

RED NOTE — AB —

368217

*Mountain Fuel*

92 OCT 29 AM 9:50

ALAN SPRIGGS  
SUMMIT COUNTY RECORDER

REC'D BY

*Dg 118*

# RIGHT-OF-WAY AND EASEMENT GRANT

WHEREAS, the State of Utah has condemned a right of way for the widening of State Highway 224 on property owned by each of the homeowners in Park West Village; and

WHEREAS, the homeowners in Park West Village, except for Cary Hoffman and Anita Hoffman, have each granted a power of attorney to the Park West Village Homeowners Association to settle and/or litigate any issue arising by reason of said condemnation; and

WHEREAS, the Park West Village Homeowners' Association has requested the State of Utah to redesign, maintain and extend a certain berm to provide a buffer between the property of the Park West Village homeowners and State Highway 224; and

WHEREAS, the State and its contractor, Harper Excavating, Inc., have agreed to redesign, maintain and extend said berm; and

WHEREAS, the redesigning of said berm necessitates re-alignment of Mountain Fuel Supply Company's pipe-line to the east of the present right of way

NOW THEREFORE, in consideration of the redesign, construction, maintenance and extension of the aforementioned berm, the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the individual Park West Village homeowners, except for Cary Hoffman and Anita Hoffman, through the power of attorney granted to the Park West Village Homeowners Association and the Park West Village Homeowners' Association, a corporation of the State of Utah, do hereby convey and warrant to MOUNTAIN FUEL SUPPLY COMPANY, a corporation of the State of Utah, Grantee, its successors and assigns, a right-of-way and easement to lay, maintain, operate, repair, inspect, protect, remove and replace pipelines, valves, valve boxes and other gas transmission and distribution facilities (hereinafter collectively called "facilities"), said right-of-way being situated in the County of Summit, State of Utah, and more particularly described as follows, to-wit:

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A right-of-way located in the Southwest Quarter of Section 31, Township 1 South, Range 4 East, Salt Lake Base and Meridian, said right-of-way being 15.00 feet in width and adjacent and parallel to a Utah State Department of Transportation right-of-way known as State Road #224, said right-of-way running from the northerly to the southerly end of said Park West Village, Plat "B". Together with a 15.00 foot construction easement adjacent and parallel to said right-of-way to be used only during the initial construction period, not to exceed September 1, 1992.

TO HAVE AND TO HOLD the same unto said Mountain Fuel Supply Company, its successors and assigns, so long as such facilities shall be maintained, with the right of ingress and egress to and from said right-of-way to maintain, operate, repair, inspect, protect, remove and replace the same. During temporary periods, Grantee may use such portion of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the facilities. Grantor shall have the right to use said premises except for the purposes for which this right-of-way and easement is granted to Grantee, provided such use does not interfere with the facilities or any other rights granted to Grantee hereunder.

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

It is hereby understood that any parties securing this grant on behalf of Grantee are without authority to make any representations, covenants or agreements not herein expressed.

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IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereunto affixed this 2nd day of June, 1992.

ATTEST:

Park West Homeowners' Association

\_\_\_\_\_  
Secretary

By [Signature]

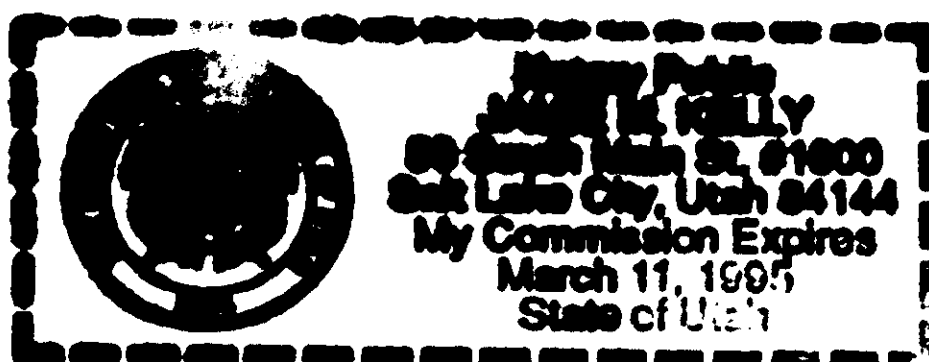
Its Attorney and Member  
of its Board of Directors

STATE OF UTAH )

: ss.

COUNTY OF SUMMIT )

On the 2nd day of June, 1992, personally appeared before me E. Scott Savage who, being duly sworn, did say that he is the Attorney and a Member of the Board of Directors for the Park West Village Homeowners Association, and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors and said E. Scott Savage acknowledged to me that said corporation duly executed the same.



Jamie M. Kelly  
NOTARY PUBLIC  
Residing at: Salt Lake County, UT

My Commission Expires:

March 11, 1995

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SHEET NO. 14

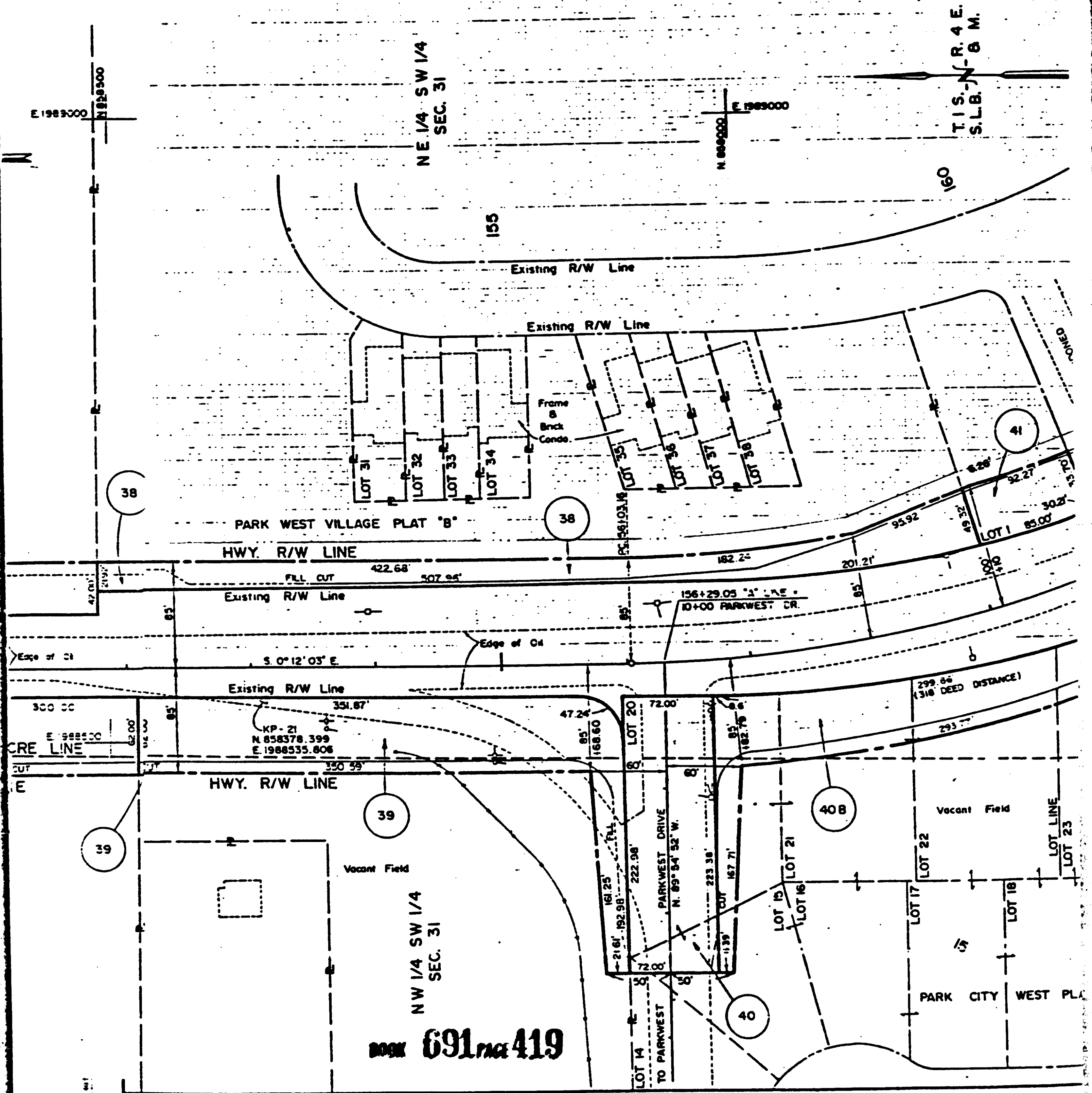
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T 667.43'  
L 1208.74'  
PL 162+70.59  
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E 1988563.3158

"D" LINE  
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PL 16+66.05  
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E 1988517.9497

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L 91.78'  
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T 150.82'  
L 289.01'  
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T 100.55'  
L 192.67'  
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E 1988133.9150



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