

4207309

RIGHT OF WAY AND EASEMENT GRANT

South Towne Partners, a Colorado General Partnership by and through its managing general partner, Turnmar Development Corporation, 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 AND NO/100-----DOLLARS (\$ 1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, a right of way and easement 16.0 feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities (hereinafter collectively called "facilities") through and across the following described land and premises situated in Salt Lake County, State of Utah, to-wit:

Land of the Grantor located in the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian;

the center line of said right of way and easement shall extend through and across the above described land and premises as follows, to-wit:

Beginning at a point on the West Right of Way line of State Street, said point is South 00°54'27" West 693.09 feet along the Section line and East 53.68 feet from the Northeast Corner of said Section 13 (Basis of Bearing being South 0°01'50" East along the State Street monument line between the monuments opposite the Northeast Corner and the East Quarter Corner of said Section 13); and running thence West 418.70 feet, thence South 47°00'00" West 613.93 feet, thence South 124.84 feet.

TO HAVE AND TO HOLD the same unto the 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. The said Grantor shall have the right to use the said premises except for the purposes for which this right of way and easement is granted to the said Grantee, provided such use does not interfere with the facilities or any other rights granted to the Grantee hereunder.

The 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 grant shall be binding upon and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of the 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 the Grantee are without authority to make any representations, covenants or agreements not herein expressed.

IN WITNESS WHEREOF the Grantor has caused its partnership name to be hereunto affixed this 10th day of December, 1985.

David S. Gould
ATTEST Title: Treasurer

SOUTH TOWNE PARTNERS
By K. Edwin Hansen
Title: V.P. & Reg. Mngl.
Turnmar Development Corporation
Managing General Partner

STATE OF UTAH)
COUNTY OF Salt Lake)

On the 10th day of December, 1985, personally appeared before me David S. Gould and K. Edwin Hansen who being duly sworn, did say that they are the Treasurer and V.P. & Reg. Manager of Turnmar Development Corporation and that Turnmar Development Corporation is Managing General Partner of South Towne Partners and that the foregoing instrument was signed on behalf of said partnership by authority of the articles of partnership, and said David S. Gould and K. Edwin Hansen acknowledged to me that said partnership duly executed the same.

My Commission Expires:
5-31-88

Shirley B. Stata
Notary Public
Residing at Sandy Utah

RETURN TO:
MOUNTAIN FUEL SUPPLY COMPANY
P.O. BOX 11380
SALT LAKE CITY, UT. 84139
ATTENTION: LINDA JOHNSON

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KATE BEACH
REQUER
SALT LAKE COUNTY,
UTAH

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MOUNTAIN FUEL
SUPPLY
DEP

Brian Robinson
Penni Koroldigos

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