

When recorded mail to:  
Eagle Mountain City

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ENT 57190:2011 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2011 Aug 12 3:06 pm FEE 0.00 BY SS  
RECORDED FOR EAGLE MOUNTAIN CITY

ASSIGNMENT OF EASEMENTS

STATE OF UTAH

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF UTAH

FOR VALUABLE CONSIDERATION, KERN RIVER NATURAL GAS COMPANY, a Texas General Partnership ("Assignor"), as successor to Kern River Gas Transmission Company, does hereby ASSIGN, SELL AND CONVEY unto EAGLE MOUNTAIN CITY, a Utah municipality ("Assignee"), "AS IS" those certain pipeline easements, licenses, permits, surface leases, and other interests in real property described on Exhibit "1" attached hereto (referred to herein collectively as the "Easements").

Assignee hereby accepts the assignment of said Easements as described above, to have and to hold said Easements unto Assignee, Assignee's successors and assigns, forever.

This Assignment is made subject to an assignment dated July 17, 1998, by Kern River to WilCom, its successors and assigns, for the purpose of allowing WilCom to install, operate and maintain communications facilities in the Easements. Assignee acknowledges the rights of WilCom in the Easements and agrees that Assignee's rights under the Easements and in and to the lands covered thereby are subject to the rights of WilCom.

This Assignment is made subject to any and all laws and ordinances of any governmental authority, and the Bill of Sale executed between Kern River Natural Gas Transmission Company and Eagle Mountain City of even date herewith, pursuant to which Kern River conveys to Eagle Mountain an existing 36-inch underground pipeline in the lands subject to the Easement.

This Assignment is made by Assignor and accepted by Assignee without any express or implied warranty as to title to or the use of the Easements. The Assignee, by the acceptance hereof, does hereby covenant and agree to save and hold Assignor harmless from and against any loss, liability, or expense arising out of or in any manner attributable to the exercise by said Assignee or its successors and assigns of any rights under said Easements.

This Assignment, and all of its terms and conditions, are binding on Assignor, Assignee, and their respective successors and assigns. All covenants set forth in this Assignment run with the land.

IN WITNESS WHEREOF, the Assignor and Assignee have executed this Assignment of Easements to be effective as of June \_\_, 2011.

"KERN RIVER NATURAL GAS COMPANY"

"EAGLE MOUNTAIN CITY"

By: *Robert S. Checketts*  
Name: \_\_\_\_\_

By: *Heather Anne Jackson*  
Name: Heather Anne Jackson, Mayor

Attest: *Robert S. Checketts*  
Name: Robert S. Checketts  
Vice President, Operations, IT & Engineering

Attest: *Fionnuala B. Kofoed*  
Name: Fionnuala B Kofoed, CMC  
City Recorder



ACKNOWLEDGMENTS

STATE OF UTAH ) ss.  
COUNTY OF SALT LAKE


The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of July, 2011, by ROBERT CHECKETTS the VICE PRESIDENT, OPERATIONS, IT & ENGINEERING of Kern River Natural Gas Company, a Texas General Partnership.

(SEAL) 

*Wendy White*  
Notary Public  
My Commission Expires 7/12/2014

STATE OF UTAH ) ss.  
COUNTY OF UTAH

The foregoing instrument was acknowledged before me this 14 day of June, 2011, by Heather Anne Jackson, the Mayor of Eagle Mountain City, a Utah municipality.

(SEAL) 

*Fionnuala B. Kofoed*  
Notary Public  
My Commission Expires 1-17-2012

**EXHIBIT "1" TO ASSIGNMENT OF EASEMENTS  
UTAH COUNTY, UTAH**

The following Rights-of-Way and Easements in so far and only in so far as such easements cover lands situated between:

- a. A point situated at Latitude 40.383087° North and Longitude 111.955872° West, in the SW¼ of Section 16, T 5 S, R 1 W, SLM, and
- b. A point situated at Latitude 40.347965° North and Longitude 111.984070° West in the E½SE¼ of Section 30, T 5 S, R 1 W, SLM.

1. Right of Way and Easement from the Irene Rawlinson Family Limited Partnership to Kern River Gas Transmission Company recorded July 6, 1990, as Entry No. 21549 in Book 2704 at Page 301 of the records of Utah County, Utah, and re-recorded July 13, 1990, as Entry No. 22372 in Book 2706 at Page 35 of the records of Utah County, Utah. The Right of Way and Easement is 50 feet in width and is situated in:

SE¼ of Section 20, T 5 S, R 1 W, SLM

2. Exclusive Right of Way and Easement from E. Paul Evans and Lucile O. Evans to Kern River Gas Transmission Company recorded February 8, 1990, as Entry No. 4043 in Book 2664 at Page 261 of the records of Utah County, Utah. The Exclusive Right of Way and Easement is 50 feet in width and is situated in:

S½SW¼ of Section 20, T 5 S, R 1 W, SLM

3. Exclusive Right of Way and Easement from Glenn E. Smith aka Glen E. Smith and Clara O. Smith, to Kern River Gas Transmission Company recorded April 3, 1990, as Entry No. 10145 in Book 2678 at Page 344 of the records of Utah County, Utah. The Exclusive Right of Way and Easement is 50 feet in width and is situated in:

NW¼ of Section 29, T 5 S, R 1 W, SLM

4. Right of Way and Easement from Thomas B. Horne to Kern River Gas Transmission Company recorded July 6, 1990, as Entry No. 21550 in Book 2704 at Page 305 of the records of Utah County, Utah. The Right of Way and Easement is 50 feet in width and is situated in:

E½SE¼ of Section 30, T 5 S, R 1 W, SLM

5. Exclusive Right of Way and Easement from Glenn E. Smith aka Glen E. Smith and Clara O. Smith to Kern River Gas Transmission Company recorded April 3, 1990, as Entry No. 10146 in Book 2678 at Page 346 of the records of Utah County, Utah. The Exclusive Right of Way and Easement is 50 feet in width and is situated in:

Part of SW $\frac{1}{4}$  lying South of State Hwy 73 in Section 16, T 5 S, R 1 W, SLM

NW $\frac{1}{4}$  of Section 21, T 5 S, R 1 W, SLM

NE $\frac{1}{4}$  of Section 20, T 5 S, R 1 W, SLM