

When Recorded Return To:
Trust for Public Land
418 Montezuma Avenue
Santa Fe, New Mexico 87501

SPECIAL WARRANTY DEED
(Ogden)



Tax ID No: ~~13-071-0001~~

For the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, PacifiCorp, an Oregon corporation, whose address is 825 N.E. Multnomah, Portland, Oregon 97323, successor in interest to Utah Power & Light Company by merger, ("Grantor") hereby conveys to the Trust for Public Land, a nonprofit California public benefit corporation authorized to do business in Utah as TPL Utah ("Grantee"), that certain parcel of real property located in Weber County, State of Utah, as more particularly described as follows:

A Tract of land situate in the NE ¼ of the SE ¼ of Section 22, T. 6 N., R. 1 W., S.L.B.&M.

13-071-0054⁴ (13-071-0001)

Beginning at a point on the north line of the southeast quarter of Section 22, T.6 N., R. 1 W., S.L.B.&M., said point being N.88°51'07"W. 527.21 feet from the east one quarter corner of said Section 22, and running thence South 779.94 feet, more or less, to a point on a 1235.92 foot radius non-tangent curve to the left, said point being on the north line of state route 39, thence along said north line the following three (3) courses, Northwesterly along the arc of said curve 104.86 feet (chord bears N.67°59'56"W. 104.83 feet) to a point of curve to spiral, thence westerly along the arc of a spiral curve to the left, concentric with and 90 feet distant northerly from a 200 foot, ten-chord spiral for a 5° curve to the left, (long chord bears N.73°44'07"W. 208.28 feet) to the point of tangency, thence N.75°07'08"W. 507.34 feet, more or less, to the west line of the east half of the southeast quarter of said Section 22, thence N.1°03'25"E. 570.38 feet along said west line to the north line of said southeast quarter, thence S.88°51'07"E. 777.80 feet along said north line to the point of beginning; containing 12.00 acres, more or less.

SUBJECT TO that certain unrecorded easement for irrigation facilities and appurtenances incident to the construction of a freeway known as Project No. SU-0568(6) conveyed by Utah Power & Light Company, predecessor in interest by merger to PacifiCorp, on Oregon Corporation, grantor, to the State Road Commission of Utah, predecessor in interest to the Utah Department of Transportation, as governmental agency, grantee, dated the 28th day of March, 1968, a copy of which is attached hereto as Exhibit "A".

SUBJECT TO that certain unrecorded easement for a road and water line conveyed by Utah Power & Light Company, predecessor in interest by merger to PacifiCorp, on Oregon Corporation, grantor, to Ogden City, a municipal corporation of the State of Utah, grantee dated the 23rd day of September, 1955, a copy of which is attached hereto as Exhibit "B".

E# 1797724 BK2170 PG1156
DOUG GROFFS, WEBER COUNTY RECORDER
26-SEP-01 4:58 PM FEE \$49.00 DEP JPM
REC FOR: FIRST.AMERICAN.TITLE

SUBJECT TO that certain unrecorded easement for irrigation facilities and appurtenances incident to the construction of a freeway known as Project No. SU-0568(6) conveyed by Utah Power & Light Company, predecessor in interest by merger to PacifiCorp, on Oregon Corporation, grantor, to the State Road Commission of Utah, predecessor in interest to the Utah Department of Transportation, as governmental agency, grantee, dated the 7th day of December, 1967, a copy of which is attached hereto as Exhibit "C".

Grantor warrants the right, title, and interest hereunder conveyed against its acts and the acts of any person claiming by, through or under it, but not otherwise, subject to the general property taxes for the current year and thereafter and all easements, restrictions, and reservations of record or any facts, rights, interests, encroachments, or claims which are not shown by the public records but which are shown on the ALTA survey attached hereto as Exhibit "D", or that could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed by and through its duly authorized representatives this 21st day of September, 2001.

PACIFICORP, an Oregon corporation

By: William D. Landels

Its: Executive Vice President

ACKNOWLEDGEMENT

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 21st day of September, by William D. Landels.

Melanie R. Allen
NOTARY PUBLIC

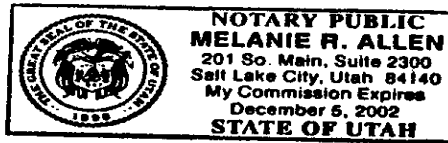


EXHIBIT A
(Easement Dated March 28,1968)

ET 1797724 BK2170 PG1158

E A S E M E N T

UTAH POWER & LIGHT COMPANY, a corporation of the State of Maine, Grantor, hereby grants and conveys to the STATE ROAD COMMISSION OF UTAH, Grantee, for the sum of Ten and No/100 Dollars (\$10.00), an easement for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. SU-0568(6), said easement being on, over, and across a tract of land more particularly described as follows, in Weber County, State of Utah:

Beginning at the intersection of the northerly right of way line of said project and the west line of the Northeast Quarter of the Southeast Quarter of Section 22, Township 6 North, Range 1 West, Salt Lake Meridian, which point is approximately 605 feet South 0° 13' 58" East from the Northwest corner of said Northeast 1/4 Southeast 1/4; thence North 0° 13' 58" East 72.30 feet along said west line; thence South 77° 40' 28" East 148.10 feet to a point 165.00 feet perpendicularly distant northerly from the center line of said project at Engineer Station 218+00; thence South 71° 34' 22" East 344.10 feet; thence South 14° 15' 39" West 50.0 feet to the northerly right of way line of said project 90 feet perpendicularly distant northerly at Engineer Station 221+43.19; thence North 75° 44' 21" West 473.10 feet along said northerly right of way line to the point of beginning. The above described strip of land contains 0.678 acre of which 0.191 acre, more or less, is now occupied by the existing Canyon Road. Balance 0.487 acre, more or less.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its proper officers thereunto duly authorized this 28 day of March, 1968.

UTAH POWER & LIGHT COMPANY

ATTEST:

By /s/ Paul A. Blanchard
Vice President

/s/ Fred L. Mickelsen
Assistant Secretary

RECORD 39893

Et 1797724 BK2170 PG1159

2

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

On this 28 day of March, 1968, personally appeared before me PAUL A. BLANCHARD, who, being by me duly sworn, says that he is a Vice President of UTAH POWER & LIGHT COMPANY, a corporation, 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 the said Paul A. Blanchard acknowledged to me that said corporation executed the same.

/s/ Eileen F. Drachman
NOTARY PUBLIC
Residing at Salt Lake City, Utah

My commission expires:

9/9/69

E# 179772³²³ BK 2170 PG 1160

EXHIBIT B
(Easement Dated September 23, 1955)

E+ 1797724 BK2170 PG1161

E A S E M E N T

UTAH POWER & LIGHT COMPANY, a Corporation, Grantor, hereby grants and conveys to OGDEN CITY, a Municipal Corporation of the State of Utah, Grantee, for Ten and No/100 Dollars (\$10.00) and other valuable consideration, an easement for the construction and continued maintenance and repair of a road and water line in the following described real property in Weber County, State of Utah:

A part of the southeast 1/4 Section 22, Township 6 North, Range 1 West, Salt Lake Base & Meridian. A strip of land 66 feet wide, the same being 33 feet wide on each side of the following described center line:

Beginning at a point on the north line of said southeast 1/4 Section 22 that bears north 89° 10' west 1063.97 feet from the northeast corner of said Quarter Section, running thence south 2° 25' east 549.8 feet, containing 0.83 acre, more or less.

Also, a strip of land 80 feet wide, same being 40 feet wide on each side of the following described center line:

Beginning at a point on the south line of the north 1/3 of the southeast quarter of Section 22, Township 6 North, Range 1 West, which point bears south 0° 34' west 876.0 feet and north 89° 10' west 67.94 feet from the northeast corner of said Quarter Section, running thence north 22° 36' west 133.40 feet; thence to the left along the arc of a 459.28 foot radius curve 645.33 feet; (the long chord of said curve bears north 82° 56' west 594.52 feet; thence south 76° 44' west 563.67 feet; thence to the right along the arc of 955.37 foot radius curve 457.22 feet, (the long chord of said curve bears N. 89° 33' west 453.07 feet) containing 3.65 acres, more or less.

E4 1797724 BK2170 PG1162

File No 26607

(7)

EXHIBIT C
(Easement Dated December 7, 1967)

E# 1797724 BK2170 PG1164

EASEMENT

UTAH POWER & LIGHT COMPANY, a corporation of the State of Maine, Grantor, hereby grants and conveys to the STATE ROAD COMMISSION OF UTAH, Grantee, for the sum of Ten and No/100 Dollars (\$10.00), an easement for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. SU-0568(6), said Easement being on, over, and across tracts of land more particularly described as follows, in Weber County, State of Utah:

Beginning on the west boundary line of the Grantor's land at a point 538 feet south, more or less, from the northwest corner of the NE 1/4 of the SE 1/4 of Section 22, T. 6 N., R. 1 W., S.L.M., thence South 61.9 feet, along said west boundary line to the north right of way line of highway Project No. 0568, thence S. 75° 44' E. 448 feet, more or less, along said right of way line, thence N. 14° 16' E. 50 feet, thence N. 75° 13' W. 343.3 feet, thence N. 75° 44' W. 119 feet, more or less, to the point of beginning and being in said NE 1/4 of the SE 1/4 of said Section 22, containing 0.587 of an acre, more or less.

Also, beginning on the south boundary line of the Grantor's land at a point 880 feet south and 245 feet S. 89° 11' E., more or less, from the northwest corner of the NE 1/4 of the SE 1/4 of Section 22, T. 6 N., R. 1 W., SLM, thence S. 89° 11' E. 188 feet, more or less, along said south boundary line to the south right of way line of highway Project No. 0568, thence N. 75° 44' W. 25 feet, more or less, and N. 79° 44' W. 143.6 feet and N. 75° 44' W. 28 feet along said south right of way line.

E# 1797724 BK2170 PG1165
FILE NO. 39715

(2) 4 (3)

thence S. 14° 16' W. 35 feet, thence S. 70° 02' E. 18 feet, more or less, to the point of beginning and being in said NE 1/4 of the SE 1/4 of said Section 22, containing 0.09 of an acre, more or less.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its proper officers thereunto duly authorized this 7 day of December, 1967.

ATTEST:

UTAH POWER & LIGHT COMPANY

H. Fred L. Mackelley
Assistant Secretary

BY W. Paul A. Blanchard
Vice President

STATE OF UTAH)
: SS
COUNTY OF SALT LAKE)

On this 7 day of December, 1967, personally appeared before me Walter J. Brantner, who, being by me duly sworn, says that he is a Vice President of UTAH POWER & LIGHT COMPANY, a corporation, 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 the said W. Paul A. Blanchard acknowledged to me that said corporation executed the same.

My Commission Expires: 4/19/69

Walter J. Brantner
Notary Public
Residing at: Salt Lake City, Utah

29215

EXHIBIT D
(ALTA Survey)

E# 1797724 BK2170 PG1167

MOUNTAIN TERRACE SUBDIVISION No.4

LOT 62
JERRY & MICHELLE
WILKINSON

LOT 61
BRAD L. &
DENECE EGBERT

LOT 60
DEBORAH
F.SPENCER

MAXFIELD DRIVE

SEWER MANHOLE

WAT

PIPE

C-E 1/16TH CORNER AS PER
OGDEN CITY ENGINEERING SHEETS

14.96'

EAST LINE OF CANYON TERRACE
CONDOMINIUM PHASE 2 BY
DESCRIPTION

CANYON TERRACE CONDOMINIUM PHASE 2

LIGHT POLE

BUILDING

570.38'
N01°03'25"E

LIGHT / POLE

BUILDINGS

EDGE OF GRASS

S02°06'07"E
549.8'

68
33'

PHONE BOX

FND ONESCO
REBAR & CAP



FND ONESCO
REBAR & CAP

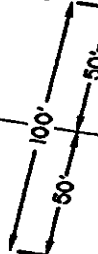
FND ONESCO
REBAR & CAP

S88°51'07"E

1305.00'

777.80'

N77°43'34"W
559.07'



107.90'

28.83'

FUTURE RETAINED EASEMENT
BY PACIFICORP

PARCEL 1
12.00 Acres

UPBL FILE No.26607
EASEMENT TO OGDEN CITY

UTAH POWER & LIGHT
B 205 P 205

20'
10'
10'

S40°53'59"W
76.02'

S55°27'11"W
74.55'

779.94'

SOUTH

1797724 BK2170 PG1170

E# 1797724 BK2170 PG1170

LANDOWNER
FIFE EQUIPMENT & INVESTMENT CO.

UTAI

P.O.B.
RCEL 1

EAST 1/4 CORNER SECTION 22
AS PER OGDEN CITY ENGINEERING SHEETS

N88°51'07"W 527.21'

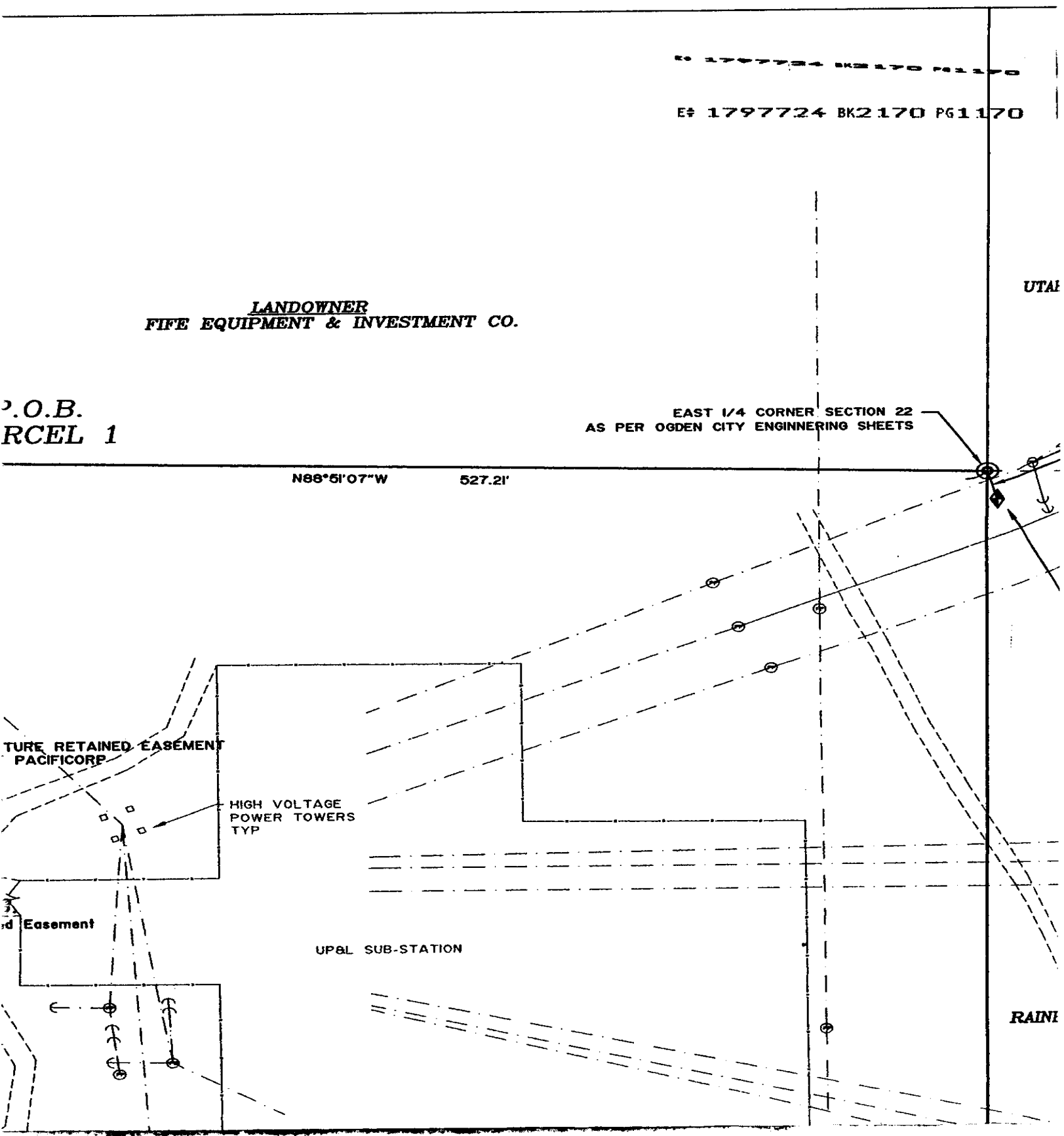
ATURE RETAINED EASEMENT
PACIFICORP

HIGH VOLTAGE
POWER TOWERS
TYP

Easement

UP&L SUB-STATION

RAIN



TITLE REPORT FORM NO. 1344-A (1982) PARCEL DESCRIPTION:

THE NORTH 1/3 OF THE EAST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

EXCEPT STATE ROAD (887-470) & (887-474).

TAX I.D. No. 13-071-0001.

CONTAINS: 22.258 ACRES, MORE OR LESS, (AS SURVEYED)

NARRATIVE:

A) THE PURPOSE OF THIS SURVEY IS TO SHOW THE PARCELS OF LAND DESCRIBED HEREON AND ANY IMPROVEMENTS AFFECTING THE SAME FOR AN ALTA/ACSM SURVEY. THIS SURVEY IS BASED ON A TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY UTAH DIVISION (ORDER REFERENCE NUMBER: 00077620). SAID TITLE REPORT IS DATED NOVEMBER 1, 2000, AND WAS GIVEN TO ELECTRICAL CONSULTANTS, INC. BY UTAH POWER & LIGHT COMPANY.

B) THE BASIS OF BEARINGS IS THE UTAH STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD'83 DATUM FROM GPS OBSERVATIONS. THE BLM RESURVEYED SECTION 22 IN 1980, SETTING NEW MONUMENTS ALONG THE EAST BOUNDARY OF THE SECTION. THERE ARE DISCREPANCIES BETWEEN THE BLM CORNERS AND THE CORNER LOCATIONS AS DETERMINED FROM THE OGDEN CITY ENGINEERING DEPARTMENTS STREET MONUMENTATION SHEETS. I TIED STREET MONUMENTS AROUND THE ENTIRE SECTION, THEN CALCULATED THE CORNER POSITIONS FROM THE STREET MONUMENTS. I HELD A MONUMENT ON VALLEY DRIVE, NEAR THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY, AND ROTATED THE REMAINING CORNERS INTO THE NORTHWEST SECTION CORNER.

C) FOLLOWING ARE EXCEPTIONS APPURTENANT TO THIS SURVEY FROM SCHEDULE B, SECTION 2 OF THE ABOVE REFERENCED POLICY.

10. AN AGREEMENT FOR AN EASEMENT FOR RIGHT OF WAY FOR AN ELECTRIC RAILWAY TRACK AS GRANTED TO OGDEN RAPID TRANSIT COMPANY BY INSTRUMENT RECORDED JANUARY 13, 1912 IN BOOK H AT PAGE 161 OF OFFICIAL RECORDS.

11. A RIGHT OF WAY AND EASEMENT AS GRANTED TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, A COLORADO CORPORATION BY INSTRUMENT RECORDED MARCH 21, 1972 AS ENTRY NO. 5673999 IN BOOK 989 AT PAGE 47 OF OFFICIAL RECORDS.

D) THERE WAS NO SPECIFIC SEARCH MADE FOR UNDERGROUND UTILITIES SITUATED ON THIS PROPERTY. WE HAVE NOT CONTACTED UTILITY COMPANIES TO INVESTIGATE THE POSSIBILITY OF UNDERGROUND FACILITIES AT THIS TIME. BEFORE DIGGING CALL BLUE STAKES @ 532-5000 FOR FIELD LOCATION OF UNDERGROUND UTILITIES.

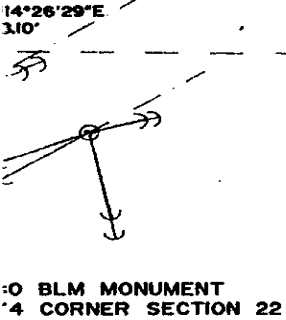
PARCEL 1:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING 527.21 FEET N.88°51'07"W FROM THE EAST QUARTER CORNER OF SAID SECTION 22, AND RUNNING THENCE SOUTH 779.94 FEET, MORE OR LESS, TO A POINT ON A 1235.92 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID POINT BEING ON THE NORTH LINE OF STATE ROUTE 39; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES; 1) NORTHWESTLY ALONG THE ARC OF SAID CURVE 104.86 FEET (CHORD BEARS N.67°59'56"W 104.83 FEET) TO A POINT OF CURVE TO SPIRAL; 2) THENCE WESTERLY ALONG THE ARC OF A SPIRAL CURVE TO THE LEFT, CONCENTRIC WITH AND 90 FEET DISTANT NORTHERLY FROM A 200 FOOT, TEN-CHORD SPIRAL FOR A 5° CURVE TO THE LEFT (LONG CHORD BEARS N.73°44'07"W 208.28 FEET) TO THE POINT OF TANGENCY; 3) THENCE N.75°07'08"W 507.34 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE N.01°03'25"E 570.38 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S.88°51'07"E 777.80 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PART OF AN ENTIRE TRACT CONTAINS 12.00 ACRES.

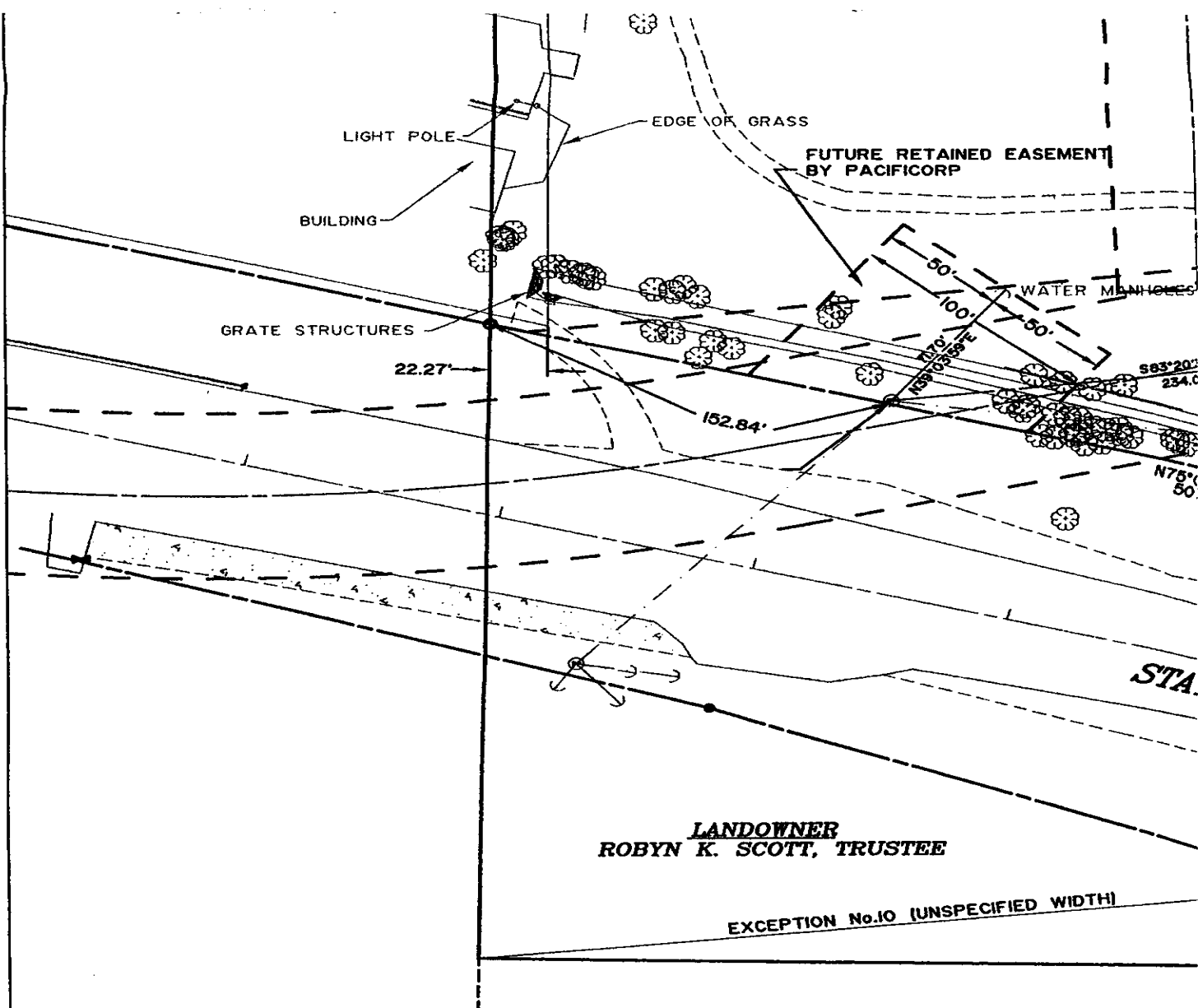
PARCEL 2:

BEGINNING 876.01 FEET S.00°53'27"W ALONG THE SECTION LINE AND 88.30

**DOWNER
ER & LIGHT CO.**



**WNER
DENS CORP.**



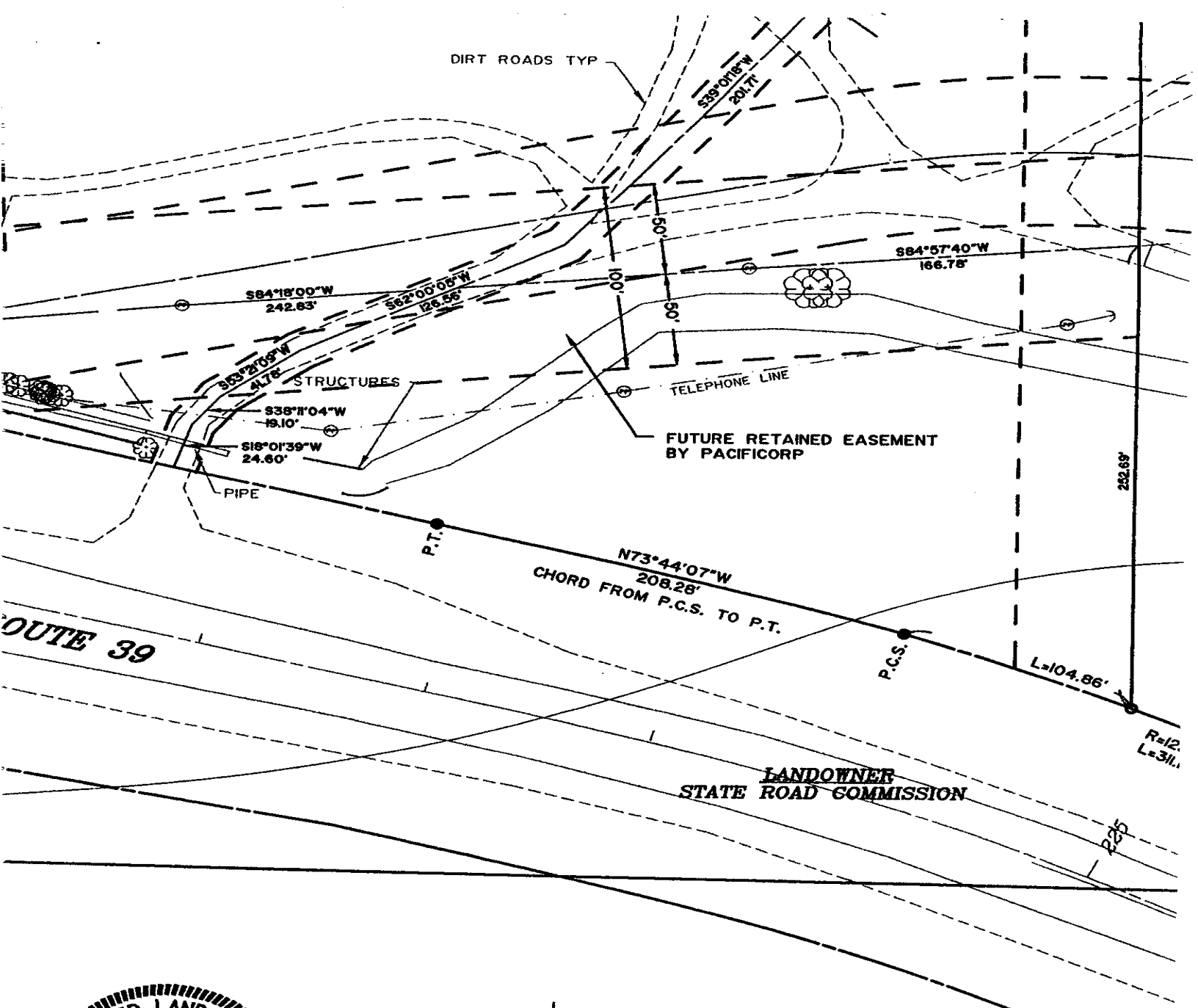
CERTIFICATE OF SURVEY:

TO THE TRUST FOR PUBLIC LAND, UTAH POWER AND LIGHT COMPANY, AND FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACS AND NSPS IN 1999, AND INCLUDES ITEMS 1, 4, 8, 10, 11A AND 13 OF TABLE "A" THEREIN PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

DATE: AUGUST 23, 2001

E# 1797724 BK2170 PG1172

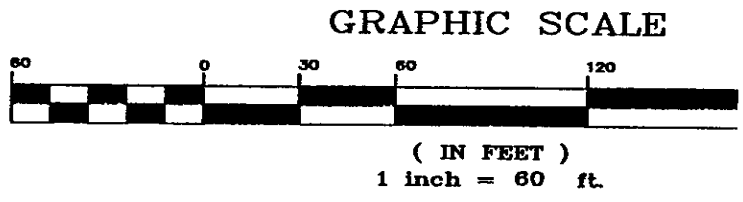


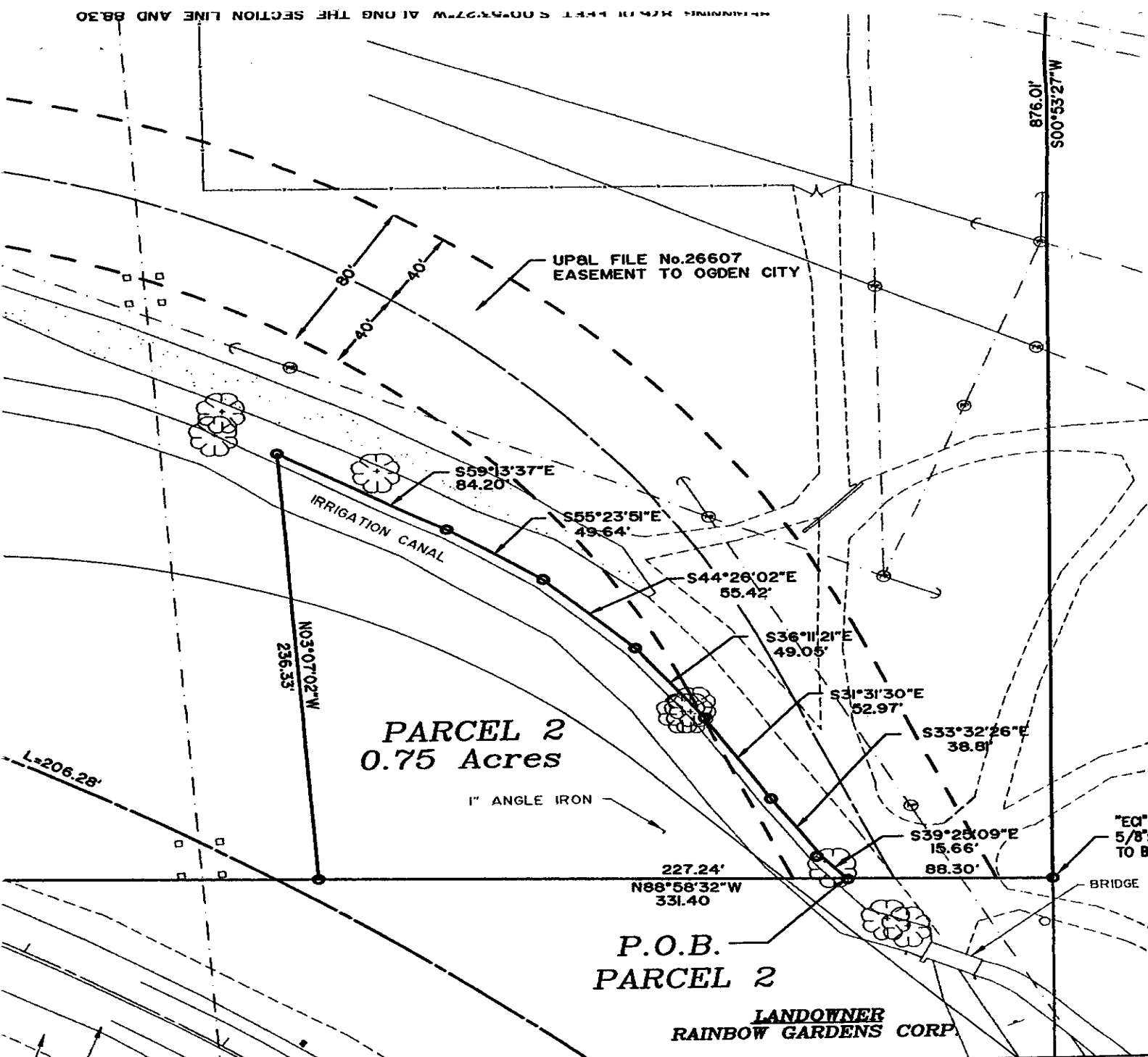
ROUTE 39

LANDOWNER
STATE ROAD COMMISSION



NOT VALID UNLESS SIGNED





PARCEL 2
0.75 Acres

P.O.B.
PARCEL 2

LANDOWNER
RAINBOW GARDENS CORP.

PREPARED BY:
"Engineering with Distinction"



ELECTRICAL CONSULTANTS, INC.

BILLINGS, MT SALT LAKE CITY, UT SAN DIEGO, CA TUCSON, AZ
1410 SOUTH 600 WEST
WOODS CROSS, UT 84067
(801) 292-9854

DRAWN
DESIGNED
CHECKED
APPROVED
FILE NO.:
REVISION

