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MAY 7 1997

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JAMES ASHAUER, DAVIS CNTY RECORDER
1997 MAY 7 8:02 AM FEE 34.00 DEF JB
REC'D FOR PRINCE YEATES & GELDZAHLER

PRINCE, YEATES & GELDZAHLER

Richard L. Blanck (0365)
John P. Ashton (0134)
Thomas R. Barton (6827)
City Centre I, Suite 900
175 East Fourth South
Salt Lake City, Utah 84111
(801) 524-1000
Attorneys for plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT IN AND FOR

N¹/₂ + SE 14 3N 1E

N¹/₂ + SE 10 3N 1E MORGAN COUNTY, STATE OF UTAH

07-007-0003, 0004
07-008-0001

THE HAROLD J. GAILEY FAMILY
PARTNERSHIP, and GAILEY FAMILY
PROPERTIES, LTD.,

Plaintiffs,

vs.

LIS PENDENS

J. CANUTE BARNES, BARBARA GILLESPIE,
THE ESTATE OF J.H. BARNES, MORGAN
COUNTY, DAVIS COUNTY, UNION PACIFIC
RAILROAD COMPANY, MOUNTAIN FUEL
SUPPLY COMPANY, PETERSON PIPE LINE
CO., UTAH POWER & LIGHT COMPANY,
QUESTAR PIPELINE COMPANY, THE
UNITED STATES OF AMERICA, WTG-WEST,
INC., PIONEER PIPE LINE COMPANY,
UNION PACIFIC LAND RESOURCES
CORPORATION, SINCLAIR OIL
CORPORATION, LADD E. CHRISTENSEN,
THE BOWMAN HOMESTEAD TRUST--W.
Dale Bohman, Victor Bohman, Margaret J.
Bohman, and Verle R. Bohman, Trustees, and
JOHN DOES ONE THROUGH FIFTY,

Defendants.

Civil No. 970000010 CV

Judge Roger Dutson

PRINCE, YEATES
& GELDZAHLER
City Centre I, Suite 900
175 East Fourth South
Salt Lake City
Utah 84111
(801) 524-1000

(4)

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Notice is hereby given that an action has been commenced in the above-entitled court by plaintiffs the Harold J. Gailey Family Partnership and Gailey Family Properties, LTD. against the above-named defendants. Pursuant to *Utah Code Ann.* § 78-39-1 et seq., plaintiffs seek the partition of real property located in both Morgan and Davis Counties, State of Utah. The real property is more particularly described in Exhibit "A," attached hereto.

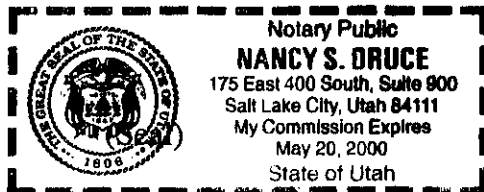
DATED this 16th day of April, 1997.

PRINCE, YEATES & GELDZAHLER

By Thomas R. Barton
John P. Ashton
Thomas R. Barton
Attorneys for plaintiffs

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

The foregoing instrument was acknowledged before me this 16th day of April, 1997, by Thomas R. Barton.



Nancy S. Druce Notary Signature
May 20, 2000 Notary Expiration Date

GATRBGAILBYSLIS PEND
April 16, 1997
11528-1

EXHIBIT "A"

E 1321426 B 2127 P 925

m4307

IN TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

ALL OF SECTIONS 2, 3, AND 11.

ALSO: THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10.

ALSO: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, THE EAST ONE-HALF OF THE NORTHEAST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14.

IN TOWNSHIP 4 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 1, RUNNING THENCE EAST 98 RODS; THENCE SOUTH 320 RODS; THENCE WEST 98 RODS; THENCE NORTH 320 RODS TO THE PLACE OF BEGINNING.

ALSO: ALL OF SECTION 2.

ALSO: ALL OF SECTION 3.

ALSO: THE EAST HALF OF THE SOUTHWEST QUARTER, AND THE SOUTHEAST QUARTER OF SECTION 4.

ALSO: ALL OF SECTION 9, LESS THE FOLLOWING DESCRIBED PROPERTY: BEGINNING ON THE SOUTH LINE OF SECTION 9, AFORESAID, AT A POINT WHERE SAID SECTION LINE CROSSES THE TOP OF THE MOUNTAIN; THENCE NORTH ALONG THE TOP OF THE MOUNTAIN TO THE NORTH LINE OF SAID SECTION 9; THENCE WEST TO THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH ONE MILE TO SOUTHWEST CORNER OF SAID SECTION; THENCE EAST TO POINT OF BEGINNING.

ALSO: ALL OF SECTION 10.

ALSO: ALL OF SECTION 11.

ALSO: THE SOUTH HALF, AND THE SOUTH HALF OF THE NORTH HALF OF SECTION 12. ALSO BEGINNING AT A POINT 23.50 CHAINS WEST FROM THE NORTHEAST CORNER OF SAID SECTION 12, AND RUNNING THENCE SOUTH 20.00 CHAINS; THENCE WEST 32.50

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CHAINS; THENCE NORTH 20.00 CHAINS; THENCE EAST 32.50 CHAINS TO THE POINT OF BEGINNING.

ALSO: ALL OF SECTION 13.

ALSO: THE WEST HALF AND THE SOUTHEAST QUARTER OF SECTION 14.

ALSO: ALL OF SECTION 15.

ALSO: THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20.

ALSO: THE EAST HALF, AND THE EAST HALF OF THE WEST HALF OF SECTION 22.

ALSO: ALL OF SECTION 23.

ALSO: THE WEST HALF, AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 26.

ALSO: ALL OF SECTION 27.

ALSO: THE SOUTHWEST QUARTER, AND THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 35.

ALSO: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36.

IN TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN:

THE NORTHWEST QUARTER OF SECTION 19.

IN TOWNSHIP 5 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 26, THENCE WEST 80 RODS; THENCE NORTH 30 RODS, MORE OR LESS, TO THE WEBER RIVER; THENCE UP SAID RIVER SOUTH 75D00' EAST 20.86 CHAINS; THENCE SOUTH 8 RODS TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT A POINT 11.50 CHAINS EAST FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26; RUNNING THENCE NORTH 5D30' WEST 7.39 CHAINS TO THE UNION PACIFIC RAILROAD FENCE; THENCE FOLLOWING SAID FENCE SOUTH 83D30' EAST 24.30 CHAINS; THENCE SOUTH

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9D00' EAST 4.66 CHAINS, MORE OR LESS, TO THE QUARTER, QUARTER LINE; THENCE WEST 24.50 CHAINS TO THE POINT OF BEGINNING.

IN TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

ALSO: THE SOUTH HALF OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26.

ALSO: THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, EXCEPTING THOSE PORTIONS THEREOF CONDEMNED FOR GATEWAY CANAL IN BOOK "R" OF DEEDS, PAGE 119, AND THAT PORTION THEREOF CONVEYED TO THORNLEY K. SWAN AND J.W. SWAN, BY DEED RECORDED IN BOOK "R" OF DEEDS, PAGE 624.

ALSO: BEGINNING AT THE CENTER OF THE SOUTHEAST QUARTER OF SECTION 27, RUNNING THENCE NORTH 8.00 CHAINS, MORE OR LESS, TO THE RIGHT OF WAY OF THE UNION PACIFIC RAILROAD COMPANY; THENCE WEST 3.50 CHAINS; THENCE SOUTH 78D00' WEST ALONG SAID RIGHT-OF-WAY 17 CHAINS, MORE OR LESS, TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE SOUTH ON SAID LINE 3 CHAINS, MORE OR LESS, TO THE QUARTER, QUARTER CORNER; THENCE EAST 20 CHAINS TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THORNLEY K. SWAN AND J.W. SWAN BY DEED RECORDED IN BOOK "R" OF DEEDS, PAGE 624.

ALSO: BEGINNING AT THE CENTER OF THE SOUTHEAST QUARTER OF SECTION 27, AND RUNNING THENCE NORTH 8 CHAINS; THENCE RUNNING ALONG THE SOUTH SIDE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY EASTERLY 11.55 CHAINS; THENCE SOUTH 8 CHAINS TO THE QUARTER, QUARTER SECTION LINE; THENCE WEST 11.55 CHAINS TO THE PLACE OF BEGINNING.

ALSO: THE SOUTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28.

ALSO: ALL OF SECTION 33.

ALSO: ALL OF THE EAST HALF, AND THE EAST HALF OF THE WEST HALF OF SECTION 34.

ALSO: ALL OF SECTION 35, EXCEPTING THAT PORTION THEREOF CONDEMNED FOR GATEWAY CANAL IN BOOK "R" OF DEEDS, PAGE 119.

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