3393689

SPECIAL WARRANTY DEED

UTAH POWER & LIGHT COMPANY, a corporation with its principal office in Salt Lake City, Salt Lake County, State of Utah, a corporation organized and existing under the laws of the State of Utah, Grantor, for Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, hereby grants, bargains, sells, conveys, and assigns to Terry Diel, Grantee, Salt Lake City, Salt Lake County, State of Utah, all of its rights, titles, and interests now held or hereinafter acquired in and to the following described tract of land in Salt Lake City, Salt Lake County, State of Utah, to-wit:

A tract of land situate in the SE 1/4 of the NE 1/4 of Section 25, Township 2 South, Range 1 East, Salt Lake Meridian, described as follows:

Beginning at the southeast corner of the Grantor's land at a point North 377.78 feet along the Section line from the east quarter corner of Section 25, T.2 S., R.1 E., S.L.M., and running thence North 101.63 feet along the Section Line, thence S.78°09'54"W. 32.03 feet, thence S.78°26'17"W. 58.01 feet, thence S.58°47'06"W. 37.06 feet, thence S.48°37'11"W. 48.09 feet, thence S.61°47'49"W. 32.03 feet to the south boundary line of said Grantor's land, thence S.84°38'E. (S.82°17'E. UP&LCo.) 185 feet, more or less, along said south boundary line to the point of beginning, containing 0.26 of an acre, more or less.

Reserving, however, to Grantor all oil, gas, and mineral rights and also reserving to Grantor the right to construct at any time electric power lines and supporting and incident structure. tures and facilities either on, over, or under said above-described tract of land.

Grantor warrants the right, title and interest hereunder conveyed against its acts and the acts of other persons claiming by, through or under it, but not otherwise.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the Board of Directors of the Grantor at a lawful meeting duly held and attended by a quorum of said Directors.

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 124 day of October, 1979. this \) 24 & LIGHT COMPANY STATE OF UTAH SS. COUNTY OF SALT LAKE)

On the 24th day of October, 1979, personally appeared before me J.C. Jouler and Arbert and Arbert hat he, the said J.C. Jouler is the Vice President, and he, the said T.C. Jouler Jordan's the Secretary of Utah Power & Light Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said J.C. Jouler and Arbert Jordan each duly acknowned affixed is the seal of said corporation.

My Commission Expires:

9-4-83

Servie at: Salt Lake City

800x **5035** 21GE

PARTIAL RELEASE FROM MORGAN GUARANTY TRUST COMPANY OF NEW YORK AS CORPORATE TRUSTEE, TO UTAH POWER & LIGHT COMPANY FROM LIEN OF MORTGAGE AND DEED OF TRUST, DATED AS OF DECEMBER 1, 1943, AS AMENDED AND SUPPLEMENTED

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, as of December 1, 1943, Utah Power & Light Company, (hereinafter called the Company) a corporation of the State of Utah, executed and delivered to Guaranty Trust Company of New York (now Morgan Guaranty Trust Company of New York) and Arthur E. Burke (R. Amundsen, successor), as Trustees, a certain Mortgage and Deed of Trust, and as of January 1, 1945, May 1, 1946, April 1, 1948, May 1, 1949, October 1, 1949, October 1, 1950, October 1, 1951, October 1, 1952, May 1, 1954, September 1, 1955, October 1, 1957, September 1, 1960, June 1, 1962, April 1, 1963, August 1, 1964, March 1, 1968, December 1, 1969, April 1, 1970, March 1, 1971, May 1, 1972, February 1, 1974, October 1, 1974, November 1, 1975, February 1, 1976, April 1, 1976, August 31, 1976, September 1, 1976, November 1, 1976, March 1, 1977, September 1, 1977, April 1, 1978, May 1, 1978, April 1, 1979 and September 1, 1979, the Company executed and delivered respectively its First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third and Thirty-fourth Supplemental Indentures thereto, and the property hereinafter described heretofore owned by the Company is subject to the lien of said Mortgage and Deed of Trust and said Indentures supplemental thereto; and

WHEREAS, it has been certified to the Corporate Trustee under said Mortgage and Deed of Trust, and said Indentures supplemental thereto, that the Company is not in default in the payment of the interest on any bonds now outstanding under said Mortgage and Deed of Trust, and said Indentures supplemental thereto, and none of the defaults defined in Section 75 of said Mortgage and Deed of Trust has occurred and is continuing; and

WHEREAS, an application of the Company for the release of the hereinafter described property from the lien of said Mortgage and Deed of Trust and said Indentures supplemental thereto, pursuant to the provisions of



BOOK 5035 MIGE 542

Section 69 of the Mortgage and Deed of Trust has been made, and Morgan Guaranty Trust Company of New York, as Corporate Trustee under said Mortgage and Deed of Trust, and said Indentures supplemental thereto, is in receipt of the Certified Copy of Resolutions, Certificates, and Opinion of Counsel, all as required by the provisions of said Section 69.

NOW, THEREFORE, Morgan Guaranty Trust Company of New York, in consideration of the premises and pursuant to the authority vested in it as Corporate Trustee under said Mortgage and Deed of Trust and said Indentures supplemental thereto does hereby release, remise and quit-claim unto the Company all the right, title, and interest of said Trustees in and to the following described property in Salt Lake County, State of Utah.

MORTGAGE AND DEED OF TRUST

First Supplemental Indenture to Mortgage and Deed of Trust dated as of December 1, 1943, Paragraph ONE, Electric Generating Plants, subparagraph (3), Granite Hydroelectric Plant, pages 6-7, being a portion of the properties described therein, described as follows:

Beginning at a point 377.78' North of the East 1/4 of Section 25, T. 2 S., R. 1 E., S.L.B.&M; thence North 101.63' to the top of a ridge line, thence along said ridge line the following five courses: S. 78°09'54" W. 32.03', thence S. 78°26'17" W. 58.01', thence S. 58°47'06" W. 37.06', thence S. 48°37'11" W. 48.09', thence S. 61°47'49" W. 32.03' to the north line of Prospector #4 Amended and Extended Subdivision, thence S. 84°38' E. along said north line of Prospector #4 Amended and Extended Subdivision 185' to the Point of beginning. The above parcel of land contains 0.26 Acres.

TO HAVE AND TO HOLD the property hereby released and remised to the Company, its successors and assigns, to its and their own proper use, benefit and behoof forever, free, clear and discharged of and from any and all liens and claims under and by virtue of said Mortgage and Deed of Trust, and said Indentures supplemental thereto.

PROVIDED HOWEVER, that nothing herein contained shall be construed to affect the residue of the security held by Morgan Guaranty Trust Company of New York and Arthur E. Burke (R. Amundsen, successor), the Trustees as aforesaid, by virtue of said Mortgage and Deed of Trust, and said Indentures supplemental thereto, or to release the payment of any part of the moneys, principal or interest, thereby secured that may now remain unpaid.

The recitals herein contained are made on representation of the Company and the Trustees assume no responsibility in respect thereof.

IN WITNESS WHEREOF, Morgan Guaranty Trust Company of New York, has caused these presents to be executed by its officers thereunto duly authorized and its corporate seal to be hereunto affixed this $3^{\prime\prime\prime\prime}$ day of $^{\circ}$ then $_{\prime}$ (479.

MORGAN GUARANTY TRUST COMPANY OF NEW YORK As Corporate Trustee

Attest:

(seal)

In the presence of:

Assistant Secretary

S. Russo

STATE OF NEW YORK) COUNTY OF NEW YORK)

On the 3rd day of October 1979, before me Maureen McShane, a Notary Public in and for the State of New York, County of New York, personally appeared R. Amundsen and Henry J. Christy, to me personally known and known to me to be the persons whose names are subscribed to the foregoing instrument and known to me to be the Trust Officer and Assistant Secretary, respectively, of Morgan Guaranty Trust Company of New York, who by me being duly sworn, did depose and say that the said R. Amundsen resides in Hicksville, N.Y. 11801 and that the said Henry J. Christy resides in Park Ridge, New Jersey 07656; that they are the Trust Officer and Assistant Secretary, respectively, of Morgan Guaranty Trust Company of New York, the corporation described in and which executed the foregoing instrument, as Corporate Trustee; that they know the seal of said corporation; that the seal so affixed to said instrument is such corporate seal; that the instrument was so signed and sealed in behalf of the corporation by authority of its Board of Directors; and that they acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation, as Corporate Trustee, and they further acknowledged to me that the said corporation executed the same, as Corporate Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC. State of New York
No. 01 MC 4649500
Qualified in Kines County
Certificate Filed in New York County

Commission Expires March 30, 1981