

26.00

ADDENDUM TO BRIDGER JACK MESA SUBDIVISION COVENANTS AND RESTRICTIONS TO RUN WITH THE LAND

This document is an Addendum to the Covenants and Restrictions filed as entry number 08349 with the Recorder of San Juan County on October 17, 1994.

I. Certain lots may not have sufficient soil to meet the requirements of a standard septic tank with a leach field. Owners of these lots will be required to provide an alternate septic system which will meet the requirements of the Southeastern Utah Health District. Those requirements can be determined by direct contact with the Health Department. An alternate system can be designed for these lots by an engineering firm approved by the County. Creamer & Noble Construction in St. George, Utah, is one firm that is qualified to design an effective septic system for those lots. Such systems must be approved by the Southeastern Utah Health District. Lots identified that may require special engineering are: 8, 14, 15, 16, 17, 18, 19, 20, 25, 26, 29, 30, 31, 36, 37, 38, 39 and 46.

II. At the present time, San Juan County has no plans to provide fire protection to the Bridger Jack Subdivision area other than from existing stations now in service. A minimum response time of at least 20 minutes would be expected at the present time. This means that in most cases, the response time would not be sufficient to provide a potential savings to a structure.

III. The subdivision road provides public access through the property to adjacent areas. This access has historically passed through the property, so that public access will not be limited in any way in the future.

IV. Attachment A - Amendment to Northwest Pipeline Easement.

V. Attachment B - Amendment to MAPCO Pipeline Easement.

Entry No.	JJ 010198
Recorded	2959 33 45 Pg 13 126
Fee Paid	Louisa C. Jones
of	Recorder, San Juan County, Utah
31	By: <i>[Signature]</i> Deputy

RECORDED, SAN JUAN COUNTY, UTAH
1995 JUN 23 AM 9:33

x2

Return to:
Rick Lamb
Moab Realty
550 North Main, Suite C
Moab, UT 84532

AMENDMENT OF RIGHT-OF-WAY AND EASEMENT

This Amendment to the Right-of-Way and Easement (Amendment) is dated this 20th day of April, 1995, by and between Northwest Pipeline Corporation, ("Grantee"), successor-in-interest to Pacific Northwest Pipeline Corporation, and the undersigned Lincoln Trust, fbo John Hauer, IRA ("Grantor"), successor-in-interest to the Utah State Land Board.

RECITALS:

A. Grantee and Grantor are parties to the Pipeline Easement dated July 9, 1956, (Land Number 551211G200), recorded in San Juan County, Book 136, Pages 446-448, granting Northwest a right-of-way and easement over and through certain real property situated in San Juan County, State of Utah.

B. The parties desire and agree to amend the Easement to allow the construction of a dirt road within the existing 75-foot right-of-way described in said Easement.

AGREEMENT:

NOW THEREFORE, for and in consideration of the mutual promises contained herein, the parties agree to amend the Easement as follows:

1. The specific conditions which shall apply to the construction of the road are described in Exhibits 1, 2, 3, 4, 5.
2. Except as amended, all terms and conditions of the Easement shall remain in full force and effect.
3. This Amendment shall be binding upon and inure to the benefit of the successors and assigns of the parties to the Amendment.

IN WITNESS WHEREOF, the parties hereto have hereby executed this Amendment as of the day and year first written above.

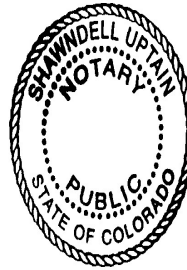
LINCOLN TRUST COMPANY
 GRANTOR: CUSTODIAN FBO John Hauer
 By Jacqueline Keph

 AUTHORIZED SIGNATURE
 P.O. BOX 5831
 DENVER, COLORADO 80217
 TIN # 84-6069393

GRANTEE:
 Northwest Pipeline Corporation
Sinda Channington

Attorney-in-Fact

Amendment (LN551211G200)



STATE OF Colorado
COUNTY OF Arapahoe

My Commission Expires 03/22/98

The foregoing instrument was acknowledged before me by Georganna
Hydral manager, who being by me duly sworn did say that she is the
this 11th day of May, 1995. of Lincoln Trust Company

Witness my hand and official seal.

Shawndell Uptain
Notary Public residing at:
County of Arapahoe

My Commission Expires:
3/22/98

STATE OF UTAH
COUNTY OF SALT LAKE

On this 25th day of May, 1995, personally appeared before me Linda
Cherrington, who being by me duly sworn did say that she is the Attorney-in-Fact of Northwest
Pipeline Corporation and that said instrument was signed in behalf of said corporation by
authority, and said Linda Cherrington that she as such Attorney-in-Fact executed the same.

Witness my hand and official seal.

Pauline C. Mendes
Notary Public residing at:
295 Chipeta Way

My Commission Expires:
August 19, 1997

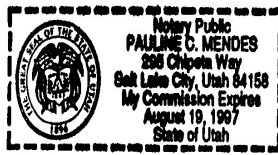


EXHIBIT 1

1. STIPULATIONS AND EXHIBITS WILL BE RECORDED WITH THE AMENDMENT TO THE EASEMENT, THE COUNTY PERMIT, AND THE COVENANTS AND RESTRICTIONS OF THE BRIDGER JACK MESA SUBDIVISION.
2. NORTHWEST WILL BE NOTIFIED OF ANY WORK PROPOSED WITHIN THE 75' EASEMENT BOUNDARIES AND WILL BE SUBJECT TO NORTHWEST'S APPROVAL.
3. AN ENCROACHMENT PERMIT WILL BE COMPLETED FOR ANY FUTURE WORK THAT IS ALLOWED (COPY ATTACHED AND MARKED EXHIBIT #2.)
4. NORTHWEST WILL BE HELD HARMLESS FROM ALL COSTS ASSOCIATED WITH TEMPORARY REROUTES OF ROAD, DAMAGES, ETC. THAT ARE A RESULT OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE PIPELINE.
5. ALL ROAD CROSSINGS WILL HAVE 5 1/2' OF COVER OVER THE PIPELINE AND ALL ROAD CROSSINGS WILL BE AT AN ANGLE NO LESS THAN 45 DEGREES AS OUTLINED IN SKETCH MARKED EXHIBIT #3.
6. ALL DRIVEWAYS THAT CROSS THE PIPELINE WILL HAVE 5 1/2' OF COVER UNTIL CONSTRUCTION IS COMPLETED. AFTER CONSTRUCTION COVER MAY BE REDUCED TO 3 1/2'.
7. BAR DITCH OF ROAD MAY BE NO CLOSER THAN 20' FROM CENTERLINE OF PIPE AS SHOWN ON EXHIBIT #4.
8. NORTHWEST'S PIPELINE AND EASEMENT BOUNDARIES WILL BE SHOWN ACCURATELY ON THE FINAL SUBDIVISION PLAT AND RECORDED IN SAN JUAN COUNTY, UTAH.
9. NO PART OF THE RIGHT-OF-WAY EASEMENT MAY BE USED FOR PARKING VEHICLES (EQUIPMENT, CARS, TRUCK, ETC.) WITHOUT RECEIVING PRIOR PERMISSION FROM NORTHWEST.
10. AN OUTLINE OF NORTHWEST'S STANDARD PROCEDURE FOR EXCAVATION ON THE PIPELINE IS ATTACHED AND MARKED EXHIBIT #5.
11. APPROPRIATE AGENCIES AND OR COMPANIES WILL BE NOTIFIED OF ANY EXCAVATION AS REQUIRED BY STATE LAW (BLUE STAKES).

Exhibit #2

(2 pages)
page 1 of 2

NORTHWEST PIPELINE CORPORATION
ENCROACHMENT PERMIT
FORM NWP 1847 (12-89)

CALL TWO WORKING DAYS
BEFORE YOU DIG



Date _____, 19____

Encroachment Permit No. _____



Permit Requested By _____

Name _____

Landowner Name _____

Address _____

G. Number _____ Land No. _____

Address _____

Address _____

Phone _____

Phone _____

Your Local Northwest Pipeline Contact Is _____ Phone _____ (Collect Calls Accepted)

ENCROACHMENT LOCATION				
Section	Township	Range	County	State
Alignment Sheet No.:		Mile Post	Eng. Stations	
Land No.:		Row Width	Configuration	
ENCROACHMENT DESCRIPTION				

Your Local One Call Number Is _____

In case of damage to Northwest Pipelines (NWP) facilities is a result of negligence by the encroaching parties failing to adhere to the state "CALL BEFORE YOU DIG" law, Northwest will pursue restitutions to the full extent of the law.

This permit is granted subject to the terms, requirements, and conditions shown below and strictly in accordance with (the general requirements and item(s) _____ of the encroachment specifications shown on the reverse side hereof.

- It is understood that the Permittee will cause the encroachment at no expense to Northwest Pipeline Corporation.
- So that Northwest Pipeline Corporation may schedule its personnel — and not delay your work — please notify Northwest Pipeline Corporation 48 hours before work commences on or near its right-of-way.
- This permit does not change or modify any provisions of Northwest Pipeline Corporation's right-of-way contracts or easements.
- Permittee to supply plans and drawings if applicable.
- By issuance of this permit and its terms NWP recognizes existence of said encroachment but in no way advocates the installation thereof.
- This permit shall be revocable in the event of noncompliance of any terms, requirements, conditions, and specifications of this permit upon written notice given to permittee and/or owner of record.
- PERMITTEE agrees to save harmless Northwest, its officers, agents, employees and its subcontractors and their officers, agents and employees from any and all claims for damages, injury or death arising by reason of continuation and maintenance of said encroachment. If PERMITTEE does work without a Northwest representative present, PERMITTEE is liable for all costs incurred for any damages.
- PERMITTEE agrees that Northwest may remove any encroachment or portion thereof, if in Northwest's judgement it is reasonably necessary to do so in order to construct, alter, maintain, repair or replace gas transmission facilities located within the right of way and easement, or in order to construct or install new facilities, and should Northwest remove any such encroachments, or portions thereof, Northwest will not be liable to PERMITTEE or its successors or assigns for any damages resulting by reason of such removal, except for those damages arising out of the sole negligence of Northwest.

NORTHWEST PIPELINE CORPORATION

By _____
District Superintendent Designee

I acknowledge that I have received, and reviewed with a Northwest Pipeline Corporation representative the requirements, conditions and specifications of this permit. I also understand the provision and prescribed penalties as provided under the law regarding excavation.

DISTRIBUTION: 1—WHITE—Right-of-Way 2—CANARY—Applicant 3—PINK—District

Permittee _____

ENCROACHMENT SPECIFICATIONS

Northwest Pipeline Corporation (NWP) is an interstate transporter of natural gas and as such, is regulated by the Department of Transportation, Office of Pipeline Safety. In some cases state and local law may exceed the federal regulations. These specifications have been designed to comply with state and federal regulations as well as insuring the safety of the public and protecting the pipeline.

The following specifications are minimum requirements for most proposed encroachments to avoid conflict with the existing easement rights. It is not NWP's intent to convey that these are the only types of activities permitted, additional specifications may be required depending upon the proposed encroachments. For a review of your individual situation, please contact the nearest NWP office.

GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS

- A) Many states have laws which require 48 hours notice be given to the utility companies prior to beginning excavation. This may be accomplished by contacting a "One Call" system (check your state). In states where advance notification call systems do not exist, please call (801) 328-8252 collect 48 hours before any work commences.
- B) NWP's easement restricts the placement of a structure of any part of a structure within the right-of-way. Reference P&P 12.10.030.
- C) An authorized NWP representative must be on site during any work performed on or across the right-of-way, and will remain as long as power equipment is utilized.
- D) The NWP representative will determine the existing cover over the pipeline for you.
- E) Any change in the amount of existing material (soil) on and over the right-of-way must be approved in advance.

1) FENCES

- A) Fence posts shall not be installed within 4 feet of the center of the pipeline, and the first post either side of the pipe shall be set in hand dug holes.
- B) To perform normal maintenance, access through or around fences crossing the right-of-way must be provided.
- C) Installer shall adhere to provisions A & C of GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.

2) LANDSCAPING (plantings which require excavating beyond 1' in depth)

- A) Flower beds and shrubs are permitted within the right-of-way, but may be damaged by required annual surveys, if planted directly over the pipeline. Heavy maintenance may require total clearing of the right-of-way.
- B) Lawns and vegetable gardens are acceptable uses.
- C) Provisions A & C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to this type of planting.

3) STREETS, ROADS AND DRIVEWAYS

- A) Residential driveways intended for light vehicle access to a single family dwelling must have a minimum of 3.5 feet of cover over the pipeline.
- B) Driveways shall not run lengthwise within the right-of-way and must cross on an angle, which when measured between the proposed drive and the right-of-way is not less than 45 degrees.
- C) An opportunity for NWP to make a pipe inspection must be given prior to the start of any construction.
- D) Provisions A, C, D & E of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to driveway crossings.
- E) Street or road construction requires a special encroachment agreement from the Right-of-Way Management Department, and plans for such crossings should be submitted 90 days prior to work commencement to allow time for project impact review by the local NWP office.

4) TEMPORARY EQUIPMENT CROSSINGS

- A) Normal loads acceptable to the state highway department may cross the pipeline where a minimum of 5.5 feet of cover is provided. Equipment such as construction, logging, etc. must cross the pipeline only at approved crossing locations where the cover has been checked and determined adequate to meet bearing load requirements.
- B) Contractor shall also be required to meet Provisions A, C & D of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.

5) OPEN WATERWAYS

- A) Open waterways smaller than 3 feet wide at the bottom are defined as "ditches" and must have a minimum of 3.5 feet of cover from the top of the pipe to the bottom of the ditch, or the ditch must be lined using an approved method and material. Larger open waterways are defined as "canals" and are considered on an individual basis.
- B) Anyone altering (clearing, regrading or changing alignment) a waterway must obtain approval from NWP prior to making changes and shall meet Provisions A & C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.

6) EXCAVATION

- A) Plans for any excavation on the right-of-way must be approved prior to commencing work. Excavating closer than 2 feet to the pipeline shall be done by hand until the pipeline is exposed and shall be done only under the supervision of an authorized NWP representative. When excavating for crossing ditch line, after the pipe has been exposed the excavation equipment must be positioned so that from the point of operations the equipment will not reach within 2 feet of the pipeline.

- B) When a backhoe is used, the bucket teeth should be curled under each time its brought back into the ditch to reduce the chance of teeth contacting the pipe.
- C) Any plowing or ripping of soil on the right-of-way, including agricultural, at depths greater than 1 foot will be handled on an individual basis.

GENERAL REQUIREMENTS FOR BURIED LINE CROSSINGS

- A) All buried lines crossing NWP right-of-way shall be installed adhering to all applicable codes and requirements governing such installations.
- B) All buried lines crossing the right-of-way must cross on an angle that when measured between the proposed buried line and the right-of-way is not less than 45 degrees. This angle must be maintained across the entire width of the right-of-way.
- C) All buried lines should cross under the pipeline. However, when obstructions or unfavorable soil conditions are encountered, or when the NWP pipeline is located at a depth greater than 4 feet, approval to cross over the line may be granted.
- D) To avoid unexpected service interruptions of buried lines, crossing over Northwest's pipeline, a minimum of 24 inches of cover (or local minimum required depth) must be provided over the crossing line.
- E) All buried lines crossing the pipeline shall maintain a minimum separation of 12 inches between the two lines, with the same grade of depth carried across the entire right-of-way.
- F) A joint trench is the recommended method for utilities to cross, and under normal circumstances only requires that one permit be obtained by the excavating company.
- G) No foreign appurtenances (meters, poles, drop boxes, collection basins, etc.) shall be located on the right-of-way.
- H) A six inch wide vinyl burial warning tape shall be placed 12 to 18 inches above the crossing line and extend across the entire right-of-way, as a protective measure.

7) COMMUNICATION LINES (TELEPHONE, TV, OTHER DATA LINES)

- A) Shall meet all provisions GENERAL REQUIREMENTS - BURIED LINE CROSSINGS
- B) Shall be encased in a rigid nonmetallic conduit across the full width of the right-of-way.

8) POWER LINES

- A) Shall meet all above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS, except for item E.
- B) Shall have minimum clearances between lines of 24 inches for 0 to 600 volts; 30 inches for 601 to 22,000 volts; 36 inches for 22,001 to 40,000 volts; and 42 inches for 40,000 volts and above.
- C) Shall be encased in rigid nonmetallic conduit.
- D) Signs should be placed at each edge of the right-of-way to mark the underground cable angle and path of crossing. If the underground cable crosses above the pipeline, the signs shall so indicate. These signs are to be furnished by the power company or the encroaching party.
- E) In the event a power line crosses over the pipeline, it will be necessary to cover the crossing line in red die concrete across the full width of the right-of-way.

9) SEWER AND WATER LINES

- A) Shall meet all above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS. Nonmetallic water lines are required.
- B) Sewer line crossings are limited to tight lines only.
- C) Septic tanks and drainfields are not permitted within the right-of-way.

10) SUBSURFACE DRAINAGE TILE (NONMETALLIC)

- A) Shall meet provisions A, B, E, G & H of GENERAL REQUIREMENTS - BURIED LINE CROSSINGS.

11) METALLIC PIPE CROSSINGS

- A) All 4 inch and larger metallic pipes crossing NWP's pipeline or any metallic pipe transporting potential hazardous material (petroleum, natural gas, etc.) shall have two corrosion test leads installed on NWP pipeline and two on the crossing pipe at the point of intersection.
- B) NWP personnel must install the leads on NWP pipeline and, if requested, will also install the leads on the crossing pipe.
- C) Metallic pipe crossings shall have an electrical insulation coating for the full width of the right-of-way.

12) ABOVEGROUND LINE CROSSINGS

- A) Shall maintain a minimum of 30 feet of clearance across the right-of-way.
- B) Shall have no poles or appurtenances located on the right-of-way.
- C) Above ground crossings shall not be above or closer than 25 feet horizontally to any gas escape vent (e.g., relief valve vent, station blowdown vent).

NOTE: These specifications are subject to change, please contact your local NWP office prior to commencing any work on the right-of-way.

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Exhibit #3

SUBJECT BRIDGER JACK MESA
ROAD CROSSING DETAILS

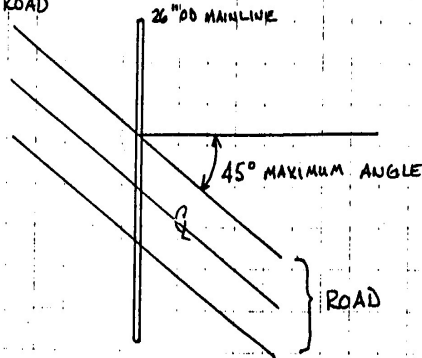
Northwest Pipeline Corporation

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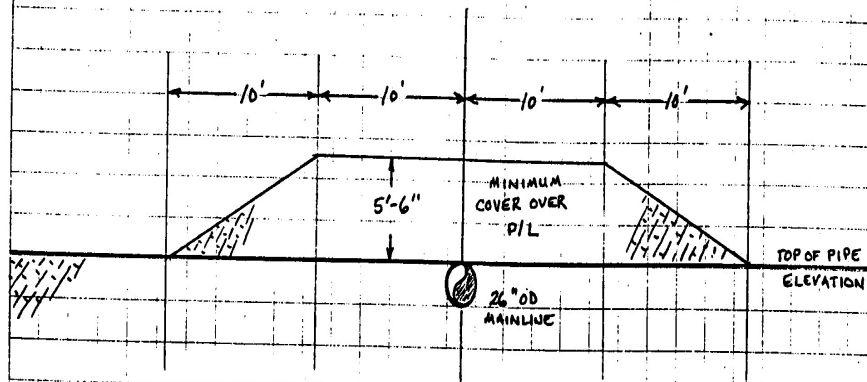
BY

DATE

PLAN VIEW - ANGLE P/L & ROAD



ELEVATION VIEW - 5'-6" MINIMUM COVER



PLAN VIEW - 5'-6" MINIMUM COVER

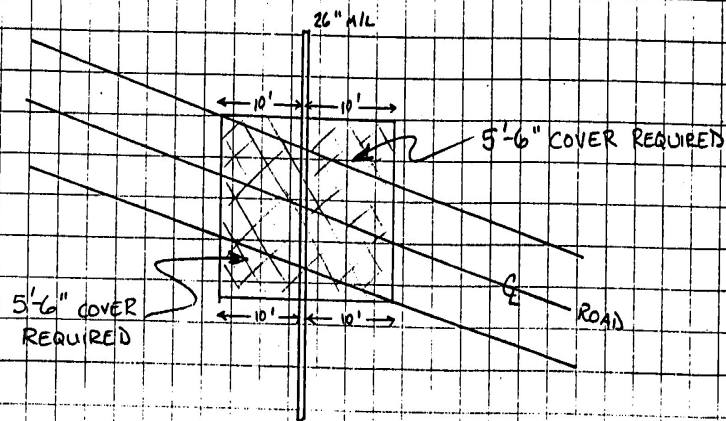
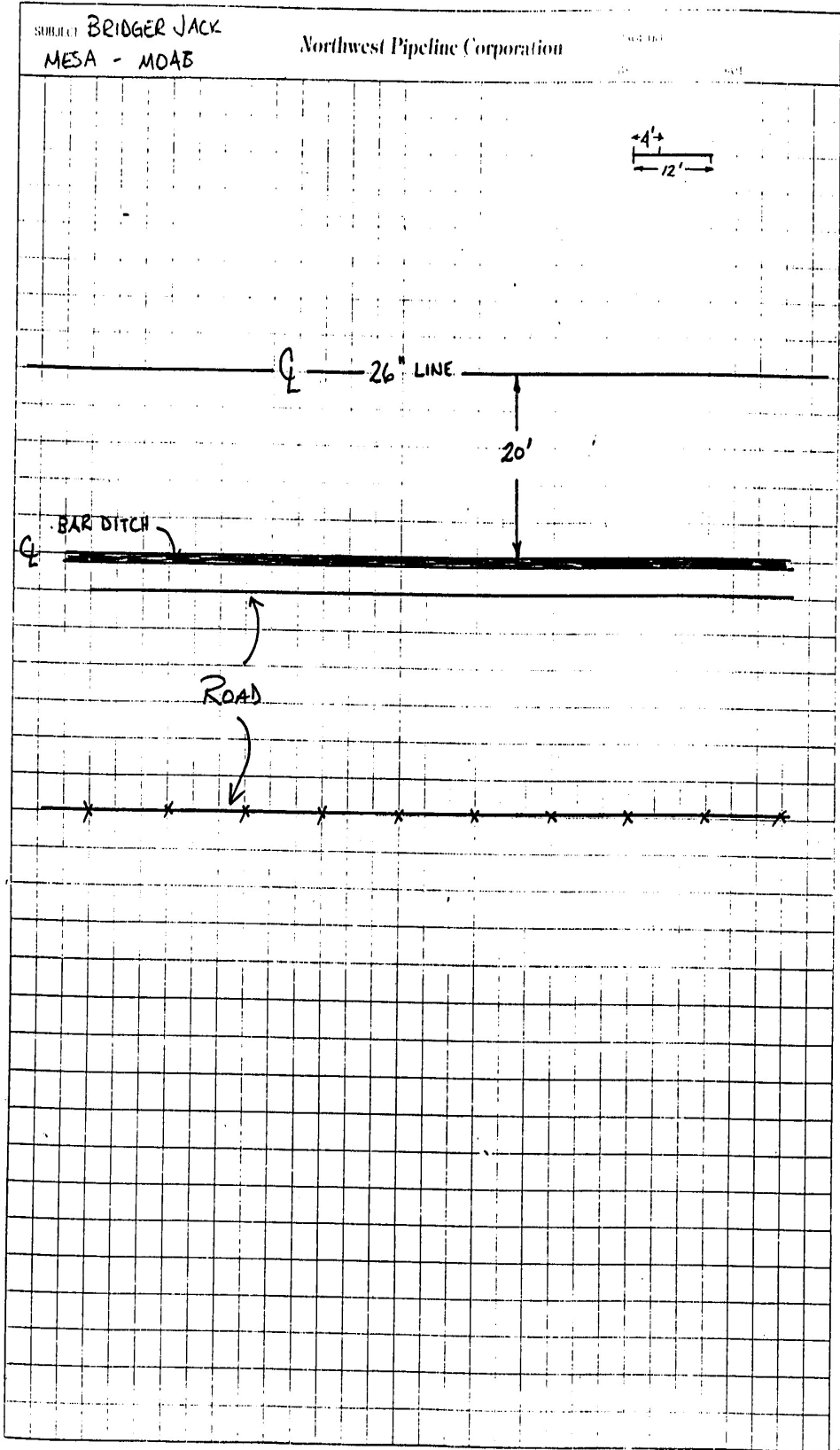


Exhibit #4

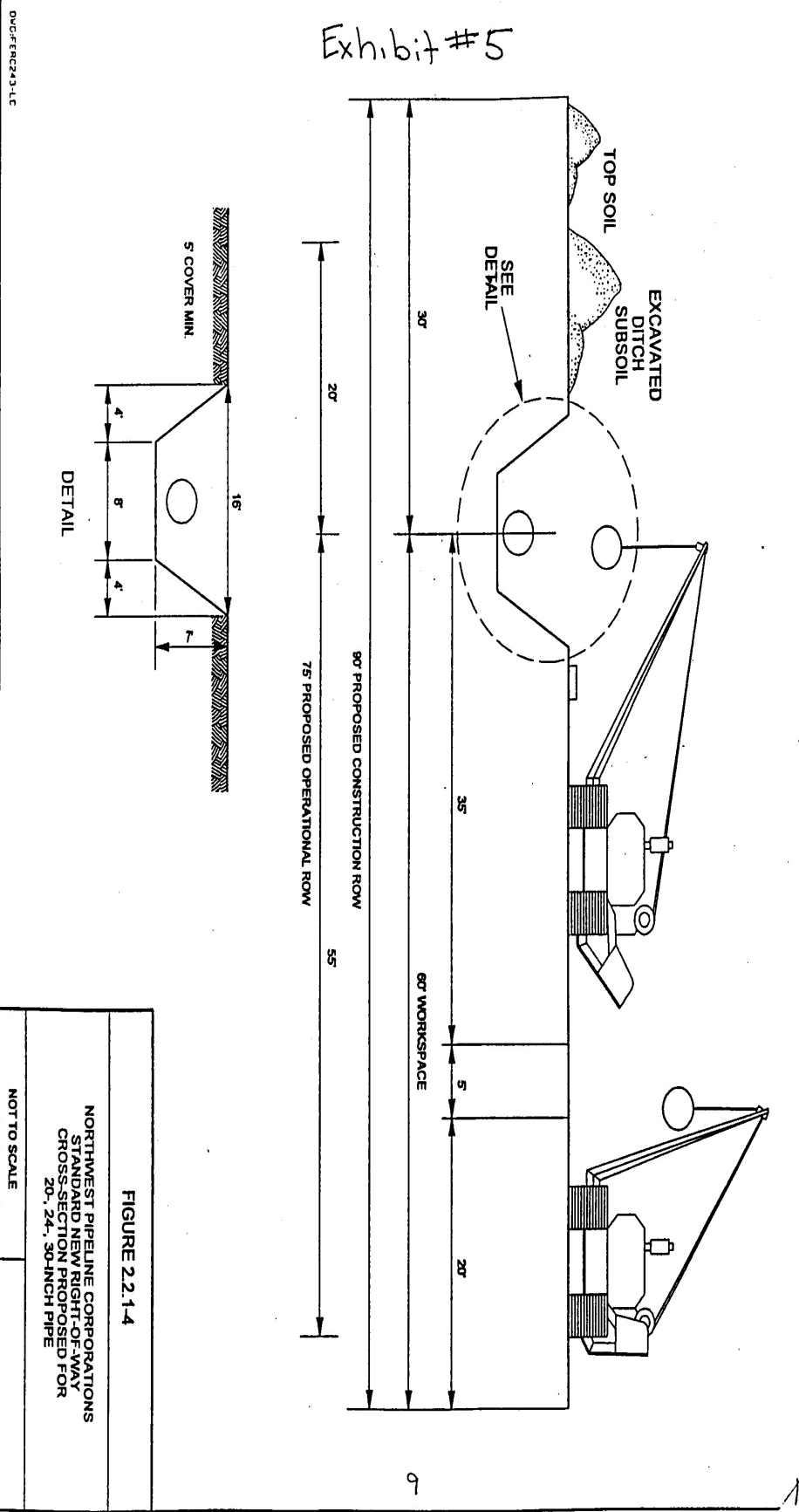


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Exhibit #5



All lots or parcels are subject to the terms of that certain Grant of Easement recorded in Book 624, pages 750-753, Entry No. IG03046 in the San Juan County recorders office under which Mid-America Pipeline Company, its successors and assigns, (MAPL) owns a thirty foot wide pipeline easement across the South 1/2 and the Northeast 1/4 of Section 36, Township 27 South, Range 22 East. The following restrictions regarding the easement apply to all landowners:

1. NOTICE

All easement encroachments, whether conforming to the following encroachment specifications or not, are subject to pipeline operation, repairs and alterations and may be subject to removal or alteration from time to time as necessary for such operations, repairs or alterations, at landowners expense. Before conducting any operation on the easement call the Utah One-Call service for pipeline location.

2. EASEMENT ACCESS

No fence, wall or obstruction may be built adjacent to the easement which would impair surface access to the easement. No shrubbery or shielding may be installed on the pipeline easement which would impair aerial observation of the easement.

3. STRUCTURES

No buildings or other structures may be constructed within the easement. No residential structures may be built within 50 feet of the pipeline.

4. FENCES

No posts for fences crossing the right-of-way shall be installed directly over the pipeline. Fences installed parallel to the pipeline shall not be closer than 10 feet to the pipeline.

5. PIPELINE COVER

Any change in the surface grade or elevation on and over the pipeline and right-of-way must be approved in advance.

6. STREETS, ROADS AND PARKING LOTS

No streets, roads or parking lots may be constructed over the easement without prior written permission by the easement holder.

7. PRIVATE DRIVEWAY

A. Driveways to any one residential dwelling must have a

minimum of 3 1/2 feet of cover over the pipeline. Multiple dwelling situations will be considered on an individual basis.

- B. Driveways shall not run lengthwise within the right-of-way and must cross such that the angle measured between the proposed driveway and the right-of-way is not less than 45 degrees.
- D. An opportunity for MAPL to make a pipe inspection must be given prior to the start of any construction.

8. TEMPORARY EQUIPMENT CROSSINGS

Normal loads acceptable to the State Highway Engineering Department may cross the pipeline where a minimum of 5.5 feet of compacted cover is provided. Equipment such as for construction, logging, etc., must cross pipeline only at approved crossing locations where the cover has been checked by MAPL and determined adequate to meet bearing load requirements.

9. OPEN WATERWAYS

Open waterways smaller than 3 feet wide at the bottom are defined as "ditches" and must have a minimum of 3.5 feet of cover from the top of the pipe to the bottom of the ditch, or the ditch must be lined using a method and material approved by MAPL. Larger open waterways are defined as "canals" and are considered on an individual basis.

10. EXCAVATION

- A. Plans for excavation and shoring on the right-of-way must be approved prior to commencing any work. Excavating closer than 2 feet to the pipeline shall be done by hand until the pipeline is exposed and shall be done only under supervision of an authorized MAPL representative.
- B. Any plowing or ripping of soil on the right-of-way, including agricultural, at depths greater than 1 foot will not be performed without MAPL's prior approval and, at MAPL's option, its observation.

11. BURIED LINE CROSSINGS

A. GENERAL REQUIREMENTS

- 1. An authorized MAPL representative must be on-site during all excavation and clean-up work performed on the right-of-way.

2. All buried lines crossing the right-of-way must cross so that the angle measured between the proposed buried line and the right-of-way is not less than 45 degrees.
3. All buried lines crossing the pipeline shall maintain a minimum vertical separation of 18 inches between the two lines, with the same elevation depth carried across the entire right-of-way.
4. As a protective measure for buried lines crossing MAPL's right-of-way, vinyl direct buried warning tapes shall be placed above the crossing line.
5. Surface markers shall be installed by the Permittee on each side of the utility crossing and shall exhibit the depth of the crossings.

B. COMMUNICATION LINES AND ELECTRICAL LINES (TELEPHONE, TV, OTHER DATA)

1. Such lines shall be installed in accordance with guidelines of the National Electrical Safety Code (public utility power and light companies) or the National Electric Code (private power and light companies).
2. Such lines shall be encased in a rigid nonmetallic conduit across the full width of the right-of-way.
3. Such lines shall have minimum ground cover as follows: 24 inches for 0 to 600 volts; 30 inches for 601 to 22,000 volts; 36 inches for 22,001 to 40,000 volts and 42 inches for 40,001 volts and above.
4. If the power cable has an exposed concentric neutral, a test point from the ground wire shall be installed by the power company.

C. SEWER AND WATER LINES

1. These shall meet all above GENERAL REQUIREMENTS of BURIED LINE CROSSINGS except metallic conduit.
2. Sewer line crossings are limited to main or tight lines only. Distribution lines (perforated or unenclosed lines) are not permitted.

D. SUBSURFACE DRAIN TILE

1. These shall meet Provision #1 and #2 of GENERAL REQUIREMENTS of BURIED LINE CROSSINGS.

E. METALLIC PIPE CROSSINGS

1. MAPL and Permittee shall jointly conduct a cathodic protection interference survey. MAPL shall determine any modifications needed and Permittee will cooperate with MAPL in the installation of the modifications.

12. ABOVE GROUND LINE CROSSINGS

Poles and guys shall maintain a minimum of 10 feet clearance from any MAPL pipeline(s).

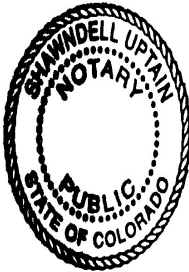
BY *Georganna Baybal*
LINCOLN TRUST CUSTODIAN, fbo JOHN HAUER, IRA,
Developer of Bridger Jack Mesa Subdivision

NOTARY'S VERIFICATION

On the 14th day of June, 1995, personally appeared before me
Georganna Baybal, manager of Lincoln Trust
stated that he/she had read the foregoing Covenants and Restriction and executed the same for
the purposes stated therein.

Shawndell Uptain
NOTARY PUBLIC
Residing at: Colorado

My Commission Expires:



My Commission Expires 03/22/99