

201, 202 Eaglepoint Est #2  
103 thru 166 Eaglepointe Est #1

85  
3

SW-12-1N-1W 334 thru 339 Eaglepointe Est #3

When Recorded, Please Return To:

Scott Patterson  
Kern River Gas Transmission Company  
295 Chipeta Way - MS3M1  
Salt Lake City, Utah 84108

01-256-0334 thru 0339  
01-107-0054, 0041, 0051pt, 0033, 0035pt, 0035, 0036,  
01-254-0103 thru 0166  
01-255-0201, 0202

RETURNED  
NOV 28 2000

**PARTIAL RELEASE OF EXCLUSIVE RIGHT-OF-WAY AND EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that **KERN RIVER GAS TRANSMISSION COMPANY** ("Grantor"), a Texas general partnership with its principal offices at 295 Chipeta Way, Salt Lake City, UT 84108, for and in consideration of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby release, quitclaim and convey unto **EAGLECREST POINTE L.C.**, a Utah limited liability company ("Grantee"), its heirs, successors and assigns, all of Grantor's right, title and interest in the real property more particularly described in the attached Exhibit "A", which interest was acquired by virtue of the following instruments:

That certain EXCLUSIVE RIGHT-OF-WAY AND EASEMENT dated March 28, 1991, and executed by GIBBONS & REED COMPANY, and recorded April 11, 1991 as Entry No. 923087 in Book 1405, at Page 385, in the Official Records of the Davis County Recorder, State of Utah, in favor of Kern River Gas Transmission Company. It is the intent of Grantor to extinguish said EXCLUSIVE RIGHT-OF-WAY AND EASEMENT agreement only insofar as it applies to the above-described land.

By acceptance hereof, Grantee acknowledges and agrees that Kern River Gas Transmission Company, its successors and assigns, are hereby released from all terms, covenants and conditions contained in said Exclusive Right of Way and Easement agreement as to the lands herein released. Nothing Contained herein shall be construed to release any Easement Rights within 25 feet of each side of Kern River's now existing pipeline, further, except for the properties released herein all terms and conditions of the original Exclusive Easement shall remain in full force and effect.

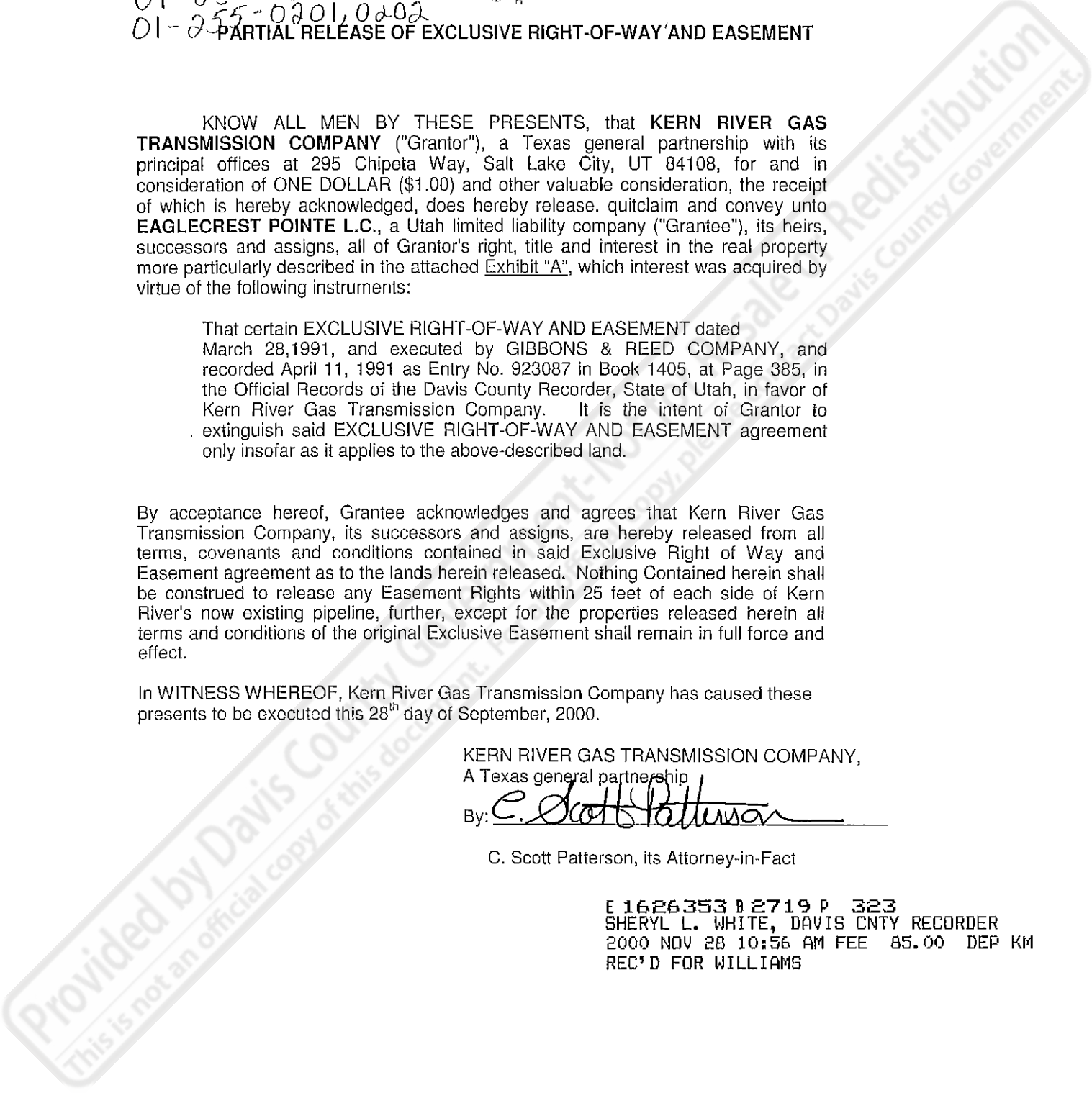
In WITNESS WHEREOF, Kern River Gas Transmission Company has caused these presents to be executed this 28<sup>th</sup> day of September, 2000.

KERN RIVER GAS TRANSMISSION COMPANY,  
A Texas general partnership

By: C. Scott Patterson

C. Scott Patterson, its Attorney-in-Fact

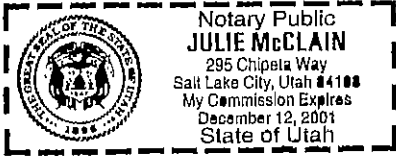
E 1626353 B 2719 P 323  
SHERYL L. WHITE, DAVIS CNTY RECORDER  
2000 NOV 28 10:56 AM FEE 85.00 DEP KM  
REC'D FOR WILLIAMS



ACKNOWLEDGEMENT

State of Utah )  
 ) :SS  
County of Salt Lake )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of September, 2000  
by Scott Patterson, Attorney-in-Fact for Kern River Gas Transmission Company.



Julie McClain  
Notary Public

REGISTER NO. 2953

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Exhibit "A"

A portion of the SW ¼ of Section 12, Township 1 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, being more particularly described as beginning at the center of Section 12, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence South 40 chains; thence West 25 chains; thence North 40 chains; thence East 25 chains to the point of beginning, containing 100 acres.

