

E 127345 B 0557 P 0059
Date 3-MAR-1999 8:44am
Fee: 17.00 Check
CALLEN B. PESHELL, Recorder
Filed By DAP
For US WEST COMMUNICATIONS
TOOELE COUNTY CORPORATION

RECORDING INFORMATION ABOVE
EASEMENT

RW99014010T

The undersigned Grantor(s) for and in consideration of One and no/100 Dollars (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto U S WEST Communications, Inc., a Colorado corporation, hereinafter referred to as "Grantee", whose address is 1425 West 3100 South, Salt Lake City, Utah 84119, its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, modify, change, add to, operate, maintain and remove such telecommunications facilities, electrical facilities, and appurtenances, from time to time, as Grantee may require upon, over, under and across the following described land situated in the County of Tooele, State of Utah, which the Grantor owns or in which the Grantor has any interest, to wit:

MDS
NON EXCLUSIVE

*2-17-5
2-132-1*

An easement seven feet (7') in width being 3 1/2 feet on each side of telephone facilities as shown on attached exhibits A, B, and C, within the Northeast Quarter of Section 30, and the Southeast Quarter of Section 19, Township 3 South, Range 4 West, Salt Lake Base and Meridian,

Grantor further conveys to Grantee the following incidental rights:

MDS

Grantee shall indemnify Grantor for all damage caused to Grantor as a result of Grantee's ~~exercise~~ exercise of the rights and privileges herein granted. Grantee shall have no responsibility for pre-existing environmental contamination or liabilities.

Grantor reserves the right to occupy, use and cultivate said easement for all purposes not inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure of obstruction will be constructed, erected, built or permitted on said easement area and no change will be made by grading or otherwise to the surface or subsurface of the easement area or to the ground immediately adjacent to the easement area.

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.

Page 1 of 2 *mld*
initial

RECORDING INFORMATION ABOVE

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.

Dated this 15TH day of February, 19 99.



Grantor: Depot Associates, L.L.C.

By: Mark D Smith

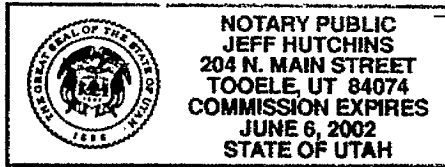
Title: Asset Manager

STATE OF UTAH)

COUNTY OF Tooele)

On the 22nd day of February, personally appeared before me Jeff Hutchins, who, being by me duly sworn (or affirmed) did say that he/she is the Asset Manager of Utah Industrial Depot, (naming the corporation) and that said instrument was signed in behalf of said corporation by authority of its bylaws (or a resolution of the board of directors, as the case may be), and said _____ acknowledged to me that said corporation executed the same.

Jeff Hutchins
Notary Public



[SEAL]

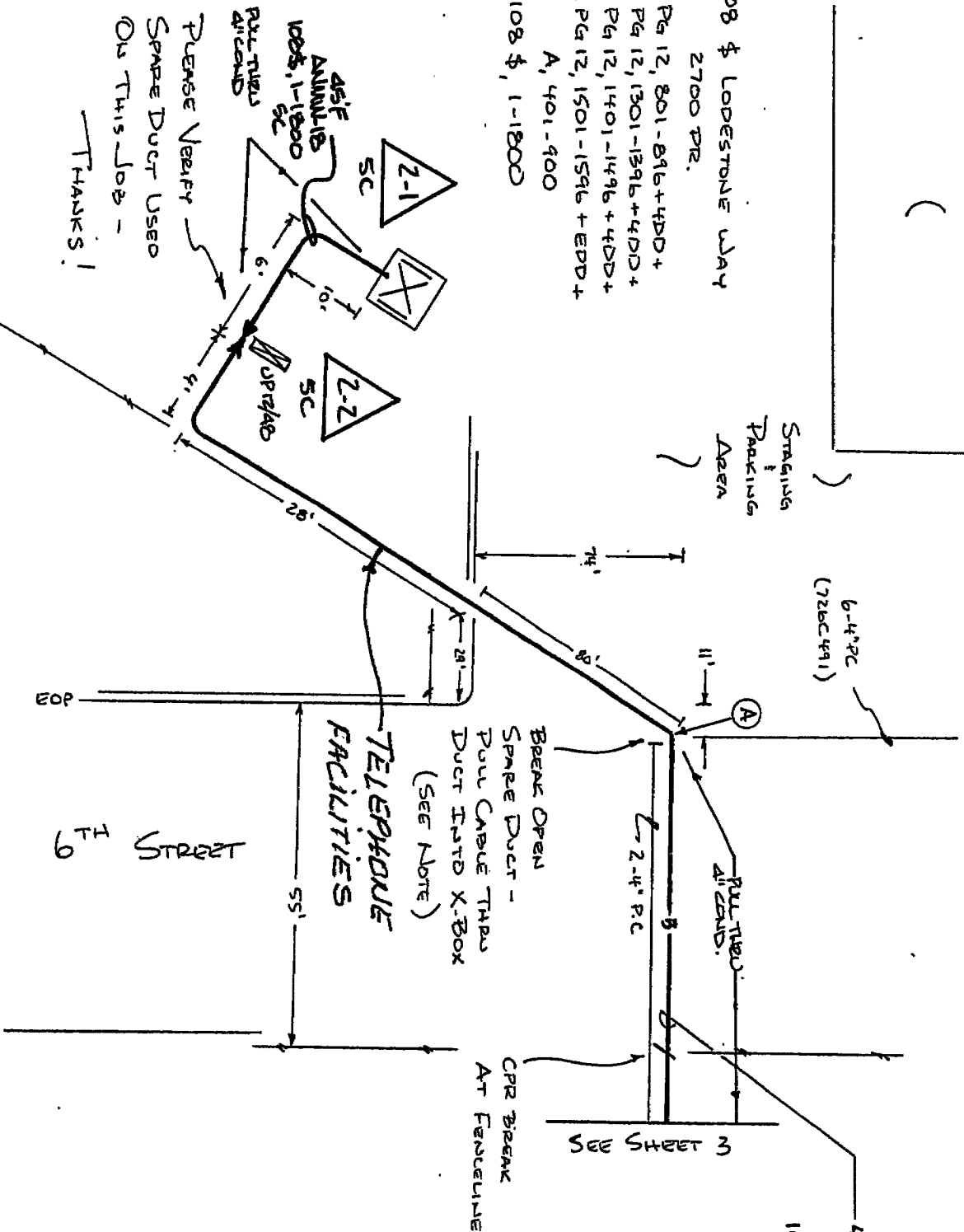
R/W # 9901402UT Job # 826M237
Exchange TOOELE County TOOELE
1/4 Section SE 1/4 Section 19, 30 Township 33 Range 4W

Reason for reissue: Issue Date:

DETROIT DIESEL

108 & LODGESTONE WAY
 2700 PR.

INS: PG 12, 801-816+4DD+
 1 PG 12, 1301-1396+4DD+
 1 PG 12, 1401-1496+4DD+
 1 PG 12, 1501-1596+EDD+
 A, 401-900
 DUT: 108 &, 1-1800



REMARKS:

EXHIBIT A

CONSTR. NOTE:
 PLEASE REMOVE AT (A) AND
 END OF CUT NOTED ON SHEET 2.
 LOCATE & NOTE WHICH DUCT
 ANNU-6 WILL BE PULLED
 THRU TO ITEM 3-1. LOCATE
 SPACE TO X-BOX & BREAK
 TO CONTINUE ...



Notes - Not for Disclosure Outside of U S WEST and Affiliates Except Under Written Agreement

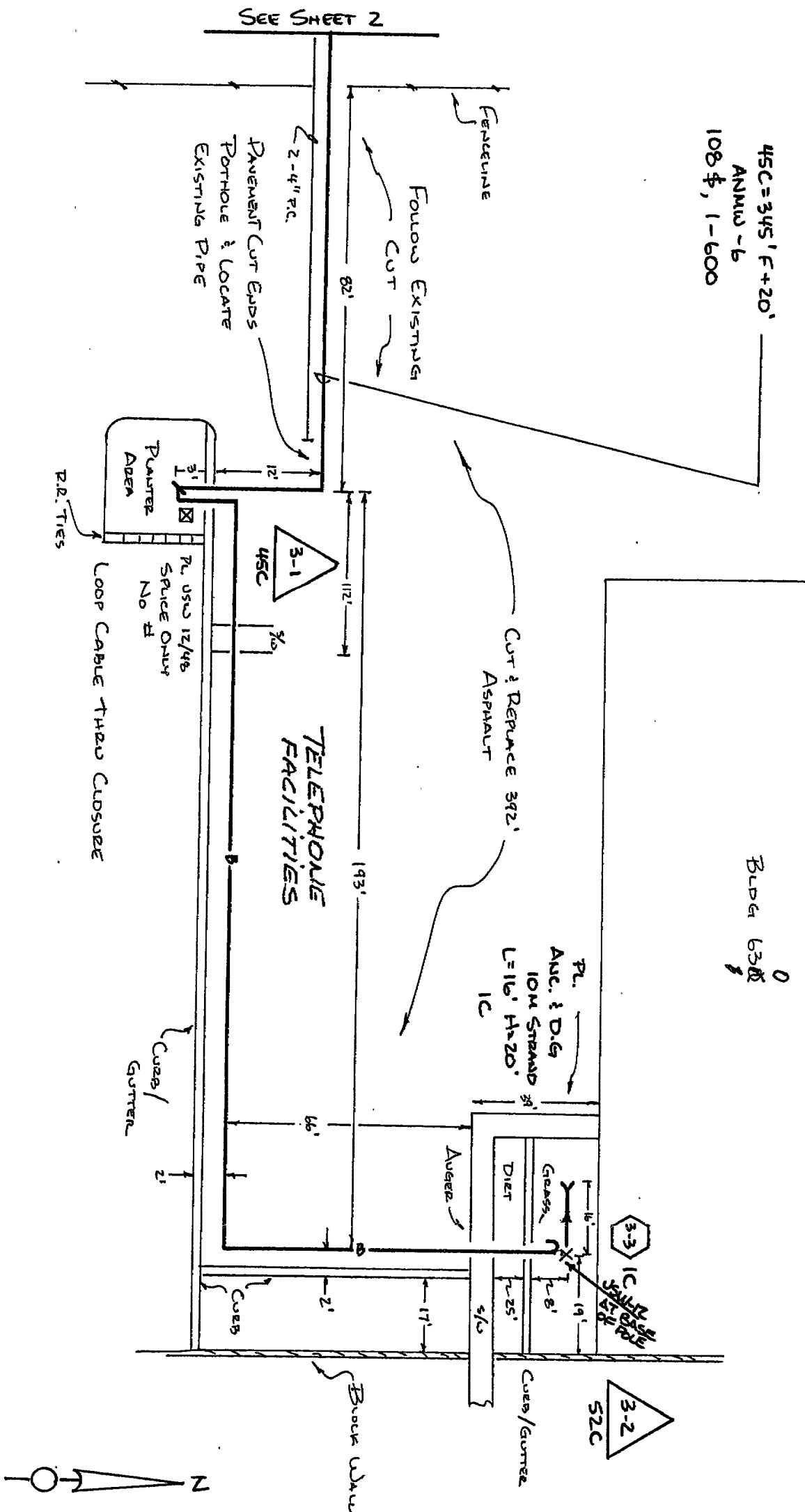
DESIGNED BY: K PRUTZMAN
 TELEPHONE: 801 974 6163
 TAPER CODE:
 PLAT REF: OSPFM

JOB: 826M237
 GEO CODE: 674530
 WC CILI: T00LUTMA
 ISS#: ISS DATE:

SH: 2 OF 4

Reason for issue: Issue Date:

EXHIBIT 'B'



REMARKS:



DESIGNED BY: K. PRUTEMAN
 TELEPHONE: 801 974 8163
 TAPER CODE:
 PLAT REF: OSPFM

JOB: 826M237
 GEO CODE: 674530
 WC CILLI: T00LUTMA
 ISS: ISS DATE:

SH: 3 OF 4