

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that MILLO D. HEINER AND THELMA RICH

HEINER (his wife) of MORGAN County, Utah whether one or more than one), hereinafter called the Grantor, in consideration of the sum of One and No/100 Dollars (\$1.00), to him paid by MORGAN CITY CORPORATION of MORGAN County, Utah, a corporation, hereinafter called the Grantee, the receipt of which is hereby acknowledged, does hereby grant to the said Grantee, his (their, its) heirs, executors, administrators, successors and assigns a perpetual easement and right-of-way 10 feet in width, being 5 feet left and 5 feet right, and a temporary construction easement 40 feet in width, being 20 feet left and 20 feet right of the described alignment for the construction, operation, maintenance, removal and replacement of a pipeline or pipelines and their appurtenant works upon, over, under and across the following described centerline (s) on land owned by the Grantor(s), lying in MORGAN County, Utah:

A part of the S.E.1/4 of the N.W. 1/4 of Section 25, T4N, R2E, SLB&M.

BEGINNING at a point located N 40°17'48" W 110.26 ft. in an existing fence line from a point of record at an intersection of fences said to be Grantor's Southeasterly Property Corner located North 1857.61 ft. and East 335.17 ft. from Monument "C" of the Morgan City Survey (said Monument "C" is described as being located North 862.0 ft. and West 436.0 ft. from the S 1/4 corner of said section 25). Running thence S 15°31'19" W 183.72 ft.; thence S 55°58'30" E 4.44 ft. to an existing fence line said to be Grantor's Southerly Property line.

Entry No. 47095 Book 132
RECORDED 12:58 at 1:26 P M Page 607-608
REQUEST of Shelby L. Green, Clerk
FEE Betty L. Green, Morgan Co. Clerk
By [Signature]

together with the right of ingress and egress for the purposes for which the above mentioned rights are herein granted.

PROVIDED, HOWEVER, that the exercise by the Grantee of the rights hereby granted shall be subject to, and in accord with, the following conditions:

After the construction work is completed, the area will be reseeded and restored as nearly as possible to its original order.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this 12th day of DECEMBER, 1980.

STATE OF UTAH
COUNTY OF

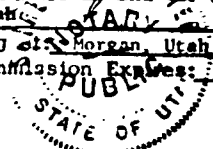
ss

Milo D. Heiner
TheLma R. Rich

On the 12th day of DECEMBER, 1980, personally appeared before me Milo D. Heiner and Thelma Rich Heiner the signer(s) of the foregoing instrument, who duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and official seal the day and year last above mentioned.

Shelby L. Green
Notary Public in and for the State
Of Utah
Residing at Morgan, Utah
My Commission Expires: July 1, 1982



Items that need to be corrected from past easement work:

Some rocks still need to be gathered up and some top soil still needs to be hauled in.

The approach to the reservoir access road needs to be gravelled and graded.

At the point where the two meters are in line, the earth has depressed and needs to be filled and reseeded.

A possible problem exists with the overflow ditch in the event the reservoir needs to be emptied or cleaned, the City will maintain the course and depth of the ditch to accommodate the water leaving the reservoir.

These items will be added as an addendum to the previous easement.

SIGNED:

[Signature]

DATE: 12 12 80

Jan F. Turner
City Council

Whitney K. Bacter

Notary Public in and for the State of Utah
Residing at *Blaine, UT*
My Commission expires *July 1, 1987*

