

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 executed in counterparts identified as follows:

Grantor: **Preston C. Kimball, a.k.a P.C. Kimball**
Dated: **May 15, 1991, recorded as Entry Number 0927599, in Book 1413, Page 494, all in the public records of Davis County, Utah.**

Whereas, Kern River Gas Transmission Company obtained a survey of the pipeline right of way and easement after construction and recorded the survey as follows:

Dated: **January 21, 1993, recorded as Entry Number 1013836, in Book 1575, Page 62,**

Now therefore, for and in consideration of the mutual covenants, promises and agreements contained in said Exclusive Right-of-Way and Easement Agreement, Kern River Gas Transmission Company does hereby replace and supersede the recorded as-built survey, Entry Number 1013836, with the following as-built pipeline survey. (see Exhibit PR-60)

Original Easement Tract(s) LL# 117.03 W, 117.05W

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN, COUNTY OF DAVIS, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, T 1 N, R 1 W, S.L.B.M., A FOUND BRASS CAP, RUNNING THENCE NORTH 00°07'19" WEST A DISTANCE OF 1928.62 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT LIES ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11, T1N, R1W, S.L.B.M; THENCE ALONG THE SAID TRACT THE FOLLOWING (6) SIX COURSES:

1. SOUTH 70° 44' 16" WEST A DISTANCE OF 646.67 FEET TO A POINT WHICH LIES ON THE SOUTH BOUNDARY LINE OF THE EAGLEWOOD VILLAGE INC;
2. SOUTH 89° 53' 31" WEST ALONG SAID SOUTH BOUNDARY LINE A DISTANCE OF 260.41 FEET TO A POINT WHICH LIES ON A EAST LINE OF THE MONTE & GLORIA THOMAS TRACT OF LAND;
3. NORTH 00° 09' 22" WEST ALONG SAID EAST LINE A DISTANCE OF 23.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
4. THENCE ALONG A 155.00 FOOT CURVE A DISTANCE OF 138.664 FEET (CHORD BEARS SOUTH 83° 38' 07" EAST A DISTANCE OF 134.08 FEET);
5. NORTH 70° 44' 16" EAST A DISTANCE OF 781.32 FEET TO A POINT LIES ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11, T1N, R1W, S.L.B.M;
6. SOUTH 00° 07' 19" EAST ALONG SAID EAST LINE A DISTANCE OF 52.93 FEET TO THE POINT OF BEGINNING, SAID POINT LIES SOUTH 00°07'19" EAST A DISTANCE OF 3370.26 FEET FROM THE NORTHEAST CORNER OF SECTION 11, T 1 N, R 1 W, S.L.B.M. A FOUND BRASS CAP,

THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS THE EAGLEWOOD VILLAGE INC LAND, AS DESCRIBED ABOVE IS 37,051 SQ FT OR 0.85 ACRES MORE OR LESS.

Affiant states that the description of the hereinabove right-of-way and easement is the surveyed centerline description or easement boundaries. To the extent that any discrepancy exists between the legal description and survey heretofore made or heretofore described 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 buried on Grantor's property. The description has been recorded.

Executed this 24th day of November, 2008

Kern River Gas Transmission Company


By: Douglas R. Gibbons
Its: Attorney-in-Fact

E 2407125 B 4665 P 584-586 A
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/26/2008 12:08 PM
FEE \$20.00 Pg 4
DEP RT REC'D FOR KERN RIVER GAS TR
TRANSMISSION CO

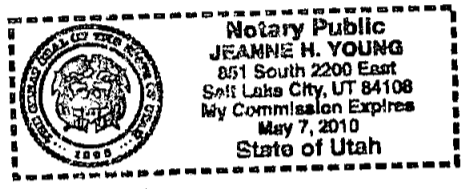
01-106-0032

ACKNOWLEDGMENT – ATTORNEY-IN-FACT

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On the 24th day of November, 2008, Douglas R. Gibbons 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 Douglas R. Gibbons acknowledged to me that he as such Attorney-in-fact executed the same.

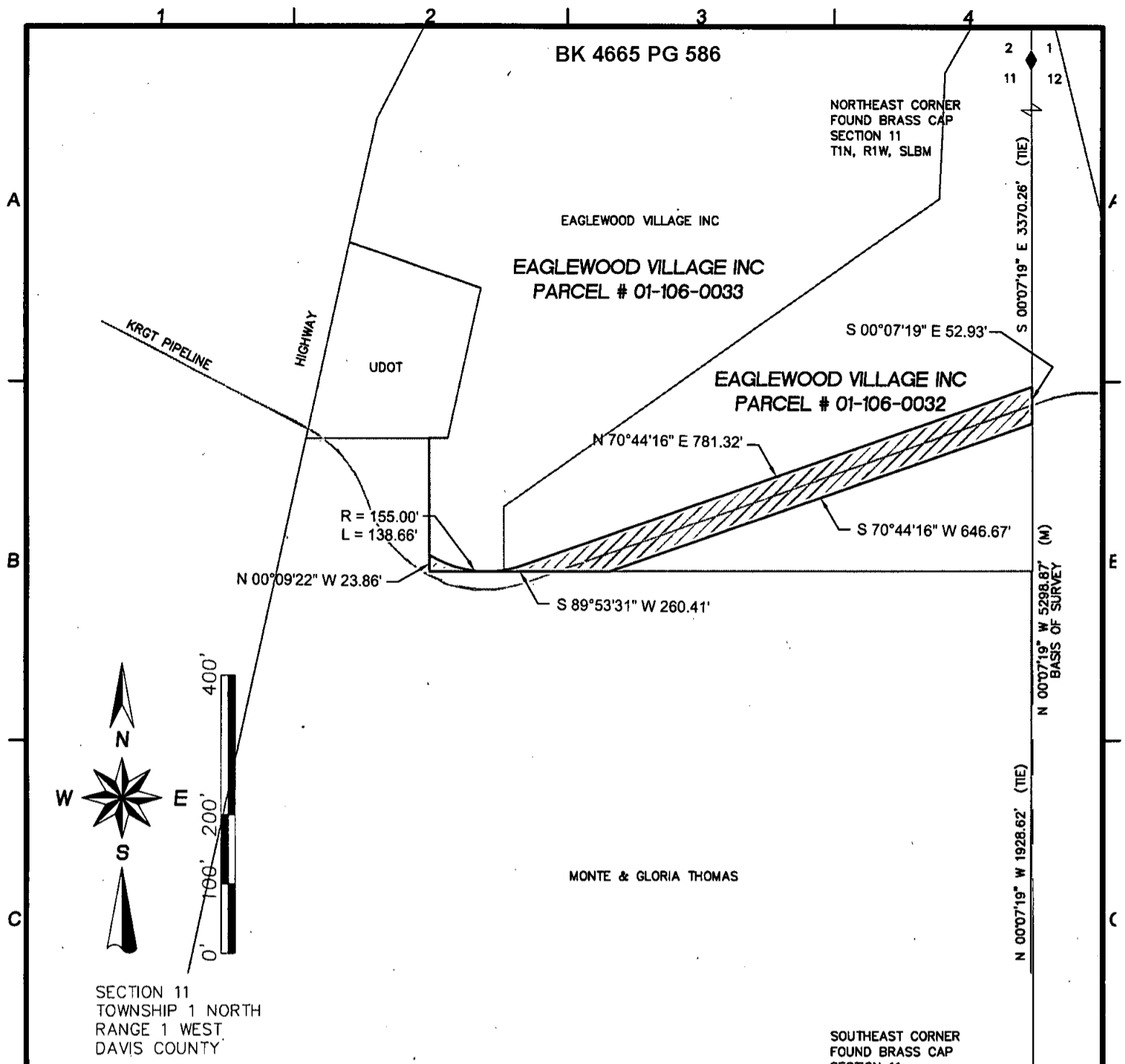
Jeanne H. Young



Name & Title of Officer:

May 7, 2010
My commission expires:

Notary Public in and for
The State of Utah



LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN, COUNTY OF DAVIS, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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3. NORTH 00° 09' 22" WEST ALONG SAID EAST LINE A DISTANCE OF 23.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
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5. NORTH 70° 44' 16" EAST A DISTANCE OF 781.32 FEET TO A POINT LIES ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11, T1N, R1W, S.L.B.M;
6. SOUTH 00° 07' 19" EAST ALONG SAID EAST LINE A DISTANCE OF 52.93 FEET TO THE POINT OF BEGINNING, SAID POINT LIES SOUTH 00°07'19" EAST A DISTANCE OF 3370.26 FEET FROM THE NORTHEAST CORNER OF SECTION 11, T 1 N, R 1 W, S.L.B.M. A FOUND BRASS CAP,

THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS THE EAGLEWOOD VILLAGE INC LAND, AS DESCRIBED ABOVE IS 37,051 SQ FT OR 0.85 ACRES MORE OR LESS.

CERTIFICATE OF SURVEYOR

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, **KYLE A. COOK** A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HEREBY CERTIFY THAT THIS EXHIBIT OF A CENTERLINE OF A UNDERGROUND GAS PIPELINE FOR THE KERN RIVER GAS TRANSMISSION CORPORATION WAS MADE FROM NOTES TAKEN DURING AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECTION BY DAVID WOLTERS IN SEPTEMBER, 2008 AND IT CORRECTLY SHOWS THE LOCATION OF THE EXISTING CENTERLINE OF A UNDERGROUND GAS PIPELINE.

SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE A PERMANENT CENTERLINE EASEMENT FOR A UNDERGROUND GAS PIPELINE FOR THE KERN RIVER GAS TRANSMISSION CORPORATION, LOCATED IN DAVIS COUNTY, STATE OF UTAH AND FOR THE CORRECTION OF PRIOR EXHIBITS AND DOCUMENTS FOR THE CITY OF NORTH SALT LAKE AND/OR DAVIS COUNTY.



- PRINTED 11/4/2008 FOR DATE
- PRELIMINARY
 - DESIGN DEVELOPMENT
 - BIDDING
 - CONSTRUCTION
 - APPROVAL
 - AS BUILT
 - REVISION

No.	DESCRIPTION	BY	DATE	APPD.

TITLE KERN RIVER GAS TRANSMISSION CORPORATION UNDERGROUND GAS PIPELINE EASEMENT FOR EAGLEWOOD VILLAGE INC			
Drawn By: SRH	Date: 11/08	ENGR: -	Date: -
Chk'd. By: KAC	Date: 11/08	APPD. -	Date: -
Project No: 08-04-124	SCALE: AS NOTED	DRAWING No. PR-60	

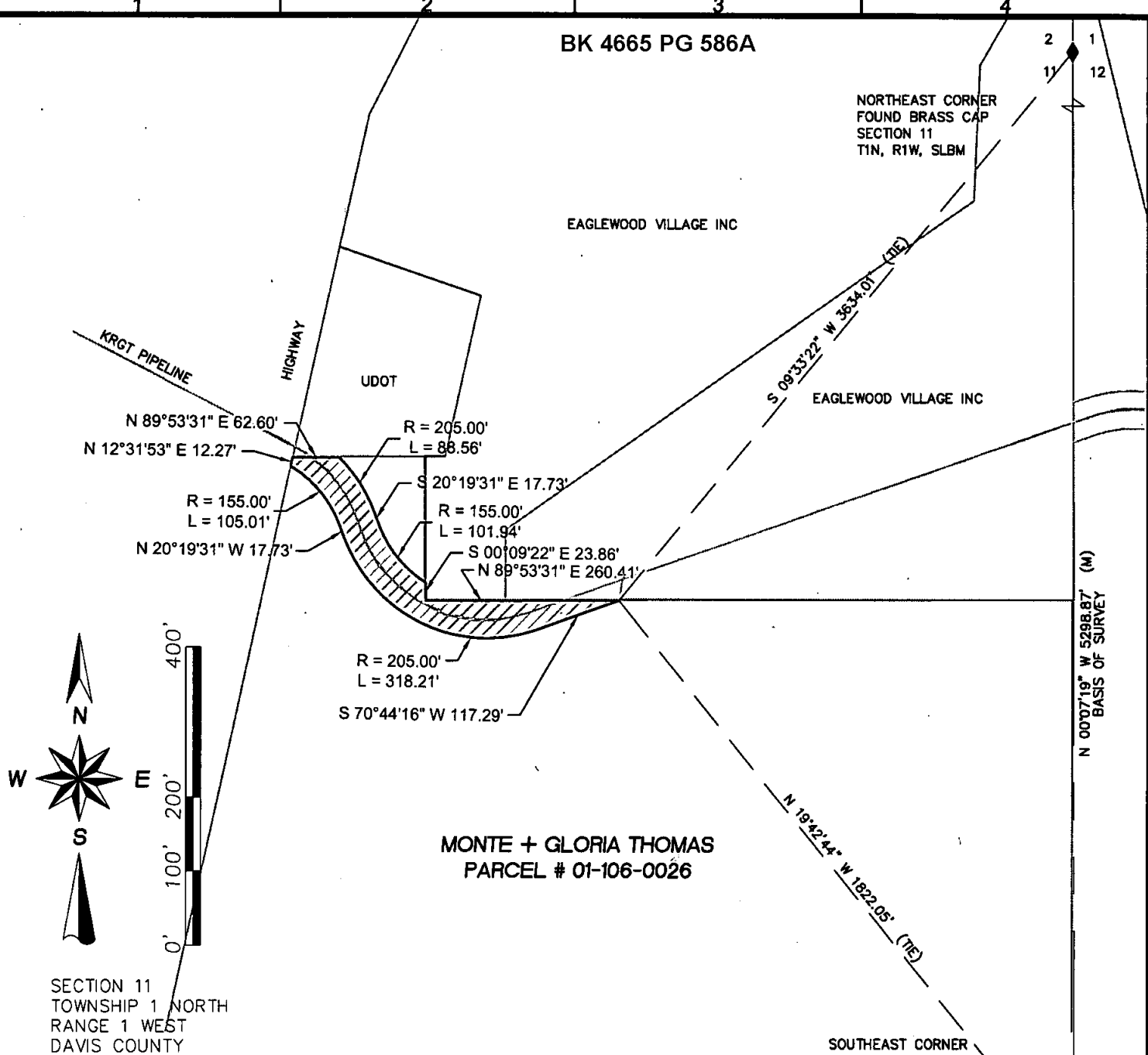
A

B

C

D

E



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COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, T 1 N, R 1 W, S.L.B.M., A FOUND BRASS CAP, RUNNING THENCE NORTH 19°42'44" WEST A DISTANCE OF 1822.05 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SAID TRACT THE FOLLOWING (11) ELEVEN COURSES:

1. SOUTH 70° 44' 16" WEST A DISTANCE OF 117.29 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;
2. THENCE ALONG A 205.00 FOOT CURVE A DISTANCE OF 318.21 FEET (CHORD BEARS NORTH 64° 47' 37" WEST A DISTANCE OF 287.21 FEET);
3. NORTH 20° 19' 31" WEST A DISTANCE OF 17.73 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;
4. THENCE ALONG A 155.00 FOOT CURVE A DISTANCE OF 105.01 FEET (CHORD BEARS NORTH 39° 44' 01" WEST A DISTANCE OF 103.01 FEET), TO A POINT WHICH LIES ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 89;
5. NORTH 12° 31' 53" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 12.27 FEET TO THE SOUTH LINE OF THE UTAH DEPARTMENT OF TRANSPORTATION BOUNDARY LINE;
6. NORTH 89° 53' 31" EAST ALONG SAID U.D.O.T SOUTH LINE A DISTANCE OF 62.60 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;
7. THENCE ALONG A 205.00 FOOT CURVE A DISTANCE OF 88.56 FEET (CHORD BEARS SOUTH 32° 42' 04" EAST A DISTANCE OF 87.87 FEET);
8. SOUTH 20° 19' 31" EAST A DISTANCE OF 17.73 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;
9. THENCE ALONG A 155.00 FOOT CURVE A DISTANCE OF 101.94 FEET (CHORD BEARS SOUTH 39° 10' 00" EAST A DISTANCE OF 100.11 FEET);
10. SOUTH 00° 09' 22" EAST A DISTANCE OF 23.86 FEET;
11. NORTH 89° 53' 31" EAST A DISTANCE OF 260.41 FEET TO THE POINT OF BEGINNING, SAID POINT LIES SOUTH 09°33'22" WEST A DISTANCE OF 3634.01 FEET FROM THE NORTHEAST CORNER OF SECTION 11, T 1 N, R 1 W, S.L.B.M. A FOUND BRASS CAP,

THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS THE MONTE & GLORIA THOMAS LAND, AS DESCRIBED ABOVE IS 21,612 SQ FT OR 0.50 ACRES MORE OR LESS.

CERTIFICATE OF SURVEYOR

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, **KYLE A. COOK** A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HEREBY CERTIFY THAT THIS EXHIBIT OF A CENTERLINE OF A UNDERGROUND GAS PIPELINE FOR THE KERN RIVER GAS TRANSMISSION CORPORATION WAS MADE FROM NOTES TAKEN DURING AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECTION BY DAVID WOLTERS IN SEPTEMBER, 2008 AND IT CORRECTLY SHOWS THE LOCATION OF THE EXISTING CENTERLINE OF A UNDERGROUND GAS PIPELINE.

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Chk'd. By: KAC	Date: 11/08	APPD.	Date	PR-61	-
Project No. 08-04-124	SCALE	AS NOTED			