

WHEN RECORDED MAIL TO:  
Mountain Fuel Supply Company  
P.O. Box 45360, Right of Way  
Salt Lake City, Ut 84145-0360

E 1404840 B 2292 P 318  
JAMES ASHAUER, DAVIS CNTY RECORDER  
1998 MAY 14 12:34 PM FEE 16.00 DEP DJW  
REC'D FOR AMERICA WEST TITLE AGENCY INC

RIGHT-OF-WAY AND EASEMENT GRANT

SE 12-4N-2W  
12-066-0057

OAKSTONE, L.C., a Utah limited liability company, Grantor, does hereby convey and warrant to MOUNTAIN FUEL SUPPLY COMPANY, a corporation of the State of Utah, Grantee, its successors and assigns, for the sum of ONE DOLLAR (\$1.00) in hand paid other good and valuable consideration, receipt of which is hereby acknowledged, a right-of-way and easement to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities (hereinafter collectively called "facilities"), said right-of-way being situated in the County of Davis, State of Utah, and more particularly described as follows, to-wit:

Land of the Grantor located in Section 12, Township 4 North, Range 2 West, Salt Lake Base and Meridian.

Those areas designated as "Common Areas (including private driveways, streets or lanes)" as shown within the Oakstone Apartments Project according to the plat prepared by Thompson-Hysell Engineers. The legal description of the aforesaid project is contained within Exhibit "B" attached hereto and by this reference made a part of.

TO HAVE AND TO HOLD the same unto said Mountain Fuel Supply Company, its successors and assigns, so long as such facilities shall be maintained, with the right of ingress and egress to and from said right-of-way to maintain, operate, repair, inspect, protect, remove and replace the same. During temporary periods, Grantee may use such portion 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. Grantor shall have the right to use said premises except for the purposes for which this right-of-way and easement is granted to Grantee, provided such use does not interfere with the facilities or any other rights granted to grantee hereunder.

Grantor shall not build or construct, or permit to be built or constructed, any building or other improvement over or across said right-of-way, nor change the contour thereof, without written consent of Grantee. This right-of-way shall be binding upon and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee, and may be assigned in whole or in part by Grantee.

It is hereby understood that any parties securing this grant on behalf of Grantee are without authority to make any representations, covenants or agreements not herein expressed.

96-1373D-4



EXHIBIT "B"

E 1404840 B 2292 P 320

Order No. 96-1373D-a

A Part of The Southeast quarter of Section 12, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey. Beginning at a point being 676.50 feet North 00°06'05" East along the section line and 33.00 feet West of the Southeast corner of Section 12 (Basis of bearing: North 00°06'05" East from the Southeast corner of Section 12 Along the Section line to the East quarter corner): thence as follows: North 89°52'13" West 685.84 feet along the adjoining property line; thence North 89°52'40" West 388.75 feet along the, adjoining property line; thence North 29°53'42" West 431.79 feet along the railroad row fence; thence North 00°44'07" West 267.28 feet along the railroad row fence; thence North 89°47'52" East 428.29 feet along an existing chain link fence; thence South 89°44'36" East 371.08 feet; thence South 00°06'05" West 321.07 feet; thence South 89°44'36" East for 495.00 feet to the West line of 1000 East Street; thence South 00°06'05" West 320.61 feet along said street, to the point of beginning.

12-066-0057


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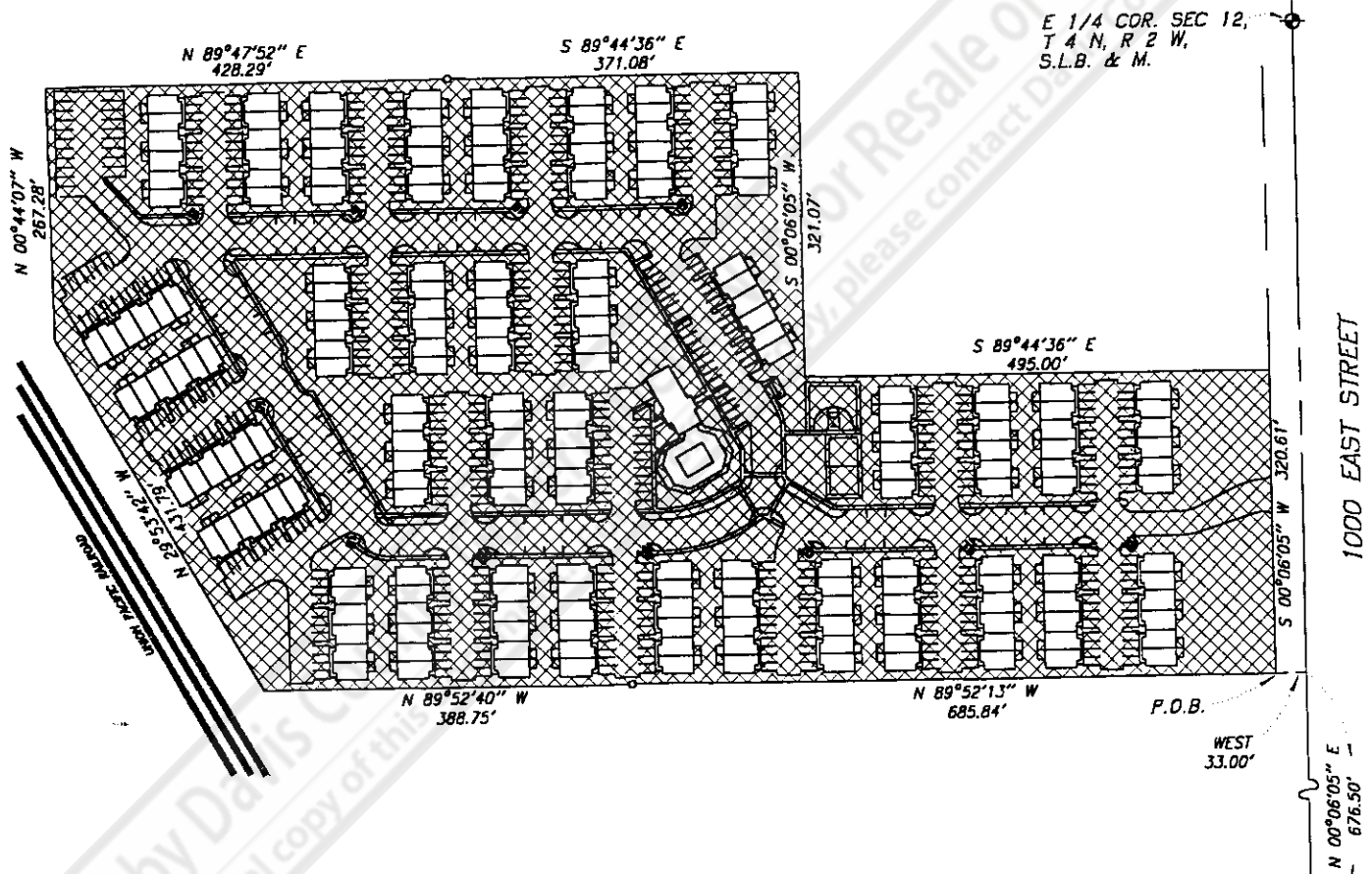
**BOUNDARY DESCRIPTION:**

A Part of the Southeast Quarter of Section 12, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey. BEGINNING at a point being 676.50 feet North 00°06'05" East along the section line and 33.00 feet West of the Southeast corner of Section 12 (Basis of Bearing: N 00°06'05" East from the Southeast corner of Section 12 Along the Section line to the East quarter corner); Thence as follows: N 89°52'13" W 685.84' along the adjoining property line; thence N 89°52'40" W 388.75 feet along the adjoining property line; thence N 29°53'42" W 431.79 feet along the railroad row fence; thence N 00°44'07" W 267.28 feet along the railroad row fence; thence N 89°47'52" E 428.29 feet along an existing chain link fence; thence S 89°44'36" E 371.08 feet; thence South 00°06'05" West for 321.07 feet; thence South 89°44'36" East for 495.00 feet to the West line of 1000 east Street; thence S 00°06'05" W 320.61 feet along said street, to the point of beginning.

SCALE 1" = 200'

E 1404840 B 2292 P 321

 COMMON AREAS (INCLUDING PRIVATE DRIVEWAYS, STREETS OR LANES)



**UTILITY EASEMENT DEDICATION:**

(OWNER), OWNER OF THE PROPERTY SET FORTH AND DESCRIBED ON THIS PLAT, HEREBY OFFERS AND CONVEYS TO ALL PUBLIC UTILITY AGENCIES, THEIR SUCCESSORS AND ASSIGNS, A PUBLIC UTILITY EASEMENT AND RIGHT-OF-WAY OVER, UNDER, ACROSS AND THROUGH THOSE AREAS DESIGNATED ON THIS PLAT AS "COMMON AREAS (INCLUDING PRIVATE DRIVEWAYS, STREETS OR LANES)" FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER AND DRAINAGE LINES AND APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS THERETO, WHICH WOULD REQUIRE THAT NO SURFACE CONSTRUCTION BE ALLOWED WHICH WOULD INTERFERE WITH NORMAL UTILITY USE. IT IS UNDERSTOOD THAT IF IT BECOMES NECESSARY TO RELOCATE SAID UTILITIES AT THE INSTANCE OR REQUEST OF ANY PUBLIC ENTITY OR THE OWNER, THE COSTS AND EXPENSES INCURRED THEREBY WILL BE BORNE BY THE OWNER OR THE ENTITY REQUIRING OR REQUESTING THE SAME.

SE COR. SEC 12,  
T 4 N, R 2 W,  
S.L.B. & M.

UTILITY EASEMENT DEDICATION

**EXHIBIT A**



**THOMPSON-HYSELL ENGINEERS**  
2496 W. 4700 S. TAYLORSVILLE, UT 84118  
(801) 964-0696