

RECORDING INFORMATION ABOVE

R/W # 04-273-01UT

EASEMENT AGREEMENT

The Undersigned Grantor (and each and all of them if more than one) for and in valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to Qwest Corporation, a Colorado corporation, hereinafter referred to as "Grantee", whose address is 1425 West 3100 South, West Valley City, Utah 84119, its successors, assigns, lessees, licensees and agents, a perpetual easement to construct, reconstruct, modify, change, add to, operate, maintain and remove such telecommunications facilities and electrical facilities, and appurtenances, from time to time, as Grantee may require upon, over, under and across the following described land situated in the County of Salt Lake, State of Utah, which the Grantor owns or in which the Grantor has any interest, to wit:

**That certain easement described below and as shown in EXHIBIT 'A', attached hereto and made a part of:**

**LEGAL DESCRIPTION-QWEST EASEMENT THROUGH A PORTION OF THE DEPOT ASSOCIATES, L.L.C. PROPERTY, TOOELE, UTAH**

**A variable width easement across a portion of the Depot Associates, L.L.C. property located in Tooele City, Utah for the purpose of constructing, operating, and maintaining a communication line, further described as follows:**

**Beginning at a point which lies North 89°42'37" East along the north line of the Northwest Quarter of Section 30, Township 3 South, Range 4 West, Salt Lake Base and Meridian, a distance of 2,178.08 feet and South 00°17'23" East, a distance of 977.84 feet from the Northwest corner of said Section 30; and running thence South 28°46'21" West, a distance of 15.00 feet; thence North 61°13'39" West, a distance of 286.46 feet; thence North 57°40'18" West, a distance of 251.93 feet; thence South 29°33'00" West, a distance of 708.12 feet; thence North 60°27'00" West, a distance of 5.00 feet; thence South 28°44'32" West, a distance of 528.55 feet; thence South 19°59'48" West, a distance of 48.53 feet; thence South 28°42'22" West, a distance of 450.58 feet; thence South 31°11'48" West, a distance of 238.42 feet; thence South 47°28'06" West, a distance of 186.27 feet; thence South 43°15'24" West, a distance of 105.67 feet; thence South 29°08'53" West, a distance of 242.26 feet; thence South 30°03'03" West, a distance of 231.66 feet; thence South 47°59'44" West, a distance of 96.28 feet; thence South 29°14'30" West, a distance of 112.73 feet; thence South 30°00'56" West, a distance of 387.58 feet; thence South 19°28'15" West, a distance of 60.04 feet; thence South 29°38'55" West, a distance of 425.79 feet; thence South 30°51'00" West, a distance of 160.58 feet; thence South 28°23'21" West, a distance of 173.66 feet; thence South 31°43'16" West, a distance of 88.99 feet; thence South 29°00'48" West, a distance of 106.12 feet; thence South 29°34'45" West, a distance of 252.20 feet; thence South 17°09'38" West, a distance of 12.16 feet; thence South 63°50'30" East, a distance of 53.89 feet; thence South 60°51'52" East, a distance of 273.48 feet; thence South 72°55'59" East, a distance of 36.41 feet; thence South 59°28'20" East, a distance of 282.31 feet; thence South 60°47'28" East, a distance of 119.16 feet; thence South 60°50'17" East, a distance of 88.89 feet; thence South 72°22'39" East, a distance of 53.78 feet; thence South 44°41'13" East, a distance of 18.52 feet; thence South 59°34'33" East, a distance of 222.09 feet; thence South 61°03'04" East, a distance of 189.70 feet; thence South 60°13'50" East, a distance of 223.45 feet; thence South 61°05'39" East, a distance of 414.23 feet; thence North 27°59'19" East, a distance of 78.26 feet; thence South 60°30'00" East, a distance of 46.53 feet; thence South 29°30'00" West, a distance of 172.92 feet; thence South 60°46'16" East, a distance of 478.79 feet to the point of curve of a non tangent curve to the right, of which the radius point lies South 29°14'33" West, a radial distance of 675.55 feet;**

thence southeasterly along the arc of said curve, through a central angle of 18°18'55", a distance of 215.95 feet; thence South 42°26'33" East, a distance of 262.84 feet; thence South 57°28'39" East, a distance of 77.10 feet; thence South 42°26'33" East, a distance of 86.15 feet; thence South 33°34'07" East, a distance of 129.64 feet; thence South 42°26'32" East, a distance of 550.77 feet to a point of curve to the right having a radius of 746.82 feet and a central angle of 27°02'57"; thence southeasterly along the arc of said curve a distance of 352.57 feet; thence South 15°24'38" East, a distance of 212.59 feet; thence North 74°22'01" East, a distance of 164.35 feet; thence South 15°37'59" East, a distance of 15.00 feet; thence South 74°22'01" West, a distance of 184.34 feet; thence North 15°24'57" West, a distance of 227.67 feet to a point of curve to the left having a radius of 727.65 feet and a central angle of 27°01'09"; thence northwesterly along the arc of said curve a distance of 343.14 feet; thence North 42°26'33" West, a distance of 1,102.31 feet to a point of curve to the left having a radius of 655.55 feet and a central angle of 18°20'33"; thence northwesterly along the arc of said curve a distance of 209.87 feet; thence North 60°46'16" West, a distance of 493.57 feet; thence North 29°30'00" East, a distance of 177.99 feet; thence North 60°30'00" West, a distance of 16.13 feet; thence South 27°59'19" West, a distance of 78.10 feet; thence North 61°05'39" West, a distance of 429.58 feet; thence North 60°13'50" West, a distance of 223.46 feet; thence North 61°03'04" West, a distance of 189.79 feet; thence North 59°34'33" West, a distance of 224.24 feet; thence North 44°41'13" West, a distance of 16.78 feet; thence North 72°22'39" West, a distance of 51.60 feet; thence North 60°50'17" West, a distance of 90.41 feet; thence North 60°47'28" West, a distance of 119.34 feet; thence North 59°28'20" West, a distance of 280.71 feet; thence North 72°55'59" West, a distance of 36.23 feet; thence North 60°51'52" West, a distance of 274.68 feet; thence North 63°50'30" West, a distance of 66.31 feet; thence North 17°09'38" East, a distance of 26.60 feet; thence North 29°34'45" East, a distance of 253.76 feet; thence North 29°00'48" East, a distance of 106.40 feet; thence North 31°43'16" East, a distance of 88.91 feet; thence North 28°23'21" East, a distance of 173.54 feet; thence North 30°51'00" East, a distance of 160.74 feet; thence North 29°38'55" East, a distance of 424.30 feet; thence North 19°28'15" East, a distance of 60.09 feet; thence North 30°00'56" East, a distance of 388.86 feet; thence North 29°14'30" East, a distance of 115.10 feet; thence North 47°59'44" East, a distance of 96.30 feet; thence North 30°03'28" East, a distance of 229.14 feet; thence North 29°08'53" East, a distance of 264.62 feet; thence North 43°15'24" East, a distance of 88.37 feet; thence North 47°28'06" East, a distance of 166.30 feet; thence North 31°11'48" East, a distance of 252.15 feet; thence North 28°42'22" East, a distance of 448.13 feet; thence North 19°59'48" East, a distance of 48.54 feet; thence North 28°44'32" East, a distance of 308.60 feet; thence South 61°15'28" East, a distance of 5.00 feet; thence North 28°44'32" East, a distance of 222.15 feet; thence North 29°33'00" East, a distance of 724.35 feet; thence South 57°40'18" East, a distance of 277.22 feet; thence South 61°13'39" East, a distance of 286.00 feet to the Point of Beginning.

Grantee shall have the right of ingress and egress over and across the land of the Grantor to and from the above-described property for the Grantee's use and enjoyment of the easement area.

Grantee shall indemnify Grantor for all damage caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted.

Grantor reserves the right to occupy, use, and cultivate said easement for all purposes not inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure or obstruction will be constructed, erected, built or permitted on said easement.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

Signed and delivered this 21st day of October, A.D., 2004

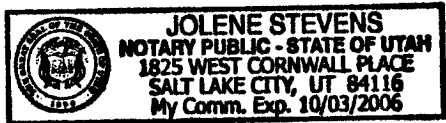
Grantor: **DEPOT ASSOCIATES L.L.C.**

By: *Mark D. Smith*  
**MARK D. SMITH**

Title: **ASSET MANAGER**

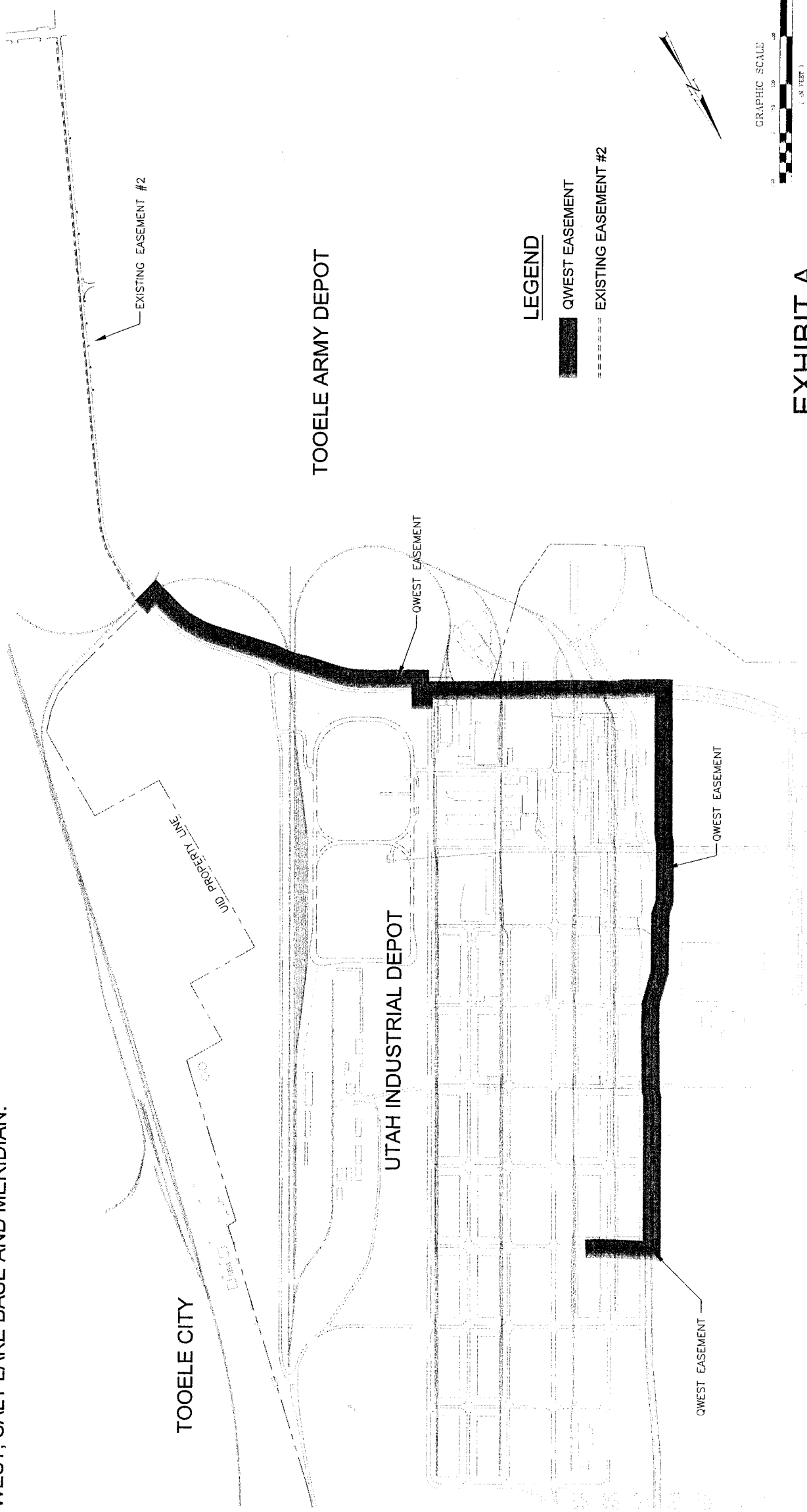
STATE OF UTAH )  
COUNTY OF Salt Lake )<sup>SS</sup>

On the 21st day of October, 2004, personally appeared before me Mark D. Smith, the signer(s) of the above instrument, who duly acknowledged to me that (he) (she) (they) executed the same. Witness my hand and official seal this 21st day of October, 2004.



*Jolene Stevens*  
Notary Public

SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.



**LEGEND**

- QWEST EASEMENT
- EXISTING EASEMENT #2

Ent 230806 Bk 0977 Pg 0877

**EXHIBIT A**

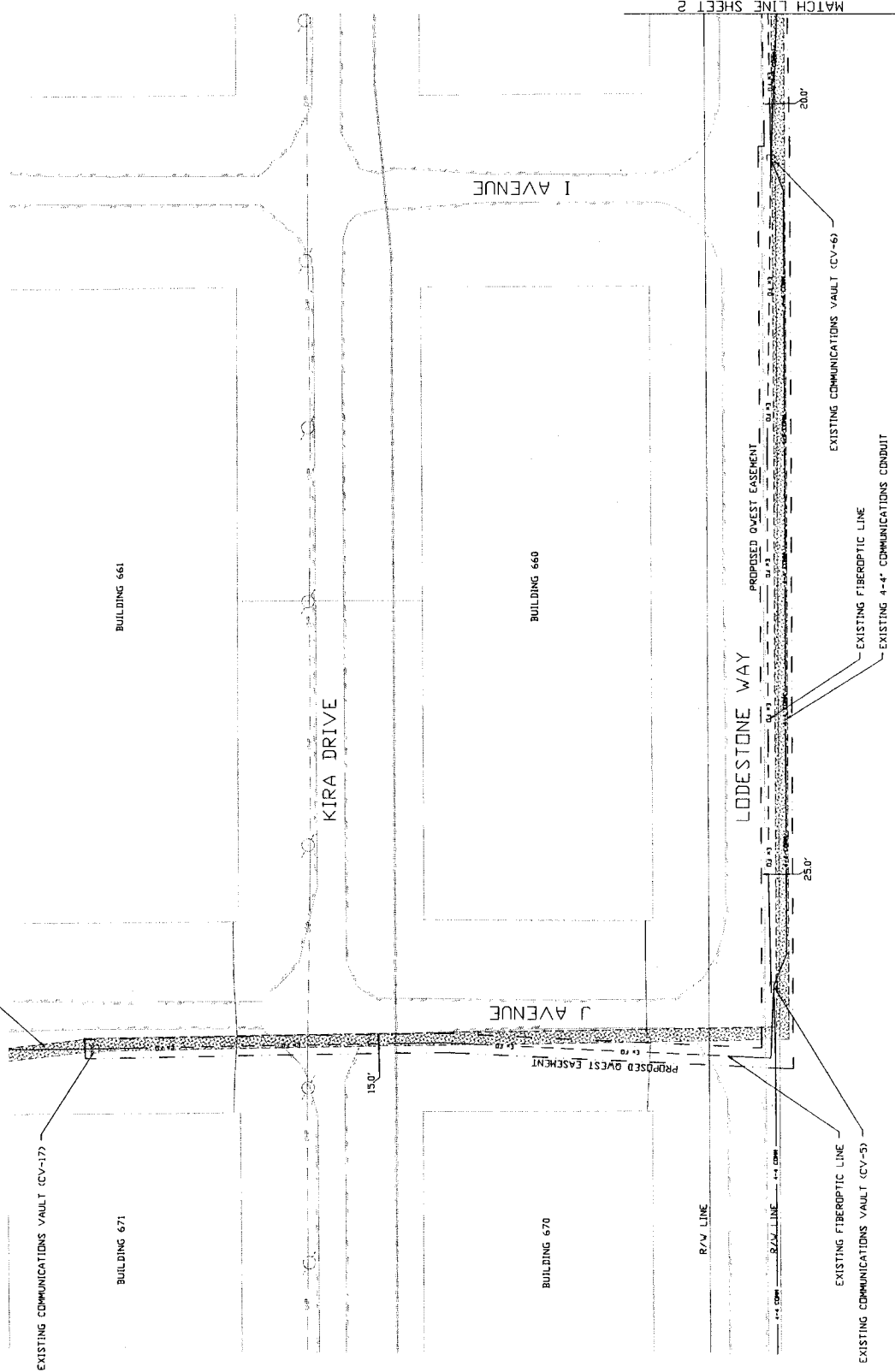
REVISIONS NO. DATE BY	DRAWN BY: JHL DESIGN BY: JLD CHECKED BY: DATE: 03/21/00	CLIENT: UID DWG: "134-00 QWEST EASEMENT.dwg" JOB NO: 03/01/00 JOB DATE: 03/01/00 THIS DRAWING IS UNLESS OTHERWISE NOTED THE PROPERTY OF WARD ENGINEERING GROUP. NO PART OF THIS DRAWING OR INFORMATION HEREON IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WARD ENGINEERING GROUP.	Ward Engineering Group Planning • Engineering • Surveying	1370 S. West Temple Salt Lake City, Utah 84115 (801) 487-8840 FAX (801) 487-8868	SHEET: COVER
QWEST / UID COMMUNICATIONS LINE EASEMENT EXHIBIT A					

SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.

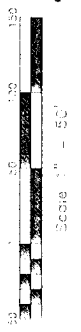
**LEGEND**

- UID PROPERTY LINE
- EXISTING FENCE
- EXISTING RAILROAD TRACKS
- EXISTING UNDERGROUND ELECTRIC
- EXISTING OVERHEAD ELECTRIC
- EXISTING 6"-4" COMM CONDUIT
- EXISTING 4"-4" COMM CONDUIT
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- EXISTING 1"-4" COMM CONDUIT
- EXISTING 2"-4" COMM CONDUIT
- EXISTING EASEMENT LINE
- EXISTING UTILITY POLE
- EXISTING UID COMMUNICATIONS VAULT
- EXISTING QWEST COMMUNICATIONS VAULT
- PROPOSED EASEMENT LINE
- EXISTING QWEST EASEMENT TO BE VACATED

SEE SHEET 8 TO SHEET 12 FOR EASEMENT VACATION REQUIREMENTS.



Ent 230806 Bk 0977 Pg 0878

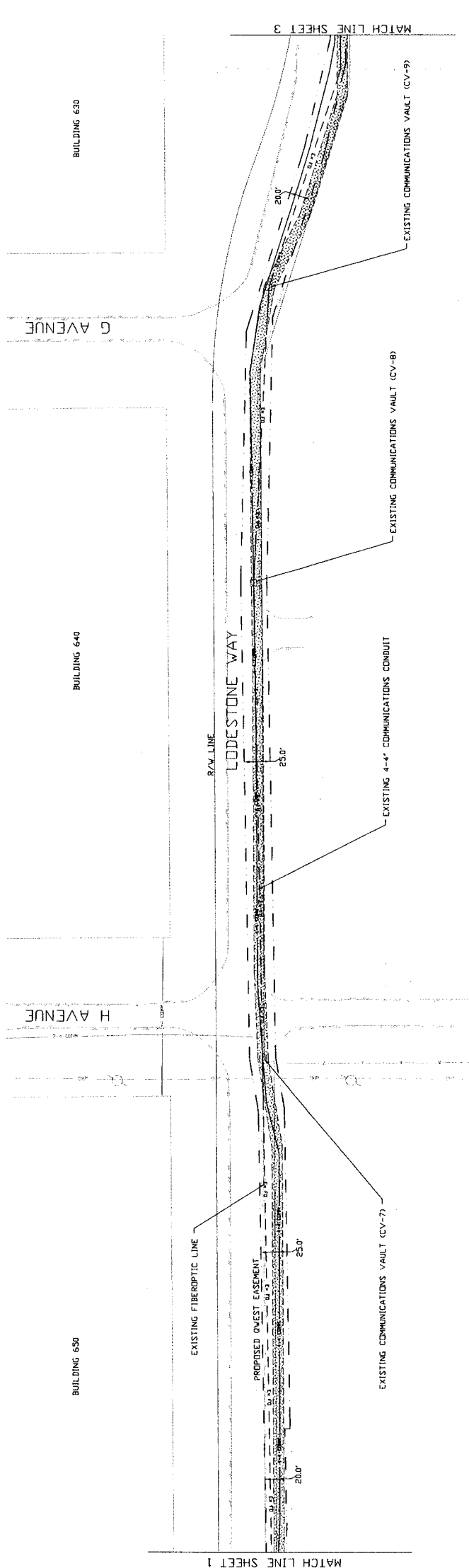


No. 0370 DATE: 9-23-04	REVISIONS	DRAWN BY: AID DESIGNED BY: AID CHECKED BY: DATE: 9-23-04	CLIENT: IID SHEETS: 1-7, 9-10 JOB NO. DEP103 DO NOT SCALE THIS DRAWING. DIMENSIONS AND NOTES TAKE PRECEDENCE OVER DIMENSIONS AND NOTES ON ANY ATTACHED SHEETS.	<p><b>Ward Engineering Group</b>          Planning • Engineering • Surveying</p>	13745 West Foothill Salt Lake City, Utah 84119 Tel: (801) 487-5100 Fax: (801) 487-5608	SHEET: 1 <p style="text-align: center;"><b>QWEST / UID COMMUNICATIONS LINE</b>          EASEMENT EXHIBIT</p>
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SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.

**LEGEND**

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Ent 230806 Bk 0977 Pg 0879



CLIENT I/D  
 DMS sheet 1 of 2  
 JOB NO. DEP103  
 DATE 02/22/04

DRAWN BY: JLD  
 DESIGN BY: JLD  
 CHECKED BY:  
 DATE: 02/22/04

NO.	DATE	BY	REVISIONS

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 Planning • Engineering • Surveying  
 1370 S. West Temple  
 Salt Lake City, Utah 84115  
 tel (801) 487-5040  
 fax (801) 487-5068

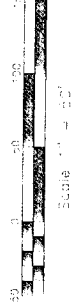
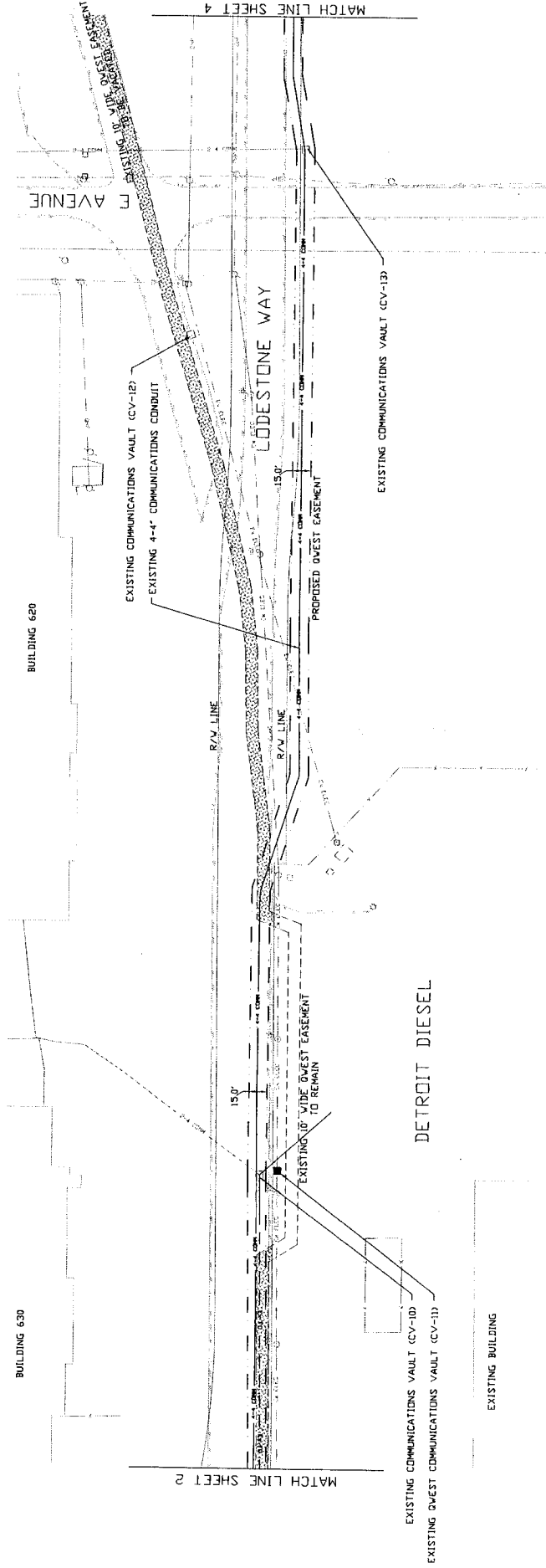
**QWEST / UID COMMUNICATIONS LINE  
 EASEMENT EXHIBIT**

SHEET  
 2

SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.

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- EXISTING UID COMMUNICATIONS VAULT
- EXISTING QWEST COMMUNICATIONS VAULT
- PROPOSED EASEMENT LINE
- EXISTING QWEST EASEMENT TO BE VACATED



SHEET:

3

**QWEST / UID COMMUNICATIONS LINE  
EASEMENT EXHIBIT**

1370 S. West Liberty  
SALT LAKE CITY, UTAH 84115  
Tel: (801) 487-8100  
Fax: (801) 487-8688

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CLIENT: UID  
DWG. SHEETS: 1-7.dwg  
JOB NO.: 050103  
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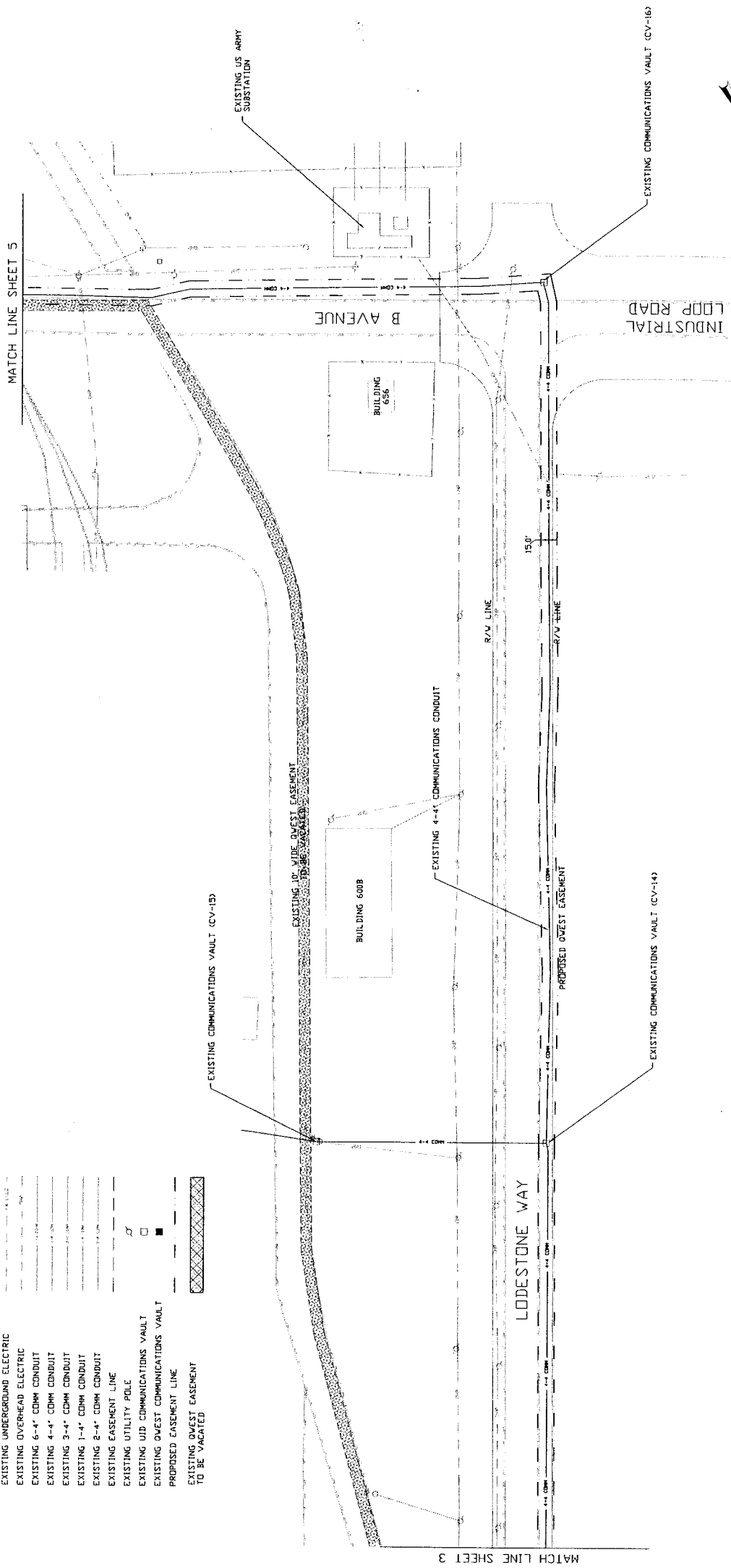
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DRAWN BY: JTD  
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CHECKED BY:  
DATE: 05/22/04

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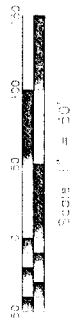
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**LEGEND**

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- EXISTING EASEMENT LINE
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- EXISTING UID COMMUNICATIONS VAULT
- EXISTING QWEST COMMUNICATIONS VAULT
- PROPOSED EASEMENT LINE
- EXISTING QWEST EASEMENT TO BE VACATED



Ent 230806 Bk 0977 Pg 0881



NO.	DATE	BY	REVISIONS

DRAWN BY: JLD  
 DESIGN BY: JLD  
 CHECKED BY:  
 DATE: 9.23.04

CLIENT: UID  
 DWG. SHEETS: 1 OF 4  
 JOB NO: DEP103  
 DRAWING SCALE: AS SHOWN  
 DIMENSIONS AND NOTES: THIS DRAWING IS UNLESS OTHERWISE SPECIFIED IN FEET AND INCHES.

**Ward Engineering Group**  
 Planning • Engineering • Surveying

1370 S. West Temple  
 Salt Lake City, Utah 84119  
 TEL: (801) 472-8000  
 FAX: (801) 472-8008

**QWEST / UID COMMUNICATIONS LINE  
 EASEMENT EXHIBIT**

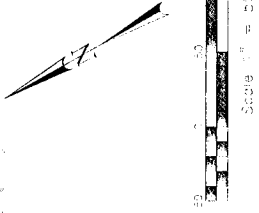
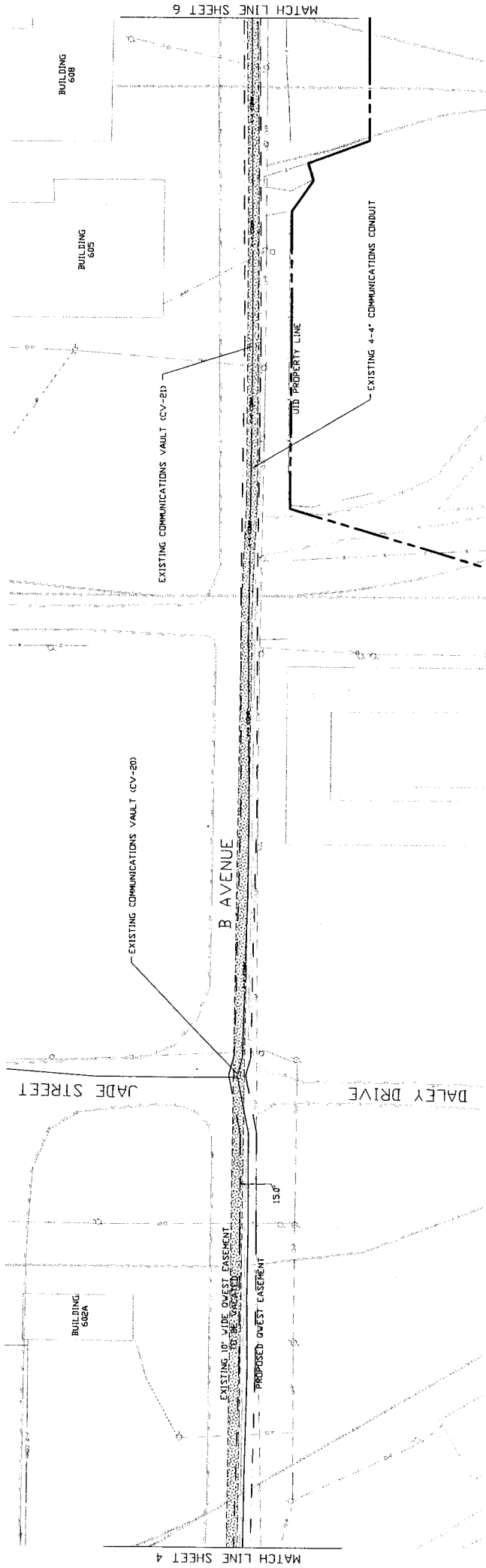
SHEET:  
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SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.

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- EXISTING QWEST COMMUNICATIONS VAULT
- PROPOSED EASEMENT LINE
- EXISTING QWEST EASEMENT TO BE VACATED



NO.	DATE	BY	REVISIONS

DRAWN BY: <u>UID</u>	DESIGN BY: <u>UID</u>
CHECKED BY: <u> </u>	DATE: <u>0.23.04</u>

CLIENT: UID  
 DWS, sheets 1-7.dwg  
 JOB No. D3P103  
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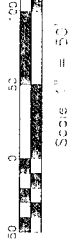
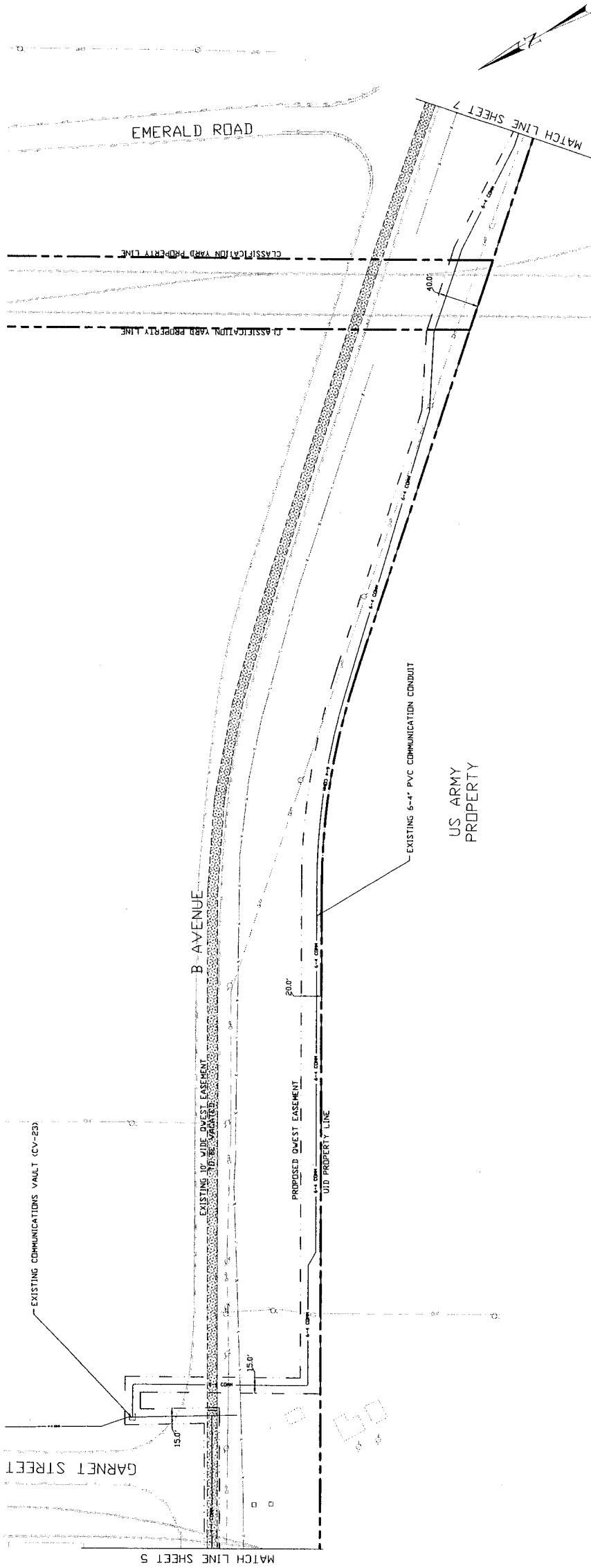
1370 S. West Temple  
 Salt Lake City, Utah 84115  
 Tel: (801) 487-5000  
 Fax: (801) 487-5068

**QWEST / UID COMMUNICATIONS LINE  
 EASEMENT EXHIBIT**

SITUATED IN THE WEST HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN.

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- EXISTING QWEST EASEMENT TO BE VACATED



**QWEST / UID COMMUNICATIONS LINE  
EASEMENT EXHIBIT**

1370 S. West Temple  
Salt Lake City, Utah 84115  
tel (801) 487-8840  
fax (801) 487-8668

**Ward Engineering Group**  
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CLIENT: UID  
DWG. Name: 17-04w  
JOB No: DEP103  
JOB NOT TO SCALE. THIS DRAWING, CONDITIONS AND NOTES TAKE PRECEDENCE OVER ANY REVISIONS. PLEASE CONSULT 22-24.

DRAWN BY: AITD  
DESIGN BY: AITD  
CHECKED BY:  
DATE: 9-22-01

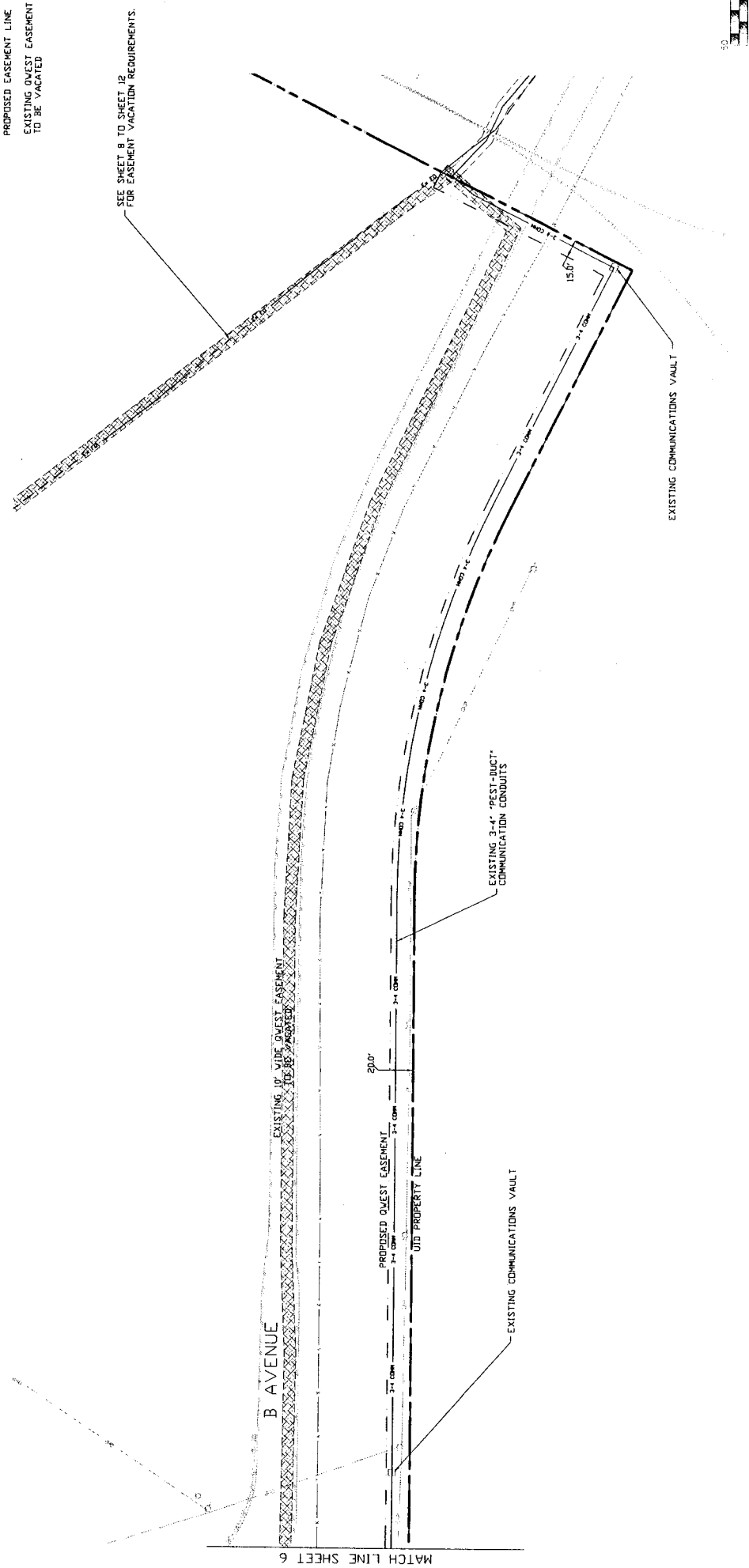
NO.	DATE	BY	REVISION

REVISIONS

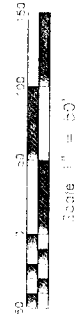
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- PROPOSED EASEMENT LINE
- EXISTING QWEST EASEMENT TO BE VACATED



SEE SHEET 8 TO SHEET 12 FOR EASEMENT VACATION REQUIREMENTS.



MATCH LINE SHEET 6

**QWEST / UID COMMUNICATIONS LINE  
EASEMENT EXHIBIT**

1170 S. West Center  
Salt Lake City, Utah 84115  
Tel: (801) 487-9040  
Fax: (801) 487-9668

**Ward Engineering Group**  
Planning • Engineering • Surveying

CLIENT I/D: \_\_\_\_\_  
DWC: Sheet 17 - July  
JOB NO. DEPT/ID: \_\_\_\_\_  
DATE OF DRAWING: \_\_\_\_\_  
DATE OF REVISION: \_\_\_\_\_

DRAWN BY: JTD  
DESIGN BY: JTD  
CHECKED BY: \_\_\_\_\_  
DATE: 11-22-04

NO.	DATE	BY	REVISION