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C. D. No. 47431-12

See 2-3-11-12-13-14-4N-2W
CR 6

Recorded at request of Don J. Gump Fee Paid \$ 10.00
Date MAR 15 1967 9:58 A.M. MARGUERITE S. BOURNE Recorder Davis County
BY Shirley A. Cyber Deputy Clerk 262 Page 294

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DEED

See Map, this property, filed in office

For and in consideration of the payment of One Dollar (\$1.00), receipt whereof is hereby acknowledged, Freeport Center, Inc., a corporation of the State of Utah, sometimes hereinafter called "grantor," hereby sells, conveys, transfers and assigns to Oregon Short Line Railroad Company, a corporation of the State of Utah, (Union Pacific Railroad Company, a corporation of the State of Utah, being the lessee of said Oregon Short Line Railroad Company) and to The Denver and Rio Grande Western Railroad Company, a corporation of the State of Delaware, said Oregon Short Line Railroad Company, and The Denver and Rio Grande Western Railroad Company being sometimes hereinafter called "grantees," each of said grantees to own and take an equal undivided one-half interest therein, that certain real and/or personal property and those certain interests in real and/or personal property located at what is known as Freeport Center in Davis County, Utah, hereinafter particularly described as follows:

(a) Ownership of and title to all railroad tracks and trackage (including all ties, rails, switches, and all other components thereof) shown marked in solid green or shown marked in solid red on the exhibit print hereto attached, Drawing No. 7562 marked Exhibit "A", and hereby by reference made a part hereof, with that portion of said railroad tracks and trackage shown marked in solid red being subject to those certain rights reserved or retained by the United States of America for itself and/or certain others, and their assigns, pursuant to that certain deed dated May 29, 1963, from the United States of America, acting by and through the Administrator of General Services, to K. Schumacher, recorded in Book 268 at pages 533 through 539, inclusive, in the records of the County Recorder of Davis County, Utah; and

(b) Ownership of and title to the entire right of

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Freeport Center, Inc. to joint use with the United States of America and/or certain others, and their assigns, of all the railroad tracks and trackage shown marked in dashed red and green on said Exhibit "A", said right to joint use of said railroad tracks and trackage having been acquired by Freeport Center, Inc. by Quitclaim Deed from K. Schumacher and Nancy L. Schumacher, his wife, to Freeport Center, Inc., dated June 1, 1963, recorded in Book 279 at pages 1 through 8, inclusive, in the records of the County Recorder of Davis County, Utah; it being the understanding and intention of the parties hereto that the railroad tracks and trackage referred to and described in subparagraphs (a) and (b) hereof above, whether marked on said Exhibit "A" in solid red or in solid green or in dashed red and green, is not intended to include and does not include any track or trackage, or any components thereof whatever, lying within or inside any existing building or buildings; and

(c) Ownership of and title to various easements, perpetual in duration, each said easement being individual and separate and apart and independent of and from any other easement hereby conveyed, whether or not any area covered by any such easement physically overlaps or partially overlaps another such area or otherwise, upon and across the real property underlying each individual railroad track shown marked either in solid green or in solid red or in dashed red and green on said Exhibit "A", each of which said easements shall (except as hereinafter specifically otherwise provided) be 17 feet in width measured 8-1/2 feet on each side of the centerline of each individual track shown marked in solid green or in solid red or in dashed red and green on said Exhibit "A", and each of which said easements shall extend in length along the full and entire length of each individual railroad track shown marked either in solid green or in solid red or in dashed red and green on said Exhibit "A", the total areas of all said easements being shown colored in yellow and being otherwise marked and defined on said Exhibit "A", and which said easements shall be for the purpose of enabling said grantees,

their lessees, successors, and assigns, to operate, maintain, repair, renew and reconstruct said railroad tracks and trackage; provided, however, that along and under that certain portion of the railroad track marked in red lying specifically between points designated and identified as "S" and "T" on said Exhibit "A", said easement shall be 30 feet in width, the easement in that location conveyed hereby being that entire trackage and right of way easement reserved to the United States of America by deed dated December 21, 1960, to Warren J. Myers, an individual doing business as U. S. Surplus Expeditors, recorded March 20, 1961, in Book 205, page 80, of the records of the County Recorder of Davis County, Utah, which said easement was conveyed to Freeport Center, Inc. by deed dated June 1, 1963, from K. Schumacher and Nancy L. Schumacher, his wife, to Freeport Center, Inc., recorded in Book 279 at pages 1 through 8, inclusive, in the records of the County Recorder of Davis County, Utah, subject to the restrictions, reservations and rights therein set out; and provided, further, that along and under that certain portion of the railroad track marked in dashed red and green specifically lying between points designated and identified as "X" and "Y" on said Exhibit "A", said easement shall be of no specified width but shall be and include that entire easement along and underlying said railroad track between said points designated "X" and "Y" which easement was conveyed to Freeport Center, Inc. by said deed dated June 1, 1963, referred to immediately above.

The conveyance made hereby is made free and clear of and without being subject to the lien of that certain mortgage to the United States of America, acting by and through the General Services Administrator, which is described and identified at page 5 of that certain deed from K. Schumacher and Nancy L. Schumacher, his wife, to Freeport Center, Inc., dated June 1, 1963, recorded in Book 279 at pages 1 through 8, inclusive, in the records of the County Recorder of Davis County, Utah; but the conveyance made hereby is made subject to all those other certain interests, easements, permits, outleases, and rights owned by others or by the public which are

described or identified on pages 4 and 5 of that said deed, and the conveyance made hereby is also made subject to that certain right of way and easement grant from Freeport Center, Inc., to Mountain Fuel Supply Company, dated January 2, 1964, recorded January 3, 1964, in Book 283 at pages 639 and 640 in the records of the County Recorder of Davis County, Utah, and to that certain right of way and easement grant from Freeport Center, Inc., to Mountain Fuel Supply Company, dated September 9, 1964, recorded September 14, 1964, in Book 289 at page 645 in the records of the County Recorder of Davis County, Utah, and to that certain right of way and easement grant from Freeport Center, Inc., to Mountain Fuel Supply Company, dated September 14, 1964, recorded September 22, 1964, in Book 301 at page 382 in the records of the County Recorder of Davis County, Utah.

This deed, and the sale, conveyance, transfer and assignment accomplished hereby shall be, and shall be deemed, effective as of June 8, 1965.

IN WITNESS WHEREOF, said grantor does hereby execute this instrument this 10th day of December, 1965.

Attest:

Edward J. Finston
Secretary

FREEPORT CENTER, INC., a corporation,
By R. Schumacher
President



STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

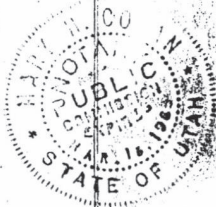
On the 10th day of December, 1965, personally appeared before me R. Schumacher and Edward J. Finston, the President and Secretary of Freeport Center, Inc., signer of the foregoing instrument, as grantor, who being by me duly sworn, each for himself, did say that he, the said R. Schumacher is the President and that he, the said Edward J. Finston, is the Secretary of Freeport Center, Inc., a corporation of the State of Utah, and

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that said instrument was signed in behalf of said corporation by corporate authority; and said R. Schumaker and Edward Finster acknowledged to me that said corporation executed the same.

My Commission Expires:
3-15-69

Mary W Cowan
Notary Public
Residing at Chapel Hill St



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Approved as to execution:
L. P. Conroy
Attorney

APPROVED
[Signature]

APPROVED AS TO FORM
[Signature]
General Secretary

APPROVED
[Signature]
GENERAL MANAGER