

EASEMENT

R/W 83663

6266223

The Undersigned Grantor (and each and all of them if more than one) for and in consideration of Two Thousand dollars (\$ 2000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado corporation, (Grantee) whose address is 250 Bell Plaza, Salt Lake City, Utah 84111, its successors, assigns, lessees, licensees and agents, a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

Beginning at a point on the north boundary of 5600 South Street which point lies South 1320 feet and East 1095 feet from the NW Corner of Section 17, Township 2 South, Range 1 East, SLB&M, said point being the south east corner of the grantors property, running thence North 6 feet; thence West 6 feet; thence South 6 feet; thence East 6 feet to the point of beginning, situate in County of Salt Lake, State of Utah.

Grantee shall have the right of ingress and egress over and across the land of the Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use, and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

Signed and delivered this 28<sup>th</sup> day of DECEMBER, A.D., 1995

ONE LINCOLN CENTER  
At 5400 LBJ FREEWAY  
SUITE 400 L.B. 45  
DALLAS, TX 75240  
(214) 788-0510  
FAX 788-1550

Grantor : Walden (Utah) Properties, Ltd. (A TEXAS LIMITED PARTNERSHIP)

By Keith BAIN

Title VICE PRESIDENT

WALDEN RESIDENTIAL PROPERTIES, INC. (A MARYLAND CORP.)  
GENERAL PARTNER

STATE OF TEXAS

SS  
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of DECEMBER, 1995, by Keith BAIN; V.P. WALDEN RESIDENTIAL PROPERTIES the GENERAL PARTNER of Walden (Utah) Properties, Ltd.

WITNESS my hand and official seal this 28<sup>th</sup> day of DECEMBER, 1995.



Patricia A. Tullous  
Notary Public

JOB NO. 526H686 Murray - NW1/4 17 T2 S R1E SLB&M - PARCEL:

Mail to: U S WEST Communications, 1425 West 3100 South, W. V.C., Ut. 84119

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RIGHT-OF-WAY NO 83663

JOB NO 526H686

EXCHANGE Murray

R/C  
10/5/96

Salt Lake

**DON GREEN**  
RIGHT-OF-WAY

6266223  
01/29/96 09:20 AM 12.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
U.S. WEST COMMUNICATIONS  
REC BY: V ASHBY DEPUTY - MP

BK7317PG1277