

Ent 822855 Bk 813 Pg 99  
Date: 08-JAN-2014 3:56:37PM  
Fee: \$101.00 Check  
Filed By: VB  
VIKKI BARNETT, Recorder  
CARBON COUNTY CORPORATION  
For: PARSONS BEHLE & LATIMER

WHEN RECORDED, MAIL TO:

City of East Carbon  
Post Office Box 70  
East Carbon, Utah 84520  
Attn: City Recorder

PLEASE MAIL TAX NOTICE TO GRANTEE  
AT ITS ADDRESS LISTED BELOW

Tax Parcel Nos. 1B-502352, 1C-949-1 and  
1C-963

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Space above for County Recorder's Use

### QUITCLAIM DEED AND ASSIGNMENT OF EASEMENT

IN CONSIDERATION OF Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah, having offices located at 10653 South River Front Parkway, Suite 120, South Jordan, Utah 84095 ("Grantor"), hereby quitclaims to CITY OF EAST CARBON, a Utah municipal corporation, with a mailing address of Post Office Box 70, East Carbon, Utah 84520 ("Grantee"), that certain real property located in Carbon County, Utah, described on the attached Exhibit A, which is incorporated herein by this reference (the "Fee Properties").

FURTHERMORE, Grantor hereby assigns and quitclaims to Grantee all right, title and interest of Grantor in and to that certain (i) Easement (the "Paternoster Easement") dated February 8, 1923, between Fred Paternoster and Gioseppina Paternoster and Ralph A. McBroom and Annetee McBroom and the Carbon County Railway Company recorded on August 14, 1928 as Entry No. 17029 in Book 3M at Page 399 of the records of Carbon County, Utah, and (ii) real property subject to the Paternoster Easement as more particularly described as follows (the "Easement Property"):

A tract of land 148.5 feet (9) rods wide, the boundaries of which are parallel to and 74.25 feet (4.5 rods) distant from the center line of railroad as constructed, described as follows:

Beginning at Station 94 plus 78 of the Survey, which is the intersection of the west boundary line of Section 6, Township 15 South, Range 14 East, Salt Lake Base & Meridian, at a distance of 321.25 feet northerly from the southwest corner of said Section 6 thence north 86°31' east 80.7 feet to station 95 plus 58.7 P.C.; thence around a 10° curve right 691.3 feet to the intersection of the south boundary line of said Section 6, at a distance of 633 feet easterly from the southwest corner of said Section 6, and which is Station 102 plus 50 P.O.C.

The above described tract is contained within the boundary lines of Lot 7 of said Section 6, and contains 2.632 acres.

A copy of the Paternoster Easement is attached hereto as Exhibit B.

SUBJECT TO all easements, restrictions, rights-of-way and other matters of record or that would be disclosed by a survey or physical inspection of the property, and taxes and assessments for the year 2014 and thereafter.

BY ACCEPTING AND RECORDING THIS QUITCLAIM DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT:

(A) THE FEE PROPERTIES, THE PATERNOSTER EASEMENT AND THE EASEMENT PROPERTY (COLLECTIVELY, THE "QUITCLAIMED INTERESTS") ARE BEING QUITCLAIMED AND ASSIGNED TO GRANTEE "AS-IS, WHERE-IS" WITH ALL DEFECTS AND FAULTS WITHOUT ANY REPRESENTATION, WARRANTY, GUARANTEE, PROMISE, STATEMENT OR ASSURANCE WHATSOEVER, EXPRESS OR IMPLIED, DIRECTLY OR THROUGH ANY EMPLOYEE OR AGENT, AS TO THE QUITCLAIMED INTERESTS OR ANY INTEREST THEREIN, OR ANY OTHER MATTER, INCLUDING, BUT NOT LIMITED TO: (I) EXCEPT AS EXPRESSLY SET FORTH BELOW IN THIS QUITCLAIM DEED, ANY AND ALL MATTERS RELATING TO TITLE AND OWNERSHIP OF THE QUITCLAIMED INTERESTS DESCRIBED IN THAT CERTAIN RAIL CONVERSION AGREEMENT (THE "RAIL AGREEMENT") WITH AN EFFECTIVE DATE OF JULY 17, 2008 BETWEEN GRANTOR, GRANTEE, IRON HORSE PRESERVATION SOCIETY AND GRIFFIN GROUP LLC; (II) EXCEPT AS MAY HAVE BEEN CAUSED BY GRANTOR, THE PRESENCE OR ABSENCE OF HAZARDOUS MATERIALS ON, UNDER OR AROUND THE QUITCLAIMED INTERESTS; (III) THE PHYSICAL CONDITION OF THE QUITCLAIMED INTERESTS; (IV) APPURTENANCES, DRAINAGE, OR ACCESS; (V) EXCEPT AS MAY HAVE BEEN CAUSED BY GRANTOR, ANY DEFAULTS, DISPUTES, OR UNSATISFIED CONDITIONS OR REQUIREMENTS WITH RESPECT TO THE QUITCLAIMED INTERESTS; (VI) EXCEPT FOR VIOLATIONS BY GRANTOR, COMPLIANCE WITH ANY LAWS, RULES, REGULATIONS, ORDERS, ORDINANCES OR REQUIREMENTS (WHETHER FEDERAL, STATE OR LOCAL); AND/OR (VII) WHETHER THE EASEMENT PROPERTY IS IN FACT THE PROPERTY THAT IS SUBJECT TO THE PATERNOSTER EASEMENT; AND

(B) EXCEPT FOR GRANTOR'S INDEMNITY OBLIGATION UNDER ARTICLE 5 OF THE RAIL AGREEMENT (WHICH SHALL CONTINUE IN ACCORDANCE WITH TERMS OF THE RAIL AGREEMENT), GRANTOR HAS SATISFIED ITS OBLIGATIONS ARISING UNDER THE RAIL AGREEMENT AND IS RELEASED FROM ANY AND ALL FURTHER OBLIGATIONS UNDER THE RAIL AGREEMENT.

GRANTOR REPRESENTS to Grantee that (A) Grantor has not conveyed the Quitclaimed Interests to any other party, and (B) Grantor's interest in the Quitclaimed Interests are free and clear of all monetary liens, judgments, mortgages and other similar burdens, and all taxes, if any, to the extent that such burdens and taxes arose by, through or under Grantor but not otherwise.

THIS QUITCLAIM DEED shall extend to and be binding upon, and every benefit hereof shall inure to, the parties hereto and their respective successors and assigns. This Quitclaim Deed shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 8<sup>th</sup> day of January, 2014.

GRANTOR:

INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah

By: [Signature]  
Name: James A. Hewlett  
Title: General Manager

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of January, 2014, by James A. Hewlett, the General Manager of the INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah.

[Signature]  
NOTARY PUBLIC  
Residing at: South Jordan, Utah

My Commission Expires:

8/30/2015

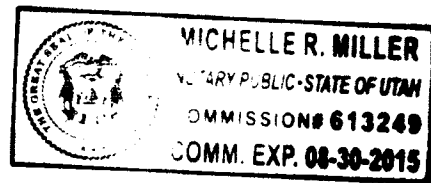


EXHIBIT A TO QUITCLAIM DEED

(Legal Description of Fee Properties)

The following described property rights known as the "Carbon County Railroad":

**PARCEL NO. 1:**

Township 15 South, Range 13 East, SLB&M.

Section 11: NE1/4NW1/4 as more specifically described in that certain Quit Claim Deed from Duncan MacVichie and Pearl D. MacVichie to Carbon County Railroad Company dated August 14, 1928, recorded in Book 3M at page 409 of the records of Carbon County, Utah, as follows:

A right of way for a railroad, said right of way being 100 feet wide and extending through the Northeast Quarter of the Northwest Quarter of Section 11, Township 15 South, Range 13 East, SLB&M, being a tract of land, the boundaries of which are located parallel to and 50 feet distant from the following described center line:

Beginning at a point on the south side of the Sunnyside Branch of the Denver & Rio Grande Railroad, which is 910 feet easterly along said Denver & Rio Grande Railroad right of way from mile-post No. 13, which said point is 812 feet south and 2356 feet east of the Northwest corner of the said Section 11, Township 15 South, Range 13 East, SLB&M; thence on an 8° curve to the right 272.5 feet; thence South 50°40' East 124.8 feet; to the east boundary line of the said Northeast Quarter of the Northwest Quarter, Section 11, Township 15 South, Range 13 East, SLB&M, being all of the said land for a distance of 50 feet each side of the said center line between the said right of way of the Denver & Rio Grande Railroad and the eastern boundary line of the said 40-acre tract, containing 0.912 acres, more or less.

**PARCEL NO. 2:**

Township 15 South, Range 13 East, SLB&M

Section 11: SE1/4NW1/4, NE1/4SW1/4, as more specifically described in that certain conveyance from George Orfanakis and Elvera L. Orfanakis to Carbon County Railway Co.; dated June 7, 1943; recorded in Book 3W at page 179 of the records of Carbon County, Utah, as follows:

A strip of land 50 feet wide on the northwesterly side of 50 and 150 feet wide on the southeasterly side of the center line of the main track of the Carbon County Railway Company as now relocated and proposed to be constructed over and across the Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter of Section 11, Township 15 South, Range 13 East, SLB&M, in Carbon County, State of Utah, said center line and widths of right of way being described as follows:

Beginning at the point of intersection of said center line with the East line of said Southeast quarter of the Northwest quarter of said Section 11, distant 2540 feet southerly from the North quarter corner of said section; thence southwesterly with a width of 50 feet on the northwesterly

side and 150 feet on the southeasterly side of said described center line on curve to right with radius of 716.78 feet ( $8^{\circ}00'$  curve) 219.6 feet; thence southwesterly on tangent to above-described curve 358.4 feet; thence continuing southwesterly on above tangent with right of way 50 feet wide on each side of said center line 143.7 feet; thence southwesterly on curve to left with radius of 955.37 feet ( $6^{\circ}00'$  curve) 625 feet; thence southwesterly on tangent to last described curve 170 feet to a point in the easterly line of right of way of The Denver and Rio Grande Western Railroad Company for its proposed relocated Sunnyside Branch main track -- said point being about 620 feet South and about 1400 feet East from the West quarter corner of said Section 11, saving and excepting therefrom that part of the above-described right of way within said Northeast quarter of the Southwest quarter of Section 11, which is a portion of a certain 4.99 acre tract owned by the Columbia Steel Company -- the right of way hereby conveyed having a net area of 4.4 acres, more or less.

**PARCEL NO. 3:**

Township 15 South, Range 13 East, SLB&M.

Section 11: NE1/4, as more specifically described in that certain Deed from David Menotti and Mary Menotti to Carbon County Railway Company dated March 25, 1959; recorded in Book 61 at page 66 of the records of Carbon County, Utah, as follows:

A strip of land 100 feet wide, the boundaries being parallel to and 50 feet on each side of the following described center line of the main track of Carbon County Railway Company as now constructed over and across the Northeast Quarter of Section 11, Township 15 South, Range 13 East, Salt Lake Meridian, said center line being described as follows:

Beginning at the intersection of the center line of railroad with the North-South center line of Section 11, Township 15 South, Range 13 East, SLB&M, which intersection is Station 19+81.4, a point on an  $8^{\circ}$  curve left of the railroad survey bearing 2540 feet, more or less, Southerly from the North Quarter corner of said Section 11; thence around said  $8^{\circ}$  curve left 168.1 feet to point of tangent; thence North  $43^{\circ}42'$  East on tangent 170.4 feet to Station 23+19.9, beginning of a  $7^{\circ}$  curve right; thence around said  $7^{\circ}$  curve right 235.7 feet on Station 25+55.6, point of tangent; thence on tangent North  $60^{\circ}12'$  East 1056.8 feet to Station 36+12.4, beginning of a  $7^{\circ}30'$  curve right; thence around said  $7^{\circ}30'$  curve right 419.6 feet to Station 40+32.0, point of tangent, which is an equation point and equals Station 27+49.0 for stationing ahead; thence on tangent South  $88^{\circ}20'$  East 926.0 feet to the intersection of the East boundary of the Northeast Quarter of said Section 11, which is Station 36+75.0 of the railroad survey, and which point bears 1550 feet, more or less, Southerly from the Northeast corner of said Section 11.

Together with such additional land required for excavation and embankment slopes, cuts, fills and culverts, the area so required being estimated at 1 acre, more or less.

**PARCEL NO. 4:**

Township 15 South, Range 13 East, SLB&M.

Section 11: NE1/4SW1/4, as more specifically described in that certain Quit Claim Deed from Geneva Steel Co. to Carbon County Railway Co.; dated December 30, 1950; recorded in Book 15-C at page 324, records of Carbon County, Utah, as follows:

A tract of land 100 feet in width, the boundaries of said tract being 50 feet distant from and parallel to the center line of the main line of the Carbon County Railway Company as the same is now constructed over, upon and across the northerly portion of a parcel of land situate in the Northeast Quarter of the Southwest Quarter of Section 11, Township 15 South, Range 13 East, SLB&M, which parcel of land is described as follows:

Beginning at a point 3371.5 feet South and 2022.6 feet East of the Northwest corner of Section 11, Township 15 South, Range 13 East, of the SLB&M; thence North 50°58' West 184.3 feet; thence South 41°32' West 560 feet; thence South 49°48' West 252 feet, more or less, to the Western Boundary of the NE1/4 of SW1/4 of said Section 11, thence North along boundary for a distance of 200 feet; thence North 49°48' East 252 feet; thence North 41°32' East 560 feet; thence North 59°42' East 166 feet; thence North 23° East 400 feet; thence South 00°00' West 400 feet; thence South 23° West 400 feet, more or less, to point of beginning, containing .25 acres, more or less.

**PARCEL NO. 5:**

Township 15 South, Range 13 East, SLB&M.

Section 1: S1/2SE1/4;

Section 12: NW1/4, NW1/4NE1/4; as more specifically described in that certain Quit Claim Deed from Geneva Steel Co. to Carbon County Railway Co. dated December 30, 1950; recorded in Book 15-C at page 324, records of Carbon County, Utah, as follows:

A tract of land 180 feet wide, the boundaries of said tract being 30 feet Northerly and 150 feet Southerly from and parallel to the center line of the main track of the Carbon County Railway Company as the same is now constructed over, across and upon the NW1/4 and the NW1/4 of the NE1/4 of Section 12, Township 15 South, Range 13 East, SLB&M, and the S1/2 of the SE1/4 of Section 1, Township 15 South, Range 13 East, SLB&M; said center line being described as follows (station points referred to being those on the said line of Railroad of Carbon County Railway Company):

Beginning at center line Station 36+75, which point is the intersection of the Railroad center line, and the West boundary line of Section 12, Township 15 South, Range 13 East, SLB&M, and bears Southerly 1550 feet, more or less, from the NW corner of said Section 12; thence South 88°11' East 165.8 feet to Station 38+40.8 P.C. of a 4° curve left; thence around said 4° curve left 865.8 feet to Station 47+06.6 P.T.; thence North 57°11' East 2572.8 feet to Station 72+79.4 P.C. of a 7° curve right; thence around said 7° curve right 621.4 feet to Station 79+00.8 P.T.; thence South 79°19' East 475.5 feet to Station 83+76.3 P.C. of a 6° curve left; thence around said 6° curve left 233.6 feet to Station 86+09.9 P.T.; thence North 86°40' East 868.1 feet to Station

94+78, which is the intersection of the East boundary of said Section 1 above, Township and Range; at 230 feet, more or less, Northerly from the SE corner of said Section 1, containing 23.98 acres, more or less, subject to the following reservations and exceptions unto Geneva Steel Company, its successors and assigns, of the following easements or rights at or in the locations described, subject to relocation as set forth in said Quitclaim Deed:

- (1) At railroad Station 72+45, an easement across the right of way for an underground water line which enters the right of way from the South and bears North 25°37' West 109 feet, more or less; thence North 26°26' East.
- (2) At railroad Station 77+16, an easement across the right of way for an underground water line which enters the right of way from the North and bears South 2°14' West 132 feet, more or less; thence bears South 63°00' West.
- (3) At railroad Station 80+44, an easement across the right of way for an 8-inch water line which bears North 23°30' East.
- (4) At railroad Station 74+00, the Columbia Steel Company by Right of Way Deed dated November 20, 1944 granted to the Utah State Road Commission a perpetual right of way for highway purposes. This instrument was recorded on March 6, 1945, in Book 3-Y Miscellaneous Records at Page 134, Carbon County Recorder's Office.
- (5) Grantor further reserves the right to install water collection boxes through that portion of the railroad right of way which extends through the spring area.

**PARCEL NO. 6:**

Township 15 South, Range 14 East, SLB&M.

Section 17: W1/2SW1/4, SE1/4SW1/4;

Section 20: N1/2NW1/4, as more specifically described in that certain Quit Claim Deed from Geneva Steel Company to Carbon County Railway Company dated December 30, 1950; recorded in Book 15-C at page 324, records of Carbon County, Utah, as follows:

A tract of land varying in width on each side of the center line of Carbon County Railway Company's railroad extending from Columbia Junction to Columbia, Carbon County, Utah, as the same is now constructed over, across and upon the W1/2 of the SW1/4, and the SE1/4 of the SW1/4 of Section 17, and the N1/2 of the NW1/4 of Section 20, all in Township 15 South, Range 14 East, SLB&M, in Carbon County, Utah, said center line and width of right of way being described as follows (station points except as otherwise stated being on Carbon County Railway Company's line between Columbia Junction and Columbia, Carbon County, Utah):

Beginning at Station 210+88 on said railroad which is the point of intersection with the east-west center line of said Section 17, Township 15 South, Range 14 East, SLB&M, and which point bears 572 feet easterly, more or less, from the west quarter corner of said Section 17:

Thence South 32°53' East 183 feet to Station 212+71 P.O.T. with a width of 50 feet, being 25 feet on each side of said center line;

Thence with a width of 25 feet easterly and extending westerly to the easterly boundary of the Right of Way and Easement described under Parcel No. 5 and being that portion lying between Station 1+66 point of beginning and Station 16+64 of the Horse Canyon Branch, South 32°53' East 125.9 feet to Station 213+96.9 P.C. of an 8° curve left; thence around said 8° curve left 250.6 to Station 216+47.5 P.T.; thence South 52°56' 154.5 feet to Station 218+02.0 P.C. of a 12° curve right; thence around said 12° curve right 636.1 feet to Station 224+38.1 P.T.; thence with a width of 40 feet easterly and extending westerly to the easterly boundary of the Right of Way and Easement as described under Parcel No. 5 and being that portion lying between Station 1+66 point of beginning and Station 16+64 of the Horse Canyon Branch, South 23°24' West 108.7 feet to Station 225+46.8 P.C. of a 12° curve left; thence around said 12° curve left 329.2 feet to Station 228+76 P.O.C.

Thence with a width of 65 feet, being 40 feet easterly and 25 feet westerly around said 12° curve left 166.4 feet to Station 230+42.4 P.T., thence South 36°04' East 199.6 feet to Station 232+42 P.O.T.

Thence with a width of 55 feet, being 30 feet easterly and 25 feet westerly South 36°04' East 154.0 feet to Station 233+96 P.C. of a 10° curve right; thence around said 10° curve right 54 feet to Station 234+50 P.O.C.

Thence with a width of 105 feet, being 30 feet easterly and 75 feet westerly around said 10° curve right 141 feet to Station 235+91 P.O.C.

Thence with a width of 83 feet, being 8 feet easterly and 75 feet westerly around said 10° curve right 126.0 feet to Station 237+17 P.O.C.

Thence with a width of 33 feet being 8 feet easterly and 25 feet westerly around said 10° curve right 31.7 feet to Station 237+48.7 P.T.; thence South 0°48' East 791.8 feet to Station 245+40.5 P.C. of a 10° curve right; thence around said 10° curve right 282.3 feet to Station 248+22.8 P.T.; thence South 27°26' West 402.2 feet to Station 252+25 P.C. of a 14° curve right; thence around said 14° curve right 150 feet to Station 253+75, containing 4.81 acres, more or less, subject to all of the terms, conditions, and restrictions therein contained, and subject to the reservations and exceptions unto Geneva Steel Company, its successors and assigns, of the following easements or rights at or in the locations described, subject to relocation as set forth in said Quitclaim Deed:

- (1) At railroad Station 222+97, an easement across the right of way for the Utah Power and Light Company overhead electric power line which bears South 71°26' East.
- (2) At railroad Station 227+30, an easement across the right of way for an overhead electric power line which bears South 89°30' East.
- (3) At railroad Station 227+61, an easement across the right of way for the underground Columbia Water Main which bears South 89°19' West.
- (4) At railroad Station 228+72, an easement for an overhead electric light line which enters the right of way from the west and bears South 32°37' East to a terminating point 24 feet opposite railroad Station 231+61.



- (5) At railroad Station 232+23, an easement across the right of way for an underground sprinkling line which bears North 55°27' East.
- (6) At railroad Station 232+68, an easement for an underground fire line, including a fire hydrant and hose rack. The fire line enters the right of way from the east for a distance of 6 feet, thence continues SE and leaves right of way opposite railroad Station 235+00.
- (7) At railroad Station 235+46, an easement across the right of way for an overhead electric power and telephone line which bears South 61°48' West.
- (8) At railroad station 235+66, an easement for an underground water line which enters the right of way from the east and bears South 70°17' West for a distance of about 37 feet, thence continues Northwest and leaves the right of way opposite railroad station 234+42.
- (9) At railroad station 237+53, an easement across the right of way for a road which bears South 80°11' East.
- (10) Between railroad stations 237+53 and 239+97, an easement West of the sand spur track for dumping sand and other materials.
- (11) At railroad station 239+97, an easement across the right of way for an underground Boney tunnel and track which bears South 89°12' West.

**PARCEL NO. 7:**

Township 15 South, Range 14 East, SLB&M.

Section 17: W1/2SW1/4;

Section 20: N1/2NW1/4, as more specifically described in that certain Quitclaim Deed dated December 30, 1950, from Geneva Steel Company to Carbon County Railway Company, recorded in Book 15C at page 324, records of Carbon County, Utah, as follows:

A tract of land varying in width on each side of the center line of Carbon County Railway Company's railroad extending from Columbia to Horse Canyon as the same is now constructed over, across and upon the W1/2 of the SW1/4 of Section 17, and the N1/2 of the NW1/4 of Section 20, all in Township 15 South, Range 14 East, SLB&M, in Carbon County, Utah; said center line and widths are described as follows (station points, except as otherwise stated, being on Carbon County Railway Company's line extending to Horse Canyon):

Beginning at Station 1+66 of said railroad, which point bears South 77°27' East 678.6 feet from the W1/4 corner of Section 17, Township 15 South, Range 14 East, SLB&M, and which point also bears South 62°51' West 7.5 feet from Station 212+71 of Carbon County Railway Company's railroad extending from Columbia Junction to Columbia, Carbon County, Utah;

Thence with a width of 30 feet, being 15 feet on each side of the railroad center line, South 27°09' East 67.6 feet to Station 2+33.6 P.C. of a 6° curve left; thence around said 6° curve left 166.4 feet to Station 4+00 P.O.C.;

Thence with a width of 50 feet, being 25 feet on each side of the railroad center line, continuing around said 6° curve left 153.6 feet to Station 5+53.6 P.T.; thence South 46°21' East 129.2 feet to Station 6+82.8 P.C. of a 12° curve right; thence around said 12° curve right 451.2 feet to Station 11+34 P.T.; thence South 7°48' West 407.7 feet to Station 15+41.7 P.C. of a 6° curve left; thence around said 6° curve left 330.0 feet to Station 18+71.7 P.T.; thence South 12°00' East 953.3 feet to Station 28+25 P.O.T. which is the intersection of the south boundary of Section 17, township 15 South, Range 14 East, SLB&M, from which point the southwest corner of said Section 17 bears westerly 1282 feet, more or less; thence South 12°00' East 275 feet to Station 31+00 P.O.T.;

Thence with a width of 100 feet, being 50 feet on each side of the railroad center line, South 12°00' East 33.1 feet to Station 31+33.1 P.C. of a 10° curve right; thence around said 10° curve right 797.5 feet to Station 39+30.6 P.T.; thence South 67°45' West 560.6 feet to Station 44+91.2 P.C. of a 12° curve left; thence around said 12° curve left 278.8 feet to Station 47+70 P.O.C., which is the intersection of the south boundary line of the Geneva Steel Company property and which point is on the south boundary of the NW1/4 of the NW1/4 of Section 20, Township 15 South, Range 14 East, SLB&M, at 305 feet, more or less, easterly from the southwest corner of said NW1/4 of the NW1/4 of said Section 20, containing 7.09 acres, more or less.

**PARCEL NO. 9:**

Township 15 South, Range 14 East, SLB&M.

Section 7: W1/2, as more specifically described in that certain Instrument of Conveyance dated October 26, 1949, from Reconstruction Finance Corporation to Carbon County Railway Company; recorded in Book 15-A at page 45, records of Carbon County, Utah, as follows:

A strip of land 200 feet wide lying in the West Half of Section 7, Township 15 South, Range 14 East, Salt Lake Meridian, the boundaries of which are parallel to and 100 feet distant at right angles from the following described center line:

Beginning at a point on the North boundary line of said Section 7, which point is Station 102+50.0 P.O.C. of the railroad center line survey, and said point bearing Easterly 633 feet, more or less, from the Northwest corner of said Section 7, and said point being on a 10° curve right of the survey, the tangent to curve at this point bearing South 24°12' East; thence continuing on same curve right 455.9 feet in a Southerly direction to Station 107+05.9 P.T.; thence South 21°23' West 245.5 feet to Station 109+51.4 P.C., beginning of an 8° curve left; thence around said 8° curve left 354.2 feet to Station 113+05.6 P.T.; thence South 6°57' East 2782.6 feet to Station 140+88.2 P.C., beginning of a 4° curve left; thence around said 4° curve left 962.5 feet to Station 150+50.7 P.T.; thence South 45°27' East 889.3 feet to Station 159+40.0 P.O.T., which is the intersection of the South boundary line of said Section 7, Township 15 South, Range 14 East, this point bearing Westerly 610 feet, more or less, from the South quarter corner of said Section 7.

The above described tract of land is bounded on the North and South by the North and South boundary lines, respectively, of Section 7, Township 15 South, Range 14 East, Salt Lake Meridian, and is bounded on the East and West by those certain tracts of land situate in said

Section 7, heretofore conveyed by Reconstruction Finance Corporation to Kaiser & Frazer Parts Corporation and to Geneva Steel Company, respectively, by deeds bearing date February 17, 1949 (effective January 30, 1948) and December 19, 1946, respectively.

**PARCEL NO. 10:**

Township 15 South, Range 14 East, SLB&M.

Section 17: SW1/4, S1/2NW1/4, as more specifically described in that certain Quit Claim Deed from Industrial Plants Corporation to Carbon County Railway Company dated October 28, 1954; recorded in Book 30 at page 94, records of Carbon County, Utah, as follows:

Beginning on the East right of way line of the Carbon County Railroad, which point bears North 78°37' West 604.1 feet from the South quarter corner of Section 7, Township 15 South, Range 14 East, SLB&M; thence North 44°33' East 50.0 feet, SLB&M; thence North 45°27' West 400.0 feet; thence North 40°33' West 351.2 feet; thence North 45°27' West 75.0 feet to the P.C. of a 4°35' curve right; thence around said curve right 840.1 feet to the P.T.; thence North 6°57' West 1300.0 feet; thence South 83°03' West 80.0 feet to the East right-of-way of the Carbon County Railway; thence along said East R.O.W., South 6°57' East 1300.0 feet to the P.C. of a 4°18' curve left; thence along said curve left 895.3 feet to the P.T.; thence South 45°27' East 825.0 feet to the place of beginning, containing 5.1 acres.

**PARCEL NO. 11:**

Township 15 South, Range 14 East, SLB&M.

Section 20: S1/2NW1/4, SW1/4;

Section 29: NW1/4, as more specifically described in that certain Instrument of Conveyance, Transfer and Assignment from Geneva Steel Company to Carbon County Railway Company dated December 31, 1946; recorded in Book 12 at page 606, records of Carbon County, Utah, as follows:

A Parcel of Land 400 feet wide being 200 feet each side of the following described center line:

Beginning at railroad Station 47+70.00 which point is the intersection of the North boundary of the SW1/4 of NW1/4 of Section 20, Township 15 South, Range 14 East, SLB&M, and bears 305 feet, more or less, Easterly from the Northwest corner of the said SW1/4 of NW1/4 of Section 20 and which point is on a 12° curve left;

thence around said 12° curve left 659.0 feet to Station 54+29.0 P.T.;

thence South 44°47' East 1199.7 feet to Station 66+28.7 P.C. of a 2° curve left;

thence around said 2° curve left 465.9 feet to Station 70+94.6 P.T.;

thence South 54°06' East 303.1 feet to Station 73+97.7 P.C. of a 10° curve right;

thence around said 10° curve right 900.0 feet to Station 82+97.7 P.T.;

thence South 35°54' West 1003.1 feet to Station 93+00.8 P.C. of a 6° curve left;

thence around said 6° curve left 319.1 feet to Station 96+19.9 P.T.;

thence South 16°45' West 175.1 feet to Station 97+95 P.O.T. which is the intersection of the South Section line of Section 20, above Township and Range, at 1125 feet Easterly from the Southwest corner of said Section 20;

thence South 16°45' West 1654.0 feet to Station 114+49.0 P.C. of a 6° curve right;

thence around said 6° curve right 459.5 feet to Station 119+08.5 P.T.;

thence South 44°19' West 304.3 feet to Station 122+12.8 P.C. of a 6° curve left;

thence around said 6° curve left 372.8 feet to Station 125+85.6 P.T.; which is the intersection of the East-West center line of Section 29, Township 15 South, Range 14 East, SLB&M, and which point bears 30 feet, more or less, Easterly from the West quarter corner of said Section 29.

The above described parcel of land is 7815.6 feet in length by 400 feet in width and contains 71.77 acres.

**PARCEL NO. 12:**

Townships 15 South, Range 14 East, SLB&M.

Section 32: W1/2W1/2, SE1/4NW1/4, NE1/4SW1/4, as more specifically described in that certain Instrument of Conveyance, Transfer and Assignment from Geneva Steel Company to Carbon County Railway Company dated December 31, 1946; recorded in Book 12 at page 606, records of Carbon County, Utah, as follows:

A right-of-way 400 feet wide, being 200 feet each side of the following described center line:

Beginning at Station 152+90.0 P.O.C. of a 12° curve left, which is the intersection of the North boundary of Section 32, Township 15 South, Range 14 East, SLB&M, at 5 feet, more or less, Easterly from the Northwest corner of said Section 32;

thence around said 12° curve left 50.3 feet to Station 153+40.3 P.T.;

thence South 15°13' East 872.0 feet to Station 162+12.3 P.C. of a 6° curve right;

thence around said 6° curve right 261.1 feet to Station 164+73.4 P.T.;

thence South 0°27' West 403.6 feet to Station 168+77.0 P.C. of a 6° curve left;

thence around said 6° curve left 1072.7 feet to Station 179+49.7 P.T.;

thence South 63°55' East 389.4 to Station 183+39.1 P.C. of a 12° curve right;

thence around said 12° curve right 1070.2 feet to Station 194+09.3 P.T.;

thence South 64°31' West 170.3 feet to Station 195+79.6 P.C. of a 10° curve left;

thence around said 10° curve left 254.2 feet to Station 198+33.8 P.T.;

thence South 39°06' West 715.6 feet to Station 205+49.4 P.C. of an 8° curve left;

thence around said 8° curve left 563.7 feet to Station 211+13.1 P.T.;

thence South 6°0' East 754.9 feet to Station 218+68.0 P.O.T. which is the intersection of the South Section line of Section 32, Township 15 South, Range 14 East, which is the boundary line between Carbon and Emery County, above Township and Range, at 286 feet Easterly from the Southwest corner of said Section 32.

The above described parcel of land is 6578.0 feet in length and contains 60.4 acres.

**PARCEL NO. 13:**

Township 15 South, Range 14 East, SLB&M.

Section 7: Lots 1, 2, 3, 4, E1/2W1/2, W1/2W1/2SE1/4, as more specifically described in that certain Instrument of Conveyance, Transfer and Assignment dated December 31, 1946 from Geneva Steel Company to Carbon County Railway Company, recorded in Book 12 at page 606, records of Carbon County, Utah, as follows:

A Parcel of Land, which constitutes the railroad Interchange Yard, described as follows, to wit:

Commencing at the South closing corner between Sections 7 and 18, on the Range line between Range 13 East and Range 14 East, in Township 15 South, SLB&M as established by the 1899 survey of the General Land Office:

Thence North 0°23' East 89.8 feet along said Range line to the closing corner between Sections 12 and 13 on said Range line established by the 1899 survey of the General Land Office;

Thence North 0°23' East 2574.0 feet along said Range line to the East quarter corner of Section 12 on said Range line established by the 1899 survey reestablished by the 1942 survey of the General Land Office;

Thence North 0°16' East 2566.08 feet along said Range line to the North closing corner between Sections 7 and 6 on said Range line established by a Dependent Resurvey of Boundaries of Section 6, Township 15 South, Range 14 East, by the General Land Office in 1942. The original closing corner established by the 1899 Survey of the General Land Office is located South 89°27' West 17.82 feet from said corner and was marked "Witness Point" by the 1942 survey;

Thence North 89°27' East 516.62 feet along the Section line between Sections 6 and 7 to a point of intersection of said Section line and the Westerly right-of-way line of the Carbon County Railroad, said point being located on the arc of a 473.7 feet radius curve and 100 feet from the center line of said railroad;

Thence following Southerly around the arc of said 473.7 radius curve 404.9 feet to a point located 100 feet at right angles to and Westerly from Station 107+05.9 of the Carbon County Railroad, said station being a P.T. of a 10° curve to the right;

Thence South 21°23' West 245.4 feet along a line 100 feet from and parallel to the center line of said railroad to a point at right angles from Station 109+51.4, said station being the P.C. of an 8° curve left;

Thence Southerly along and around the arc of a 816.8 foot radius curve 100 feet from and parallel to the center line of said railroad 403.83 feet to a point located at right angles from Station 113+05.9 P.T. of said railroad center line;

Thence South 6°57' East 2782.6 feet along a line 100 feet from and parallel to the center line of said railroad to a point at right angles from Station 140+88.2, said station being the P.C. of a 4° curve left;

Thence along and around the arc of a 1532.7 foot radius curve 100 feet from and parallel to the center line of said railroad 1031.3 feet to a point located at right angles from Station 150+50.7 P.T. of said railroad center line;

Thence South 45°27' East 779.5 feet along a line 100 feet from and parallel to the center line of said railroad to a point at right angles from Station 158+30.2 of said railroad center line and which point is a point of intersection of the Section line between Sections 7 and 18 and the Westerly right-of-way line of said railroad;

Thence North 89°59' West along said Section line 1768.0 feet more or less to the point of beginning, and containing 70.85 acres, more or less.

Subject to the reservation to Geneva Steel Company of the following easement, as set forth in said Instrument of Conveyance, Transfer and Assignment:

Commencing at a point on the Westerly boundary of said parcel located Southerly 840 ft. more or less from the Northwest corner of said parcel; thence S 47°05' E 607.0 feet; thence S 6°57' E 1708 feet to a point which is the beginning of the center line of said reserved easement; said center line extends thence S 6°57' E 2320 feet more or less to a point on the Southerly boundary of said parcel, which point is 980.0 feet more or less from the Southwest corner thereof, said corner being also the Southwest corner of Section 7, Township 15 S, Range 14 E., SLB&M.

Excepting therefrom any portion within the following described tract of land:

A tract of land situated in the Southwest Quarter of Section 17, Township 15 South, Range 14 East, Salt Lake Base and Meridian, more particularly described in that certain Warranty Deed from Carbon County Railway Company to United States Steel Corporation, dated May 15, 1957, recorded in Book 47, at Page 238, records of Carbon County, Utah, as follows:

Commencing on the point of intersection of the East-West subdivision line and the Westerly boundary line of Section 17, Township 15 South, Range 14 East, Salt Lake Base and Meridian, and running thence South  $35^{\circ}28'$  East 2464.57 feet distant to a point located on the centerline of the mainline track (Railroad Engineer's Station 234+50) in the Carbon County Railway right of way, said point also being located on the arc of a curve of said centerline; thence South  $59^{\circ}20'$  West and along the radius of said centerline curve 18 feet distant to the true point of beginning of this description; thence South  $59^{\circ}20'$  West along said radius 57 feet distant to a point; thence Southeasterly along the arc of a curve to the right having a radius of 497.96 feet (the chord which bears South  $17^{\circ}19'$  East is 229.96 feet in length) an arc distance of 232.05 feet; thence North  $86^{\circ}02'$  East 57 feet distant; thence Northwesterly along the arc of a curve to the left having a radius of 554.96 feet (the chord which bears North  $17^{\circ}19'$  West is 256.28 feet in length) an arc distance of 258.61 feet to the true point of beginning.

Also, excepting:

A parcel of land within the South one-half of Section 7, Township 15 South, Range 14 East, Salt Lake Base and Meridian, described as follows:

Beginning at a point that is North  $00^{\circ}41'03''$  East 499.40 feet along the center section line from the South Quarter corner of said Section 7, and running thence South  $70^{\circ}04'50''$  West 489.73 feet; thence North  $19^{\circ}55'10''$  West 1193.42 feet to the Southwest corner of the current landfill fence; thence North  $70^{\circ}04'50''$  East 730 feet; thence South  $19^{\circ}55'10''$  East 1193.42 feet; thence South  $70^{\circ}04'50''$  West 240.27 feet to the point of beginning.

Also, excepting:

A parcel of land which is in the Southwest Quarter of the Southeast Quarter of Section 1 and the North one-half of Section 12, Township 15 South, Range 13 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the South right of way line of the Carbon County Railway Company, which point lies South  $0^{\circ}25'$  East 1600 feet and South  $88^{\circ}20'$  East 165.80 feet and along a curve to the left with a radius of 1482.39 feet for a distance of 360.85 feet, having a chord that bears North  $84^{\circ}41'36''$  East 359.96 feet, from the Northwest corner of Section 12, Township 15 South, Range 13 East, Salt Lake Base and Meridian, and running thence along a curve to the left with a radius of 1482.39 feet for a distance of 535.69 feet, having a chord that bears North  $67^{\circ}22'02''$  East 532.78 feet; thence North  $57^{\circ}02'$  East 2511.20 feet to the intersection with the North line of said Section 12, said intersection being approximately 471 feet Easterly from the North Quarter corner of said Section 12; North  $57^{\circ}02''$  (SIC, probably intended to mean  $57^{\circ}02'$ ) East approximately 390.32 feet; thence South  $89^{\circ}59'59''$  West 220.53 feet;

thence South 57°02' West 390.32 feet to the intersection with the North line of said Section 12, said intersection being approximately 250 feet Easterly from the North Quarter corner of said Section 12; thence South 57°02' West 2326.18 feet; thence along a curve to the right with a radius of 1362.39 feet for a distance of 492.33 feet, having a chord that bears South 67°22'02" West 489.65 feet; thence South 12°16'49" East 120 feet, more or less, to the point of beginning.

Also, excepting therefrom all oil, gas, minerals and mineral rights previously reserved, conveyed or otherwise severed from the surface estate.



EXHIBIT B TO QUITCLAIM DEED

(Copy of Paternoster Easement)

[See Attached.]

FRED PATERHOSTER and GIOSEPPINA PATERNOSTER, his wife, of Salt Lake City, Utan, and RALPH A. MCBROOM and ANNETTEE MCBROOM, his wife, of Salt Lake City, Utah Grantors, for and in consieration of the sum of One Huddred Dollars (\$100.00), receipt of which is hereby acknowledged, do hereby give, convey and grant unto the CARBON COUNTY RAILWAY COMPANY, a corporation, its successors and assigns, a right of way for all railroad purposes over and across the following described tract of land, situat in Carbon County, State of Utah, to-wit:

A tract of land 148.5 feet (9)rods wide, the boundaries of which are parallel to and 74.25 feet (4.5 rods) distant from the center line of railroad as constructed, described as follows:

Beginning at Station 94 plus 78 of the Survey, which is the intersection of the west boundary line of Section 6, Township 15 South, Range 14 East, Salt Lake Base & Meridian, at a distance of 321.25 feet northerly from the southwest corner of said Section 6 thence north 86° 31' east 80.7 feet to station 95 plus 58.7 P. O.; thence around a 10° curve right 691.3 feet to the intersection of the south boundary line of said Section 6, at a distance of 633 feet easterly from the southwest corner of said Section 6, and which is Station 102 plus <sup>50</sup>/P. O. C.

The above described tract is contained within the boundary lines of Lot 7 of said Section 6, and contains 2.632 acres.

WITNESS the hands of said Grantors this 3th day of February, A.D. 1923.

Fred Paternoster

Gioseppina Paternoster

Ralph A. McBroom

Annette McBroom  
Grantors.

(50) cent revnue stamps:  
duly canceled.

STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF SALT LAKE )

On this 17th day of April, A.D. 1923, personally appeared before me Fred Paternoster and Gioseppina Paternoster, his wife, two of the signers <sup>and</sup> ~~of~~ grantors in the above and foregoing easement, and they duly acknowledged to me that they executed the same; and also on the same date personally appeared before me RALPH A. MCBROOM and ANNETTEE MCBROOM his wife, two of the signers and grantors named in the above and foregoing eastment, and they duly acknowledged to me that they executed the same.

El V. Higgins  
Notary Public

Residing at; Salt Lake City, Utah

(SEAL)

My commission expires:

1/14/24

Recorded Aug 14, 1923 at 10 A. m. at request of Carbon Co. Railroad Co.

*Wayne Jameson*  
County Recorder.