

4188550

EXHIBIT "A"

RIGHT-OF-WAY EASEMENT

KENNECOTT CORPORATION, a corporation of the State of New York authorized to do business in the State of Utah (formerly Kennecott Copper Corporation), hereinafter referred to as "Grantor", for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants and conveys unto THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY (MOUNTAIN BELL), a Colorado corporation, hereinafter referred to as "Grantee", its successors and assigns, a perpetual easement for a right-of-way to construct, operate, maintain, repair, test, renew, enhance, monitor, reconstruct, use and remove voice, data and other forms of telecommunication Facilities with necessary appurtenances thereto, from time to time, as said Grantee may require upon, over, under and across land situated in Salt Lake County, State of Utah, described in Attachment 1 affixed hereto and incorporated herein by reference.

It is understood and agreed between the parties hereto that it is unreasonably difficult or impossible to provide a precise legal description of the metes and bounds of this Easement because much of the land owned by Grantor in Salt Lake County, Utah is unsurveyed. It is further agreed that the exact location of this Easement shall be determined by the actual location of Grantee's Facilities when they have been installed and that the map contained in Attachment 1 constitutes a description of the approximate location of the Easement. It is further agreed that the width of the Easement shall be twelve (12) feet, being six (6) feet on either side of installed Facilities.

That certain agreement made as of the 19th day of December , 1985, and recorded ,  
1985, in the official records of the Salt Lake County Recorder in book        and page       , by and between The Mountain States Telephone and Telegraph Company (Mountain Bell) and Kennecott Corporation relating to installation of telecommunication Facilities on Grantor's land in Salt Lake County, Utah is incorporated by reference as though the same were fully set forth verbatim herein. This Right-of-Way Easement grant shall be subject to all of the provisions contained in said agreement.

537  
537  
537

The Grantor reserves, for itself, its successors, lessees, licensees and assigns, the right to occupy, use and cultivate said property for all purposes not inconsistent with this Easement. Further, the Grantor expressly excepts,

reserves and makes this Easement subject to a perpetual easement, right and privilege on the part of Grantor, its successors, lessees, licensees and assigns at any time and at all times thereafter, to discharge through the medium of the air, over, upon and across the above described real property any and all gases, particulates, dust, dirt, fumes and other substances and matter which may be released, given, thrown or blown off, emitted or discharged in the course of, by, or through the existence or operations of, any and all of the smelting plants, reduction works, mills, refineries, power plants, manufactories which are now or which may hereafter at any time be established or operated by Grantor or its successors, grantees, lessees, licensees, or assigns, or any of them. By accepting this Easement, Grantee hereby acknowledges that it has full knowledge of the proximity of the above described property to Grantor's facilities and by such acceptance hereby waives any claims it may have against Grantor, its successors or assigns, arising out of, or in any way connected with, operations now conducted, or which may be conducted in the future at such facilities by Grantor, its successors, grantees, lessees, licensees, or assigns. This reservation shall be binding upon Grantee, its successors and assigns, forever.

By accepting this Easement, Grantee hereby agrees to defend, indemnify and save Grantor, its successors and assigns, harmless against any and all loss and expense, including attorneys' fees and other legal expenses, by reason of liability imposed or claimed to be imposed by law upon Grantor for damage because of bodily injury, including death at any time resulting from this Easement, or on account of damage to property, sustained by any person or persons arising out of, or in any manner connected with, or growing out of or predicated upon the construction, maintenance, operation, existence or use of said Easement and such adjacent portions of Grantor's property as Grantee shall utilize from time to time, whether or not such bodily injuries, death, or damage to property arise or are claimed to have arisen in whole or in part out of negligence or other grounds of legal liability, including violation of any duty imposed by statute, ordinance or regulation, on the part of the Grantee, Grantor, employees or agents of either of them, or any other person or organization, but excluding any liability caused by the sole negligence or willful misconduct of Grantor.

200-5727-11  
538

The terms, conditions and reservations of this Easement shall accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

Signed and Delivered this \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_.

GRANTOR:

KENNECOTT CORPORATION  
(Formerly Kennecott Copper Corporation)

*R. Burgess Winter*  
Attest: R. Burgess Winter  
(Title) Vice President  
STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE)

By *Burgess Winter* <sup>405</sup>  
Its Vice President

On the 19th day of December, 1985, personally appeared before me J. Burgess Winter, who being duly sworn, did say that he is a Vice President of KENNECOTT CORPORATION, and that the foregoing instrument was signed in behalf of said corporation and said J. Burgess Winter duly acknowledged to me that said corporation executed the same.

NOTARY PUBLIC  
STATE MY COMMISSION EXPIRES:

May 18, 1987

*Loane C. Morris*  
NOTARY PUBLIC

Residing In: Salt Lake City, Utah  
*25.00*

JAN 14 10 04 AM '86  
Mountain Bell  
REQ OF DEP  
S. Patricia R. Brown  
250 Bell Plaza  
Room 510A  
JHC Utah  
84411

*7/0/84 30966*  
*JHC Utah*  
*84425*

S/L/D/C	DESCRIPTION
005	PUMP HOUSE - WEST MTH SHUTT
006	" " CENTRAL YARD
087	TRACK MACH CHANGE ROOM
049	GENERATOR - ACETYLENE
056	CAR REPAIR SHOP
830	TRACK MACHINE FOREMAN OFFICE
066	RECTIFIER STATION
058	PAINT & LUB. BLDG
075	STEEL STORAGE BARN
102	CR. HOUSE
111	GARAGE
114	LUMBER SHED
103	ROAD SHEDS
141	STEAM CLEANING SHACK
059	OXYGEN & ACET. STOR. BLDG
849	TRACK SHIFTER SHED
997	PAINT SHOP CENTRAL YARD
868	TIRE REPAIR SHOP
889	DIESEL REPAIR SHOP
030	DRY FORK MACHINING SHOP
877	PUMPHOUSE NO 3
057	WAREHOUSE & SHOP BLDG.
892	PUMPHOUSE EAST SIDE
895	STEEL TOWER WEST MTH WELL
896	HOIST HOUSE "
938	PUMP HOUSE
940	" " EAST SIDE
942	" " " C LEVEL
475	SECURITY STATION

4 | 3  
9 | 10

(SH.D.)

9 | 10  
16 | 15

800 5727 PSC 540

TELEPHONE CABLE  
LESS THAN  
25 PAIR

4493700

4492500

820,000  
C.Z.

4491900

4491300

815,000  
C.Z.  
4491300

4490700

810,000  
C.Z.

4498500

1,810,000  
C.Z.

LINE  
LINE  
COUNTY  
COUNTY

TOOLE  
SAV LAKE

1,815,000  
C.Z.

800  
C.Z.

401900

3  
10

10  
13

R·3·W|R·2·W

SH. 1

IN EFFECT: 8-18-85	
REVISIONS	
ORDER NUMBER	DATE POSTED
1234567890	8-18-85
1234567890	8-18-85
1234567890	8-18-85
1234567890	8-18-85
1234567890	8-18-85

**PUBLIC NOTICE:**

More detailed information concerning the easement(s) depicted on this map is available upon inquiry to the Right-of-Way Office of The Mountain States Telephone and Telegraph Company in Salt Lake City, Utah.

SALT LAKE COUNTY

**NOTE TO COUNTY RECORDER:**

Property affected by this assessment is approximately located in:

Cessions: 12 13 & 14

Township: 3 South

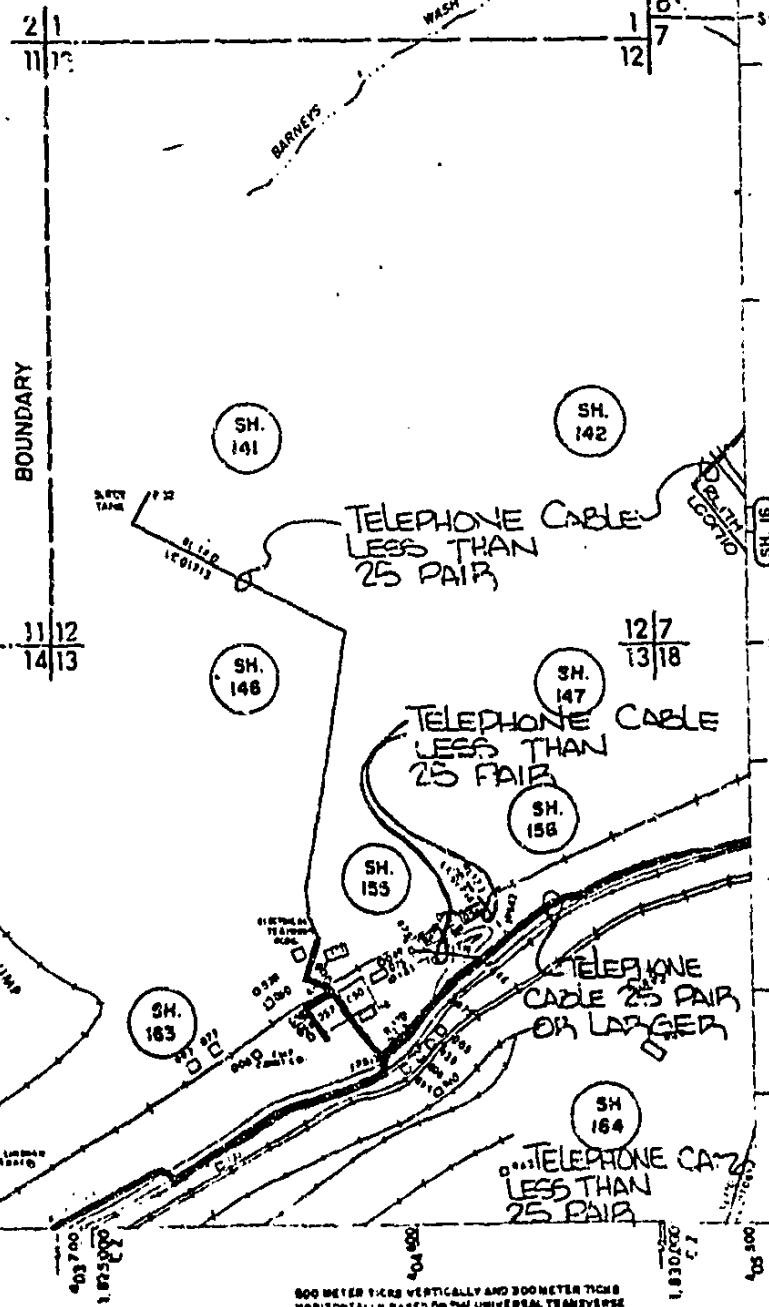
Range: 29 West

Salt Lake Base and Meridian.

T.  
3.  
S.

B08 5727 PHC 541

EXHIBIT	B
MOUNTAIN BELL TELEPHONE CO	
OPM	
TERRITORY OWNED AND CONTROLLED	
MIDVALE	
25 C SECTION 41	
44-500 3-78 700	
SCALE 1:2000	
13	



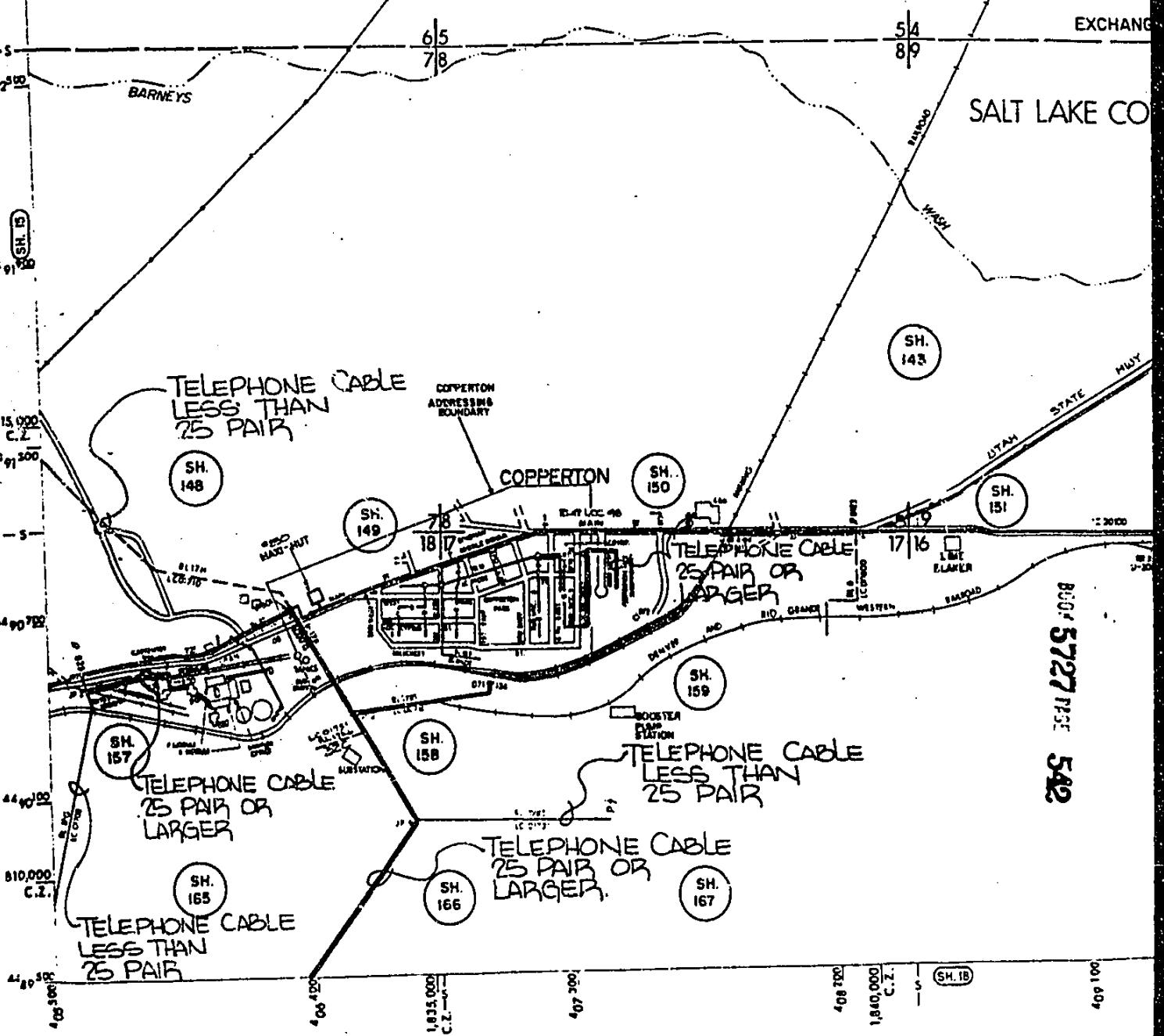
500 METER TICKS VERTICALLY AND 300 METER TICKS  
HORIZONTALLY BASED ON THE UNIVERSAL TRANSVERSE  
MERCATOR GRID, UTM 83 CSN SHOWING 3,000  
FOOT TICKS BASED ON UTAH STATE PLANE COORDINATES+

**PUBLIC NOTICE:**

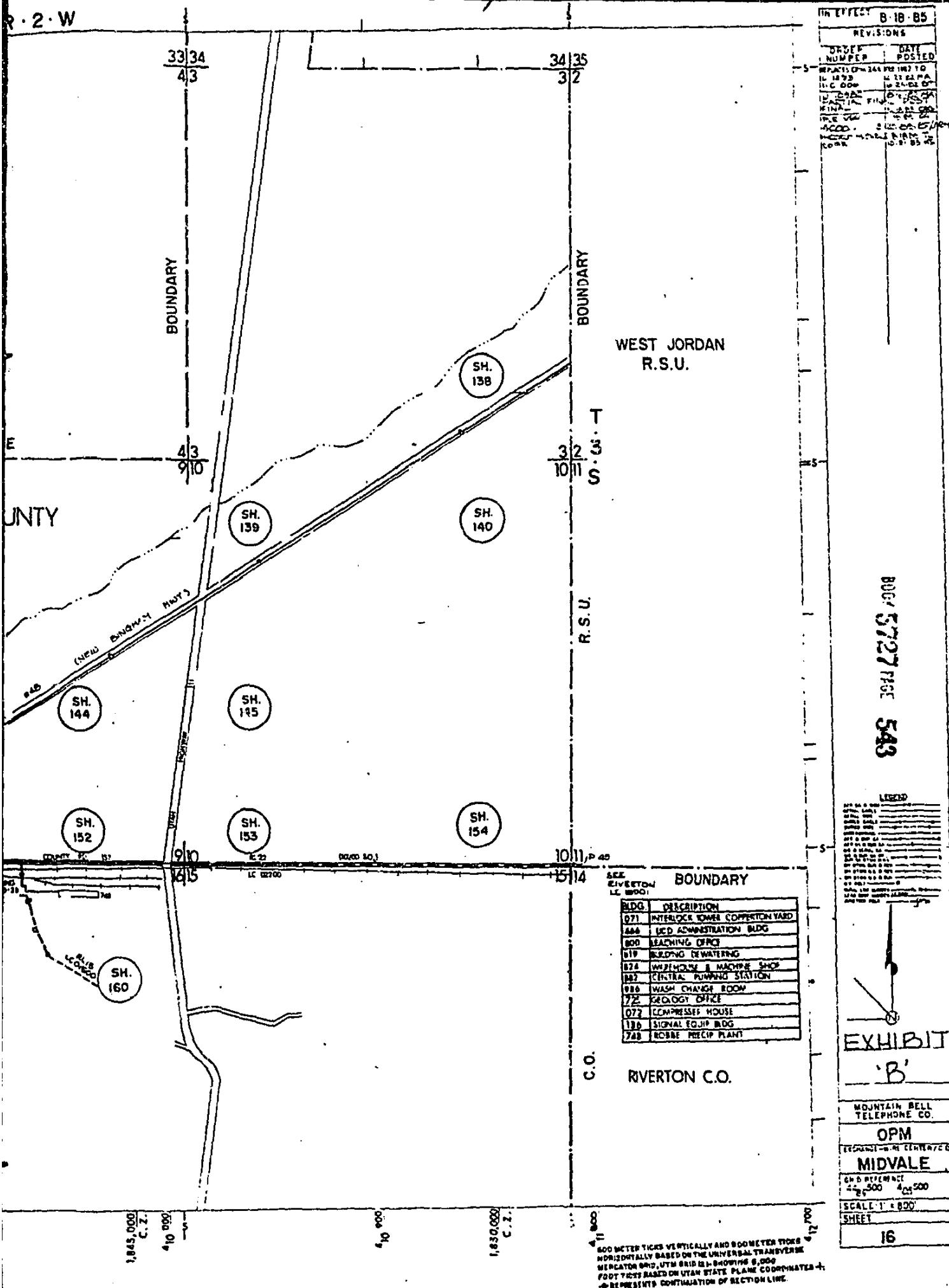
More detailed information concerning the easement(s) depicted on this map is available upon inquiry to the Right-of-Way Office of The Mountain States Telephone and Telegraph Company in Salt Lake City, Utah.

**NOTE TO COUNTY RECORDER:**

Property affected by this easement is approximately located in:  
Sections: 1, 8, 17 & 18  
Township: 3 South  
Range: 2 West  
Salt Lake Base and Meridian.



R 2 W



PUBLIC NOTICE:

More detailed information concerning  
the easement(s) depicted on this map  
is available upon inquiry to the  
Right-of-Way Office of The Mountain  
States Telephone and Telegraph Company  
Lake City, Utah.

NOTE TO COUNTY RECORDER:

Property affected by this easement is approximately located in:

Sections: 14, 23, 26, 27, 34 & 36

Township: 3 South

Range: 24.3 West

Salt Lake Base and Meridian.

BLDG	DESCRIPTION
635	DISINFECTION PLATFORM
636	DISPATCHERS SHED
637	COMPRESSOR HOUSE
650	FOREMAN'S SHACK SHAD
684	CONVERTER STATION #3
866	FOREMAN'S SHACK 604D
870	POST OFFICE
768	COMPRESSOR BUILDING
809	CAR SHOP
829	COMMUNICATIONS BLDG
981	SWITCH / VALVE HOUSE
011	ON NITRATE STORAGE BIN
703	WATER SWITCH STATION
078	OPERATIONS STATION GEN OFF 3
880	SHOP & WAREHOUSE
883	ELECTRO-MECHANICAL
884	WAREHOUSE
885	TIRES REPAIR SHOP
071	BLDG OPERATION CONTROL
541	RECIEVER STATION 540
573	TRACK SHIFTER
574	FOREMAN SHED
575	STORAGE SHACK
576	ASSEMBLY BLDG.
631	TRACK OFFICE
695	SECURITY BLDG.
901	TRUCK DISPATCHER
961	ROTARY CONVERTER # 3
817	STRAIGHT MAN'S OFFICE

**SALT LAKE COUNTY**

TELEPHONE CABLE  
25 PAIR OR  
LARGER

28 | 27  
33 | 34

SH.  
182

SH.  
186

SH.  
191

SH.  
192

SH.  
197

BLDG 572 FT

IN EFFECT 8-18-85	
REVISIONS	
ORDER NUMBER	DATE POSTED
PRACIDOM 22	1988-12
CGRAD	18-08-85
GCRAD	18-08-85
GCRCR	18-08-85
GCRRAD	18-08-85
GCWCRAD	18-08-85
GCRAD	27-12-85
GCRAD	28-03-85
GCRAD	29-03-85
GCRAD	30-03-85
FACR	17-12-85
FACR	18-08-85
FACR	25-08-85
FACR	26-08-85
FACR	27-08-85
FACR	28-08-85
FACR	29-08-85
FACR	30-08-85
FACR	31-08-85
FACR	01-09-85
FCR	18-08-85
FCR	25-08-85
FCR	26-08-85
FCR	27-08-85
FCR	28-08-85
FCR	29-08-85
FCR	30-08-85
FCR	31-08-85
FCR	01-09-85
FCR	02-09-85

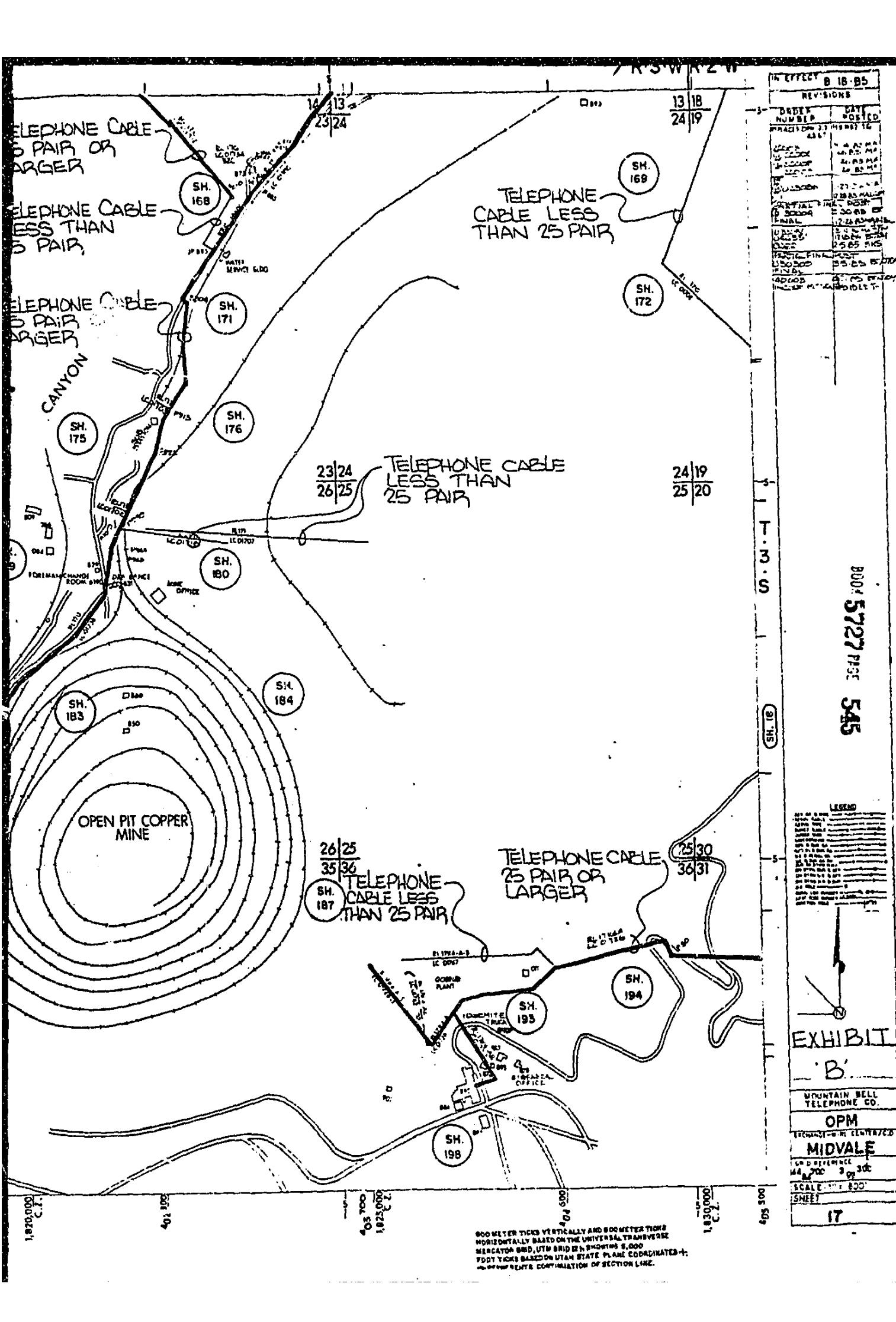
BOOK 5727 PAGE 545

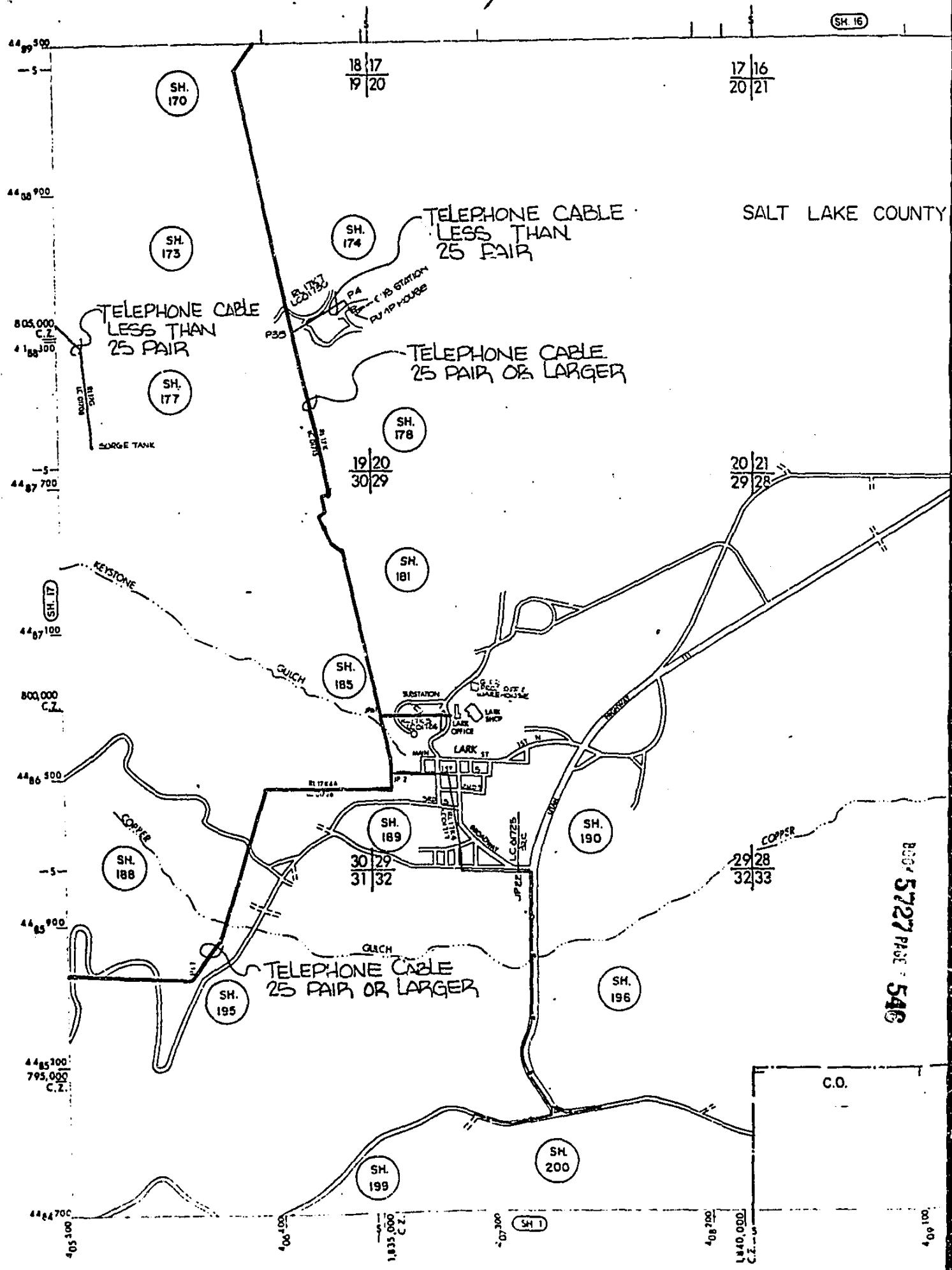
LEGEND

## EXHIBIT B

MOUNTAIN BELL  
TELEPHONE CO.  
OPM  
EXCHANGER-0 CENTER/C0  
MIDVALE  
LON D REVENUE  
44-7000 3-300  
SCALE 1:633  
SHEET 17

600 METER TICKS VERTICALLY AND 600 METER TICKS  
HORizontally BASED ON THE UNIVERSAL TRANSVERSE  
MERCATOR GRID, UTM GRID 12N SPANNING 5,000  
FOOT TICKS BASED ON UTAH STATE PLANE COORDINATES +  
100' OFFSET REENTS CONTINUATION OF SECTION LINE.





R·2·W

16 15  
21 22

15 14  
22 23

21 22  
28 27

22 23  
27 28

T 3 S

CREEK

28 27  
33 34

BOUNDARY

185000  
C 7 8  
185000

## RIVERTON C.O.

### PUBLIC NOTICE:

More detailed information concerning the easement(s) depicted on this map is available upon inquiry to the Right-of-Way Office of The Mountain States Telephone and Telegraph Company in Salt Lake City, Utah.

### NOTE TO COUNTY RECORDER:

Property affected by this easement is approximately located in:  
Sections: 18, 19, 29, 30 & 31  
Township: 3 South  
Range: 2 West  
Salt Lake Base and Meridian.

EXHIBIT

'B'

MOUNTAIN BELL  
TELEPHONE CO.

OPM

MIDVALE

44° 00' 00" N 111° 45' 00" W

SCALE: 1:2000

SHEET

18

800 METER TICKS VERTICALLY AND 1000 METER TICKS  
HORizontally BASED ON THE UNIVERSAL TRANSVERSE  
MERCATOR GRID, UTM GRID IS IN ELEVATION 8,000  
FOOT TICAS SAME AS THE UTAH STATE PLANE COORDINATES +  
0 FEET REPRESENTS EAST EXTENSION OF SECTION LINE





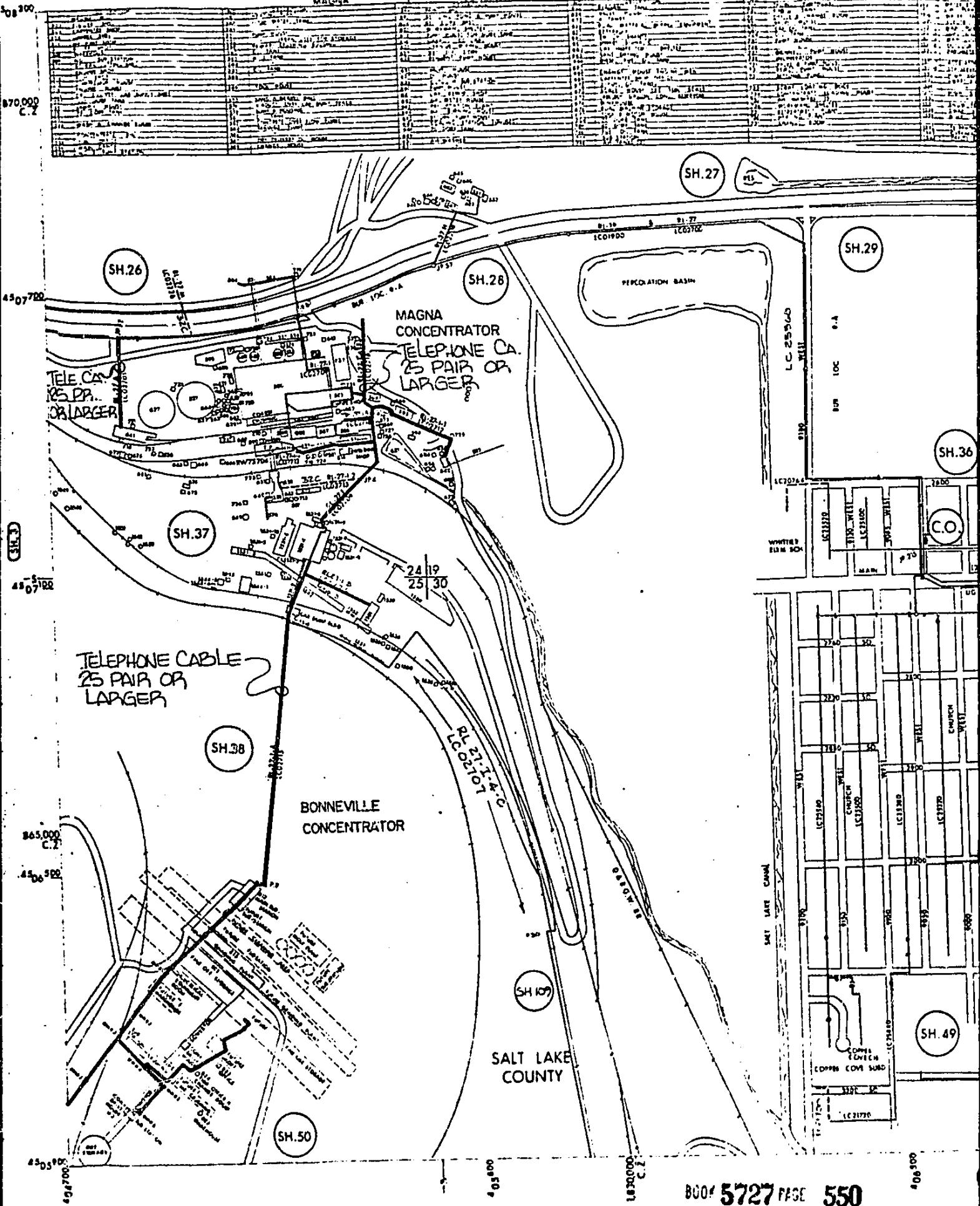
R-3-W

MAGNA

CONCENTRATOR

B.D.G.

SH 1  
INDEX



R-2-W

IN EFFECT 4-2-82

REV. NO.

SECTIONAL MAP  
R-2-W  
RIGHT-OF-WAY  
MOUNTAIN STATES  
TELEPHONE AND TELEGRAPH COMPANY  
SALT LAKE CITY, UTAH

**PUBLIC NOTICE:**

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the easement(s) depicted on this map  
is available upon inquiry to the  
Right-of-Way Office of The Mountain  
States Telephone and Telegraph Company  
in Salt Lake City, Utah.

CANAL  
HWY 12400 SOUTH J.D.A. & 800

GOLF COURSE

**NOTE TO COUNTY RECORDER:**

Property affected by this easement is approximately located in:

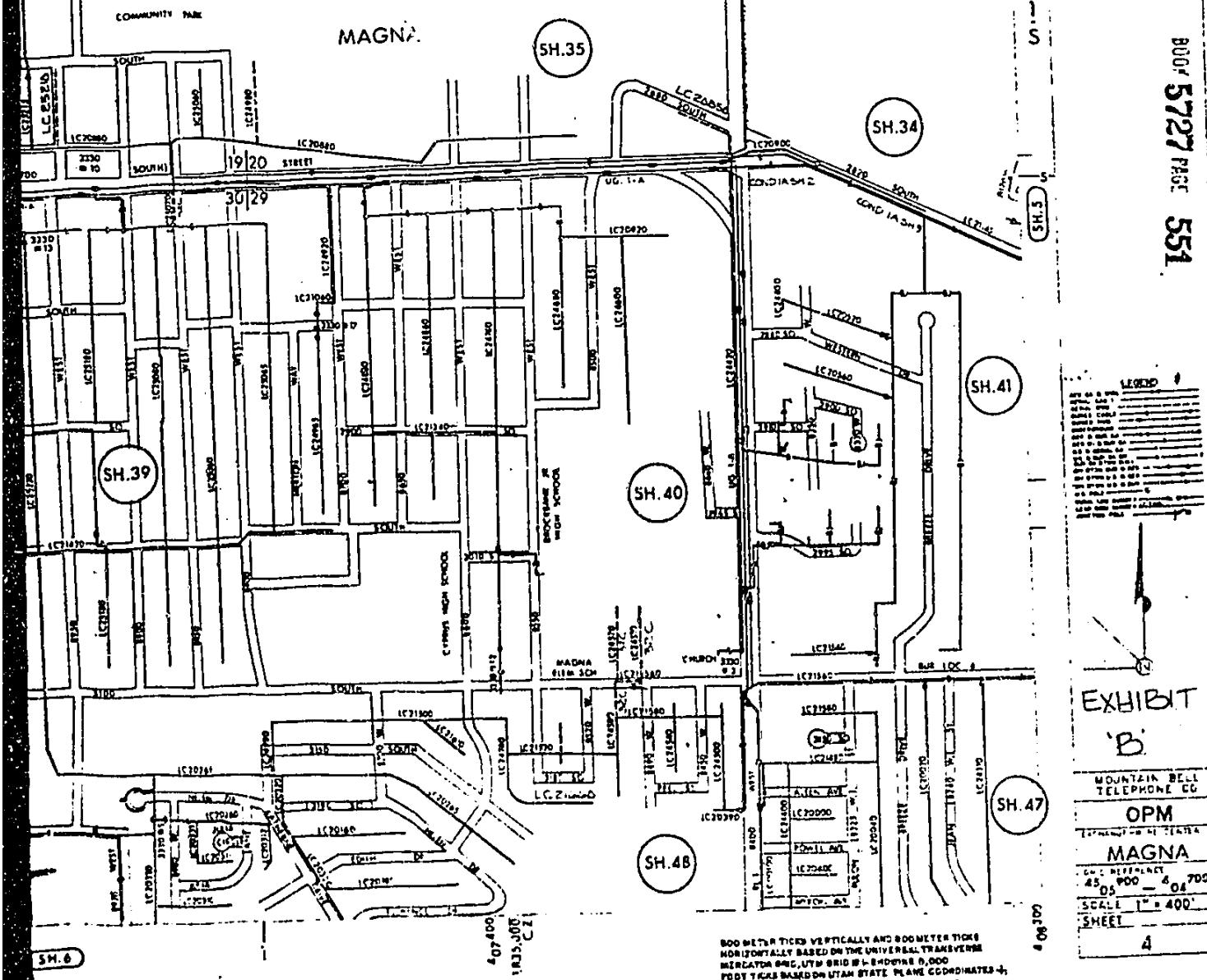
Sections: 24 25

Township: 1 South

Range: 2 West

Salt Lake Base and Meridian.

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**EXHIBIT**

**b.**

MOUNTAIN BELL  
TELEPHONE CO

OPM

EXHIBIT NO. 4 STATE 40

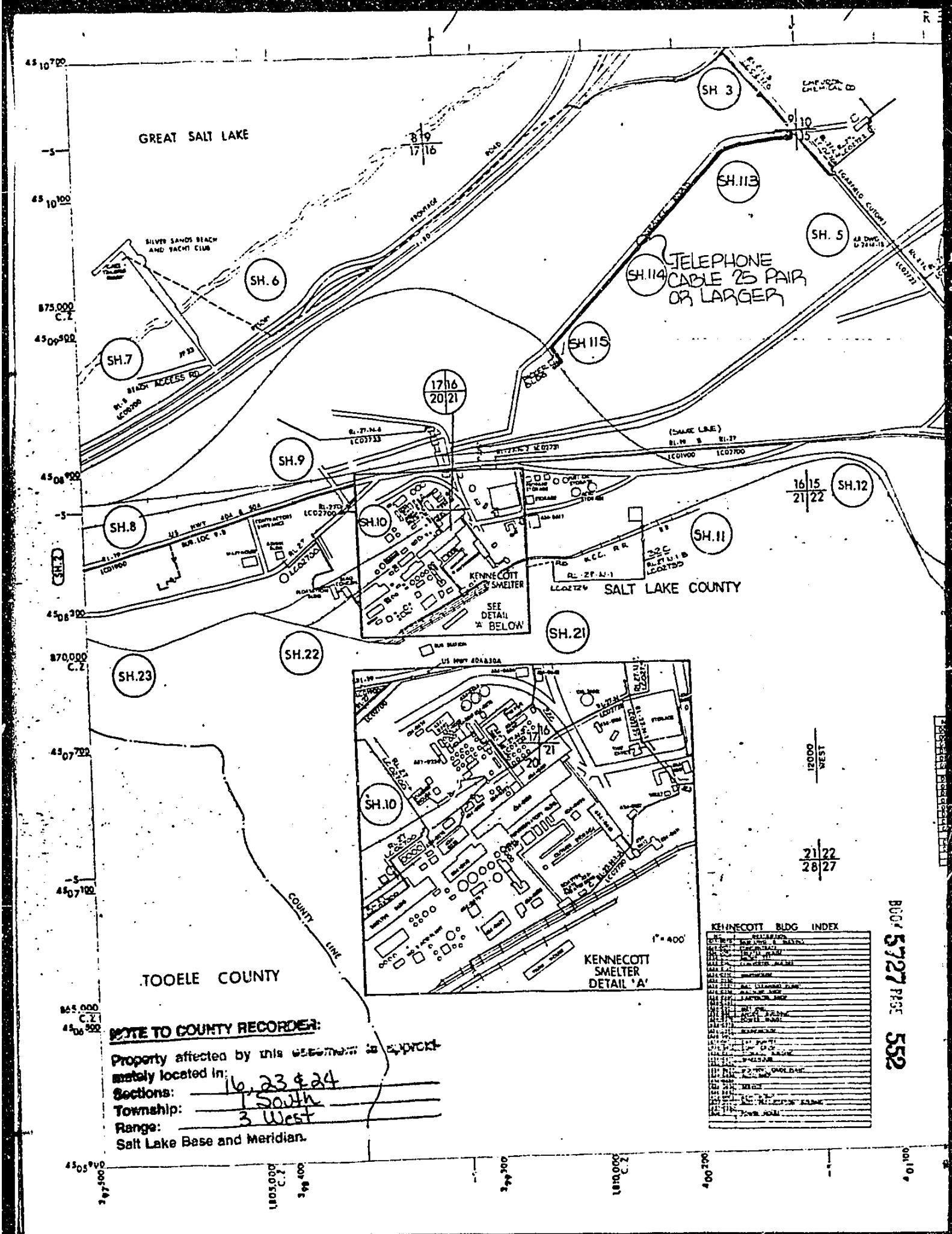
MAGNA

C.C. DIFFERENCE  
4505 .00 - .04 700

SCALE 1" = 400'

SHEET

4



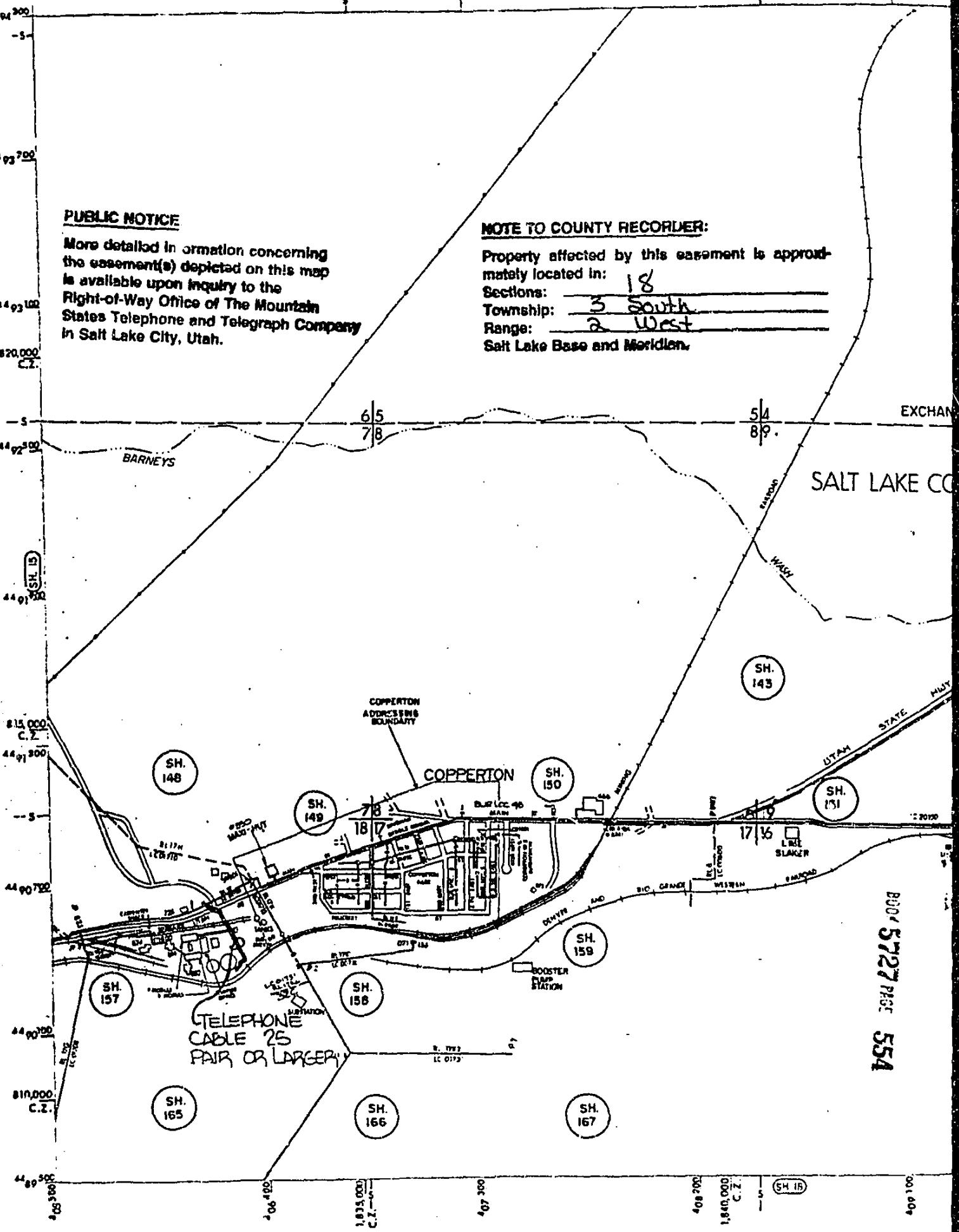


**PUBLIC NOTICE**

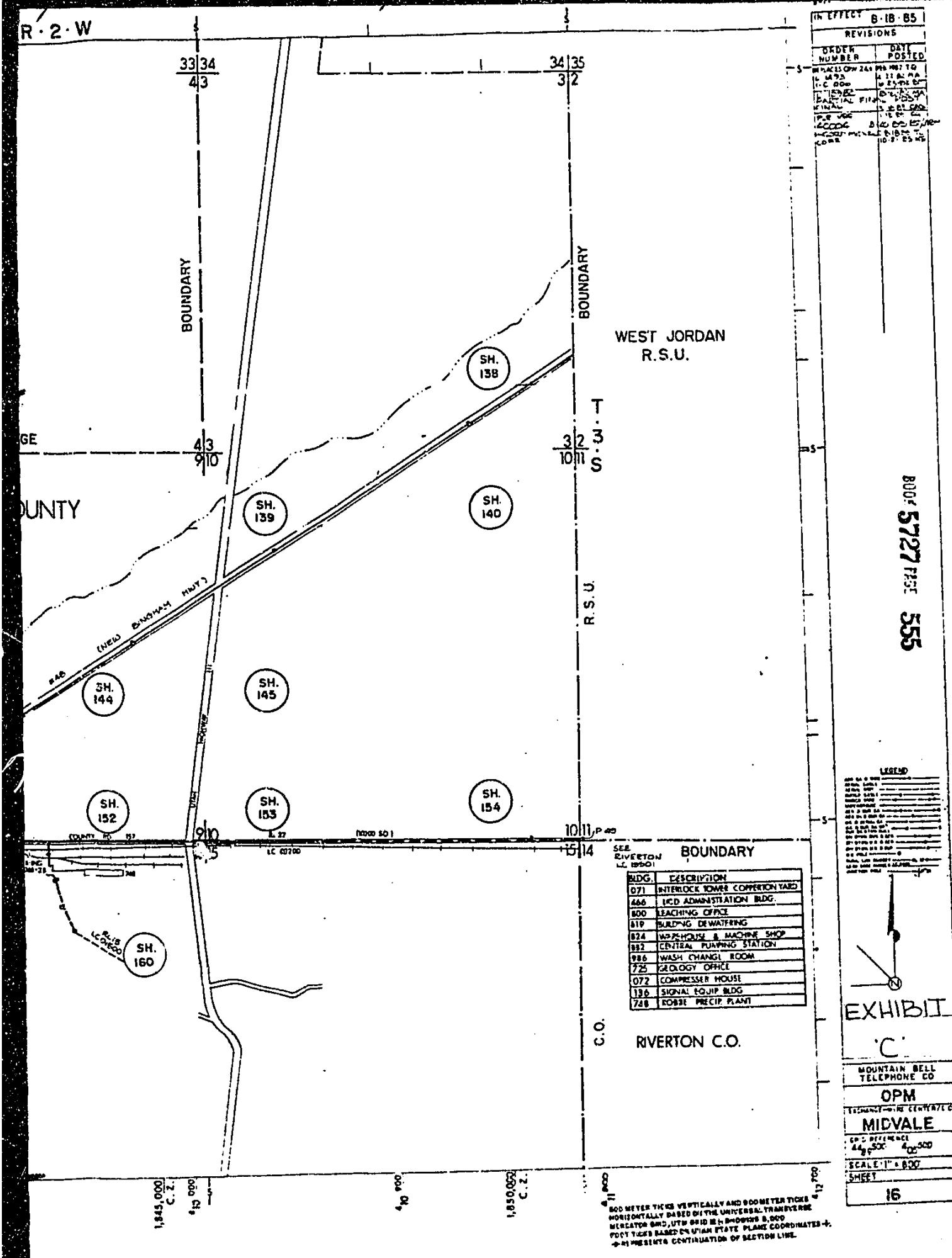
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**NOTE TO COUNTY RECORDER:**

Property affected by this easement is approximately located in:  
Sections: 18  
Township: 3 South  
Range: 2 West  
Salt Lake Base and Meridian.



R·2·W



800' 5727 M.F. 556

400'

17 | 16  
20 | 21

SH 16

SALT LAKE COUNTY

18 | 17  
19 | 20

44° 59' 300"  
-5  
SH. 170  
44° 59' 900"  
-5  
SH. 173  
803,000 C.L.  
44° 59' 300"  
-5  
SH. 177  
SURGE TANK  
44° 57' 700"  
-5  
SH. 17  
KEYSTONE  
44° 57' 100"  
-5  
SH. 185  
600,000 C.L.  
44° 56' 500"  
-5  
SH. 188  
COPPER  
44° 56' 900"  
-5  
SH. 195  
793,000 C.L.  
44° 55' 300"  
-5  
SH. 199  
44° 54' 700"  
-5  
SH. 200  
44° 54' 100"

LC 07132  
P.M.  
SUB STATION  
P.4  
SUB STATION  
PUMP HOUSE

19 | 20  
30 | 29

SH. 181

LC 0725A  
LC 0726  
SUB STATION  
MAIN  
LARK  
LARK OFFICE  
LARK SHOP  
345 DAY L  
WATER CLOSET

30 | 29  
31 | 32

TELEPHONE CABLE  
25 PAIR OF  
LARGER

29 | 28  
32 | 33  
COPPER

SH. 190  
SH. 196

C.O.

Oct 10, 1964

1000000  
1000000  
1000000  
1000000

R·2·W

16 15  
21 22

15 14  
22 23

EXCHANGE BOUNDARY

21 22  
28 27

22 23  
27 28

T  
3  
S

CREEK

28 27  
33 34

### RIVERTON C.O.

#### NOTE TO COUNTY RECORDER:

Property affected by this easement is approximately located in:  
Sections: 29 & 30  
Township: 3 South  
Range: 2 West  
Salt Lake Base and Meridian.

BOUNDARY

1845.000

118

4000

1850.000

C.Z.

IN EFFECT 6-18-85	
REVISIONS	
ORDER NUMBER	DATE POSTED
ALACETS GPM 210 MTC	S-77
SU 13000	67 83 MA
55000	67 83 MA

8004 3727 FILE 557



#### EXHIBIT

'C'

MOUNTAIN BELL  
TELEPHONE CO

OPM

77 41 000 40 900

SCALE 1:652

SHEET

18

BOOMETER TICKS VERTICALLY AND BOOMETER TICKS  
HORIZONTALLY BASED ON THE UNIVERSAL TRANSVERSE  
MERCATOR GRID, UTM 38N U.S. - SHOWING 6,000  
FOOT TICKS BASED ON UTAH STATE PLANE COORDINATES +  
3' ELEVATION'S COST IN FEET OF SECTION LINE