

WHEN RECORDED, MAIL TO:

Joseph Novak, of Counsel
SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, Eleventh Floor
P.O. Box 3000
Salt Lake City, Utah 84110

950

Rebecca Gray
REBECCA GRAY

DEC 6 3 56 PM '85
Joseph Novak

RECEIVED
SALT LAKE COUNTY
UTAH

4173234

WARRANTY DEED (Easement)

A. J. Dean & Sons, a Utah partnership organized and existing under the laws of the State of Utah, with its principal office at 6655 South Wasatch Blvd., County of Salt Lake, State of Utah, grantor, hereby conveys and warrants to the United States, Grantee, for the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration, an easement on, over and across the following tract of land located in Salt Lake County, State of Utah:

See Exhibit "A" attached, which is incorporated herein by this reference.

In witness whereof, the grantor has executed this instrument this 26th day of November, A.D., 1985.

A. J. Dean & Sons

By [Signature]
Its General Partner

By [Signature]
Its General Partner

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 26th day of November, A.D., 1985, personally appeared before me R. Leon Dean and Richard D. Thorpe who being by me duly sworn, did say that they are the sole general partners of A. J. Dean & Sons, a Utah partnership, and that the within and foregoing instrument was signed in behalf of said partnership by authority of its partnership agreement, and said R. Leon Dean and Richard D. Thorpe each duly acknowledged to me that said partners executed the same.

[Signature]
Notary Public
Residing at: Salt Lake City, Utah

NOTARY PUBLIC
My Commission Expires:
Oct. 27, 1986

BOOK 5715 PAGE 2367

Exhibit "A"

A perpetual easement to construct and reconstruct, operate and maintain an underground pipeline and appurtenant structures, which latter may be situated above ground surface, on, over, and across the following described property, together with all rights and privileges necessary to the full enjoyment and use thereof for such purposes:

A parcel of land in Salt Lake County, Utah, in the Southeast quarter (SE¹/₄) of Section 23, Township 2 South, Range 1 East, Salt Lake Meridian, Utah, containing Two and Fifty-eight Hundredths (2.58) acres, more or less, and being more particularly described as follows:

Bearings in the following description are based on the Utah Coordinate System, Central Zone.

Beginning at a point which lies North 89°33' West Two Hundred Twenty-four and Six-tenths (224.6) feet along the quarter section line from East quarter corner of said Section 23; said point has U.S.C. & G.S. plane grid coordinates North 837,122.26 and East 1,917,863.03 and lies on the North boundary line of said property; thence South 48°24' West Four Hundred Sixty-four and Six-tenths (464.6) feet; thence South 30°58' West Two Hundred Seventy-two and Seven-tenths (272.7) feet; thence along the arc of a regular curve to the left having a radius of Eight (8.0) feet; a distance of Six (6.0) feet; thence South 12°13' East Two Hundred Twenty-six and Two-tenths (226.2) feet; thence along the arc of a regular curve to the right having a radius of Five Hundred Forty (540.0) feet; a distance of Ninety-four and Nine-tenths (94.9) feet; thence South 02°08' East Thirty-Three and Five-tenths (33.5) feet; more or less to the South boundary of said property; thence along said boundary, North 89°33' West One Hundred and One-tenth (100.1) feet, thence North 02°08' West Thirty-one (31.0) feet; thence North 83°37' East Thirty-four and Nine-tenths (34.9) feet; thence North 06°23' West Sixty-four (64.0) feet; thence South 83°37' West Thirty-five (35.0) feet; thence North 12°13' West Two hundred Thirty-seven and Four-tenths (237.4) feet; thence along the arc of a regular curve to the right having a radius of One Hundred Eight (108.0) feet; a distance of Eighty-one and Four-tenths (81.4) feet; thence North 30°58' East Two Hundred Sixty-nine (269.0) feet; thence along the arc of a regular curve to the right having a radius of Five Hundred Sixty (560.0) feet; a distance of One Hundred Seventy and Three-tenths (170.3) feet; thence North 48°24' East One Hundred Ninety-seven and Four-tenths (197.4) feet; more or less to the North boundary of said property; thence along said boundary, South 89°33' East One Hundred Seventy-nine and Two-tenths (179.2) feet; more or less to point of beginning.

Based on the Utah Coordinate System, Central Zone, established by the United States Coast and Geodetic Survey the East quarter corner of said Section 23 has plane grid coordinates North 837,120.49 and East 1,918,087.61.

Ground distances in the foregoing description can be converted to U.S.G. & G.S. grid distances by multiplying by the combination factor .99974961.

BOOK 5715 PAGE 2368

Exhibit "A" Continued

Notwithstanding any other provisions herein, Grantor reserves the right to use the land surface over and across the granted easement to the extent that such use is consistent with and does not interfere with the purpose of the easement or impede Grantee's access to and along all portions of the granted easement. In the event Grantee excavates within the easement area for any purpose associated with its use of the granted easement, Grantee shall restore the ground surface to its prior unimproved condition.

Provided that any use of the lands described above by Grantor, its successors or assigns shall be subject to the perpetual easement granted and any use which is inconsistent with the perpetual easement granted or the exercise thereof by Grantee is prohibited, including but not limited to any excavations therein or raising the ground surface elevation thereof and the installation, construction or maintenance of any trees, structures, or improvements thereon or therein which might affect the rights and uses of Grantee, all of which shall require the prior written consent of Grantee, which shall not be unreasonably withheld.

Grantor, its successors and assigns shall not excavate materials from its remaining lands situated on either side of and adjacent to the easement boundaries in any manner which might encroach upon the lateral support of the easement and in no event shall Grantor, its successors or assigns cause the surface of such remaining and adjacent lands to have a slope steeper than two-to-one (2 feet horizontal to 1 foot vertical) measured at ground surface elevation of the easement and at right angles to the boundary lines on either side of the easement area.

BOOK 5715 PAGE 2369

Exhibit "A" Continued

A perpetual easement to construct and reconstruct, operate and maintain an underground pipeline and appurtenant structures, which latter may be situated above ground surface, on, over, or across the following described property, together with all rights and privileges necessary to the full enjoyment and use thereof for such purposes;

A parcel of land in Salt Lake County, Utah, in the Southeast quarter (SE $\frac{1}{4}$) of Section 23, Township 2 South, Range 1 East, Salt Lake Meridian, Utah, containing Five and Fourteen Hundredths (5.14) acres, more or less, and being more particularly described as follows:

Bearings in the following description are based on the Utah Coordinate System, Central Zone.

Beginning at a point which lies North 89°33' West Two Hundred Twenty-four and Six-tenths (224.6) feet along the quarter section line and South 48°24' West Five (5.0) feet from the East quarter corner of said Section 23; said point has U.S.C. & G.S. plane grid coordinates North 837,118.98 and East 1,917,859.33 thence South 14°23' West Three Hundred Sixty-three and Nine-tenths (363.9) feet; thence South 75°37' East Twenty-five (25.0) feet; thence South 14°23' West Two Hundred Eighty (280.0) feet; thence South 09°25' West Two Hundred Sixty-nine (269.0) feet; more or less to the South boundary of said property; thence along said boundary, North 89°33' West Two Hundred Forty-four and three-tenth (244.3) feet; thence North 02°08' West Thirty-three and Five-tenths (33.5) feet; thence along the arc of a regular curve to the left having a radius of Five Hundred Forty (540.0) feet; a distance of Ninety-four and Nine-tenths (94.9) feet; thence North 12°13' West Two Hundred Twenty-six and Two-tenths (226.2) feet; thence along the arc of a regular curve to the right having a radius of Eight (8.0) feet; a distance of Six (6.0) feet; thence North 30°58' East Two Hundred Seventy-two and Seven-tenths (272.7) feet; thence North 48°24' East Four Hundred Fifty-nine and Six-tenths (459.6) feet; more or less to point of beginning.

Based on the Utah Coordinate System, Central Zone, established by the United States Coast and Geodetic Survey the East quarter corner of said Section 23 has plane grid coordinates North 837,120.49 and East 1,918,087.61.

Ground distances in the foregoing description can be converted to U.S.G. & G.S. grid distances by multiplying by the combination factor .99974961.

B007 5715 PAGE 2370

Exhibit "A" Continued

Notwithstanding any other provisions herein, Grantor reserves the right to use the land surface over and across the granted easement to the extent that such use is consistent with and does not interfere with the purpose of the easement or impede Grantee's access to and along all portions of the granted easement. In the event Grantee excavates within the easement area for any purpose associated with its use of the granted easement, Grantee shall restore the ground surface to its prior unimproved condition.

Provided that any use of the lands described above by Grantor, its successors or assigns shall be subject to the perpetual easement granted and any use which is inconsistent with the perpetual easement granted or the exercise thereof by Grantee is prohibited, including but not limited to any excavations therein or raising the ground surface elevation thereof and the installation, construction or maintenance of any trees, structures, or improvements thereon or therein which might affect the rights and uses of Grantee, all of which shall require the prior written consent of Grantee, which shall not be unreasonably withheld.

Grantor, its successors and assigns shall not excavate materials from its remaining lands situated on either side of and adjacent to the easement boundaries in any manner which might encroach upon the lateral support of the easement and in no event shall Grantor, its successors or assigns cause the surface of such remaining and adjacent lands to have a slope steeper than two-to-one (2 feet horizontal to 1 foot vertical) measured at ground surface elevation of the easement and at right angles to the boundary lines on either side of the easement area.

2007 5715 PAGE 2374