

When Recorded Return To:	WCWCD 136 North 100 East St. George UT 84770 (435) 673-3617
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AMENDED RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to WINDING RIVER ASSOCIATES, LLC., hereinafter referred to as GRANTOR, by WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successors and assigns, the following described easement:

See "EXHIBIT C REVISED" attached hereto and incorporated herein by this reference.

This AMENDED RIGHT-OF-WAY EASEMENT is an amendment to that certain EASEMENT AGREEMENT dated August 25, 2000, and recorded in the Washington County Recorder's Office on September 11, 2000, in Book 1379, Pages 2063-2104, Document 00696150. All terms and conditions of the EASEMENT AGREEMENT are and shall remain in full force and effect, except insofar as the property description of the easement conveyed has changed as set forth in Exhibit A.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 2nd day of September, 2004.

"GRANTOR":

WINDING RIVER ASSOCIATES, LLC

By: Timothy M. Inglis
TIMOTHY M. INGLIS, Manager

"GRANTEE":

WASHINGTON COUNTY WATER CONSERVANCY
DISTRICT

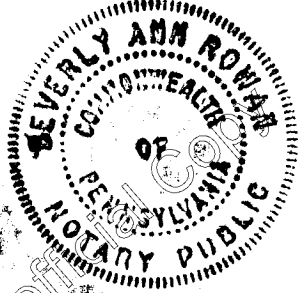
By: Ronald W. Thompson
RONALD W. THOMPSON, Manager

COMMONWEALTH OF PENNSYLVANIA)

) ss.

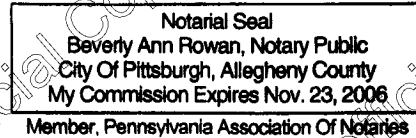
COUNTY OF ALLEGHENY)

On this 2ND day of SEPTEMBER, 2004, before me personally appeared TIMOTHY M. INGLIS whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is a manager of WINDING RIVER ASSOCIATES, LLC, and that the foregoing document was signed by him on behalf of that company by authority of its declaration of member and he acknowledged before me that the company executed the document and the document was the act of the company for its stated purpose.



Beverly Ann Rowan

NOTARY PUBLIC



STATE OF UTAH)

) ss.

COUNTY OF WASHINGTON)

On this 1st day of March, ²⁰⁰⁵2004, before me personally appeared RONALD W. THOMPSON whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the manager of WASHINGTON COUNTY WATER CONSERVANCY DISTRICT and that the foregoing document was signed by him on behalf of Washington County Water Conservancy District by appropriate authority and he acknowledged before me that Washington County Water Conservancy District executed the document and the document was the act of Washington County Water Conservancy District for its stated purpose.



Ann Carroll Jensen

NOTARY PUBLIC



ALPHA ENGINEERING COMPANY

148 East Tabernacle, St. George, UT 84770 • (435) 628-6500 • Fax: (435) 628-6553

EXHIBIT C REVISED

LEGAL DESCRIPTION FOR 50' WIDE MAINTENANCE EASEMENT FOR SAND HOLLOW PIPE LINE

(August 9, 2000)

(Revised July 2, 2003)

A 50.00-foot wide pipe-line maintenance easement, described as follows:

Commencing at the Northeast Corner of Section 1, Township 42 South, Range 14 West, Salt Lake Base and Meridian;

Thence N 89°52'11" W along the section line 1866.74 feet; Thence South 853.29 feet to the **Point of Beginning**, said point being on the Southerly right-of-way line of Highway SR-9; Thence South 15°48'33" East, a distance of 437.21 feet to the point of curvature to the right having a radius of 1,052.00 feet and a central angle of 23°28'35"; thence southerly along the arc of said curve a distance of 431.05 feet; Thence South 07°40'03" West, a distance of 220.69 feet to the point of curvature to the left having a radius of 948.00 feet and a central angle of 19°59'25"; thence southerly along the arc of said curve a distance of 330.75 feet; Thence South 12°19'24" East, a distance of 447.22 feet to the point of curvature to the right having a radius of 2,052.00 feet and a central angle of 21°20'21"; thence southerly along the arc of said curve a distance of 764.24 feet; Thence South 09°00'57" West, a distance of 2,010.25 feet to the point of curvature to the left having a radius of 1,948.00 feet and a central angle of 08°58'21"; thence southerly along the arc of said curve a distance of 305.06 feet; Thence South 00°02'36" West, a distance of 4,466.26 feet; Thence South 45°00'00" East, a distance of 133.79 feet; Thence North 89°39'02" West, a distance of 71.15 feet; Thence North 45°00'00" West, a distance of 103.90 feet; Thence North 00°02'36" East, a distance of 4,486.99 feet to the point of curvature to the right having a radius of 1,998.00 feet and a central angle of 08°58'21"; thence northerly along the arc of said curve a distance of 312.89 feet; Thence North 09°00'57" East, a distance of 2,010.25 feet to the point of curvature to the left having a radius of 2,002.00 feet and a central angle of 21°20'21"; thence northerly along the arc of said curve a distance of 745.62 feet; Thence North 12°19'24" West, a distance of 447.22 feet to the point of curvature to the right, having a radius of 998.00 feet and a central angle of 19°59'25"; thence northerly along the arc of said curve a distance of 348.20 feet; Thence North 07°40'03" East, a distance of 220.69 feet to the point of curvature to the left, having a radius of 1,002.00 feet and a central angle of 23°28'35"; thence northerly along the arc of said curve a distance of 410.56 feet; Thence North 15°48'33" West, a distance of 436.84 feet; Thence North 73°46'01" East, a distance of 50.00 feet to the **Point of Beginning**.

Containing: 10.94 acres, more or less.