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6407862
07/17/96 12:18 PM 30.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
REC BY:V ASHBY ,DEPUTY - WI

RIGHT-OF-WAY AND EASEMENT AGREEMENT

PROPERTY RESERVE INC, a Utah nonprofit corporation, as "Grantor" hereby conveys to BRIGHTON AND NORTH POINT IRRIGATION COMPANY, a Utah nonprofit corporation, hereinafter "Grantee", for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, an easement for the construction, installation and maintenance of a waterway and water lines upon, over, under and across the following described land, situated in Salt Lake County, State of Utah, located one foot inside and parallel to all public road frontage on Grantors lands north of 2100 South Street and west of 4800 West Street (Range 2 West only), and also as set forth in Exhibit "A" attached hereto, together with a right of controlled ingress and egress to and along a fifteen-foot strip of adjoining lake shore or canal bank for heavy equipment utilization to maintain Grantee's facilities.

By acceptance or use hereof, Grantee agrees to be bound by and accepts this easement, subject to the following terms and conditions:

1. The rights granted hereunder are nonexclusive and the premises indicated herein are subject to being used for utility or other purposes by such person the Grantor may designate at any time, so long as such use does not interfere with Grantees ability to operate and maintain its facilities. Grantor may reasonably relocate this easement as Grantor deems necessary to accommodate Grantor's land utilization, provided Grantee is not damaged thereby.
2. Grantee shall not disturb any existing sewer, water, or other utility lines within the boundaries of the easement granted.
3. Grantee will comply with all applicable City ordinances, State and County laws, in the installation, maintenance or removal of facilities installed by Grantee.
4. Grantee shall maintain facilities in such a manner as will minimize the time and extent of the disturbance to the land and improvements to the fullest extent reasonably possible. After installation of said facilities, Grantee will, at its sole expense, reasonably restore the surface of any land disturbed by Grantee within said premises as nearly as possible to its original condition.
5. Grantor shall have the right at such times and in such a manner as it deems necessary to construct roads or driveways and to carry out other Grantor purposes over, across and through the premises covered by this easement, so long as such does not impair Grantee's use. Grantor shall notify Grantee in writing 30 days prior to Grantee installing improvements on the easement area.
6. Grantee shall not assign any of its rights hereunder without prior written consent of the Grantor except for the purpose of reorganizing the Grantee with substantially the same owners as before. Grantor shall not unreasonably withhold consent to assignment.
7. This agreement shall be binding upon the assignees, successors and/or transferor of each of the parties hereto.

6407862

FIRST AMERICAN TITLE

NCM# 422885

BK7445FE0850

WITNESS the hand of the Grantor this 16th day of February, 1996.

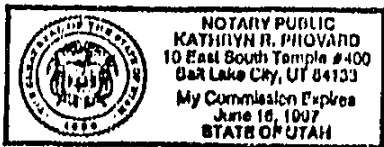
PROPERTY RESERVE, INC.

By Wayne H. Facer *WMC*

Its: Vice President

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 16th day of February, 1996 by Wayne H. Facer
_____, who, being by me duly sworn, did say
that he is the Vice President of PROPERTY RESERVE, INC.



Kathryn R. Provand
NOTARY PUBLIC
In and for the State of Utah, County of
Salt Lake

Commission Expires:

6/18/97

cc:right-of-way

BK 71445 PG 0851

EXHIBIT "A"

A 100.00 foot wide strip of land located in Sections 15, 21, & 22, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 50.00 feet on each side of the following described centerline:

Beginning at a point on the North-South Quarter line of said Section 22, being 490.87 feet South $00^{\circ}03'17''$ West feet from the North Quarter Corner of said Section (the basis of bearing being South $89^{\circ}52'58''$ West 2648.07 feet between the monuments found marking the North Quarter corner and the Northwest corner of said Section 22) and running thence North $58^{\circ}21'34''$ West 701.96 feet to the point of curvature with a 400.00 foot radius curve to the left; thence Northwesterly 170.51 feet along the arc of said curve through a central angle of $24^{\circ}25'27''$; thence North $82^{\circ}47'00''$ West 301.78 feet; thence North $83^{\circ}46'55''$ West 704.78 feet to the point of curvature with a 400.00 foot radius curve to the left; thence Westerly 211.67 feet along the arc of said curve through a central angle of $30^{\circ}19'10''$; thence South $65^{\circ}53'55''$ West 2278.28 feet; thence South $66^{\circ}11'13''$ West 4093.45 feet; thence South $50^{\circ}11'35''$ West 94.17 feet; thence South $46^{\circ}08'19''$ West 65.63 feet to a point which is South 33.68 feet from the West Quarter corner of said Section 21.

Also, a 100.00 foot wide strip of land located in Section 28, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 50.00 feet on each side of the following described centerline:

Beginning at a point on the centerline of an existing ditch which is 24.47 feet West and 205.62 feet South from the Northeast Corner of said Section 28 (the basis of bearing being North $89^{\circ}54'00''$ East 2646.96 feet along the Section line between the monuments found marking the Northwest corner and the North Quarter Corner of Section 27, Township 1 North, Range 2 West) and running thence South $87^{\circ}39'44''$ West 62.61 feet to a point on a 313.75 foot radius curve to the left (radius point bears South $32^{\circ}06'18''$ West); thence Westerly 275.73 feet along the arc of said curve through a central angle of $50^{\circ}21'07''$; thence South $71^{\circ}45'11''$ West 254.12 feet to the point of curvature with a 216.48 foot radius curve to the left (radius point bears South $18^{\circ}14'49''$ East); thence Southwesterly 200.55 feet along the arc of said curve through a central angle of $53^{\circ}04'45''$; thence South $18^{\circ}40'26''$ West 301.78 feet; thence South $07^{\circ}03'44''$ West 29.61 feet; thence South $02^{\circ}16'08''$ East 240.78 feet; thence South $23^{\circ}57'05''$ East 262.19 feet; thence South $00^{\circ}06'02''$ East 651.38 feet to the point of curvature with a 1100.00 foot radius curve to the right (radius point bears South $89^{\circ}53'58''$ West); thence Southwesterly 521.08 feet along the arc of said curve through a central angle of $27^{\circ}08'30''$; thence South $27^{\circ}02'28''$ West 147.42 feet; thence South $60^{\circ}56'59''$ West 129.66 feet; thence South $44^{\circ}49'38''$ West 99.66 feet; thence South $56^{\circ}46'30''$ West 173.21 feet; thence South $68^{\circ}17'32''$ West 589.79 feet; thence South $76^{\circ}54'57''$ West 812.88 feet; thence South $87^{\circ}49'33''$ West 31.17 feet; thence North $82^{\circ}14'58''$

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West 235.76 feet; thence North 73°01'39" West 374.34 feet; thence North 65°28'28" West 379.06 feet; thence North 75°06'10" West 325.53 feet; thence South 89°58'26" West 333.98 feet to the point of curvature with a 75.00 foot radius curve to the left (radius point bears South 00°01'34" East); thence Southwesterly 89.32 feet along the arc of said curve through a central angle of 68°14'07", to the point of reverse curvature with a 75.00 foot radius curve to the right (radius point bears North 68°15'41" West); thence Southwesterly 74.27 feet along the arc of said curve through a central angle of 56°44'29"; thence South 78°28'48" West 357.78 feet; thence South 11°16'49" West 135.67 feet; thence North 88°41'22" West 186.10 feet; thence North 66°22'28" West 373.45 feet, more or less, to the centerline of the Little Goggin Drain.

Also, a 100.00 foot wide strip of land located in Sections 21, 22, 27 & 28, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 50.00 feet on each side of the following described centerline:

Beginning at a point which is 1680.84 feet North and 11.30 feet West from the Southeast corner of said Section 28 (the basis of bearing being North 89°59'42" West 2634.10 feet between the monuments found marking the Southeast corner and the South Quarter corner of said Section 28), and running thence North 00°43'06" West 190.80 feet; thence North 00°01'08" East 1775.96 feet; thence North 00°46'33" West 984.53 feet; thence North 00°03'38" East 582.89 feet; thence North 54°06'54" West 45.85 feet; thence North 89°49'11" West 1261.55 feet to the point of curvature with a 25.00 foot radius curve to the right (radius point bears North 00°10'49" East); thence Northwesterly 39.20 feet along the arc of said curve through a central angle of 89°50'55"; thence North 00°01'44" East 3891.08 feet; thence North 00°26'16" East 459.45 feet; thence North 11°27'05" West 28.17 feet, more or less, to a point on the South Bank of the North Point Canal.

Also, a 50.00 foot wide strip of land located in Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 25.00 feet on each side of the following described centerline:

Beginning at a point which is 2642.82 feet South and 2146.95 feet East from the Northwest corner of said Section 35 (the basis of bearing being South 00°04'18" West 2642.49 feet between the monuments found marking the Northwest corner and West Quarter corner of said Section 35), and running thence North 89°58'10" West 735.41 feet; thence North 00°05'35" West 672.88 feet to the point of curvature with a 505.00 foot radius curve to the right; thence Northwesterly 496.76 feet along the arc of said curve through a central angle of 56°21'39"; thence North 00°02'41" West 1233.46 feet; thence North 48°00'04" West 270.86 feet to a point which is 134.05 feet South and 1432.76 feet East of the Northwest corner of said Section 35.

Also, a 100.00 foot wide strip of land located in Sections 16, 17, 20, 21, 28, 29, 32, 33, 34, & 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 50.00 feet on each side of the following described centerline:

Beginning at a point which is 134.05 feet South and 1432.76 feet East of the Northwest corner of said Section 35 (the basis of bearing being South 00°04'18" West 2642.49 feet between the monuments found marking the Northwest corner and West Quarter corner of said Section 35), and running thence North 89°36'26" West 811.78 feet; thence South 89°48'18" West 2728.11 feet; thence North 00°06'16" West 120.10 feet; thence South 89°55'22" West 8415.20 feet; thence North 00°05'28" East 7851.21 feet; thence North 01°28'42" West 159.84 feet; thence North 00°03'08" East 7507.04 feet, more or less, to a point on the centerline of a ditch, said point being 27.42 feet East and 360.99 feet South from the Northwest corner of said Section 16.

Also, a 50.00 foot wide strip of land located in Sections 16 & 21, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 25.00 feet on each side of the following described centerline:

Beginning at a point on the North Bank of the North Point Canal which is 1443.79 feet South and 11.90 feet West from the North Quarter corner of said Section 21 (the basis of bearing being South 89°53'14" East 2627.48 feet between the monuments found marking the North Quarter corner and the Northeast corner of said Section 21), and running thence North 11°50'08" West 33.53 feet; thence North 00°04'14" East 1410.79 feet; thence North 01°44'15" West 17.13 feet; thence North 00°01'14" East 308.57 feet; thence North 01°46'47" West 1762.16 feet; thence North 10°37'44" East 53.94 feet; thence North 02°05'34" West 26.59 feet to the point of curvature with a 100.00 foot radius curve to the left (radius point bears South 87°54'26" West); thence Northwesterly 127.66 feet along the arc of said curve through a central angle of 73°08'41" to the point of reverse curvature with a 75.00 foot radius curve to the right (radius point bears North 14°45'45" East); thence Northerly 112.46 feet along the arc of said curve through a central angle of 85°54'40"; thence North 10°40'24" East 93.40 feet; thence North 44°37'04" East 76.48 feet; thence North 00°09'04" East 2801.48 feet, more or less, to the North line of said Section 16.

Also, a 50.00 foot wide strip of land located in Section 16, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 25.00 feet on each side of the following described centerline:

Beginning at a point which is 963.96 feet North from the East Quarter corner of said Section 16 (the basis of bearing being South 00°12'58" East 2650.36 feet between the monuments found marking the East Quarter corner and the Southeast corner of said Section 16), and running thence North 73°01'31" West 59.06 feet; thence North 88°07'59" West 170.62 feet; thence North 77°42'52" West 152.78 feet; thence North 73°17'08" East 780.90 feet; thence North 65°06'35" West 912.82 feet; thence North 67°00'42" East 356.60 feet, thence North 69°27'23" West 366.70 feet; thence North 67°15'47" West 156.67 feet; thence North 22°08'09" West 85.55 feet; thence North 38°22'35" West 248.22 feet; thence North 52°35'25" West 412.62 feet; thence South 84°27'34" West 566.97 feet; thence South 84°10'05" West 1096.31 feet; thence South 84°21'22" West 324.37 feet, more or less, to a point on the West line of said Section 16 which is South 00°03'03" West 363.74 feet from the Northwest Corner of said Section 16.

Also, 50.00 foot wide strip of land, rotated correctly to the Salt Lake International Center Basis of Bearings, located in Sections 21, 28, 33, 34 & 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 25.00 feet on each side of the following described centerline:

Beginning at a point on the East side of a parcel of land, said point being South 00°00'17" West 4339.04 feet and North 89°59'43" West 435.35 feet from the North Quarter Corner of Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian and running thence North 85°16'35" West 381.93 feet; thence North 88°56'39" West 394.52 feet to the point of curvature with a 60.00 foot radius curve to the right; thence Northwesterly 92.18 feet along the arc of said curve through a central angle of 88°01'33"; thence North 00°55'06" West 512.95 feet to Reference Point "A"; thence North 62°49'43" West 72.42 feet; thence North 68°00'37" West 107.88 feet; thence North 70°07'41" West 109.61 feet; thence North 72°12'34" West 104.16 feet; thence North 74°12'12" West 100.59 feet; thence North 76°09'36" West 100.38 feet; thence North 78°06'40" West 100.02 feet; thence North 80°01'54" West 97.22 feet; thence North 81°58'01" West 101.53 feet; thence North 83°56'34" West 101.12 feet; thence North 85°54'11" West 100.48 feet; thence North 87°37'10" West 75.80 feet; thence South 85°24'41" West 145.03 feet; thence South 80°56'29" West 90.69 feet, more or less, to the West line of said Section 35; thence South 80°56'29" West 193.60 feet; thence South 78°03'28" West 188.86 feet; thence South 76°48'15" West 74.81 feet; thence South 73°41'42" West 85.52 feet; thence South 71°07'34" West 100.34 feet; thence South 69°55'29" West 144.82 feet; thence South 72°40'46" West 100.78 feet; thence South 73°54'53" West 101.44 feet; thence South 75°18'22" West 101.20 feet; thence South 77°04'11" West 106.69 feet; thence South 78°07'04" West 96.41 feet to a point on a 150.00 foot radius curve to the right; thence along the arc of said curve 47.86 feet through a central angle of 18°16'56" (long chord bears South 87°15'32" West 47.66 feet); thence North 83°36'01" West 97.22 feet; thence North 80°30'23" West 117.37 feet; thence North 78°16'10" West 100.06 feet; thence North 79°00'58" West 100.57 feet; thence North 80°33'49" West 100.63 feet; thence North 82°01'23" West 100.74 feet; thence North 82°27'10" West 413.83 feet; thence North 82°47'32" West 720.05 feet; thence North 83°57'12" West 230.20 feet; thence North 86°03'13" West 200.04 feet; thence North 85°00'27" West 125.90 feet; thence North 82°15'54" West 110.31 feet to a point on a 200.00 foot radius curve to the right; thence along the arc of said curve 129.22 feet through a central angle of 37°01'06" (long chord bears North 63°45'21" West 126.98 feet); thence North 45°14'48" West 39.61 feet; thence North 40°17'16" West 100.23 feet; thence North 34°03'57" West 99.95 feet; thence North 28°37'55" West 103.74 feet; thence North 24°04'21" West 100.32 feet to a point on a 400.00 foot radius curve to the right; thence along the arc of said curve 206.40 feet through a central angle of 29°33'51" (long chord bears North 9°17'25" West 204.11 feet); thence North 05°29'30" East 120.81 feet; thence North 00°20'58" West 105.84 feet to a point on a 150.00 foot radius curve to the left; thence along the arc of said curve 203.12 feet through a central angle of 77°35'15" (long chord bears North 89°08'36" West 187.96 feet); thence North 77°56'13" West 123.85 feet to a point on a 450.00 foot radius curve to the right; thence along the arc of said curve 319.85 feet through a central angle of 40°43'28" (long chord bears North 57°34'29" West 313.16 feet); thence North 37°12'45" West 148.88 feet; thence North 42°15'25" West 209.43

feet; thence North 40°03'32" West 215.16 feet; thence North 40°35'05" West 219.07 feet; thence North 48°05'03" 188.81 feet; thence North 49°01'49" West 67.47 feet, more or less, to the West line of said Section 34; thence North 49°01'49" West 131.98 feet; thence North 47°56'42" West 204.97 feet; thence North 49°52'51" West 190.91 feet; thence North 47°07'15" West 197.92 feet; thence North 47°48'38" West 188.79 feet; thence North 47°55'55" West 208.73 feet; thence North 47°33'34" West 214.04 feet; thence North 48°18'52" West 249.02 feet to the point of beginning of the centerline of a 50.00 foot wide strip of land, lying 25.00' on each side of the following described centerline: thence North 28°19'22" East 404.58 feet; thence North 89°52'36" East 901.94 feet; thence North 07°03'40" East 32.91 feet; thence North 02°08'21" East 148.38 feet; thence North 10°46'21" East 110.76 feet; thence North 00°12'20" West 766.22 feet; thence North 01°02'19" West 772.95 feet; thence North 44°58'57" West 1453.81 feet; thence North 45°34'25" West 5416.644 feet to the West line of said Section 21 at a point which is South 1102.00 feet from the West Quarter corner of said Section 21.

Also, a 50.00 foot wide strip of land located in Section 35, Township 1 North, Range 2 West, Salt Lake Base & Meridian, lying 50.00 feet on each side of the following described centerline:

Beginning at aforementioned Reference Point "A", which is 1085.13 feet South and 1364.78 feet East of the West Quarter Corner of said Section 35 (the basis of bearing being South 00°04'18" West 2642.49 feet between the monuments found marking the Northwest corner and West Quarter corner of said Section 35) and running thence South 84°37'41" East 243.07 feet; thence South 62°32'00" East 175.00 feet; thence South 68°23'00" East 131.00 feet; thence North 69°40'00" East 63.00 feet; thence North 60°00'00" East 50.00 feet; thence South 78°00'00" East 122.33 feet; thence South 87°30'00" East 43.27 feet to a point on the East line of a parcel of land.