

NO 143738 DATE 10-2-87 TIME 12:50 FEE 15.00
REC FOR CHEVRON PIPELINES BOOK 194 PAGE 223-231
RECORDER JOE DEAN HUBER BY BRUCE BAILLY
Wasatch County, State of Utah

After recording, mail to:
Chevron Pipe Line Company
Attn: J.W. Young,
Right of Way Specialist
P.O. Box 25117
Salt Lake City, Utah 84101

RIGHT OF WAY GRANT

FOR AND IN CONSIDERATION OF THE SUM OF TEN AND NO/100 DOLLARS (\$10.00) to the undersigned Grantor in hand paid, and other good and valuable consideration, the receipt whereof is hereby acknowledged, UNITED PARK CITY MINES COMPANY, a Delaware corporation, having a mailing address at 309 Kearns Building, Salt Lake City, Utah 84101, Grantor, does hereby grant to Chevron Pipe Line Company, a Delaware corporation, having a mailing address of P.O. Box 25117, Salt Lake City, Utah 84125-0117, Grantee, a right of way from time to time to lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of, and remove pipelines together with such valves, fittings, meters, cathodic equipment, heating stations and other appurtenances as may be necessary or convenient to the operation of said lines, for the transportation of oil, petroleum, gas, gasoline, water or other substances, or any thereof, and to erect, install, maintain, operate, repair, renew, add to and remove telegraph, telephone or power lines and appurtenances thereof on a single line of poles or underground, as Grantee from time to time and place to place may elect together with the right of ingress and egress to and from the same, over and through, under or along those certain parcels of land situate in Summit and Wasatch Counties, State of Utah, and described as follows:

Parcel No. 61:1
A parcel of land, embodying a 33.00 foot wide strip of land, and lying within Lots 1 and 2 of Section 1, S., R. 4 E., S.L.B. & M., Summit County, Utah, described as follows:

Beginning at a point in the northerly limited-access line of the new route of U.S. 189, at a point South 511.726, and East 3,853.547 feet of the Corner Common to the Southeast Corner of Section 35, the Southwest Corner of Section 36, T. 1 S., R. 4 E., the Northwest Corner of Section 1, the Northeast Corner of Section 2, T. 2 S., R. 4 E., S.L.B. & M.;

Thence South 89°19'46" East for 186.49 feet;

Thence South 87°41'03" East for 339.16 feet, to the point of a 2,139.86 foot radius curve to the right, whose radius bears South 05°28'14" West for 2,139.86 feet;

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Thence along the arc of said curve for 199.64 feet to intercept the Wasatch/Summit County Line, between County Line Points 138 and 142;

Thence North $03^{\circ}37'00''$ East for 34.06 feet along said County Line to the point of a 2,172.86 foot radius curve to the left whose radius bears South $10^{\circ}35'32''$ West for 2,172.86 feet;

Thence along the arc of said curve for 195.15 feet;

Thence North $87^{\circ}41'03''$ West for 340.55 feet;

Thence North $89^{\circ}19'46''$ West for 136.18 feet;

Thence South $57^{\circ}38'48''$ West for 60.55 feet, or to the point of beginning.

Total Area of Tract: 0.53 Acres, more or less.

Parcel No. 61:1 may also be described, using bearings based on the Utah State Plane Coordinate System and based upon land descriptions provided by the Utah Department of Transportation incident to the construction of an expressway known as Project No. NF-61 as shown on the official map of said project on file in the office of the Utah Department of Transportation, as follows:

Beginning in the northerly limited-access line of the new route of U.S. 189 (Park City Interchange to West Kamas) at a point 230.00 feet perpendicularly distant northerly from the center line of said project at Engineer Station 86+39.45, said point of beginning is approximately 1,468.38 feet S. $89^{\circ}46'04''$ W. and 484.20 feet S. $0^{\circ}13'56''$ E. from the Northeast corner of said Section 1; thence along said northerly limited-access line the following three (3) courses and distances: S. $89^{\circ}19'46''$ E. 186.49 feet; thence S. $87^{\circ}41'03''$ E. 339.16 feet; thence Easterly 199.64 feet along the arc of a 2,139.86 foot radius curve to the right, to the easterly county line of Summit County (Note: Tangent to said curve at its point of beginning bears S. $84^{\circ}31'46''$ E.); thence N. $3^{\circ}37'00''$ W. 34.06 feet along said easterly county line; thence Westerly 195.15 feet along the arc of a 2,172.86 foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. $79^{\circ}24'28''$ W.); thence N.

87°41'03" W. 340.55 feet; thence N. 89° 19'46" W. 136.18 feet; thence S. 57° 38'48" W. 60.55 feet to the point of beginning.

Parcel No. 61:1B

A parcel of land, embodying a 33.00 foot wide strip of land, and lying within Lot 1 of Section 1, T. 2 S., R. 4 E., S.L.B. & M, Wasatch County, Utah, described as follows:

Beginning at a point lying on the Summit/Wasatch County Line, between County Line Points 138 and 142, and located South 521.886 feet, and East 4,574.317 feet of the Corner Common to the Southeast Corner of Section 35, the Southwest Corner of Section 36, T. 1 S., R. 4 E., the Northwest Corner of Section 1, the Northeast Corner of Section 2, T. 2 S., R. 4 E., S.L.B. & M., and at the point of a 2,172.86 foot radius curve to the right, whose radius bears South 10°35'32" West for 2,172.86 feet;

Thence along the arc of said curve for 725.96 feet to the Westerly Right of Way of the existing Browns Canyon Road;

Thence South 10°19'50" East for 36.32 feet along that Westerly right of way to the point of a 236.48 foot radius curve to the right whose radius bears South 79°40'10" West for 236.48 feet;

Thence along the arc of said curve for 6.44 feet, or to the point of a 2,139.86 foot radius curve to the left whose radius bears South 30°28'00" West for 2,139.86 feet;

Thence westerly along the arc of said curve for 734.37 feet to intercept the Summit/Wasatch County Line;

Thence North 03°37'00" West for 34.06 feet, or to the point of beginning.

Total Area of Tract: 0.55 Acres, more or less.

Parcel No. 61:1B may also be described, using bearings based on the Utah State Plane Coordinate System and based upon land descriptions provided by the Utah Department of Transportation incident to the

construction of an expressway known as Project No. NF-61 as shown on the official map of said project on file in the office of the Utah Department of Transportation, as follows:

Beginning in the westerly line of Wasatch County at a point 263.00 feet radially distant northerly from the center line of said project, which point is approximately 747.56 feet S. $89^{\circ} 46' 04''$ W. and 497.29 feet S. $0^{\circ} 13' 56''$ E. from the Northeast corner of said Section 1; thence Easterly 725.96 feet along the arc of a 2,172.86 foot radius curve to the right to the westerly right of way line of the existing Browns Canyon road (Note: Tangent to said curve at its point of beginning bears S. $79^{\circ} 24' 28''$ E.); thence S. $10^{\circ} 19' 50''$ E. 36.32 feet along said westerly right of way line to a point of tangency with a 236.48 foot radius curve to the right; thence Southerly 6.44 feet along the arc of said curve and westerly right of way line to a point 230.00 feet radially distant northerly from said center line; thence Westerly 734.37 feet along the northerly limited-access line of the new route of U.S. 189, which is along the arc of a 2,139.86 foot radius curve to the left, to said westerly county line (Note: Tangent to said curve at its point of beginning bears approximately N. $59^{\circ} 31' 15''$ W.); thence N. $3^{\circ} 37' 00''$ W. 34.06 feet along said west county line to the point of beginning.

Parcel 61:1C

A parcel of land, embodying a 33.00 foot wide strip of land, and lying within Lot 2 of Section 1, T. 2 S., R. 4 E., S.L.B. & M., Summit County, Utah, described as follows:

Beginning in the northerly limited-access line of the new route of U.S. 189 (Park City Interchange to West Kamas), at a point located South 511.716 feet, and East 3,853.547 feet from the Corner Common to the Southeast Corner of Section 35, the Southwest Corner of Section 36, T. 1 S., R. 4 E., the Northwest Corner of Section 1, the Northeast Corner of Section 2, T. 2 S., R. 4 E., S.L.B. & M.;

Thence South $89^{\circ} 19' 46''$ East for 60.55 feet;

Thence South $57^{\circ} 38' 48''$ West for 177.99 feet;

Thence North $89^{\circ}19'46''$ West for 60.55 feet;

Thence North $57^{\circ}38'48''$ East for 177.99 feet, or to the point of beginning.

Total Area of Tract: 0.135 Acres, more or less.

Parcel No. 61:1C may also be described, using bearings based on the Utah State Plane Coordinate System and based upon land descriptions provided by the Utah Department of Transportation incident to the construction of an expressway known as Project No. NF-61 as shown on the official map of said project on file in the office of the Utah Department of Transportation, as follows:

Beginning in the northerly limited access line of the new route of U.S. 189 (Park City Interchange to West Kamas) at a point 230 feet perpendicularly distant northerly from the center line of said project at Engineer Station 86+39.45, said point of beginning is approximately 1,468.38 feet S. $89^{\circ}46'04''$ W. 484.20 feet S. $0^{\circ}13'56''$ E. from the northeast corner of said Section 1; thence 60.55 feet S. $89^{\circ}19'46''$ E., thence 177.99 feet, S. $57^{\circ}38'48''$ W; thence 60.55 feet N. $89^{\circ}19'46''$ W; thence 177.99 feet, N. $57^{\circ}38'48''$ E. to the said point of beginning.

Parcel 61:1D

A parcel of land, embodying a 33.00 foot wide strip of land, and lying within Lot 2 of Section 1, T. 2 S., R. 4 E., S.L.B. & M., Wasatch County, Utah, described as follows:

Beginning at a point South 774.166 feet, and East 5,191.237 feet from the Corner Common to the Southeast Corner of Section 35, the Southwest Corner of Section 36, T. 1 S., R. 4 E., the Northwest Corner of Section 1, the Northeast Corner of Section 2, T. 2 S., R. 4 E., S.L.B. & M., and on the point of a 2,139.86 foot radius curve to the right, whose radius bears South $28^{\circ}20'49''$ West for 2,139.86 feet;

Thence along the arc of said curve easterly for 66.72 feet to intercept the westerly right of way of the existing Browns Canyon Road or to the point of a 236.48 foot radius curve to the right, whose radius bears South $81^{\circ}13'50''$ West for 236.48 feet;

Thence along the arc of said curve for 93.90 feet along the Westerly edge of the Browns Canyon Road, to a northerly right of way line of an existing Chevron Pipe Line right of way and to the point of a 2,057.86 foot radius curve to the left, whose radius bears South $31^{\circ}41'37''$ West for 2,057.86 feet;

Thence along the arc of said curve westerly for 49.36 feet;

Thence North $06^{\circ}15'03''$ West for 100.57 feet, along a closing course to the point of beginning.

Total Area of Tract: 0.13 Acres, more or less.

Parcel No. 61:1D may also be described, using bearings based on the Utah State Plane Coordinate System and based upon land descriptions provided by the Utah Department of Transportation incident to the construction of an expressway known as Project No. NF-61 as shown on the official map of said project on file in the office of the Utah Department of Transportation, as follows:

Beginning in the northerly limited access line of the new route of U.S. 189 (Park City Interchange to West Kamas) at a point 230 feet perpendicularly distant northeasterly from the center line of said project, at the westerly right of way line of the existing Browns Canyon Road in Wasatch County which point is approximately 791.74 feet N. $0^{\circ}13'56''$ W. 62.87 feet S. $89^{\circ}46'04''$ W. from the northeast corner of said Section 1.

Thence along an arc of a 236.48 foot radius curve along the westerly right of way of the existing Browns Canyon Road whose center bears right S. $81^{\circ}13'50''$ W., 93.60 feet in a southerly direction to the existing Chevron Pipe Line right of way.

Thence along an arc of a 2,057.86 radius curve whose center bears left S. $31^{\circ}41'37''$ W., 49.36 ft. in a westerly direction;

Thence N. $06^{\circ}15'03''$ W., 100.57 feet;

Thence along an arc of a 2,139.86 foot radius curve whose center bears right S. $28^{\circ}20'49''$ W. for 66.72 ft. to said point of beginning.

Width of Right of Way. The said pipelines and/or telephone, telegraph, and/or power lines and appurtenances shall be laid, constructed or erected within a strip of land 33 feet in width across said lands of Grantor and upon the completion of the first construction undertaken, the said right-of-way shall thereafter be limited to said width, the center line of which will be the center of the line or lines so constructed.

Access. For the considerations aforesaid, Grantor further grants to Grantee the right of ingress to and egress from Grantee's right of way on the said lands of Grantor and on adjoining lands by means of roads and lanes thereon, if such exist, otherwise by such route as shall occasion the least practicable damage and inconvenience to Grantor; provided, however, that such right of ingress or egress shall not extend to any portion of Grantor's land which is isolated from the right of way by any public road or highway now or hereafter crossing Grantor's land.

Installation Across Roads, Ditches, and Canals. The said pipelines and/or telephone, telegraph, and/or power lines and appurtenances may be laid, erected, installed, and maintained across roads, streets, ditches, and canals that intersect or traverse the above-described property.

Pipeline Burial Depth. At places where said land is under cultivation, said pipelines shall be laid so that the tops thereof are at least twenty-four (24) inches beneath the surface of the ground; except that if at such places underground ledges of rock or boulders are encountered at a lesser depth, said pipelines only need to be laid so that the tops thereof are below the tops of such ledges of rock or boulders. At all other points, said pipelines shall be buried, except that where they cross water courses, ravines and other similar depressions of the ground or projecting ledges or rock, they may be laid above the surface.

Trees. Grantee shall have the right to trim trees or portions thereof overhanging said strip of land whenever in the opinion of Grantee the same shall be necessary or proper in the exercise of the pole rights herein granted.

Grantor's Use. Grantor reserves the right to use and enjoy said premises, provided that Grantor shall not construct or maintain the whole or any part of any structure on said strip of land or in any manner impair or interfere with the present or prospective exercise of any of the rights herein granted without prior written approval of Grantee.

Damages. Chevron agrees to pay any damages to United Park's crops, ditches, feed lots, livestock, fences, or buildings which may be caused by Chevron's operations hereunder. The amount of said damages, if not mutually agreed upon, shall be determined by three disinterested persons, one thereof to be appointed by United Park, one by Chevron, and the third by the two so appointed. The award of such three persons or any two of them shall be final and conclusive.

Subject to Right of Way Agreement. This Right of Way Grant is expressly subject to, and incorporates by reference, the provisions, covenants and obligations of that certain Right of Way Agreement executed September 18, 1987 between Grantor and Grantee.

Assignability. The rights and easements herein granted shall be assignable. The rights, covenants, and obligations inuring to the benefit of and binding upon Grantee under this Right of Way Grant and the above-referenced Right of Way Agreement executed September 18, 1987, shall run with the ownership of Grantee's interest in the right of way granted herein and shall inure to the benefit of and bind any person or other entity which at any time shall succeed to Grantee's interest in said right of way. The rights, covenants, and obligations inuring to the benefit of and binding upon Grantor under this Right of Way Grant and the above-referenced Right of Way Agreement executed September 18, 1987, shall run with the ownership of Grantor's interest in the land subject to the right of way granted herein and shall inure to the benefit of and bind any person or other entity which at any time shall succeed to Grantor's interest in the land subject to said right of way.

IN WITNESS WHEREOF, these presents are executed as of ~~the day and year first above written.~~

EMK *this 18th day of September, 1987.*
"Grantor"

UNITED PARK CITY MINES COMPANY

By

E. D. [Signature]
Its *Vice President*

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

On this 18th day of September, 1987, personally appeared before me E. L. Osika, Jr., who being by me duly sworn, did say that he is the Vice President of UNITED PARK CITY MINES COMPANY, and that said instrument was signed in behalf of said corporation by authority of its Bylaws, and said E. L. Osika, Jr. acknowledged to me that said corporation executed the same.



Rosemary J. Beless
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

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