

7008

RETURN TO  
MOUNTAIN FUEL SUPPLY COMPANY  
P.O. BOX 11358  
SALT LAKE CITY, UT 84139  
ATTENTION: RIGHT-OF-WAY  
60586

**RIGHT-OF-WAY AND EASEMENT GRANT**

4976787

HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS,  
a Utah limited partnership, Grantor, by and through Barlow Nielsen Associates, Inc., a Utah corporation, General Partner, 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 16.0 feet in width 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") through and across the following-described land and premises situated in Salt Lake County, State of Utah, to-wit:

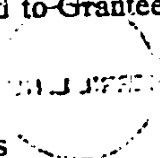
Land of the Grantor located in Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian;

the centerline 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 South 48.00 feet and West 464.26 feet from the Northeast Corner of the Northwest Quarter of said Section 33, said point also being on Grantor's North property line; thence South 225.00 feet.

Also, beginning at a point South 678.12 feet and West 33.00 feet from the Northeast Corner of the Northwest Quarter of said Section 33, said point also being on Grantor's East property line; thence West 170.00 feet; thence South 80.00 feet; thence West 70.00 feet.

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.



BK6260PG0397

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 inure 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.

IN WITNESS WHEREOF, Grantor has caused its partnership name to be hereunto affixed this 31<sup>st</sup> day of August, 1990.

HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, by and through Barlow Nielsen Associates, Inc.

By: Michael J. Nielsen

STATE OF UTAH )  
COUNTY OF Salt Lake ) ss.

80

4976787  
12 OCTOBER 90 10:40 AM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
MOUNTAIN FUEL  
REC BY: DIANE KILPACK, DEPUTY

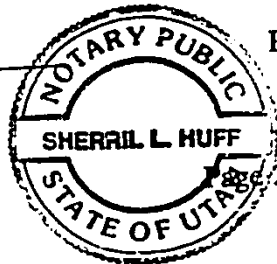
On the 31<sup>st</sup> day of August, 1990, personally appeared before me Michael J. Nielsen, who, being duly sworn, did say that he/she is President of Barlow Nielsen Associates, Inc., General Partner, HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, and that the foregoing instrument was signed on behalf of said partnership by authority of the articles of partnership, and said Michael J. Nielsen acknowledged to me that said partnership duly executed the same.

My Commission Expires:

9-25-90

Sherril L. Huff Notary Public

Residing at Salt Lake County



Page 2 of 2 Pages

RETURN TO  
MOUNTAIN FUEL SUPPLY COMPANY  
P.O. BOX 11368  
SALT LAKE CITY, UT 84139  
ATTENTION RIGHT-OF-WAY  
GO 306

BK 6260 PG 0398