

E# 850466 BK 1279 PG 880
 CAROL DEAN PAGE, DAVIS CNTY RECORDER
 1989 FEB 24 9:15 AM FEE 14.00 DEP MEC
 REC'D FOR UNION PACIFIC LAND RESOURCES C

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 Page 1

RETURNED

FEB 24 1989

SPECIAL WARRANTY DEED

ME 11 NW-110
 01-104-0008

UNION PACIFIC LAND RESOURCES CORPORATION, a corporation of the State of Nebraska, Grantor, hereby conveys, and warrants against the lawful claims of all persons claiming by, from or under it but against none other, to KULMER & SCHUMACHER, a general partnership of the State of Utah, whose postal address is 1505 South Redwood Road, Salt Lake City, Utah 84130, Grantee, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following-described land in County of Davis, State of Utah, to-wit:

A parcel of land situate in the West Half of the Northeast Quarter (W1/2 NE 1/4) of Section 11, Township 1 North, Range 1 West of the Salt Lake Base & Meridian, Davis County, Utah, said parcel being all of the second described parcel of land as conveyed by State Road Commission of Utah to Union Pacific Land Resources Corporation, by Quitclaim Deed dated July 30, 1973, and recorded August 3, 1973, in Book 522, Page 216, Records of said County, as more fully described on Exhibit A attached hereto and hereby made a part hereof.

EXCEPTING from this grant and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of, said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by Grantee, its successors or assigns.

This deed is made SUBJECT to the following:

- (a) All taxes and all assessments, or, if payable in installments, all installments of assessments, levied upon or assessed against

the premises described in Exhibit A which became or may become due and payable in the year 1989 shall be prorated as of the date of delivery of this deed by Grantor to Grantee, said date being the 10th day of FEBRUARY, 1989; and Grantee assumes and agrees to pay, or to reimburse Grantor for, if paid by it, all such taxes and assessments and installments of assessments applicable to the period subsequent to the date of delivery of this deed and assumes all taxes and all assessments and all installments of assessments which may become due and payable after said year; and

(b) All liens, encumbrances, clouds upon, impairments of and defects in the title created or permitted to be created by Grantee on and after the date of delivery of this deed by Grantor to Grantee, and any and all restrictions and limitations imposed by public authority, and any easements, restrictions and/or outstanding rights of record, and exceptions, reservations and conditions contained in prior deeds or open and obvious on the ground, including, but not limited to:

(1) Deed for Easement dated January 29, 1975 between Grantor and North Salt Lake, recorded on February 21, 1975 in Book 560, Page 822, Instrument No. 409972 in the Office of the Recorder of Davis County, Utah; and

(2) Right-of-Way Agreement dated December 13, 1966 from The State Road Commission of Utah to Pioneer Pipe Line Company, recorded on January 11, 1967 in Book 358, Page 475, in the office of the Recorder of Davis County, Utah.

Grantor, Federal ID No. 13-2678588, is not a foreign corporation and withholding of Federal Income Tax from the amount realized will not be made by Grantee. An Affidavit and Certification prepared in conformance with IRS regulations under Section 1445 of the Internal Revenue Code is attached as Exhibit B.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed by its VICE President and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed this 9TH day of FEBRUARY, 1989.

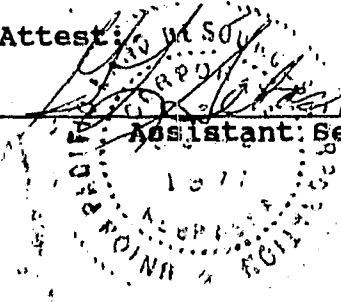
In Presence of:

UNION PACIFIC LAND RESOURCES CORPORATION

F T Severin

By J H [Signature]
VICE President

Attest: [Signature] (Seal)
Assistant Secretary

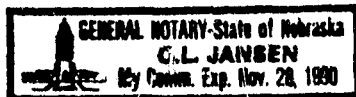


STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

On this 9TH day of FEBRUARY, 19 ,
before me, a Notary Public in and for said County in the
State aforesaid, personally appeared J. H. DYER,
to me personally known, and to me personally known to be
Vice President of UNION PACIFIC LAND
RESOURCES CORPORATION, and to be the same person whose
name is subscribed to the foregoing instrument, and who,
being by me duly sworn, did say that he is
Vice President of Union Pacific Land
Resources Corporation; that the seal affixed to said in-
strument is the corporate seal of said corporation; and
that said instrument was signed and sealed on behalf of
said corporation by authority of its board of directors;
and the said J. H. DYER acknowledged said
instrument to be his free and voluntary act and deed, and
the free and voluntary act and deed of said corporation,
by it voluntarily executed, for the uses specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand
and official seal the day and year last above written.

My commission expires 11-28-90



G.L. Jansen
Notary Public

Residing at Douglas County, NE

(SEAL)

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A parcel of land situate in the West Half of the Northeast Quarter (W 1/2 NE 1/4) of Section 11, Township 1 North, Range 1 West of the Salt Lake Base & Meridian, Davis County, Utah, said parcel being all of the second described parcel of land as conveyed by State Road Commission of Utah to Union Pacific Land Resources Corporation by Quitclaim Deed dated July 30, 1973, and recorded August 3, 1973, in Book 522, Page 216, Records of said County, said parcel bounded and described as follows:

Beginning at the intersection of the easterly right-of-way line of the Oregon Short Line Railroad Company and the northwesterly no-access line of Highway known as Project No. 15-7, said point being 50.0 feet distant easterly, measured at right angles from the centerline of the easterly or westbound main track of said Railroad Company, said point also being North 89 degrees 50 minutes 23 seconds West, along the quarter section line, 2122.59 feet to the centerline of said westbound main track, and North 3 degrees 31 minutes 00 seconds East, along said centerline of said westbound main track, 278.69 feet, and South 86 degrees 29 minutes 00 seconds East, 50.0 feet from the east quarter corner of said Section 11;

thence along said northwesterly no-access line of Highway known as Project No. 15-7, the following four (4) courses:

- 1) North 46 degrees 27 minutes 13 seconds East, 510.01 feet;
- 2) North 18 degrees 57 minutes 39 seconds East, 510.81 feet;
- 3) North 4 degrees 34 minutes 50 seconds East, 245.94 feet;
- 4) North 0 degrees 05 minutes 49 seconds East, 1276.11 feet to a point of intersection of the southerly right-of-way line of Cudahy Lane and the westerly no-access line of said project;

thence North 89 degrees 38 minutes 58 seconds West, 262.72 feet along said southerly right-of-way line of Cudahy Lane to the intersection of said easterly right-of-way line of said Railroad, which point is 50.0 feet distant easterly, measured at right angles from said centerline of the westbound main track;

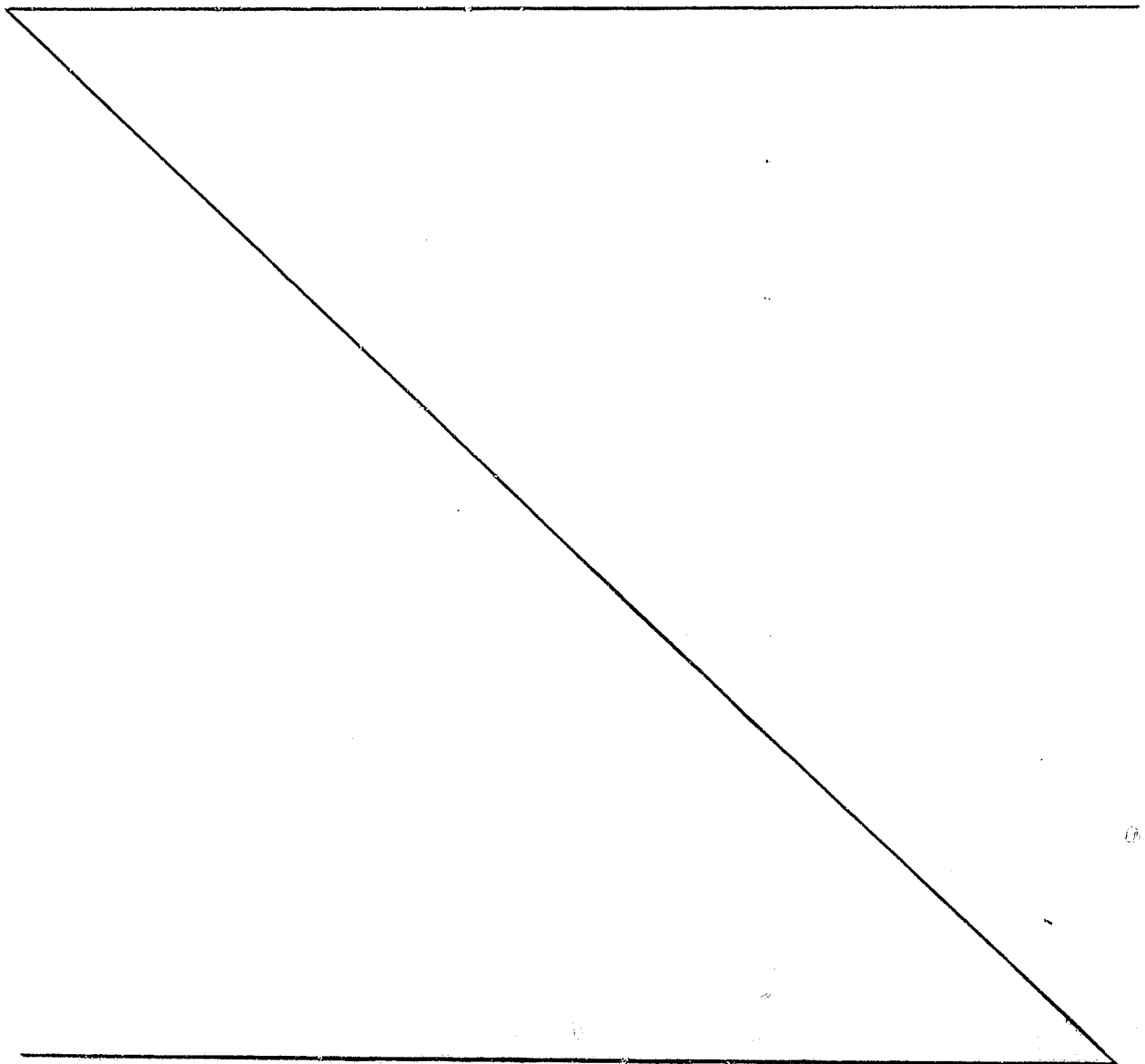
thence along said easterly right-of-way line of said Railroad, the following three (3) courses:

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- 1) South 14 degrees 33 minutes 52 seconds West, 250.32 feet to the beginning of a curve, concave easterly, having a radius of 5481.96 feet;
- 2) southerly, along said curve, through a central angle of 11 degrees 02 minutes 52 seconds, 1057.04 feet;
- 3) South 3 degrees 31 minutes 00 seconds West, 1074.78 feet to the Point of Beginning.

Said parcel contains an area of 20.47 acres, more or less.



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TRANSFEROR'S AFFIDAVIT AND CERTIFICATION
OF NON-FOREIGN STATUS


Furnished in Accordance with
Section 1445(b)(2) of The Internal Revenue Code

I, G. L. SEBASTIAN, ASST. SECRETARY
of UNION PACIFIC LAND RESOURCES CORPORATION, hereby certify
the following:

1. UNION PACIFIC LAND RESOURCES CORPORATION
is not a nonresident alien for purposes
of U. S. income taxation;
2. UNION PACIFIC LAND RESOURCES CORPORATION's
U. S. taxpayer identifying number is
13-2678588; and
3. Its business address is 302 South 36th Street,
Omaha, Nebraska 68131.

UNION PACIFIC LAND RESOURCES CORPORATION under-
stands that this certification may be disclosed to the
Internal Revenue Service by the transferee and that any
false statement made here could be punished by fine,
imprisonment, or both.

Under penalties of perjury I declare that I have
examined this certification and to the best of my knowledge
and belief it is true, correct, and complete.


Date: FEBR. 9, 1989

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

On this 9TH day of FEBRUARY, 1989, before
me, a Notary Public in and for said County in the State afore-
said, personally appeared G. L. SEBASTIAN, to me personally
known, and to me personally known to be ASST. SECRETARY
of Union Pacific Land Resources Corporation, and to be the

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same person whose name is subscribed to the foregoing instrument, and who, being by me duly sworn, did say that he is ASST. SECRETARY of Union Pacific Land Resources Corporation; and the said G.L. SEBASTIAN acknowledged said instrument to be his free and voluntary act and deed, and the free and voluntary act and deed of said corporation, by him voluntarily executed, for the purposes specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My commission expires 2-26-92.

R.A. Marshall
Notary Public

Residing at:
Papillion, NE.

(SEAL)

