

Recorded at the request of  
Kern River Gas Transmission Company

When Recorded Mail to:  
Kern River Gas Transmission Company  
1615 West 2200 South, Suite C  
Salt Lake City, UT 84119  
Attn: Cynthia Lowrey

00605652 Bk01418 Pg01001-01003

ALAN SPRIGGS, SUMMIT CO RECORDER  
2001 DEC 11 11:21 AM FEE \$14.00 BY DMG  
REQUEST: KERN RIVER GAS TRANSMISSION CO

**AMENDMENT TO RIGHT-OF-WAY and EASEMENT CONTRACT**

This Right-of-Way Contract Amendment ("Amendment") is dated this 10<sup>th</sup> day of December, 2001, by and between Kern River Gas Transmission Company, located at P.O. Box 58900, Salt Lake City, Utah 84158-0900 ("Grantee"), and Stephen G. Boyden as Trustee of the Stephen George Boyden Revocable Inter Vivos Trust an undivided one-half interest and to Patricia S. Boyden as Trustee of the Patricia Shumway Boyden Revocable Inter Vivos Trust an undivided one-half interest, collectively whose address is 1100 S 1500 E, Salt Lake City, UT 84105 ("current Grantor").

**RECITALS:**

- A. Whereas, by that certain Right-of-Way Contract dated 4/25/90, "The Contract", Land Number 39W, recorded in the records of Summit County, Book 562, Page 111-114, Stephen G. Boyden as General Partner for Boyden Farms, a Utah Limited Partnership, as Grantor, granted and conveyed unto Grantee a right-of-way on, over and through certain real property situated in Summit County, State of Utah, as described and identified in the Contract.
- B. Whereas, the undersigned Grantor warrants that it is now the owner in fee simple of the following described property:

Being Situate in the Northwest quarter of Section 17, Township 2 North, Range 5 East, Salt Lake Meridian, in Summit County, Utah.

Beginning at a point which is 817.8 feet North 88° 10' West from the North quarter corner of Section 17, Township 2 North, Range 5 East, Salt Lake Meridian, thence South 6° 56' East 240 feet; thence South 18° 50' East 502 feet; thence South 28° 16' East 190.6 feet; thence South 1° 12' West 183.2 feet; thence North 88° 31' West 1900.82 feet; thence South 0° 49' East 994.65 feet; thence South 88° 31' East 1443.7 feet; thence South 15° 45' East 627 feet to the South line of said Northwest quarter of said Section 17, thence North 88° 52' West 1380 feet; thence North 0° 49' West 2639.55 feet to the Northwest corner of said Northwest quarter of said Section 17; thence South 88° 10' East 1822.2 feet to beginning, containing 68.63 acres, more or less.

**AGREEMENT:**

NOW THEREFORE, for and in consideration of the mutual promises contained in this Amendment, Grantor grants to Grantee an amendment as described below:

1. The parties desire and agree to amend the Contract to allow construction of an additional pipeline and appurtenances. The additional pipeline will be located approximately 25-feet from the existing pipeline and the right-of-way configuration will be 25-feet from the edge of the right-of-way to each pipeline and 25-feet between pipelines. The total width of the right-of-way easement for the pipelines is 75-feet.

APN NS-441

Tract # K-UT-SU-039W

2. The parties agree that in the event that Grantee determines that its pipeline is in need of repair, maintenance or replacement, Grantee will use its best efforts not to disturb Grantors improvements within the 75-foot easement area.

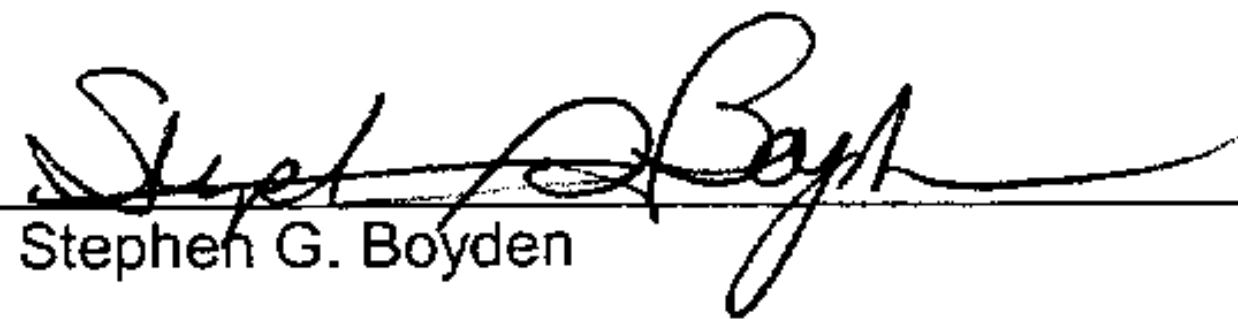
This Amendment will be binding upon and inure to the benefit of the heirs, successors and assigns of the parties to this Amendment.

Except as amended, all terms, conditions and provisions of the existing Right-of-Way Contract will remain and continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of this 10<sup>th</sup> day of December, 2001.

Grantor:

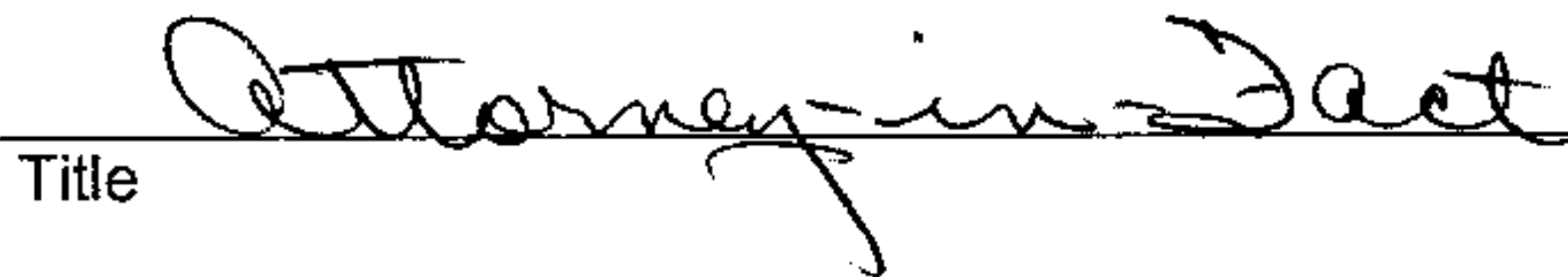
Stephen G. Boyden as Trustee of the Stephen George Boyden Revocable Inter Vivos Trust an undivided one-half interest and Patricia S. Boyden as Trustee of the Patricia Shumway Boyden Revocable Inter Vivos Trust an undivided one-half interest, collectively

  
Stephen G. Boyden

  
Patricia S. Boyden

KERN RIVER GAS TRANSMISSION COMPANY:

  
By

  
Title

00605652 Bk01418 Pg01002

ACKNOWLEDGMENT

STATE OF Utah)

COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of December, 2001, by

Stephen G. Boyden and Patricia S. Boyden

My Commission Expires:

Diane M. Durrant

Notary Public in and for

March 29, 2003

Salt Lake County,

State of Utah



ACKNOWLEDGMENT---ATTORNEY-IN-FACT

STATE OF Utah)

COUNTY OF Salt Lake)

On this 10<sup>th</sup> day of December, 2001, Paula Rueter, personally appeared before me and being by me duly sworn, did say that she ~~he~~ is the Attorney-in-Fact of Kern River Gas Transmission Company, and that the Agreement was signed on behalf of Kern River Gas Transmission Company and said Paula Rueter acknowledged to me that she ~~he~~ as such Attorney-in-Fact executed the same.

My Commission Expires:

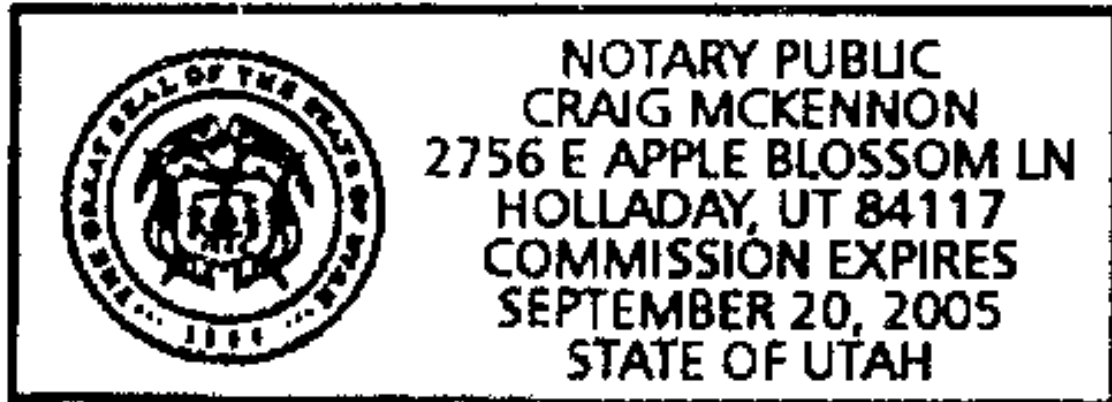
Craig McKennon

Notary Public in and for

9-20-2005

Salt Lake County,

State of Utah



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