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**UTAH LAKE DISTRIBUTING COMPANY**  
**NOTICE OF INTEREST IN CANAL PROPERTY EASEMENT**

PLEASE TAKE NOTICE that the Utah Lake Distributing Company, a Utah corporation (the "Company"), claims prescriptive easement rights to certain real property in Utah County, Utah, for ownership, use, operation and maintenance of a canal, roadway and related water delivering facilities. Said canal property has been in use for the delivery of water for far in excess of the 20-year prescriptive use period. Said canal has historically been referred to and known as the Utah Lake Distributing Canal. The centerline of said Utah Lake Distributing Canal is as follows:

ENT 129142:2002 PG 1 of 7  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2002 Oct 31 10:02 am FEE 29.00 BY SN  
RECORDED FOR FRANSON NOBLE

SEE ATTACHED EXHIBIT A

In certain areas the Company has acquired fee title to the Utah Lake Distributing Canal property or acquired easements by deed or grant. Along the remainder of said Canal alignment, the Company claims prescriptive easement rights that were acquired by continuous uninterrupted adverse use. The prescriptive easement for the Utah Lake Distributing Canal and adjacent roadway encompasses a 49.5-foot wide easement, being 1 rod (16.5 feet) west and 2 rods (33.0 feet) east of said Canal centerline.

The Company claims through prescriptive use the exclusive right to the unobstructed use and occupation of the 49.5 feet wide easement. **FENCES ARE NOT PERMITTED WITHIN THE UTAH LAKE DISTRIBUTING CANAL PROPERTY.** Permanent or temporary structures (other than fences) that encroach within the prescriptive easement property may be permitted by written agreement with the Company where the same will not unreasonably interfere with the safe use, operation and maintenance of the Utah Lake Distributing Canal.

Dated this 29 day of October, 2002.

UTAH LAKE DISTRIBUTING COMPANY  
722 East 300 North  
Lehi, Utah 84043

By *Scott Holbrook*  
Scott Holbrook, President

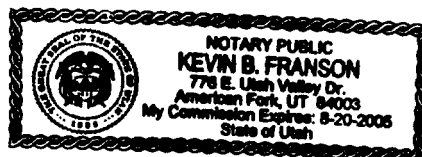
STATE OF UTAH )  
: ss.

COUNTY OF Utah )

On the 29 day of October, 2002, personally appeared before me Scott Holbrook, President of Utah Lake Distributing Company, known to me to be the person who executed the within document in behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

*Kevin B. Franson*  
Notary Public

74192.1



**EXHIBIT A****Utah Lake Distributing Canal**  
**South Lateral**  
**Overall Description****Township 4 South, Range 1 West****Section 26, T 4 S, R 1 W**

Beginning at a point which is North, 1399.392 and West, 200.008 feet from the South Quarter corner of Section 26, Township 4 South, Range 1 West, Salt Lake Base & Meridian; said point also being North, 1434.637 feet and East, 2441.751 feet from the Southwest corner of said Section 26; and running thence South 11°51'58" West, 231.615 feet; thence South 18°32'12" West, 12.248 feet; thence South 33°09'59" West, 49.914 feet; thence South 57°13'03" West, 84.274 feet; thence South 50°47'47" West, 16.717 feet; thence South 31°36'55" West, 47.192 feet; thence South 09°48'04" West, 51.039 feet; thence South 06°53'03" West, 152.559 feet; thence South 04°33'58" East, 50.795 feet; thence South 15°35'32" East, 30.165 feet; thence South 23°49'47" East, 51.358 feet; thence South 18°12'13" East, 20.232 feet; thence South 08°57'50" East, 48.927 feet; thence South 05°30'01" West, 93.207 feet; thence South 10°31'30" West, 92.031 feet; thence South 13°23'53" West, 47.977 feet; thence South 19°00'31" West, 100.384 feet; thence South 21°59'27" West, 333.930 feet to a point which is South 89°14'08" West, along the section line, 562.158 feet from the South Quarter corner of Section 26, Township 4 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°14'08" East, along the section line, 2079.836 feet from the Southwest corner of said Section 26.

**Section 35, T 4 S, R 1 W**

Beginning at a point which is South 89°14'08" West, along the section line, 562.158 feet from the South Quarter corner of Section 26, Township 4 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°14'08" East, along the section line, 2079.836 feet from the Southwest corner of said Section 26; and running thence South

21°59'27" West, 366.669 feet; thence South 22°05'59" West, 190.335 feet; thence South 18°40'05" West, 96.186 feet; thence South 14°36'46" West, 95.801 feet; thence South 12°30'17" West, 193.146 feet; thence South 12°34'04" West, 495.248 feet; thence South 18°36'52" West, 96.453 feet; thence South 24°35'22" West, 98.309 feet; thence South 20°02'53" West, 49.442 feet; thence South 01°38'51" West, 49.776 feet; thence South 12°20'53" East, 102.662 feet; thence South 02°33'27" East, 53.236 feet; thence South 04°07'39" West, 301.487 feet; thence South 07°31'16" West, 44.934 feet; thence South 15°18'27" West, 47.442 feet; thence South 21°18'37" West, 460.869 feet; thence South 16°10'30" West, 22.448 feet; thence South 21°40'34" West, 77.147 feet; thence South 21°16'59" West, 152.144 feet; thence South 14°46'58" West, 50.207 feet; thence South 07°50'42" West, 206.055 feet; thence South 03°01'40" West, 103.420 feet; thence South 02°03'58" East, 205.550 feet; thence South 01°26'33" East, 309.159 feet; thence South 05°15'20" East, 51.806 feet; thence South 11°40'15" East, 52.010 feet; thence South 16°40'55" East, 101.777 feet; thence South 11°35'37" East, 102.205 feet; thence South 10°27'06" East, 226.497 feet; thence South 18°27'15" East, 82.289 feet; thence South 29°10'59" East, 178.530 feet; thence South 23°46'57" East, 52.623 feet; thence South 13°58'06" East, 25.617 feet; thence South 08°25'56" East, 182.484 feet; thence South 00°14'16" East, 105.892 feet; thence South 05°55'08" West, 160.483 feet; thence South 09°48'36" West, 52.835 feet; thence South 15°39'34" West, 204.566 feet; thence South 04°03'59" West, 49.909 feet; thence South 03°15'03" East, 23.749 feet to a point which is South 89°49'07" West, along the section line, 1163.808 feet from the South Quarter corner of Section 35, Township 4 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°49'07" East, along the section line, 1487.992 feet from the Southwest corner of said Section 35.

### **Township 5 South, Range 1 West**

#### **Section 2, T 5 S, R 1 W**

Beginning at a point which is South 89°49'07" West, along the section line, 1163.808 feet from the North Quarter corner of Section 2, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°49'07" East, along the section line, 1487.992 feet from the Northwest corner of said Section 2; and running thence South

03°15'03" East, 68.194 feet; thence South 01°21'50" West, 166.398 feet; thence South 08°45'05" West, 56.413 feet; thence South 24°01'23" West, 166.740 feet; thence South 12°41'41" West, 53.724 feet; thence South 17°51'56" East, 53.875 feet; thence South 36°26'16" East, 109.777 feet; thence South 18°59'59" East, 54.454 feet; thence South 01°32'57" West, 54.471 feet; thence South 12°01'22" West, 106.335 feet; thence South 05°39'55" West, 108.734 feet; thence South 01°35'32" West, 55.551 feet; thence South 07°56'41" East, 54.896 feet; thence South 18°47'19" East, 56.755 feet; thence South 24°46'03" East, 111.990 feet; thence South 22°59'16" East, 425.049 feet; thence South 18°26'41" East, 438.708 feet; thence South 13°26'56" East, 56.338 feet; thence South 02°54'21" West, 54.402 feet; thence South 07°39'43" West, 273.618 feet; thence South 11°22'25" East, 54.517 feet; thence South 39°37'35" East, 111.507 feet; thence South 21°42'29" East, 54.227 feet; thence South 04°11'03" West, 74.648 feet; thence South 11°42'00" West, 156.003 feet; thence South 15°31'56" West, 107.419 feet; thence South 22°27'29" West, 520.238 feet; thence South 08°01'00" West, 69.790 feet; thence South 00°02'56" West, 435.381 feet; thence South 06°08'49" East, 106.030 feet; thence South 17°40'46" East, 424.848 feet; thence South 16°38'34" East, 261.855 feet; thence South 17°55'59" East, 211.869 feet; thence South 23°59'15" East, 491.485 feet to a point which is North 89°55'02" East, along the section line, 2119.753 feet from the Southwest corner of Section 2, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being South 89°53'06" West, 2653.530 feet along the section line, (said point being the calculated position of the South Quarter corner of said Section 2), and South 89°55'02" West, along the section line, 532.027 feet from the Southeast corner of said Section 2.

**Section 11, T 5 S, R 1 W**

Beginning at a point which is North 89°55'02" East, along the section line, 2119.753 feet from the Northwest corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being South 89°53'06" West, 2653.530 feet along the section line, (said point being the calculated position of the North Quarter corner of said Section 11), and South 89°55'02" West, along the section line, 532.027 feet from the Northeast corner of said Section 11; and running thence South 23°59'15" East, 403.904 feet; thence South 26°40'51" East, 217.232 feet; thence South 43°40'05" East, 154.289

feet; thence South 37°49'03" East, 53.628 feet; thence South 23°30'23" East, 106.510 feet; thence South 17°09'04" East, 368.649 feet; thence South 30°12'56" East, 50.368 feet; thence South 47°38'31" East, 157.195 feet; thence South 38°45'41" East, 48.398 feet; thence South 13°20'50" East, 136.577 feet; thence South 10°19'44" East, 228.141 feet; thence South 07°09'38" East, 53.663 feet; thence South 03°54'05" West, 107.643 feet; thence South 16°55'30" West, 108.257 feet; thence South 34°03'18" West, 161.364 feet; thence South 36°33'02" West, 271.670 feet; thence South 39°10'02" West, 260.758 feet; thence South 29°47'30" West, 296.234 feet; thence South 41°00'17" West, 231.955 feet; thence South 33°00'57" West, 458.766 feet; South 45°18'32" West, 153.112 feet; thence South 50°43'47" West, 1175.907 feet; thence South 46°47'58" West, 101.027 feet; thence South 37°53'23" West, 413.320 feet; thence South 24°31'30" West, 103.512 feet; thence South 13°36'25" West, 51.603 feet; thence South 04°19'07" West, 158.154 feet; thence South 22°57'38" West, 53.685 feet; thence South 28°00'24" West, 313.541 feet; thence South 18°59'25" West, 51.554 feet; thence South 09°33'31" West, 64.584 feet; thence South 56°52'47" West, 8.550 feet to a point which is North 89°41'55" East, along the section line, 343.859 feet from the Southwest corner of Section 11, Township 5 South Range 1 West, Salt Lake Base & Meridian; said Southwest corner being West, 340.000 feet from found witness corner; said point also being South 89°41'55" West, along the section line, 2322.154 feet from the South Quarter corner of said Section 11; said South Quarter corner being East, 105.000 feet from found witness corner.

**Section 14, T 5 S, R 1 W**

Beginning at a point which is North 89°41'55" East, along the section line, 343.859 feet from the Northwest corner of Section 14, Township 5 South Range 1 West, Salt Lake Base & Meridian; said Northwest corner being West, 340.000 feet from found witness corner; said point also being South 89°41'55" West, along the section line, 2322.154 feet from the North Quarter corner of said Section 14; said North Quarter corner being East, 105.000 feet from found witness corner; and running thence South 56°52'47" West, 24.470 feet; thence South 11°28'53" West, 103.815 feet; thence South 23°20'04" West, 717.318 feet; thence South 16°33'31" West, 83.591 feet to a point which is South 00°21'13" West, along the section line, 852.086 feet from the Northwest corner of Section

14, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said Northwest corner being West, 340.000 feet from found witness corner.

**Section 15, T 5 S, R 1 W**

Beginning at a point which is South 00°21'13" West, along the section line, 852.086 feet from the Northeast corner of Section 15, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said Northeast corner being West, 340.000 feet from found witness corner; and running thence South 16°33'31" West, 19.667 feet; thence South 14°56'01" West, 200.995 feet; thence South 26°34'06" West, 99.119 feet; thence South 46°31'24" West, 140.485 feet; thence South 09°50'13" West, 146.466 feet; thence South 01°44'09" West, 47.197 feet; thence South 12°32'54" West, 198.168 feet; thence South 13°25'32" West, 475.323 feet; thence South 13°26'47" West, 394.903 feet; thence South 05°43'44" West, 98.378 feet; thence South 12°47'08" East, 133.905 feet; thence South 05°48'49" East, 48.972 feet; thence South 06°25'17" West, 51.102 feet; thence South 21°30'39" West, 96.257 feet; thence South 33°44'49" West, 701.866 feet; thence South 76°51'49" West, 74.574 feet; thence South 32°31'01" West, 147.650 feet; thence South 15°06'22" West, 295.786 feet; thence South 28°16'30" West, 405.879 feet; thence South 35°51'47" West, 64.411 feet; thence South 44°28'59" West, 465.652 feet; thence South 32°57'38" West, 108.256 feet; thence South 25°00'45" West, 621.942 feet to a point which is South 89°55'02" West, along the section line, 1961.234 feet from the Southeast corner of Section 15, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°54'18" East, 2649.170 feet along the section line, (said point being the calculated position of the South Quarter corner of said Section 15), and North 89°55'02" East, 692.245 feet from the Southwest corner of said Section 15.

**Section 22, T 5 S, R 1 W**

Beginning at a point which is South 89°55'02" West, along the section line, 1961.234 feet from the Northeast corner of Section 22, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being North 89°54'18" East, 2649.170 feet along the section line, (said point being the calculated position of the North Quarter corner of said Section 22), and North 89°55'02" East, 692.245 feet from the Northwest corner of said Section 22; and running thence South 25°00'45" West, 69.245 feet; thence South

16°18'29" West, 85.373 feet; thence South 07°09'53" West, 1316.353 feet; thence South 10°11'24" West, 957.832 feet; thence South 14°28'09" West, 101.758 feet; thence South 21°32'07" West, 509.234 feet; thence South 12°37'53" West, 95.885 feet; thence South 02°35'59" East, 49.079 feet; thence South 24°03'22" East, 155.482 feet; thence South 02°17'56" East, 101.344 feet; thence South 04°48'45" West, 260.610 feet; thence South 07°48'35" East, 944.485 feet; thence South 16°22'43" East, 151.609 feet; thence South 19°39'46" East, 415.956 feet; thence South 33°11'51" East, 200.453 feet; thence South 19°44'08" East, 38.844 feet to a point which is North 89°41'52" West, along the section line, 2095.743 feet from the Southeast corner of Section 22, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being South 89°41'52" East, along the section line, 571.405 feet from the South Quarter corner of said Section 22.

**Section 27, T 5 S, R 1 W**

Beginning at a point which is North 89°41'52" West, along the section line, 2095.743 feet from the Northeast corner of Section 27, Township 5 South, Range 1 West, Salt Lake Base & Meridian; said point also being South 89°41'52" East, along the section line, 571.405 feet from the North Quarter corner of said Section 27; and running thence South 19°44'08" East, 301.047 feet; thence South 41°38'10" East, 103.012 feet; thence South 46°10'43" East, 259.880 feet; thence South 29°01'40" East, 102.598 feet; thence South 10°49'23" East, 102.947 feet; thence South 01°27'31" East, 203.230 feet; thence South 02°49'59" East, 512.508 feet; thence South 08°03'39" West, 48.967 feet; thence South 19°32'00" West, 156.603 feet; thence South 12°51'37" West, 102.905 feet; thence South 10°41'07" East, 261.245 feet; thence South 15°56'44" East, 103.151 feet; thence South 25°39'35" East, 700.108 feet; thence South 11°08'31" East, 60.522 feet; thence South 00°40'55" East, 199.957 feet; thence South 11°36'26" East, 101.014 feet; thence South 28°47'17" East, 198.181 feet; thence South 09°41'02" East, 97.364 feet; thence South 01°20'28" East, 397.19 feet to a point which is South 17°34'05" West, 3926.50 feet from the Northeast corner of Section 27, Township 5 South, Range 1 West, Salt Lake Base & Meridian.