

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: **Davis County, a politic of the State of Utah**
Dated: **September 9, 1992, recorded as Entry Number 993222, in Book 1535, Page 127, 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: **September 24, 1992, recorded as Entry Number 993222, in Book 1535, Page 127,**

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 993222, with the following as-built pipeline survey. (see Exhibit PR-51)

Original Easement Tract(s) LL# 117.01 W

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN, CITY OF NORTH SALT LAKE, COUNTY OF DAVIS, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, T 1 N, R 1 W, S.L.B.M., A FOUND BRASS CAP, RUNNING THENCE NORTH 88°24'17" WEST A DISTANCE OF 1642.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SAID TRACT THE FOLLOWING (6) SIX COURSES:

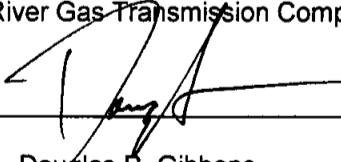
1. ALONG A 245.00 FOOT CURVE A DISTANCE OF 13.23 FEET (CHORD BEARS NORTH 43° 00' 40" WEST A DISTANCE OF 13.22 FEET);
2. NORTH 30° 00' 00" WEST A DISTANCE OF 71.90 FEET;
3. NORTH 60° 27' 42" EAST A DISTANCE OF 19.87 FEET;
4. SOUTH 24° 17' 31" EAST A DISTANCE OF 63.21 FEET;
5. SOUTH 51° 57' 52" EAST A DISTANCE OF 2.14 FEET;
6. SOUTH A DISTANCE OF 22.81 FEET TO THE POINT OF BEGINNING, SAID POINT LIES NORTH 87°44'19" EAST A DISTANCE OF 989.04 FEET FROM THE SOUTHWEST CORNER OF SECTION 12, 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 EP LAND II LLC, AS DESCRIBED ABOVE IS 1,234 SQ FT OR 0.03 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 2407116 B 4665 P 557-559
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/26/2008 12:08 PM
FEE \$20.00 Pgs: 3
DEP RT REC'D FOR KERN RIVER GAS TR
ANSMISSION CO

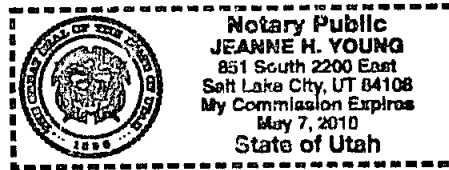
01-107-0101

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.

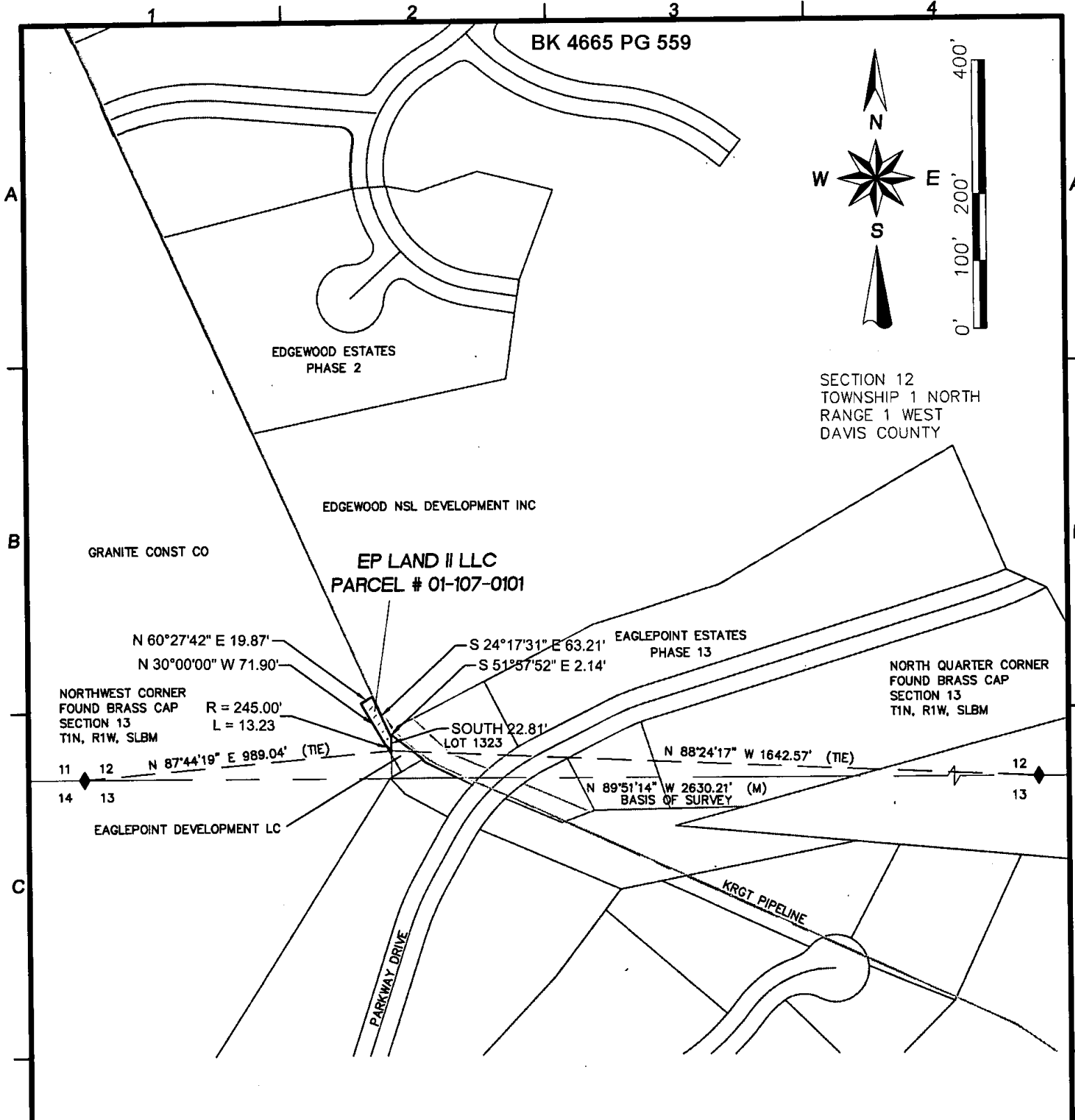
Jeanne H. Young



Name & Title of Officer:

May 7, 2010
My commission expires:

Notary Public in and for
The State of Utah



LEGAL DESCRIPTION

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THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS THE EP LAND II LLC, AS DESCRIBED ABOVE IS 1,234 SQ FT OR 0.03 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 EASEMENT 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 EASEMENT OF A UNDERGROUND GAS PIPELINE.

SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE A PERMANENT 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 <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> DESIGN DEVELOPMENT <input type="checkbox"/> BIDDING <input type="checkbox"/> CONSTRUCTION <input checked="" type="checkbox"/> APPROVAL <input type="checkbox"/> AS BUILT <input type="checkbox"/> REVISION	REVISIONS No. DESCRIPTION BY DATE APPD.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="4" style="text-align: center;">TITLE</td> </tr> <tr> <td colspan="4" style="text-align: center;">KERN RIVER GAS TRANSMISSION CORPORATION UNDERGROUND GAS PIPELINE EASEMENT FOR EP LAND II LLC</td> </tr> <tr> <td>Drawn By: SRH</td> <td>Date: 11/08</td> <td>ENCR. Date -</td> <td>DRAWING No. REVISION</td> </tr> <tr> <td>Chk'd. By: KAC</td> <td>Date: 11/08</td> <td>APPD. Date -</td> <td style="text-align: center;">PR-51 -</td> </tr> <tr> <td>Project No. 08-04-124</td> <td>SCALE AS NOTED</td> <td colspan="2"></td> </tr> </table>	TITLE				KERN RIVER GAS TRANSMISSION CORPORATION UNDERGROUND GAS PIPELINE EASEMENT FOR EP LAND II LLC				Drawn By: SRH	Date: 11/08	ENCR. Date -	DRAWING No. REVISION	Chk'd. By: KAC	Date: 11/08	APPD. Date -	PR-51 -	Project No. 08-04-124	SCALE AS NOTED		
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