

Recorded at the request of
Kern River Gas Transmission Company

When Recorded Mail to:
Kern River Gas Transmission Company
Attn: Land Department
PO Box 71400
Salt Lake City, UT 84171-0400



ENT 17039:2011 PG 1 of 5
JEFFERY SMITH
UTAH COUNTY RECORDER
2011 Feb 28 4:24 pm FEE 28.00 BY EO
RECORDED FOR KERN RIVER GAS COMPANY

AMENDMENT TO EXCLUSIVE RIGHTS-OF-WAY AND EASEMENTS

This Amendment to Exclusive Right-of-Way and Easement (Amendment-2) is dated this 25 day of FEB, 2011, by and between **Kern River Gas Transmission Company**, a Texas general partnership, with its principal place of business at 2755 East Cottonwood Parkway, Suite 300, Salt Lake City, Utah 84121 ("Kern River"), as Grantee; and **John Jacob**, whose address is 9155 Cedar Pass Rd., Eagle Mountain, UT 84005, as Grantor.

RECITALS

A. **KERN RIVER GAS TRANSMISSION COMPANY**, a Texas general partnership, with its principal place of business at 2755 East Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121 ("Kern River"), as Grantee, was granted rights of way and easements for natural gas pipelines and related facilities pursuant to the following documents (together, the "Original Easement"):

(i) a Trustee's Deed of Exclusive Right of Way and Easement dated July 9, 1991, by Duane H. Gillman, the duly appointed, qualified, and acting Trustee for the bankruptcy estate of Leland A. and Helen S. Fitzgerald, as Grantor, to Kern River, as Grantee, recorded July 23, 1991, at Book 2815, page 569 of the records of Utah County; and,

(ii) that certain Debtor in Possession's Deed of Exclusive Right of Way and Easement dated July 9, 1991, by Monte Vista Ranch, Inc., the duly qualified, and acting Debtor in Possession for the bankruptcy estate of Monte Vista Ranch, Inc., as Grantor, to Kern River, as Grantee, recorded on July 23, 1991, in Book 2815 Page 588, of the records of Utah County, and,

(iii) that certain Amendment to Right of Way and Easement Contract, dated March 19, 2002, by Betty Fitzgerald, Cedar Valley Investments, L.C., John Jacob and John Long, as Grantors, to Kern River, as Grantee, recorded, March 29, 2002, Entry No.35498:2002, of the records of Utah County, Utah.

B. Kern River constructed a natural gas pipeline and related facilities pursuant to the documents identified as (i) and (ii) above (the "1991 Pipeline") and a second natural gas pipeline and related facilities pursuant to the documents identified as (iii) above (the "2002 Pipeline").

C. Kern River now intends to replace a portion of the 1991 Pipeline with the same size pipe (36 inches in diameter) at a location approximately 12 feet to the east of the 1991 Pipeline and expects to operate the 1991 Pipeline in its current location until the newly located pipeline is tested, placed in service and fully functional.

D. In addition, Kern River desires and intends to obtain an additional right of way and easement covering a strip of land 15 feet in width adjoining the Original Easement on the east (the "Additional Land"). As a consequence, the Original Easement, which is 75 feet in width, will be expanded to a width of 90 feet. The Original Easement and the Additional Land are shown on Exhibit "A" hereto and the Additional Land is more particularly described on Exhibit "B" hereto.

E. Grantor is now the owner of portions of the land subject to the Original Easement and portions of the Additional Land.

County Assessor Parcel Number	Kern River Tract Number
Gap Parcel-Portion of 59-007-0012	KUT 323.055W

AGREEMENT

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid by Kern River, the receipt and sufficiency of which are hereby acknowledged:

1. Amendment of Original Exclusive Easement. Grantor and Grantee acknowledge and agree that the Original Exclusive Easement is hereby amended to allow removal and replacement of a portion of the 1991 Pipeline as described in Recital D, and include the Additional Land.

2. Exclusive Easement and Right of Way as to Additional Land. Grantor hereby grants and conveys to Grantee an exclusive right of way and easement to locate, survey a route, construct, entrench, maintain, protect, inspect and operate a pipeline and/or communications cable with appurtenances including but not limited to valves, metering equipment, electrical cable, cathodic equipment, underground conduits, cables, splicing boxes, markers and roads (said pipeline, communications cable, appurtenances, valves, valve station and building, metering equipment, electrical cable, cathodic equipment, underground conduits, cables splicing boxes, markers and roads being hereinafter sometimes collectively called the "facilities") over, under and through the Additional Land which is more specifically described on Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

This exclusive right-of-way and easement shall carry with it the right of ingress and egress to and from, and access on and along said right-of-way, with the right to use existing and future roads, for the purpose of constructing, inspecting, repairing, protecting and maintaining the facilities and the removal or replacement of same at will, either in whole or in part, and the replacement of said pipeline with either like or different size pipe. During temporary periods Grantee may use such portions of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the facilities.

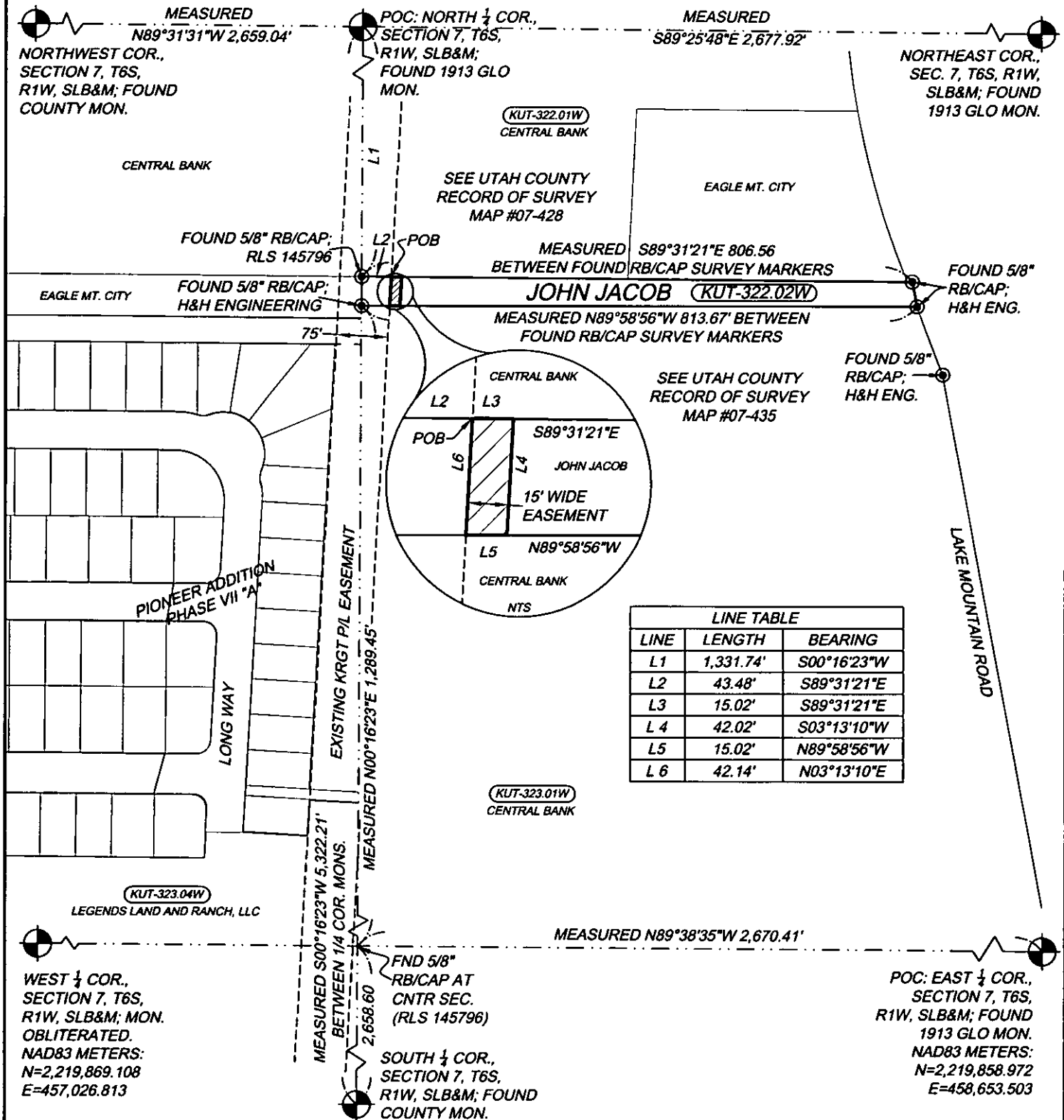
TO HAVE AND TO HOLD the above described exclusive rights and easements, together with all rights necessary to operate, protect and maintain the facilities over the right-of-way hereby granted, and Grantee may assign the rights and easement herein excepted and reserved, either in whole or in part, subject to the terms of this reservation, and such rights and easements shall be covenants running with the land and be binding upon Grantor, their heirs, legal representatives and successors in title.

Grantee may at any time permanently abandon said right-of-way and at its discretion may remove or abandon in place facilities constructed thereon and upon such abandonment action Grantee may at its discretion execute and record a reconveyance and release hereof, whereupon this right-of-way and easement and all rights and privileges herein excepted and reserved shall be fully cancelled and terminated.

Grantee further agrees that within a reasonable time following the completion of construction, Grantee shall restore said right-of-way. Restoration shall include, where necessary, final grading, reseeding and installation of erosion control measures. Grantee shall have the right to cut and keep clear without payment of damages all trees, brush and other obstructions that may in Grantee's opinion endanger, hinder or conflict with the construction, operation, inspection, protection, maintenance and use of the facilities.

EXHIBIT "A" - KUT-322.02W

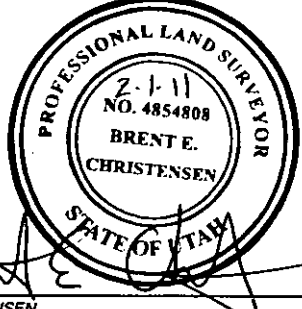
UTAH COUNTY, UTAH
NE 1/4, SEC. 7, T6S, R1W, SLB&M



LEGEND

- SLB&M SALT LAKE BASE & MERIDIAN
- GLO GOVERNMENT LAND OFFICE
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- MON. MONUMENT
- RB/CAP REBAR AND CAP
- KRGT KERN RIVER GAS TRANSMISSION
- P/L PIPELINE

I, BRENT E. CHRISTENSEN DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.



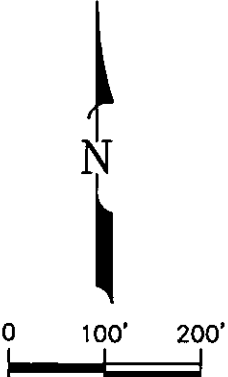
BRENT E. CHRISTENSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
UTAH REGISTRATION NO. 4854808

DISTANCE ACROSS PROPERTY: ±42 FEET

AREA OF 15' WIDE EASEMENT
AND RIGHT-OF-WAY: 631 SQ. FT.

NOTES:

1. THIS EASEMENT PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ACCORDING TO INFORMATION REPORTED ON A LIMITED TITLE CERTIFICATE AND VESTING DEED DOCUMENT PROVIDED TO THE UNDERSIGNED SURVEYOR BY OTHERS.
2. ALL BEARINGS SHOWN ARE BASED ON THE UTAH COORDINATE SYSTEM OF 1983, UTAH CENTRAL ZONE, AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED BY UNIVERSALPEGASUS INTERNATIONAL IN DECEMBER, 2010. ALL DISTANCES SHOWN ARE GROUND DISTANCES IN US SURVEY FEET (COMBINED SCALE FACTOR: 0.999702).
3. SEE EXHIBIT "B" FOR DESCRIPTION.



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UniversalPegasus
INTERNATIONAL



DWG NO. 17489-KUT-322.02W
REV.

FILE INFO:

NO.	REVISIONS	BY	CHKD	DATE	SCALE: 1"=200'	DATE	TITLE: EASEMENT PLAT
					DRAWN: BEC	01/26/11	15' WIDE PIPELINE EASEMENT & RIGHT-OF-WAY UPON THE PROPERTY OF JOHN JACOB UTAH COUNTY, UTAH
					DESIGNED:		
					PROJ. ENG.:		
					CHECKED:		
					APP'D:		
					JOB NO: 17489		

EXHIBIT "B"

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EAGLE MT. CLASS 3 PROJECT
KERN RIVER TRACT NO. KUT-322.02W
JOHN JACOB
UTAH COUNTY, UTAH

DESCRIPTION OF A 15' WIDE PIPELINE EASEMENT
AND RIGHT-OF-WAY UPON THE PROPERTY OF
JOHN JACOB

Description of a 15 (fifteen) foot wide pipeline easement and right-of-way situated in the northeast one-quarter of Section 7, Township 6 South, Range 1 West, Salt Lake Base and Meridian, Utah County, Utah, said 15 (fifteen) foot wide pipeline easement and right-of-way abutting the easterly side of and running parallel along an existing 75 (seventy-five) foot wide Kern River Gas Transmission Company pipeline easement and right-of-way resulting in a combined total pipeline easement and right-of-way width of 90 (ninety) feet;

Being more particularly described as follows with all bearings shown being based on the Utah Coordinate System of 1983, Central Zone, as derived from a Global Positioning System survey performed by UniversalPegasus International in December, 2010, and all distances shown being ground distances in U.S. Survey Feet (combined scale factor: 0.999702):

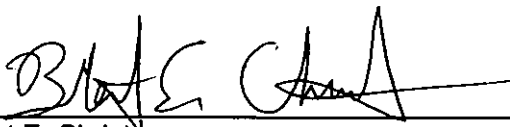
COMMENCING at the 1913 Government Land Office (GLO) monument for the north one-quarter corner of Section 7, Township 6 South, Range 1 West, Salt Lake Base and Meridian, from said monument the GLO monument for the northeast corner of said Section 7 bears South 89°25'48" East 2,677.92 feet, in conformance with the Utah Coordinate System of 1983, Central Zone;

THENCE South 00°16'23" West 1,331.74 feet along the north-south one-quarter section line to the southerly line of the Central Bank property referenced as Parcel 4 in that certain Trustee's Deed recorded on 20 November, 2009, as Entry Number 120637:2009, in the office of the Utah County Recorder (said southerly line monumentalized by found and accepted rebar and cap survey markers shown on the certain record of survey map prepared by H & H Engineering and Surveying, Inc., and filed in 2007 in the office of the Utah County Surveyor as filing number 07-428) and South 89°31'21" East 43.48 feet along said southerly line to a point on the easterly line of said existing 75 foot wide pipeline easement, said point being the **TRUE POINT OF BEGINNING**;

AND RUNNING THENCE the following bearings and distances:

THENCE along the southerly line of said Central Bank property South 89°31'21" East 15.02 feet; THENCE along a line parallel along and offset 15 feet easterly from the easterly line of said 75 foot wide pipeline easement South 03°13'10" West 42.02 feet to a point on the northerly line of the Central Bank property referenced as Parcel 2 in that certain Trustee's Deed recorded on 20 November, 2009, as Entry Number 120636:2009, in the office of the Utah County Recorder (said northerly line monumentalized by found and accepted rebar and cap survey markers shown on that certain record of survey map prepared by H & H Engineering and Surveying, Inc., and filed in 2007 in the office of the Utah County Surveyor as filing number 07-435); THENCE along the northerly line of said Central Bank property North 89°58'56" West 15.02 feet to a point on the easterly line of said 75 foot wide pipeline easement; THENCE along the easterly line of said 75 foot wide pipeline easement North 03°13'10" East 42.14 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING 631 SQUARE FEET.



Brent E. Christensen
Professional Land Surveyor
Utah Registration No. 4854808

2-1-2011
Date:



SEAL

If this description and accompanying plat are not sealed with the stamped seal of the registered professional land surveyor, whose signature appears above, it should be considered as a copy and not the original.