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When Recorded, Return To:
Marker International
P.O. Box 26548
Salt Lake City, UT 84126

07/30/96 4:08 PM 6417100 14.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
LANDMARK TITLE
REC BY: V ASHBY DEPUTY - WI

AGREEMENT

Reference is hereby made to that certain Transmission Line Easement recorded in favor of Utah Power and Light Company ("UP&L") a subsidiary of PacifiCorp, Inc., on January 13, 1959, as entry no. 1631353 in book 1577 at page 179 of the records of the Salt Lake County Recorder.

WHEREAS, Marker International, Inc. ("Marker"), a Utah Corporation, is the current record owner of the property described in Exhibit "A" attached hereto, upon which the Easement described above is located, desires to have certain assurances regarding the rights of UP&L to construct, maintain, repair, alter, inspect, relocate and replace electric transmission facilities located on the Easement, and

WHEREAS, UP&L is willing to provide certain assurances to Marker, under the terms and conditions set forth herein,

NOW THEREFORE, the undersigned hereby covenant and agree as follows:

1. UP&L acknowledges that a certain building and other improvements have been constructed within a portion of the Easement described above.
2. Marker acknowledges that any building constructed within the easement is restricted to a height of twenty-five (25) feet.
3. UP&L agrees that it will not compel the removal of any building (provided that the building does not violate the approved twenty-five (25) foot restriction), or improvements, or any portion thereof, located on said Easement through the exercise of its rights as provided in the Easement. Provided, however, in the event UP&L desires to construct electric transmission facilities, Marker agrees to immediately grant UP&L an alternate easement across the property owned by Marker so that the UP&L facilities may be constructed, maintained, repaired, altered, inspected, relocated and/or replaced without demolition or removal of the buildings or improvements, or any portion thereof, located within the Easement.
4. In the event a new easement is required as described in Paragraph 2 above, the terms of the easement shall match those contained in the standard UP&L Easement form currently in use at the time the new easement is granted.

*UP&L is now known as PacifiCorp, an Oregon Corporation, which is successor in interest by merger with Utah Power & Light Company. It is understood that UP&L refers to PacifiCorp.

LTC # 16295

BK7456180742

Dated this 29th day of July, 1996.

~~XX~~
PacifiCorp, an Oregon Corporation *JFB*

BY: *Joseph F. Bedard*

TITLE: AST. Vice-Pres.

Marker International, Inc., a Utah corporation

BY: *Brad L. Stewart*

TITLE: *Jim Stewart*

STATE OF UTAH)
 ss.
County of Salt Lake)

On the 29th day of July, 1996, personally appeared before me Brad L. Stewart of Marker International, a Utah corporation, the signer of the within instrument who duly acknowledged to me that he executed the same, for and on behalf of Marker International, as a managing member therein.



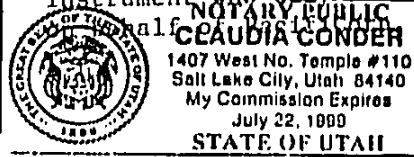
Stacy Speechley
Notary Public

My Commission Expires: 8-2-97

Residing at: SALT LAKE COUNTY

STATE OF UTAH)
 ss.
County of Salt Lake

On the 29th day of July, 1996, personally appeared before me, Joseph F. Bedard of PacifiCorp, an Oregon corporation, the signer of the within instrument who duly acknowledged to me that he executed the same, for and on behalf of PacifiCorp, as a managing member therein.



Claudia Conder
Notary Public
AN ASSISTANT VICE PRESIDENT

My Commission Expires: 22 JULY 1999

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EXHIBIT A

Legal Description of Property

A Parcel of land located in the Northwest Quarter of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

BEGINNING at a point on the East line of 1070 West Street (a private roadway), said point being South $0^{\circ}02'35''$ West 1460.82 feet along the quarter Section line and East 4222.64 feet from the North Quarter Corner of Section 22, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence East 464.86 feet to the West right-of-way line of the Jordan River; thence South $41^{\circ}54'55''$ East 469.88 feet along the West right-of-way line of the Jordan River to the North line of 2320 South Street; thence South $89^{\circ}55'00''$ West 771.74 feet along the North line of 2320 South Street; thence Northwesterly 20.26 feet along the arc of a 28.00 foot radius curve to the right, (center bears North $48^{\circ}32'35''$ East and long chord bears North $20^{\circ}43'43''$ West 19.82 feet, with a central angle of $41^{\circ}27'25''$) along the North line of 2320 South Street, to the East line of 1070 West Street; thence North 332.24 feet along the East line of 1070 West Street to the point of BEGINNING.

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