

WHEN RECORDED RETURN TO:

Larry G. Moore  
Ray, Quinney & Nebeker  
P.O. Box 45385  
Salt Lake City, Utah 84145-0385

00428517 Bk00733 Pg00150-00155  
PATSY CUTLER - IRON COUNTY RECORDER  
2000 DEC 19 09:37 AM FEE \$21.00 BY DBJ  
REQUEST: RAY QUINNEY & NEBEKER

**EASEMENT DEED**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned Reliance Capital Partners I, Ltd., a Utah limited partnership ("Grantor"), its successors and assigns, for Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, conveys, bargains, sells, and warrants unto Brian Head Ski, Ltd., a Utah limited partnership, whose address is P.O. Box 19008, Brian Head, Utah 84719 ("Grantee"), its successors and assigns, a perpetual easement, right of way and right on, over, under, above and across the property located in Section 1, Township 36 South, Range 9 West, SLBM, in Brian Head, Iron County, Utah, more particularly described on Exhibit "A" attached hereto and incorporated herein, for the purposes of the installation, construction, operation, repair, maintenance and replacement of a ski lift with related ski lift towers, chairs and overhead cables and lines, at the location depicted on the site plan attached hereto as Exhibit "B" and incorporated herein by this reference.

This easement shall also include the following rights: (i) ingress and egress and crossing on the ski lift by skiers, snowboarders, bikers, and others engaging in recreational outdoor activities as customers and other bona fide patrons of Grantee; (ii) the construction of related improvements necessary to the uses and operations set forth in subsection (i) above, and (iii) and (iv), below; (iii) leveling, filling, removing rocks and other irregular terrain factors in order to

better accommodate the ski lifts and related operations and activities; (iv) the operation, maintenance, upkeep and repair of the property subject to this easement and all associated uses, including taking equipment onto the property as needed by Grantee to accomplish the purposes of this easement, and (v) all other uses incidental to or associated with the operation by Grantee of a summer and winter recreational facility. This easement shall be for the use and benefit of Grantee, and its employees, agents, representatives, successors and assigns, and for all bona fide patrons, customers and all other persons properly using the lifts or the property as part of the activities herein authorized. The easement shall not create rights in the public generally nor anyone else that, in the sole determination of Grantee, is not specifically authorized to use the facilities of Grantee set forth herein. Grantor shall retain title to and nonexclusive use of the property subject to the easement but shall not use the property in any way which interferes with the easement herein conveyed. Grantee shall revegetate any disturbed areas resulting from the installation or maintenance of facilities as near as reasonably feasible to their natural appearance. Grantee agrees to indemnify Grantor, and its successors and assigns, from claims, liabilities, suits, costs and demands resulting from the use of this easement by Grantee and such other persons as contemplated by this easement.

Grantor warrants that it is the owner of the real property described on Exhibit "A" hereto and that said property is not subject to any encumbrances or liens. Grantee may release this grant of easement and right of way at any time by filing a release of same with the Iron County Recorder.

00428517 Bk:00733 Pg:00151

EXHIBIT "A"

(Legal Description of Easement)

The real property located in the Town of Brian Head, Iron County, State of Utah, more particularly described as follows:

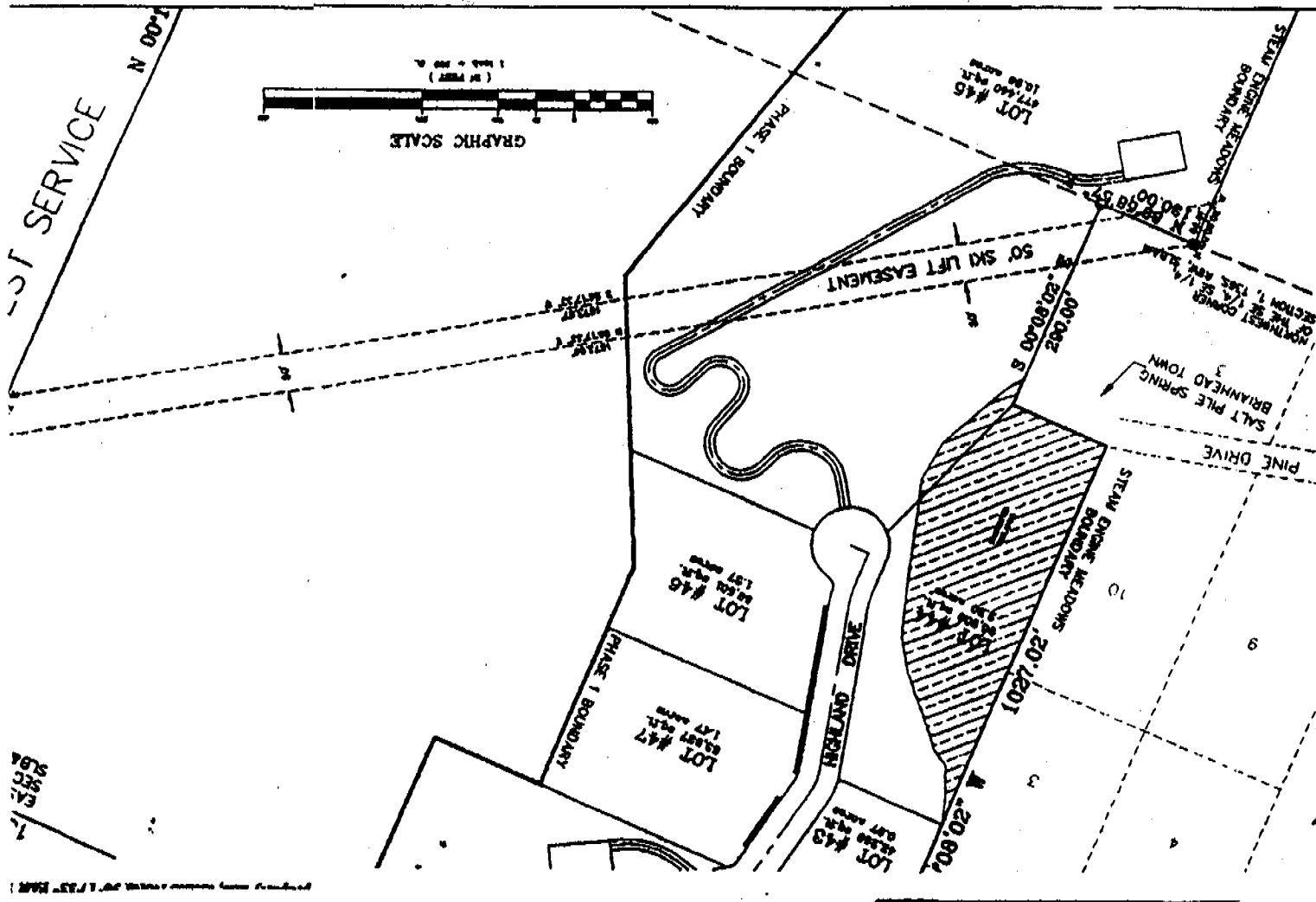
A 50' easement for the purpose of an overhead transport lift running for an approximate length of 1573.77 feet across a portion of the South East Quarter of the South East Quarter of Section 1, Township 36 South, Range 9 West of the Salt Lake Base and Meridian in the Town of Brian Head, Iron County, Utah more particularly described as follows:

Beginning at a point which is South 00°18'12" East 438.25 feet along the East line of Section 1 from the East quarter corner of Section 1, Township 36 South, Range 9 West of the Salt Lake Base and Meridian and running thence South 00°18'12" East 59.89 feet along the said east section line of said section 1; thence leaving said east section line South 56°17'33" West 1573.87 feet to a point on the West property line of the Steam Engine Meadows Subdivision; thence North 00°08'02" West 60.01 feet along said West property line, thence North 56°17'33" East 1573.66 feet to the point of beginning.

00428517 Bk00733 Pg00152

**EXHIBIT "B"**

**(Site Map of Easement)**



00428517 Bk00733 Pd00153

IN WITNESS WHEREOF, Grantor has executed this 18th day of DECEMBER 2000

GRANTOR:

Reliance Capitol Partners I, Ltd., a Utah Limited partnership

By: Evan J. Vickers  
Evan J. Vickers, Managing Member  
Of Reliance Management L.C.  
Acting as General Partner.

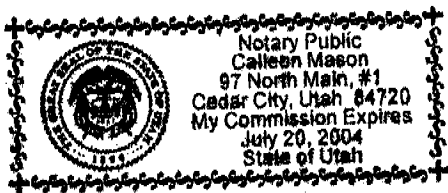
By: Kary W. Smith  
Kary W. Smith, Managing Member  
Of Reliance Management L.C.  
Acting as General Partner.

ACKNOWLEDGEMENTS

STATE OF UTAH )  
COUNTY OF IRON ) :ss.

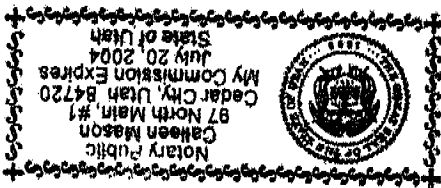
On the 18th day of DECEMBER, 2000, personally appeared before me Evan J.

Vickers, the signer of the foregoing instrument, who duly acknowledged to me that (s)he executed the same, as duly authorized Managing Member fo Reliance Management L.C. acting General Partner of Reliance Capital Partners I, Ltd., a Utah limited partnership.



Calleen Mason  
Notary Public  
Residing at: IRON COUNTY, UTAH

00428517 Bk00733 Pg00154



Notary Public  
Residing at: IRON COUNTY, UTAH  
*Colleen Mason*

Partner of Reliance Capital Partners I, Ltd., a Utah limited partnership.

Smith, the signer of the foregoing instrument, who duly acknowledged to me that (s)he executed the same, as duly authorized Managing Member for Reliance Management L.C. acting General

On the 18th day of DECEMBER, 2000, personally appeared before me Kary W.

STATE OF UTAH  
COUNTY OF IRON  
:ss. \_\_\_\_\_

00428517 BK00733 P#00155