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Received
Request of
Fee For
Recording
By: David Done
Date: David Done

3112830

DECLARATION OF INTENT CONCERNING
CONSENT TO SURFACE ENTRY

KNOW ALL MEN BY THESE PRESENTS:

THAT T. E. JEREMY, also known as THOMAS E. JEREMY, and REBECCA D. JEREMY, his wife, of Salt Lake City, Utah and GRACE J. CASSADAY of Long Beach, California, (hereinafter collectively referred to as "GRANTORS") executed and delivered certain Special Warranty Deeds on the 13th day of January, 1967 transferring the real property described therein located in the County of Salt Lake, State of Utah which Special Warranty Deeds and the real property conveyed thereby are more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

THAT the Special Warranty Deeds referred to in Exhibit "A" attached hereto transferred and conveyed that certain real property therein described subject to the following reservation, condition and covenant:

An undivided one-half (1/2) interest in and to any and all present rights of Grantors to oil and gas and other minerals in and under said real property subject to the condition that any exploration for or development of oil and gas or other minerals insofar as the rights of Grantors and Grantees are concerned, shall require prior written consent and approval of Grantees.

THAT it is the desire of GRANTORS to clarify the meaning of the right to consent to surface entry for exploration for or development of oil and gas and other minerals on the hereinbefore described real property which right to consent is set forth in the reservation, condition and covenant contained in the Special Warranty Deeds described in Exhibit "A" attached hereto and in the immediately preceding paragraph.

NOW THEREFORE, it is hereby declared to have been on the date

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GND # 1-162635

BOOK 4678 PAGE 225

of conveyance and is now the express intent of the GRANTORS that the right to consent to surface entry for exploration for or development of oil, gas and other minerals in and under the hereinbefore described real property as set forth in the Special Warranty Deeds referred to in Exhibit "A" is a restriction, condition and covenant that runs with the land and is binding upon the GRANTORS and the Grantees under the Special Warranty Deeds referred to in Exhibit "A" and their heirs, successors, assigns, transferees and grantees taking by, or through or under them.

DATED this 31st day of March, 1978.

T. E. Jeremy
T. E. JEREMY also known as
THOMAS JEREMY

Rebecca D. Jeremy
REBECCA D. JEREMY, his wife

Grace J. Cassaday
GRACE J. CASSADAY

CALIFORNIA)
STATE OF ~~UTAH~~)
) : ss.
COUNTY OF ~~SALT LAKE~~)
) RIVERSIDE

On the 31st day of March, 1978, personally appeared

before me T. E. Jeremy, also known as Thomas E. Jeremy, and Rebecca D. Jeremy, his wife, signors of the above instrument, who duly acknowledged to me that they executed the same.

Catherine Stumbo
NOTARY PUBLIC
Residing at: Palm Desert

My Commission Expires:
July 17, 1980



STATE OF CALIFORNIA)
: ss.
COUNTY OF RIVERSIDE)

On the &TH day of April, 1978 personally appeared before me Grace J. Cassaday a signor of the above instrument who duly acknowledged to me that she executed the same.

Catherine Stumbo
NOTARY PUBLIC
Residing at: Palm Desert

My Commission Expires:

7-17-80



EXHIBIT "A"

Those Special Warranty Deeds and the real property conveyed thereby located in Salt Lake County, State of Utah, and dated January 13, 1967, which Special Warranty Deeds are recorded in the office of the Salt Lake County Recorder, State of Utah, are listed as follows:

ENTRY NO. 2377044 - BOOK NO. 2945

PAGE 453-454 - RECORDING DATE: March 26, 1971

Beginning at a point which is W. 1324.27 ft. and S. 1.39 ft. from the S. 1/4 corner of Sec. 31, T1N, R1W, SLB&M; thence N. 0°7'27" W. 547.8 ft. to the southerly right-of-way line of U.S. Highway No. 40; thence N. 89° 58' E. along said highway right-of-way line 1323.14 ft.; thence S. 0°07'18" E. 547.2 ft. to the S. 1/4 corner of Sec. 31, T1N, R1W, SLB&M; thence S. 89°56'24" W. along said Sec. line 1324.27 ft. to the point of beginning.

ENTRY NO. 2557787 - BOOK NO. 3382

PAGE 456-457 - RECORDING DATE: July 30, 1973

Beginning at a point in the Northerly right-of-way line of U. S. Highway 40 which point is N. 852.06 ft. and E. 1016.30 ft. from the SW corner of Sec. 31, T1N, R1W, SLB&M; thence N. 742.4 ft. thence N. 89°58' E. 816.3 ft.; thence S. 742.4 ft. to said N. right-of-way of U.S. Highway 40; thence S. 89°58' W. along said right-of-way line 816.3 ft. to the point of beginning.

ENTRY NO. 2600404 - BOOK NO. 3517

PAGE 459-460 - RECORDING DATE: February 15, 1974

Beginning at a point which is N. 1.02 ft. and E. 1016.30 ft. from the NW corner of Sec. 31, T1N, R1W, SLB&M; thence S. 3686.01 ft.; thence S. 89° 58' W. 816.3 ft.; thence N. 3685.46 ft. to the N. sec. line of Sec. 31; thence N. 89°55'42" E. along said Sec. line 816.3 ft. to the point of beginning.

ENTRY NO. 2637602 - BOOK NO. 3636

PAGE 233-234 - RECORDING DATE: July 19, 1974

Beginning at a point in the Northerly right-of-way line of U.S. Highway 40 which point is N. 853.01 ft. and E. 2646.68 ft. from the SW corner of Sec. 31, T1N, R1W, SLB&M; thence N. 0°07'18" W. 742.4 ft.; thence S. 89°58' W. 812.5 ft.; thence S. 742.4 ft. to said northerly line of U.S. Highway 40; thence N. 89°58' E. along said highway line 814.08 ft. to the point of beginning.

ENTRY NO. 2637603 - BOOK NO. 3636

PAGE 236-237 - RECORDING DATE: July 19, 1974

Beginning on the section line at a point S. 89° 55'42" W. 591.0 ft. from the NE corner of Sec. 31, T1N, R1W, SLB&M, and running thence S. 0°04'54" E. 591.0 ft.; thence N. 89°55'42" E. 591.0 ft. to the E. line of said Sec. 31; thence S. 0°04'54" E. 729.15 ft.; thence S. 89°55'42" W. 3,456.98 ft.; thence N. 1,320.15 ft. to the N. line of said Sec. 31; thence N. 89°55'42" E. 2,864.10 ft. to the point of beginning.

SUBJECT TO a right-of-way, 280 ft. wide, for the Surplus Canal described as follows:

Beginning on the section line at a point S. 89° 55'42" W. 1,640.0 ft. from the NE corner of Sec. 31, T1N, R1W, SLB&M and running thence S. 41° 37'36" E. 1,764.15 ft.; thence S. 89°54'42" W. 374.17 ft.; thence N. 41°37'36" W. 1,764.15 ft.; thence N. 89°55'42" E. 374.17 ft. to the point of beginning.

ENTRY NO. 2637604 - BOOK NO. 3636

PAGE 239-240 - RECORDING DATE; July 19, 1974

Beginning at a point which is N. 1.02 ft. and E. 1016.30 ft. from the NW corner of Sec. 31, T1N, R1W, SLB&M; thence N. 89°55'42" E. along the Sec. line 816.3 ft.; thence S. 3686.56 ft.; thence S. 89°58' W. 816.3 ft.; thence N. 3686.01 ft. to the point of beginning.

ENTRY NO. 2651040 - BOOK NO. 3679

PAGE 392-393 - RECORDING DATE: September 13, 1974

Beginning at the NW corner of Sec. 36, T1N, R2W SLB&M; thence N. 89°58' E. along the Sec. line 2638.87 ft. to the N. 1/4 corner of Sec. 36, T1N, R2W, SLB&M; thence continuing along the section line N. 89°58' E. 2639.25 ft. to the NE corner of Sec. 36, T1N, R2W, SLB&M; thence N. 89° 55'42" E. along the section line 200.0 ft.; thence S. 4427.86 ft. to the N. right-of-way line of U.S. Highway 40; thence S. 89°58' W. along said Highway line 200.0 ft. to the W. line of Sec. 31; thence N. along said Sec. line 1787.31 ft. to the E. 1/4 corner of Sec. 36, T1N, R2W, SLB&M; thence S. 89°58'8" W. along the line connecting the E. 1/4 corner and the W. 1/4 corner of said Sec. 36, 5280.17 ft. to the W. 1/4 corner of said Sec. 36; thence N. 0°2'45" E. along the section line 2640.30 ft. to the point of beginning.

ENTRY NO. 2651041 - BOOK NO. 3679

PAGE 395-396 - RECORDING DATE: September 13, 1974

Beginning at a point which is W. 1324.27 ft. and S. 1.39 ft. from the S. 1/4 corner of Sec. 31, T1N, R1W, SLB&M; thence N. 0°7'27" W. 547.8 ft. to the S. right-of-way line of U. S. Highway 40; thence S. 89°58' W. along said right-of-way line 1323.14 ft.; thence S. 548.5 ft. to the SW corner of Sec. 31, T1N, R1W, SLB&M; thence N. 89°56'24" E. along the Sec. line 1324.26 ft. to the point of beginning.

ENTRY NO. 2651042 - BOOK NO. 3679

PAGE 399 - RECORDING DATE: September 13, 1974

Beginning at a point in the northerly right-of-way line of U.S. Highway 40 which point is N. 852.06 ft. and E. 1016.30 ft. from the SW corner of Sec. 31, T1N, R1W, SLB&M; thence N. 742.4 ft.; thence S. 89°58' W. 816.3 ft.; thence S. 742.4 ft. to said northerly right-of-way line of U.S. Highway 40; thence N. 89°58' E. along said right-of-way line 816.3 ft. to the point of beginning.

(The foregoing Exhibit "A" is attached as the property description to that certain document entitled Declaration of Intent Concerning Consent to Surface Entry dated the 31st day of March, 1978 executed by T. E. Jeremy, also known as Thomas E. Jeremy, and Rebecca D. Jeremy, his wife, and Grace J. Cassady.)