

When recorded, return to:



W2431900

The Boyer Company
Attn: Brian Gochnour
90 South 400 West Suite 200
Salt Lake City, Utah 84101

E# 2431900 PG 1 OF 3
ERNEST D ROWLEY, WEBER COUNTY RECORDER
27-AUG-09 1259 PM FEE \$16.00 DEP SC
REC FOR: LANDMARK TITLE COMPANY
ELECTRONICALLY RECORDED

TERMINATION OF RIGHTS AND EASEMENTS

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are acknowledged, the undersigned does hereby terminate the following easements and rights over, along across and under the real property described on Exhibit "A" attached hereto (the "Property"):

1. All easements and rights owned or claimed by the undersigned arising from the use of portions of the Property for the construction, maintenance, repair, relocation, inspection and operation of ditches and related facilities.
2. Any and all other easements and rights in the Property owned or claimed by the undersigned for any purpose, whether said easements and rights were created by express grant, implication, necessity, prescription or otherwise.

PROVIDED HOWEVER, nothing contained herein shall be construed as terminating or in any way impairing the rights of the undersigned to use the irrigation pipelines and related facilities located within the public utility easements shown on the plat of Boyer Twelfth Street Subdivision, recorded in the office of the Weber County Recorder on July 30, 2009, as Entry No. 2427157

Dated this 14 day of August, 2009.

MARRIOTT IRRIGATION CO.,
a Utah corporation

By: Mark G. Hodson
Mark G. Hodson

Its: President

STATE OF UTAH
COUNTY OF SALT LAKE

On the 14th day of August, 2009, personally appeared before me Mark G. Hodson, the President of Marriott Irrigation Co., a Utah corporation, who duly acknowledged to me that he signed the foregoing instrument.

Joshua J. Jensen
Commission Expires: *3/9/2010*
Residing: *Salt Lake City, Utah*

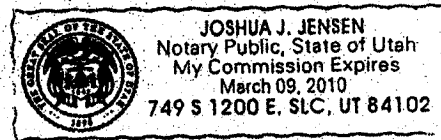


EXHIBIT "A"

ALL OF BOYER TWELFTH STREET SUBDIVISION, according to the official plat thereof, filed July 30, 2009 as Entry No. 2427157, in Book 70 of Plats, at Page 28 in the office of the Weber County Recorder, Weber County, Utah, the boundary of which is described as follows:

A part of the East Half of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at the Northwest corner of IFA Country Store Subdivision in Marriott-Slaterville City, Weber County, Utah, said point is also on the South right-of-way line of 12th Street, said point being 1059.58 feet North 1°54'57" East along the Section line and 156.92 feet North 89°58'51" West along said South right-of-way line from the East Quarter corner of said Section 24; and running thence South 0°06'31" West 1080.64 feet along the West boundary line of said IFA Country Store Subdivision to the Northerly right-of-way line of the Union Pacific Railroad; thence North 79°35'18" West 168.72 feet along said Northerly right-of-way line; thence North 0°06'31" East 30.39 feet; thence North 79°35'18" West 296.80 feet to the East boundary line extended of Twelfth Street Plaza Condominium, a subdivision in Marriott-Slaterville City, Weber County, Utah; thence North 0°45'19" West 966.36 feet along said East boundary line extended and the East boundary line of said Twelfth Street Plaza Condominiums on the East boundary line of Twelfth Street Plaza Subdivision, in Marriott-Slaterville, Weber County, Utah to said South right-of-way line; thence South 89°58'51" East 472.59 feet along said South right-of-way line to the point of beginning.

[For reference only: Tax Parcel Nos. 15-495-0001 and 15-495-0002 and 15-495-0003] ⁴⁵