

Recorded at the request of  
Kern River Gas Transmission Company

When Recorded Mail to:  
Kern River Gas Transmission Company  
1615 West 2200 South, Suite C  
Salt Lake City, UT 84119  
Attn: Cynthia Lowrey

8131754  
01/25/2002 04:19 PM 24.00  
Book - 8558 Pg - 6919-6925  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
KERN RIVER GAS TRANSMISSION  
1615 W 2200 S STE C  
SLC UT 84119  
BY: ZJH, DEPUTY - WI 7 P.

APN 27-30-300-003-0000

**AMENDMENT TO RIGHT-OF-WAY and EASEMENT CONTRACT**

This Right-of-Way Contract Amendment ("Amendment") is dated this 14 day of JANUARY 200 2, by and between Kern River Gas Transmission Company, located at P.O. Box 58900, Salt Lake City, Utah 84158-0900 ("Grantee"), and Lucy Jane Miller Family LC, a Utah Limited Liability Company, whose address is 12570 South 3600 West, Riverton, UT 84065 ("current Grantor").

**RECITALS:**

- A. Whereas, by that certain Right-of-Way Contract filed 1/31/91, "The Contract", Land Number 253W, recorded in the records of Salt Lake County, Book 6287, Page 5-7, Lucy Jane Butterfield Miller, as Grantors, granted and conveyed unto Grantee a right-of-way on, over and through certain real property situated in Salt Lake County, State of Utah, as described and identified in the Contract.
- B. Whereas, the undersigned Grantor warrants that it is now the owner in fee simple of the following described property:

**TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN**

Section 30: Com South 89° 30' 45" East 3897.05 feet from West 1/4 Cor, Section 30, T3S, R 1W, SL MER South 89° 30' 46" East 448.21 feet; South 1200.04 feet; North 37° 20' 36" West 738.87 feet; North 616.44 feet to beg. Also Com 48 feet North and South 88° 53' 52" East 393.85 feet from Southwest corner SD Section 30, North 1805.24 feet; S 37° 20' 36" East 738.87 feet; South 1226.45 feet; North 88° 53' 52" West 448.27 feet to Beg. 24.94 Ac

**AGREEMENT:**

NOW THEREFORE, for and in consideration of the mutual promises contained in this Amendment, Grantor grants to Grantee an amendment as described below:

1. The parties desire and agree to amend the Contract to allow construction of an additional pipeline and appurtenances. The additional pipeline will be located approximately 25-feet from the existing pipeline and the right-of-way configuration will be 25-feet from the edge of the right-of-way to each pipeline and 25-feet between pipelines. The total width of the right-of-way easement for the pipelines is 75-feet. See Exhibit "A" attached hereto and made a part hereof.

Tract #K-UT-SL-253W

BR8558PG6919

8131754

2. The parties agree that in the event that Grantee determines that its pipeline is in need of repair, maintenance or replacement, Grantee will use its best efforts not to disturb Grantors improvements within the 75-foot easement area.

This Amendment will be binding upon and inure to the benefit of the heirs, successors and assigns of the parties to this Amendment.

Except as amended, all terms, conditions and provisions of the existing Right-of-Way Contract will remain and continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of this 14 day of JANUARY, 2002.


This document may be executed in multiple counterparts.

Grantor:

**Lucy Jane Miller Family LC, a Utah Limited Liability Company**

  
\_\_\_\_\_  
Monty John Miller

  
\_\_\_\_\_  
Jane M. Rindlisbacher


  
\_\_\_\_\_  
Margaret M. Boehme

Bowler Properties, L.C.

By: \_\_\_\_\_

Title: \_\_\_\_\_

KERN RIVER GAS TRANSMISSION COMPANY

  
\_\_\_\_\_  
Paula Reuter  
Attorney-in-Fact

Tract #K-UT-SL-253W

BK8558PG6920

ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Salt Lake

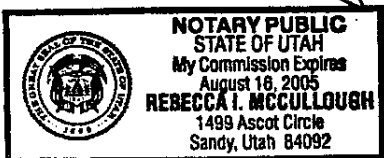
The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of January, 2002 by

Monty John Miller

My Commission Expires: Aug. 16, 2005

Rebecca I. McCullough Notary Public in and for Salt Lake County County,

State of Utah



ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Salt Lake

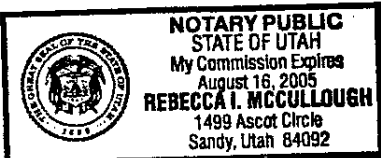
The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of January, 2002 by

Jane M. Rindlischbacher

My Commission Expires: Aug. 16, 2005

Rebecca I. McCullough Notary Public in and for Salt Lake County,

State of Utah



Tract #K-UT-SL-253W

BK8558PG6921

ACKNOWLEDGMENT

STATE OF Utah )

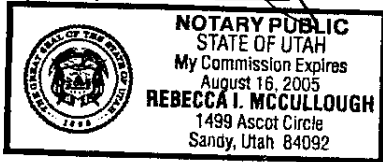
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of January, 2002 by

Margaret M. Boehme

My Commission Expires: Aug. 16, 2005

Rebecca I. McCullough Notary Public in and for Salt Lake County County, State of Utah



ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by

\_\_\_\_\_  
\_\_\_\_\_

My Commission Expires:

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_ County, State of \_\_\_\_\_

Tract #K-UT-SL-253W

BK8558PG6922

ACKNOWLEDGMENT---ATTORNEY-IN-FACT

STATE OF Utah )

COUNTY OF Salt Lake )

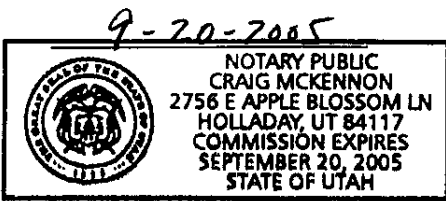
On this 24th day of January, 2002, Paula Rueter  
personally appeared before me and being by me duly sworn, did say that she/~~he~~ is  
the Attorney-in-Fact of Kern River Gas Transmission Company, and that the Agreement was signed on  
behalf of Kern River Gas Transmission Company and said  
Paula Rueter acknowledged to me that she/~~he~~ as  
such Attorney-in-Fact executed the same.

My Commission Expires:

Craig McKennon  
Notary Public in and for

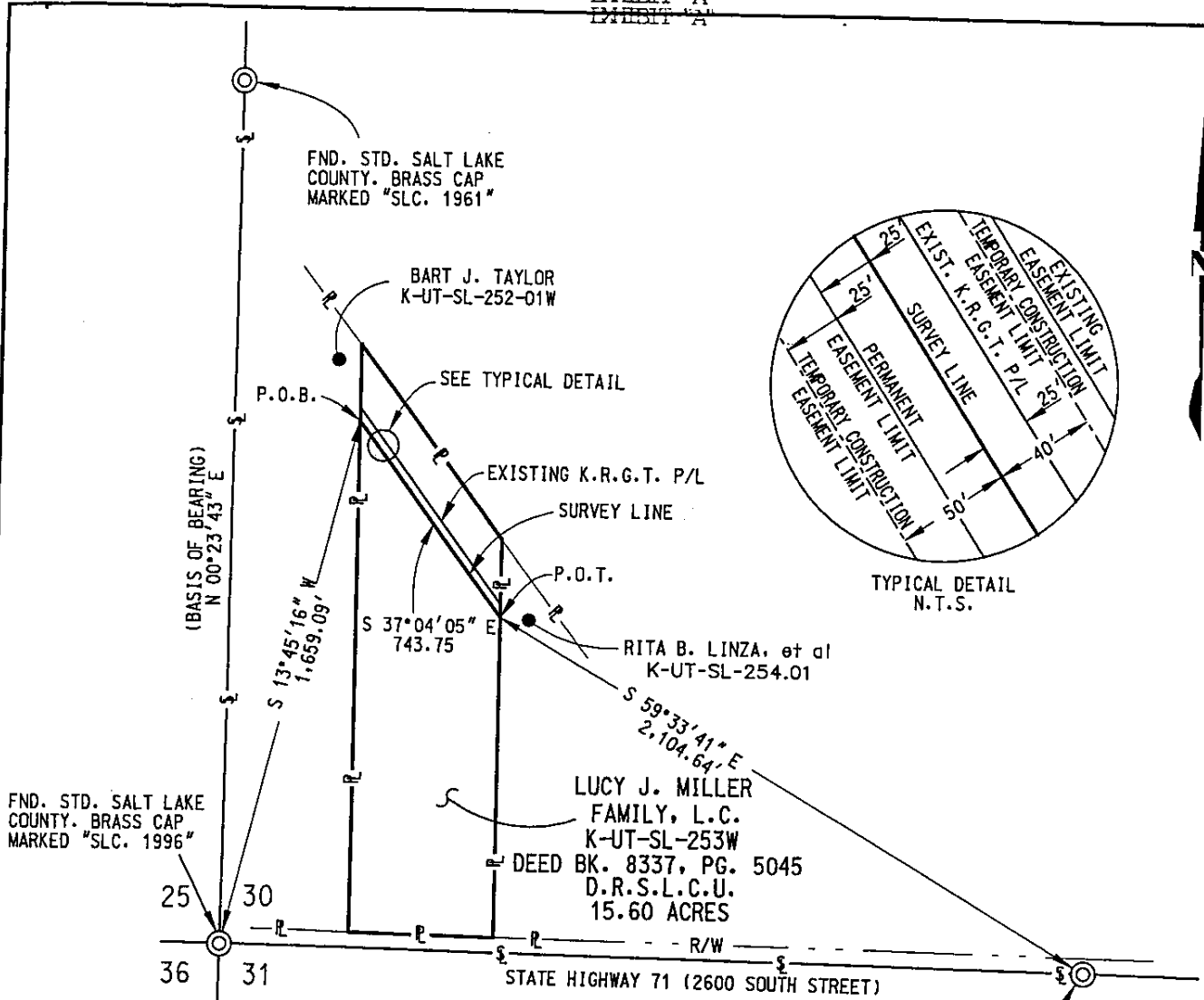
Salt Lake County,

State of Utah



Tract #K-UT-SL-253W

BK8558P66923



**LEGEND:**  
 I.R. = IRON ROD  
 P.O.B. = POINT OF BEGINNING  
 P.O.T. = POINT OF TERMINUS  
 FND. = FOUND  
 K.R.G.T. = KERN RIVER GAS TRANSMISSION  
 P/L = PIPELINE  
 SPC = STATE COORDINATES SYSTEM  
 NAD = NORTH AMERICAN DATUM  
 D.R.S.L.C.U. = DEED RECORDS OF SALT LAKE COUNTY, UTAH

- NOTES:**
- BEARINGS AND DISTANCES ARE BASED ON THE "UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE", DERIVED FROM GPS METHODS. SCALE FACTOR OF 0.999744429 APPLIED TO RODDAGE AND ACREAGE..
  - BASIS OF BEARING WEST LINE OF SECTION 30 BEING N 00°23'42" E
  - EASEMENT SURVEY AUGUST 2001.
  - PREPARED BY: UNIVERSAL ENSCO, INC. 1811 BERING DR. HOUSTON, TX. 77057



FND. STD. SALT LAKE COUNTY. BRASS CAP MARKED "SLC. 1961"

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

*Gary Henry Greer*  
 GARY HENRY GREER PLS #373234  
 PROFESSIONAL LAND SURVEYOR

DRAWING NO.		REFERENCE TITLE		KERN RIVER GAS TRANSMISSION COMPANY PROPERTY PLAT PERMANENT & TEMP. CONSTRUCTION EASEMENTS CROSSING PROPERTY OF LUCY J. MILLER FAMILY, L.C. T 3 S - R 1 W, SECTION 30 SALT LAKE COUNTY, UTAH						
NO.	DATE	BY	REVISION DESCRIPTION	W.O. NO.	CHK.	APP.	DRAWN BY: UE1	DATE: 12-01-2001	ISSUED FOR BID:	SCALE: 1" = 500'
							CHECKED BY: UE1	DATE: 12-01-2001	ISSUED FOR CONSTRUCTION:	
							APPROVED BY:	DATE:	DRAWING NUMBER: K-UT-SL-253W	SHEET 1 OF 1

EXHIBIT "A"

LUCY J. MILLER FAMILY, L.C.  
L.L. No. K-UT-SL-253W  
SHEET 1 OF 1

**A (25) FOOT WIDE PERMANENT EASEMENT**

Being a twenty five (25) foot wide permanent easement lying twenty five (25) feet Southwesterly of the following description Survey line, also following an existing Kern River 36" pipeline.

Said (25) foot wide permanent easement extending over, though and across a portion of certain 15.60 acre tract conveyed to Lucy J. Miller Family, L.C. and being located in the Southwest Quarter of Section 30, Township 3 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah. Said 15.60 acre tract being more particularly described in Deed Book 8337, Page 5045 of the Deed Records of Salt Lake County, Utah, said Survey line being more particularly described as follows:

Beginning at a point on the West line of said 15.60 acre tract from which a standard Salt Lake County Brass Cap marked "SLC. 1996" found marking the Southwest corner of said Section 30 bears South 13°45'16" West, a distance of 1659.09 feet;

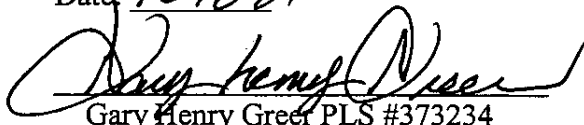
THENCE South 37°04'05" East, a distance of 743.75 feet to a point of terminus on the East line of said 15.60 acre tract, from which a standard Salt Lake County Brass Cap marked "S.L.C. 1961" found marking the South Quarter corner of said Section 30 bears South 59°33'41" East a distance of 2,104.64 feet. Said easement being 45.08 rods in length and contains 0.43 acres of land.

**TEMPORARY CONSTRUCTION EASEMENT**

Being a twenty five (25) foot wide strip of land, adjoined to and parallel with the Southwesterly line of herein described permanent easement, and a forty (40) foot wide strip of land, adjoined to and parallel with the Northeasterly line of herein described permanent easement, extending and shortening the side lines of the temporary construction easement at the beginning and termination to intersect with the West and East lines of said 15.60 acre tract and containing a total of 1.12 acres of land.

Job #4701.700  
Reference Drawing K-UT-SL-253W  
Basis of Bearing West line of Section 30 being N 00°23'42" E

Date: 12-18-01



Gary Henry Greer PLS #373234  
Professional Land Surveyor

BK8558PG6925