

AFFIDAVIT OF RIGHT-OF-WAY AND EASEMENT CENTERLINE DESCRIPTION

Kern River Gas Transmission Company, whose address is 2755 East Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121, hereinafter referred to as "Affiant", is the Grantee of an Exclusive Right-of-Way and Easement Agreement executed in counterparts identified as follows:

Grantor: **Davis County, a politic of the State of Utah**
Dated: **September 9, 1992, recorded as Entry Number 993222, in Book 1535, Page 127, all in the public records of Davis County, Utah.**

Whereas, Kern River Gas Transmission Company obtained a survey of the pipeline right of way and easement after construction and recorded the survey as follows:

Dated: **September 24, 1992, recorded as Entry Number 993222, in Book 1535, Page 127,**

Now therefore, for and in consideration of the mutual covenants, promises and agreements contained in said Exclusive Right-of-Way and Easement Agreement, Kern River Gas Transmission Company does hereby replace and supersede the recorded as-built survey, Entry Number 993222, with the following as-built pipeline survey. (see Exhibit PR-58)

Original Easement Tract(s) LL# 117.01 W

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN, CITY OF NORTH SALT LAKE, COUNTY OF DAVIS, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, T 1 N, R 1 W, S.L.B.M., A FOUND BRASS CAP, RUNNING THENCE NORTH 88°04'41" WEST A DISTANCE OF 1651.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SAID TRACT THE FOLLOWING (11) ELEVEN COURSES:

1. ALONG A 245.00 FOOT CURVE A DISTANCE OF 73.88 FEET (CHORD BEARS NORTH 32° 49' 34" WEST A DISTANCE OF 73.60 FEET);
2. NORTH 24° 11' 15" WEST A DISTANCE OF 895.76 FEET;
3. NORTH 23° 43' 16" WEST A DISTANCE OF 487.25 FEET;
4. NORTH 24° 24' 22" WEST A DISTANCE OF 235.71 FEET;
5. NORTH 14° 12' 55" WEST A DISTANCE OF 169.35 FEET;
6. SOUTH 18° 27' 34" EAST A DISTANCE OF 170.17 FEET;
7. SOUTH 23° 30' 32" EAST A DISTANCE OF 192.53 FEET;
8. SOUTH 27° 41' 59" EAST A DISTANCE OF 541.95 FEET;
9. SOUTH 24° 17' 31" EAST A DISTANCE OF 881.42 FEET;
10. SOUTH 60° 27' 42" WEST A DISTANCE OF 19.87 FEET;
11. SOUTH 30° 00' 00" EAST A DISTANCE OF 71.90 FEET TO THE POINT OF BEGINNING, SAID POINT LIES NORTH 89°09'12" EAST A DISTANCE OF 980.45 FEET FROM THE SOUTHWEST CORNER OF SECTION 12, T 1 N, R 1 W, S.L.B.M. A FOUND BRASS CAP,

THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS GRANITE CONSTRUCTION CO, AS DESCRIBED ABOVE IS 36,819 SQ FT OR 0.85 ACRES MORE OR LESS.

Affiant states that the description of the hereinabove right-of-way and easement is the surveyed centerline description or easement boundaries. To the extent that any discrepancy exists between the legal description and survey heretofore made or heretofore described and the actual location of the pipeline, the actual location of the pipeline shall govern, with the permanent right-of-way and easement running parallel to and extending 25 feet on each side of the actual location of the centerline of the pipeline as it is buried on Grantor's property. The description has been recorded.

Executed this 24th day of November, 2008

Kern River Gas Transmission Company



By: Douglas R. Gibbons
Its: Attorney-in-Fact

1900-107-10

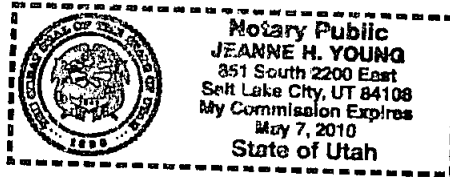
E 2407123 B 4665 P 578-580
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/26/2008 12:08 PM
FEE \$20.00 Pgs: 3
DEP RT REC'D FOR KERN RIVER GAS TR
ANSMISSION CO

ACKNOWLEDGMENT – ATTORNEY-IN-FACT

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On the 24th day of November, 2008, Douglas R. Gibbons personally appeared before me and being duly sworn, did say that he is the Attorney-in-fact for Kern River Gas Transmission Company, and that the above Affidavit of Right-of-Way and Easement Centerline Description was signed on behalf of Kern River Gas Transmission Company, and said Douglas R. Gibbons acknowledged to me that he as such, Attorney-in-fact executed the same.

Jeanne H. Young



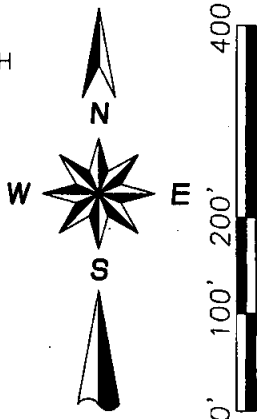
Name & Title of Officer:

May 7, 2010
My commission expires:

Notary Public in and for
The State of Utah

EAGLEWOOD VILLAGE INC

SECTION 12
TOWNSHIP 1 NORTH
RANGE 1 WEST
DAVIS COUNTY



A

B

C

D

E

N 14°12'55" W 169.35'

N 24°24'22" W 235.71'

N 23°43'16" W 487.25'

GRANITE CONST CO
PARCEL # 01-107-0061

NORTHWEST CORNER
FOUND BRASS CAP
SECTION 13
T1N, R1W, SLBM

11
14

N 87°09'12" E 980.45' (TIE)

N 89°51'14" W 2630.21' (M)
BASIS OF SURVEY

EP LAND II LLC

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE MERIDIAN, CITY OF NORTH SALT LAKE, COUNTY OF DAVIS, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE TOTAL AREA OF A UNDERGROUND GAS PIPELINE EASEMENT ACROSS GRANITE CONSTRUCTION CO, AS DESCRIBED ABOVE IS 36,819 SQ FT OR 0.85 ACRES MORE OR LESS.

CERTIFICATE OF SURVEYOR

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, **KYLE A. COOK** A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HEREBY CERTIFY THAT THIS EXHIBIT OF A EASEMENT OF A UNDERGROUND GAS PIPELINE FOR THE KERN RIVER GAS TRANSMISSION CORPORATION WAS MADE FROM NOTES TAKEN DURING AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECTION BY DAVID WOLTERS IN SEPTEMBER, 2008 AND IT CORRECTLY SHOWS THE LOCATION OF THE EXISTING EASEMENT OF A UNDERGROUND GAS PIPELINE.

SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE A PERMANENT EASEMENT FOR A UNDERGROUND GAS PIPELINE FOR THE KERN RIVER GAS TRANSMISSION CORPORATION, LOCATED IN DAVIS COUNTY, STATE OF UTAH AND FOR THE CORRECTION OF PRIOR EXHIBITS AND DOCUMENTS FOR THE CITY OF NORTH SALT LAKE AND/OR DAVIS COUNTY.



PRINTED 11/4/2008 FOR DATE

- PRELIMINARY
- DESIGN DEVELOPMENT
- BIDDING
- CONSTRUCTION
- APPROVAL
- AS BUILT
- REVISION

No.	DESCRIPTION	BY	DATE	APPD.

TITLE KERN RIVER GAS TRANSMISSION CORPORATION
UNDERGROUND GAS PIPELINE EASEMENT FOR GRANITE CONSTRUCTION CO

Drawn By: SRH	Date: 11/08	ENGR.	Date:	DRAWING No.	REVISION
Chk'd. By: KAC	Date: 11/08	APPD.	Date:	PR-58	-
Project No. 08-04-124	SCALE AS NOTED				