

## RIGHT-OF-WAY AND EASEMENT GRANT

PHEASANT RUN ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, "Grantor," does hereby convey and warrant to MOUNTAIN FUEL SUPPLY COMPANY, a corporation of the state of Utah, "Grantee," its successors and assigns, for the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, a right-of-way and easement (referred to in this Grant as the "Easement") to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities (referred to in this Grant collectively as "Facilities") as follows: Eight feet on each side of the centerlines shown on the attached plat, designated Exhibit "A," and by reference made a part of this Grant, which centerlines are within that certain condominium or mobile home project or development known as PHEASANT RUN ESTATES SUBDIVISION, in the vicinity of 1439 Bloomington Drive, Bloomington, Washington County, State of Utah, which development is more particularly described as:

Beginning at a point South 0°26'30" West 340.66 feet along the subdivision boundary line from the Northwest Corner of Lot 1, Bloomington Gardens No. 2 Subdivision, a subdivision located in Section 14, Township 43 South, Range 16 West, Salt Lake Base and Meridian, and running thence South 0°26'30" West 647.00 feet along said subdivision boundary line; thence North 83°38' West 265.79 feet along said subdivision boundary line; thence South 85°08' West 516.98 feet; thence West 114.60 feet; thence North 418.00 feet; thence North 40°00' East 130.96 feet; thence North 120.13 feet; thence North 88°23'20" East 493.04 feet; thence North 0°35' West 332.02 feet to a point of a 15.00 foot radius curve to the left; thence Northerly and Westerly 23.93 feet along the arc of said curve to a point on the South line of Bloomington Drive; thence North 88°00" East 12.765 feet along the South line of Bloomington Drive to a point of a 3971.12 foot radius curve to the right; thence Northeasterly 67.50 feet along the arc of said curve and the South line of Bloomington Drive to a point of a reverse curve to the left, the radius point of which is South 1°01'34" East 15.00 feet; thence Westerly and Southerly 23.45 feet along the arc of said curve; thence South 0°35' East 332.52 feet; thence North 88°23'20" East 271.95 feet to the point of beginning.

TO HAVE AND TO HOLD the same unto its successors and assigns, so long as Grantee shall require, with the right of ingress and egress to and from the Easement to maintain, operate, repair, inspect, protect, remove and replace the Facilities. During temporary periods, Grantee may use such portion of the property along and adjacent to the Easement as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the Facilities. Grantor shall have the right to use the surface of the Easement except for the purposes for which this Easement is granted, provided such use does not interfere with the Facilities or any other rights granted to Grantee by this Grant.

0355517 Bk 0538 Pg 0313  
RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
1929 OCT 18 13:13 PM FEE \$10.00 BY RWM  
REQUEST: MOUNTAIN FUEL SUPPLY CO

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PO BOX 11369  
SALT LAKE CITY, UT 84139  
ATTENTION RIGHT-OF-WAY  
GO 306

Grantor shall not build or construct, nor permit to be built or constructed, any building or other improvement over or across the Easement, nor change the contour thereof, without written consent of Grantee. This Grant shall be binding upon the successors and assigns of Grantor and may be assigned in whole or in part by Grantee without further consideration.

It is hereby understood that any person(s) securing this Grant on behalf of Grantee are without authority to make any representations, covenants or agreements not expressed in this Grant.

WITNESS the execution hereof this 6<sup>th</sup> day of SEPTEMBER, 1989.

**PHEASANT RUN ESTATES SUBDIVISION  
HOMEOWNERS ASSOCIATION**

By:

President

STATE OF UTAH )  
COUNTY OF WASHINGTON ) SS.

On the 6<sup>th</sup> day of SEPTEMBER, 1989, personally appeared before me  
RAYMOND LOWE, who,  
being duly sworn, did say that he/she is the President of Pheasant Run Estates Subdivision  
Homeowners Association and that the foregoing instrument was signed on behalf of said  
association by authority of its bylaws, and said RAYMOND LOWE  
acknowledged to me that said association duly executed the same.

Notary Public

Residing at 1801 S POINT DR  
ST GEORGE, UTAH

**My Commission Expires:**

6-16-92



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