

330524

## FOUNDERS TITLE

90 SEP 28 PM 4:39

WHEN RECORDED, MAIL TO:

ZIONS FIRST NATIONAL BANK  
 One South Main Street  
 Salt Lake City, Utah  
 ATTN: Keith Thompson

ALAN BRIDGES  
 SUMMIT COUNTY RECORDER

RECEIVED BY

JP 2500

SPECIAL WARRANTY DEED  
 (Corporate)

ZIONS FIRST NATIONAL BANK, a national association, with its principal office at One South Main Street, Salt Lake City, County of Salt Lake, State of Utah, GRANTOR, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to JOHNSON INTERNATIONAL, INC., an Arizona corporation, whose address is 6600 North Invergordon, Paradise Valley, County of Maricopa, State of Arizona, GRANTEE, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, that certain real property located in Summit County, State of Utah, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference, and SUBJECT TO those certain exceptions to title set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

The officer who signs this Special Warranty Deed hereby certifies that this Special Warranty Deed and the transfer represented thereby was duly authorized under a Resolution duly adopted by the Board of Directors of GRANTOR at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be hereunto affixed by its duly authorized officer this 28 day of September, 1990.

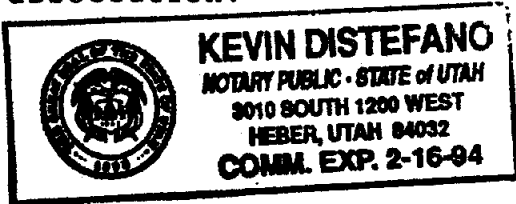
ZIONS FIRST NATIONAL BANK

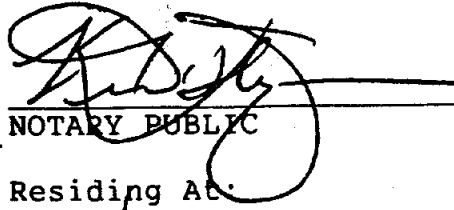
By: William WhiteIts: SA Jen Py

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STATE OF UTAH )  
 )  
 ) : ss.  
COUNTY OF Summit )

The foregoing instrument was acknowledged before me this 28th day of September, 1990, by William W. Hall, the Sr. Vice Pres. of ZIONS FIRST NATIONAL BANK, a national association.



  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

2/16/94

Residing At:

Heber, UT

CDN

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Real Property Description Exhibit "A"

Township 1 South, Range 4 East, Salt Lake Base and Meridian;

- Section 11: All  
Excepting therefrom that portion lying within the State Highway 1-80 and Union Pacific Railroad Right of Way.
- Section 12: All
- Section 13: All
- Section 14: Northeast quarter Northeast quarter; South 1/2 Northeast quarter; Southeast quarter; Southeast quarter Northwest quarter; Northeast quarter Southwest quarter
- Section 23: North 1/2; Southeast quarter  
Excepting therefrom that portion lying within the property owned by the State of Utah.
- Section 24: All
- Section 25: All  
Excepting therefrom the East 1/2 of the Northeast quarter and the Northeast quarter of the Southeast quarter.
- Section 26: Northeast quarter and the East 1/2 of the Southeast quarter.
- Section 36: All

LESS AND EXCEPTING any and all oil, gas or other minerals or mineral rights or interests, similar or dissimilar, metallic or nonmetallic in each and every of the above-described real properties.

Township 1 North, Range 4 East, Salt Lake Base and Meridian;

- Section 35: All  
Excepting the existing Interstate Highway and right of way owned by the State of Utah and the existing railroad tracks and right of way owned by Union Pacific Railroad.

LESS AND EXCEPTING any and all oil, gas or other minerals or mineral rights or interests, similar or dissimilar, metallic or nonmetallic in the above-described real property.

EXHIBIT "B"

1. Taxes for the year 1990 are now a lien, but not yet due.
2. Said property is included within the boundaries of SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT, PARK CITY FIRE PROTECTION DISTRICT, WASATCH FIRE DISTRICT, WEBER BASIN WATER CONSERVANCY DISTRICT, AND SPECIAL DISTRICT NO. 7, and is subject to the charges and assessments thereof.
3. Said property is included within the boundaries of WANSHIP CEMETARY MAINTENANCE DISTRICT, and is subject to the charges and assessments thereof. (Affects a portion of said property)
4. Said property is included within the boundaries of SUMMIT COUNTY WILDLANDS FIRE SERVICE AREA #116, NORTH SUMMIT FIRE PROTECTION DISTRICT, and is subject to the charges and assessments thereof. (Affects a portion of said property)
5. Said property is included within the boundaries of ATKINSON SERVICE DISTRICT, and is subject to the charges and assessments thereof. (Affects a portion of said property)
6. The terms and provisions of the "Farmland Assessment Act of 1969" in Title 59, Chapter 2, Part 5 of the Utah Code, and amendments thereof.
8. EASEMENT AND CONDITIONS CONTAINED THEREIN:  
Grantor: ROBERT YOUNG and ANNIE T. YOUNG, husband and wife  
Grantee: KNIGHT POWER COMPANY, a Corporation  
Location: The Southwest quarter of the Southeast quarter, the East half of the Northwest quarter and the Northwest quarter of the Northwest quarter of Section 23, Township 1 South, Range 4 East, Salt Lake Base and Meridian.  
Purpose: A right of way to erect and maintain a line of poles for an electric transmission line or circuit over and across the above described land.  
Dated: May 29, 1911  
Recorded: June 10, 1911  
Entry No.: 21175  
Book/Page: "J" of Miscellaneous Records/393

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## 9. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantee: MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY  
 Location: Section 11, Section 35, together with other property.  
 Purpose: To construct, operate, maintain, and remove such communication and other facilities, upon, over, under and across the above.  
 Dated: DECEMBER 2, 1913  
 Recorded: DECEMBER 15, 1913  
 Entry No.: 23710  
 Book/Page: 0/360

## 10. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: ROBERT YOUNG and ANNIE T. YOUNG, husband and wife  
 Grantee: UTAH POWER AND LIGHT COMPANY  
 Location: COMMENCING on the East boundary of Grantor's land at a point 367 feet North of the East quarter corner of Section 26, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 33° 53' West 3665 feet to the South boundary of Grantor's land, all contained within the Southeast quarter of the Northeast quarter of the East half and the Southwest quarter of the Southeast quarter of Section 25, Township and Range, as above.  
 Purpose: To construct, operate, maintain and repair electric transmission and/or distribution system, under, upon and across the above.  
 Dated: September 27, 1916  
 Recorded: December 22, 1916  
 Entry No.: 26938  
 Book/Page: "P"/66

11. Any and all outstanding oil and gas, mining and mineral rights, etc., together with the right of the proprietor of a vein or lode to extract his ore therefrom should the same be found to penetrate or intersect the premises, and the right of ingress and egress for the use of said rights.

Continued.

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12. Reservation set forth by that certain Conveyance recorded October 24, 1921, as Entry No. 32000, in Book "M", at Page 437, and other mesne instruments of record, which reads in part as follows:

First: All oil, coal, and other minerals within or underlying said lands.

Second: The exclusive right to prospect in and upon said land for oil, coal and other minerals therein, or which may be supposed to be therein, and to mine for and remove from said land, all oil, coal and other minerals which may be found thereon by any one.

Third: The right of ingress and regress upon said land to prospect for, mine and remove any and all such oil, coal or other minerals, and the right to use so much of said land as maybe convenient or necessary for the right of way to and from such prospect places or mines, and for the convenient and proper operation of such prospect places, mines and for roads and approaches thereto or for removal therefrom of oil, coal, mineral, machinery or other material.

Fourth: The right to said Union Pacific Railroad Company to maintain and operate its railroad in its present form of construction, and to make any change in the form of construction or method of operation of said railroad. (Affects a portion of the herein described property)

13. An Agreement dated December 18, 1923, recorded as Entry No. 34730, in Book "R", at page 52, of Official Records executed by UNION PACIFIC RAILROAD COMPANY in favor of ALMA PACE, JAMES E. PACE, FREEMAN E. PACE and J. C. GLEASON, for the purpose of maintaining and operating and desires to continue to maintain and operate an irrigation ditch along the right of way of the Railroad over the following described tract of land:

BEGINNING at a point in the Easterly right of way line of the Railroad Company at right angles to the center line of the tract of the Railroad Company's Park City Branch line of Railroad at Engineer's Survey Station 1213+08'; thence extending on and along said right of way to a point in the Southerly right of way line of the Railroad Company, such point being in the South line of Section 26, Township 2 South, Range 4 East, Salt Lake Meridian.

Continued.

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ALSO: BEGINNING at a point in said Easterly right of way line of the Railroad Company at right angles to the center line of said tract at Engineer's Survey Station 1221+17'; thence extending Southerly on and along said right of way to a point in said Easterly right of way line at right angles to the center line of said tract at Engineer's Survey Station 1247+65'.

14. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: LEO M. BERTAGNOLE  
 Grantee: SALT LAKE PIPE LINE COMPANY, a Nevada Corporation  
 Location: All of Section 36, in Township 1 South of Range 4 East of the Salt Lake Meridian  
 Purpose: To lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of, and remove pipe lines and appurtenances thereof for the transportation of oil, petroleum, gas, gasoline, water, or other substances  
 Dated: July 8, 1948  
 Recorded: July 17, 1948  
 Entry No.: 77717  
 Book/Page: Z/273  
 (Affects Section 36, Township 1 South, Range 4 East)

15. An Affidavit dated November 19, 1948, recorded November 23, 1948, as Entry No. 78178, in Book "Z", at pages 371-72, of Official Records. Executed by SALT LAKE PIPE LINE COMPANY, as Grantor, to WHOM IT MAY CONCERN, as Grantee, stating the survey of that certain strip of land 33 feet in width provided for in the above mentioned Grant, has been completed, and that the center line of said strip of land is described as follows, to wit:

BEGINNING at a point on the Southerly boundary line of Section 36, Township 1 South, Range 4 East, Salt Lake Base and Meridian; distant Easterly thereon 2017.2 feet from an iron pipe identified as the Southwest corner of said Section; thence approximately North 63° 28' West 2255 feet, more or less, to a point on the Westerly boundary line of said Section, distant Northerly thereon 1006.8 feet from said Southwest corner of Section 1.

The boundary lines of said 33 foot strip of land shall be lengthened or shortened at their extremities to conform to the boundary lines of said Section 36.

Continued.

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16. A Warranty Deed for Controlled Access, dated April 30, 1964, and recorded December 28, 1964, as Entry No. 10019, in Book "Y", at page 71, of Warranty Deed, executed by LEO BERTAGNOLE in favor of the STATE ROAD COMMISSION OF UTAH.

A tract of land for highway known as Project No. 80-4, situated in the West half of the West half of Section 11, Township 1 South, Range 4 East, Salt Lake Base and Meridian.

17. A Warranty Deed for Controlled Access dated April 30, 1964, recorded December 28, 1964, as Entry No. 100122, in Book "Y", at page 73, of Official Records. Executed by LEO M. BERTAGNOLE, a single man, in favor of the STATE ROAD COMMISSION OF UTAH, for the following described tract of land:

An additional tract of land for highway known as Project No. 80-4 situated in the Northwest quarter of the Northwest quarter of Section 11, Township 1 South, Range 4 East, Salt Lake Base and Meridian.

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20. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: LEO M. BERTAGNOLE  
Grantee: STATE ROAD COMMISSION OF UTAH  
Location: A tract of land adjoining Westerly the Westerly side line of highway known as Project No. 80-4, the boundaries of which are described as follows:

Beginning at the intersection of said Westerly side line and a line perpendicular to the center line of survey of said project at Engineer's Station 405+00, which point is approximately 548 feet East and 496 feet South from the Northwest corner of said Northwest quarter Southwest quarter; thence North 88°32' West 115.0 feet; thence North 1°28' East 140.0 feet; thence South 88°32' East 115 feet, more or less, to said Westerly side line; thence Southerly 140 feet, more or less, along said Westerly side line to the point of beginning.

Purpose: Constructing thereof a channel change for a drainage ditch and appurtenant parts  
Dated: April 30, 1964  
Recorded: December 28, 1964  
Entry No.: 100124  
Book/Page: 6A/331  
(Affects Section 35, Township 1 North, Range 4 East)

21. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: LEO BERTAGNOLE  
Grantee: STATE ROAD COMMISSION OF UTAH  
Location: Exact location not disclosed  
Purpose: Constructing and maintaining thereon cut and/or fill slopes and necessary drainage ditches and appurtenant parts thereof, incident to the grading of the roadway on said project.

Dated: April 30, 1964  
Recorded: December 28, 1964  
Entry No.: 100126  
Book/Page: 6A/332  
(Affects Section 35, Township 1 North, Range 4 East)

Continued.

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## 22. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: LEO M. BERTAGNOLE INC.  
 Grantee: UTAH POWER AND LIGHT COMPANY  
 Location:

Beginning at the West boundary line of the grantor's land at a point 45 feet South, more or less, from the Northwest corner of Section 23, township 1 South, Range 4 East, Salt Lake Meridian, thence South 89°35' East 1933 feet, more or less, thence South 9°33' East 2604 feet, more or less, to a South boundary fence of said land, thence East 61 feet along said South boundary fence, thence North 9°33' West 2629 feet, more or less, thence South 89°35' East 54 feet, thence North 0°25' East 10 feet, thence North 89°35' West 56 feet, thence North 9°33' West 12 feet, more or less, to the North boundary fence of said land, thence West 1989 feet, more or less along said North boundary fence to said West boundary line thence South 45 feet along said West boundary line to the point of beginning and being in the North 1/2 of the Northwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of said Section 23.

Beginning at the South boundary line of the grantor's land at a point 1950 feet West, more or less, from the East one quarter corner of Section 26, Township 1 South, Range 4 East, Salt Lake Meridian, thence North 9°33' West 4025 feet, more or less, to the West boundary line of said land, thence South 356 feet, along said West boundary line, thence South 9°33' East 3645 feet, more or less, to said south boundary line thence East 61 along said South boundary line to the point of beginning and being in the West 1/2 of the Northeast 1/4 of said Section 26 and the Southwest 1/4 of the Southeast 1/4 of Section 23, township and range, aforesaid.

Purpose: To construct, operate, maintain and repair electric transmission and/or distribution system, under, upon and across the above.

Dated: September 14, 1973

Recorded: May 8, 1974

Entry No.: 123762

Book/Page: M56/244

(Affects Section 23, Township 1 South, Range 4 East)

Continued.

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23. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: LEO M. BERTAGNOLE INC.  
Grantee: UTAH POWER AND LIGHT COMPANY  
Location: Beginning at the North boundary fence of the Grantors land at a point 70.5 feet West, more or less, from the Northeast corner of Section 30, Township 1 South, Range 5 East, Salt Lake Meridian, thence South 58°18' West 7193 feet, more or less, thence North 43°52'30" West 26 feet, thence South 46°07'30" West 10 feet, thence South 43°52'30" East 26 feet, thence South 33°57' West 7356 feet, thence South 63°09' West 222 feet, more or less, to the West boundary line of said land, thence South 56 feet along said boundary line, thence North 63°09' East 255 feet, more or less, thence South 41°27' East 39 feet, thence North 48°33' East 10 feet, thence North 41°27' West 39 feet, thence North 33°57' East 7357 feet, thence North 58°18' East 7245 feet to the East boundary fence of said land, thence North 16 feet along said east boundary fence to the North boundary fence of said land, thence West 70.5 feet along said North boundary fence to the point of beginning and being in the North 1/2 of the Northeast 1/4, the southwest 1/4 of the Northeast 1/4, the Southeast 1/4 of the Northwest 1/4 and Lots 2 and 3 of said Section 30, the East 1/2 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 25, the Northwest 1/4 of the Northeast 1/4, the East 1/2 of the Northwest 1/4, the North 1/2 of the Southwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 36, Township 1 South, Range 4 East, Salt Lake Meridian.  
Purpose: To construct, operate, maintain and repair electric transmission and/or distribution system, under, upon and across the above.  
Dated: September 14, 1973  
Recorded: May 8, 1974  
Entry No.: 123163  
Book/Page: M56/246  
(Affects this and other property)

Continued.

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## 26. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: OVERTHRUST OIL AND GAS CORPORATION, a Utah Corporation  
 Grantee: UTAH DEPARTMENT OF TRANSPORTATION  
 Location: Beginning at a point 260 feet radially distant Southeasterly from the control line of the East bound lanes of said project at Engineer Station 430+00, said point of beginning 1605.46 feet South and 767.75 feet West from the Northwest corner of the Northeast 1/4 Northeast 1/4 of said Section 35; thence South 56°47'06" West 222.40 feet.  
 Purpose: Constructing and maintaining thereon cut and/or fill slopes and appurtenant parts thereof incident to the construction and grading of a freeway known as Project No. 80-4  
 Dated: August 1, 1986  
 Recorded: September 8, 1986  
 Entry No.: 257333  
 Book/Page: 398/419  
 (Affects Section 35, Township 1 North, Range 4 East)

## 27. EASEMENT AND CONDITIONS CONTAINED THEREIN:

Grantor: BERTAGNOLE PROPERTIES LIMITED PARTNERSHIP  
 Grantee: ROONEY ENGINEERING COMPANY, its successors and assigns  
 Location: Township 1 South, Range 4 East, Salt Lake Meridian. Section 11: Southwest 1/4, Northwest 1/4 Southeast 1/4, Southeast 1/4 Northeast 1/4, Southeast 1/4 Southwest 1/4 Northeast 1/4. Section 12: West 1/2 Northwest 1/4  
 Purpose: Construct maintain, operate, protect, repair, replace, change the size of or remove a pipeline or pipelines, and appurtenance necessary for and incident to the operation and protection thereof, for the transportation of oil, gas, petroleum or any of its products  
 Dated: March 18, 1987  
 Recorded: May 28, 1987  
 Entry No.: 271793  
 Book/Page: 432/366  
 (Affects Section 11 and 12, Township 1 South, Range 4 East)

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