

84-55

670647

SUPPLEMENT TO RIGHT OF WAY EASEMENT
FOR MILL CREEK CHANNEL REALIGNMENT

This Supplement to RIGHT OF WAY EASEMENT FOR MILL CREEK CHANNEL REALIGNMENT (hereinafter "Supplement") entered into this 30th day of March, 1984, by and between PHILLIPS PETROLEUM COMPANY, a Delaware corporation with an office at Bartlesville, Oklahoma (hereinafter "Grantor"), and DAVIS COUNTY, UTAH (hereinafter "Grantee").

WITNESSETH:

WHEREAS, Grantor and Grantee entered into a Right of Way Easement for Mill Creek Channel Realignment dated 14 February, 1984, and recorded in Book 987, page 1160, of the Davis County, Utah, records (hereinafter "Easement"); and

WHEREAS, the parties now desire that an additional easement and right of way be granted under said Easement; and

WHEREAS, the reference to that property described as "Phillips Petroleum Company's Woods Cross Refinery" may be deemed to be ambiguous; and

WHEREAS, the parties desire said reference to be clarified,

NOW, THEREFORE, for One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree that said easement shall be extended over the following described real property and premises situated in the County of Davis, State of Utah, to wit:

Beginning at a point on the Grantor's boundary line which is S00°15'18"W 1046.88 feet; S89°51'27"E 17.64 feet; and S00°01'04"W 80 feet from the West Quarter Corner of Section 24, Township 2 North, Range 1 West, Salt Lake Base and Meridian; and running thence N00°01'04"E 6.51 feet along the boundary line; thence S89°52'20"E 48.33 feet; thence S87°12'E 682.21 feet; thence N79°E 174.15 feet to the westerly right-of-line of the D. & R.G.W. Railroad; thence S09°12'05"W 70.31 feet along said right-of-way line; thence S79°W 157.85 feet; thence N87°12'W 687.33 feet to the Grantor's boundary line; thence along the Grantor's boundary line for four (4) courses as follows:

N00°01'04"E 6.42 feet; thence N89°52'20"W 283.00 feet to a point on the east line of 1100 West Street; thence N00°04'25"W 53.17 feet along said east line; thence S89°51'27"E 235.59 feet to the point of beginning. Containing 1.64 acres.

and Grantor hereby grants without warranty, express or implied, such easement and right of way over said property unto Grantee.

Grantee agrees that all provisions of said Easement shall apply to this Supplement as if the right of way and easement herein granted had been granted in said Easement.

AND FURTHER, for the purposes of this Easement and this Supplement only, said "Woods Cross Refinery" shall be deemed to include all of Grantor's interest in the following described real property and premises situated in the County of Davis, State of Utah, to wit:

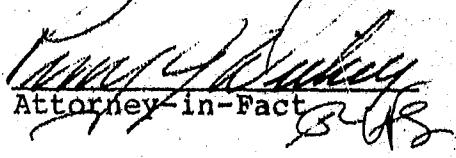
that parcel(s) of land bounded on the east by Interstate 15, on the north by 400 North Street, on the west by 1100 West Street and on the south by a line running east and west 500 feet south of and parallel to 500 South Street.

Except as herein specifically altered, amended, modified or supplemented, said Easement is hereby ratified and affirmed.

EXECUTED on the date first written above.

PHILLIPS PETROLEUM COMPANY

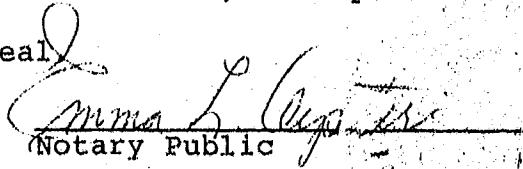
By:


Attorney-in-Fact

STATE OF OKLAHOMA)
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 20th day of March, 1981, by Perry J. Dickey, Attorney-in-Fact for PHILLIPS PETROLEUM COMPANY, a corporation.

Witness my hand and official seal


Anna L. Clark
Notary Public

My Commission expires:

June 4, 1984

WITNESS:

Danny Birmingham
County Clerk
Davis County, Utah

DAVIS COUNTY, UTAH

By: Allen E. Saunders
Chairman, Board of
County Commissioners

Witness:

Danny Birmingham
County Clerk
Davis County, Utah

DAVIS COUNTY, UTAH

By: David J. Sippelt
Commissioner