSION PROJECT  
KERN RIVER TRACT NOS. UT-MO-012.000 & UT-MO-013.001  
LAZY H RANCH, LLC  
MORGAN COUNTY, UTAH

the above referenced tract of land thereby providing for a continuous fifty (50) foot wide permanent easement and right-of-way width.

**DESCRIPTION NO. 2 (UT-MO-013.001):**


**COMMENCING** at the original Government Land Office (GLO) stone monument for the west one-quarter corner of Section 5, Township 2 North, Range 3 East, Salt Lake Base and Meridian, from said monument the original GLO stone monument for the southwest corner of said Section 5 bears South 01°41'54" East 2,467.76 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

**THENCE** East 733.13 feet to a point on the westerly line of the Young Automotive Group, Inc. property and North 01°16'45" West 957.09 feet along said westerly line to the **TRUE POINT OF BEGINNING** of the herein described as-built centerline;

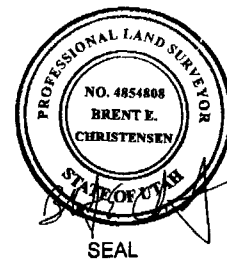
**AND RUNNING THENCE** across a portion of the above referenced tract of land the following bearing and distance:

**THENCE** North 55°31'21" West 11.45 feet; **THENCE** North 43°30'28" West 1,095.04 feet to the section line, **AND TERMINATING**.

From said point of termination the original Government Land Office stone monument for the witness corner to the northwest corner of said Section 5 bears North 01°40'49" West 940.05 feet along the section line. The right-of-way boundary lines of said fifty (50) foot wide permanent easement and right-of-way shall be shortened and lengthened at their extremities so as to conform to the property lines of the above referenced tract of land thereby providing for a continuous fifty (50) foot wide permanent easement and right-of-way width.

  
\_\_\_\_\_  
Brent E. Christensen  
Professional Land Surveyor  
Utah Registration No. 4854808

3.6.2012  
\_\_\_\_\_  
Date:



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.

PAGE 2 OF 2  
Rev. A (As-Built)

UPI JOB NO. 17180