

RIGHT-OF-WAY AGREEMENT

D&D CONCRETE & SODERBY LTD.

GRANTORS

OF COUNTY OF MORGAN, STATE OF UTAH, HEREBY GRANT AND CONVEY
TO:

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

GRANTEE

A RIGHT OF WAY, TRAVERSING ACROSS A PARCEL OF LAND SITUATED IN
THE SOUTHEAST QUARTER OF SECTION 26, AND THE NORTHWEST
QUARTER OF SECTION 25, TOWNSHIP NORTH, RANGE 1 EAST, SALT LAKE
BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, STATE OF UTAH;

SAID RIGHT OF WAY IS TEN (10) FEET IN WIDTH, BEING FIVE (5) FEET ON
EITHER SIDE OF A CENTERLINE MORE PARTICULARLY DESCRIBED ON THE
ATTACHED EXHIBIT "A" AND EXHIBIT "B" AND IS GRANTED FOR THE
CONSTRUCTION, MAINTENANCE AND REPAIR OF SANITARY SEWER
FACILITIES. THIS RIGHT OF WAY IS GRANTED WITH CONDITIONS
DESCRIBED ON THE ATTACHED EXHIBIT "C".

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS

23 DAY OF August, 2008

FOR D&D CONCRETE

DUANE D. JOHNSON

ANNETTE N. JOHNSON

FOR SODERBY LTD.

DUANE D. JOHNSON

ANNETTE N. JOHNSON

Ent 113435 Bk 268 Pg 724
Date: 26-AUG-2008 10:14AM
Fee: None
Filed By: CRB
BRENDA NELSON, Recorder
MORGAN COUNTY
For: MOUNTAIN GREEN SEWER IMP DIST

EXHIBIT "A"
RIGHT-OF-WAY DESCRIPTION
MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
(East-West Easement)

A RIGHT OF WAY, 10 FEET IN WIDTH, BEING 5 FEET ON EITHER SIDE OF A CENTERLINE TRAVERSING ACROSS THE SOUTHEAST QUARTER OF SECTION 26, AND THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26, FROM WHICH THE NORTHEAST CORNER OF SECTION 26 BEARS SOUTH $89^{\circ}35'59''$ EAST 5293.09 FEET;

THENCE SOUTH $00^{\circ}00'00''$ EAST 3167.86 FEET;
THENCE NORTH $90^{\circ}00'00''$ EAST 2257.01 FEET TO A POINT ON THE WEST LINE OF LAND PARCEL, 03-005-045-03, D&D CONCRETE, INC., THE POINT OF BEGINNING; *00-0004-8023*

THENCE SOUTH $87^{\circ}51'28''$ EAST 319.75 FEET, ACROSS LAND PARCEL 03-005-045-03, D&D CONCRETE, BEING 10 FEET SOUTH AND PARALLEL TO ROCKY MOUNTAIN POWER TRANSMISSION FACILITIES;

THENCE SOUTH $87^{\circ}51'28''$ EAST 1110.15 FEET ACROSS LAND PARCEL 03-005-051-01, D&D CONCRETE, BEING 10 FEET SOUTH AND PARALLEL TO ROCKY MOUNTAIN POWER TRANSMISSION FACILITIES;
00-0004-8031

THENCE SOUTH $87^{\circ}51'28''$ EAST 867.37 FEET ACROSS LAND PARCEL 03-005-48, SODERBY LTD., BEING 10 FEET SOUTH AND PARALLEL TO ROCKY MOUNTAIN POWER TRANSMISSION FACILITIES;

THENCE SOUTH $86^{\circ}25'31''$ EAST 380.00 FEET ACROSS LAND PARCEL 03-005-48, SODERBY LTD., BEING 10 FEET SOUTH OF AND ADJACENT TO ROCKY MOUNTAIN POWER FACILITIES ("H" FIXTURE);
00-0003-4163

THENCE SOUTH $87^{\circ}51'28''$ EAST 344.80 FEET ACROSS LAND PARCEL 03-005-48, SODERBY LTD., BEING 10 FEET SOUTH OF AND PARALLEL TO ROCKY MOUNTAIN POWER FACILITIES (SOUTH POLE OF "H" STRUCTURE);

THE ABOVE DESCRIBED RIGHT OF WAY IS 3022.07 FEET IN LENGTH AND CONTAINS 0.694 ACRES. THE BASIS OF BEARING IS THE NORTH LINE OF SECTION 26, CALLED SOUTH $89^{\circ}35'59''$ EAST.

Grantor Initials

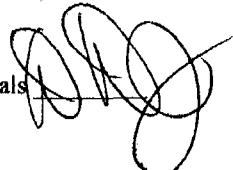


EXHIBIT "B"
RIGHT-OF-WAY DESCRIPTION
MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
(North-South Easement)

A RIGHT OF WAY, 10 FEET IN WIDTH, BEING 5 FEET ON EITHER SIDE OF A CENTERLINE TRAVERSING ACROSS THE NORTHEAST QUARTER OF SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25, AN ALUMINUM PIPE AND STONES;

THENCE SOUTH $00^{\circ} 17' 10''$ EAST 1860.53 FEET TO THE SOUTHERLY LINE OF OLD HIGHWAY ROAD;

THENCE NORTH $85^{\circ} 10' 41''$ EAST 8.36 FEET TO THE NORTHEAST CORNER, REBAR AND CAP, OF THE FIRST NATIONAL BANK OF MORGAN'S PARCEL OF LAND;

THENCE NORTH $84^{\circ} 50' 53''$ EAST 25.10 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH $00^{\circ} 05' 57''$ WEST 206.58 FEET;

THENCE SOUTH $05^{\circ} 02' 21''$ WEST 57.18 FEET;

THENCE SOUTH $00^{\circ} 00' 28''$ WEST 355.50 FEET;

THENCE SOUTH $79^{\circ} 20' 57''$ WEST 388.59 FEET;

THENCE SOUTH $00^{\circ} 00' 28''$ WEST 691.41 FEET, WHERE SURVEY ENDS.

THIS RIGHT-OF-WAY IS 1699 FEET IN LENGTH AND COVERS 0.39 ACRES.

THIS RIGHT-OF-WAY COVERS THE EASTERLY AND/OR SOUTHERLY 10 FEET OF A BOUNDARY FOR A 30-FOOT RIGHT-OF-WAY PREPARED BY STANTEC CONSULTING, INC. FOR "D&D CONCRETE" AND "SODERBY."

THE PURPOSE OF THIS RIGHT-OF-WAY IS FOR THE DESIGN, CONSTRUCTION, MAINTENANCE AND REPLACEMENT OF A SANITARY SEWER MAIN LINE.

Grantor Initials

